



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Robert R. Scott, Commissioner

**FP 2018-25, Env-Dw 1200 Privately Owned Redistribution Systems
Summary of Comments on Initial Proposal with DES Responses
June 21, 2018**

Introduction

Existing Env-Dw 1200 implements the amendments to RSA 485 enacted by Laws of 2008, 279:1-9 (eff. July 1, 2009), which require the Department to oversee the construction, operation, and maintenance of privately owned redistribution systems (PORS), which provide piped water for human consumption but are not public water systems in and of themselves. Specifically, PORS are systems that (1) obtain all of their water from, but are not owned or operated by, a public water system; (2) serve a population of at least 25 people, 10 household units, or 15 service connections, whichever is fewest, for at least 60 days per year; and (3) have exterior pumping or storage facilities that are not part of building plumbing. The rules in Env-Dw 1201-1209 were scheduled to expire on February 24, 2018, and Env-Dw 1210 is scheduled to expire on July 30, 2018; the entire chapter is proposed to be readopted to continue the program as directed by the Legislature. (Env-Dw 1201-1209 have continued in effect pursuant to RSA 541-A:14-a, I, subject to the conditions stated therein.) As part of the readoption, amendments are proposed that would (1) adjust definitions to reflect Env-Dw 103; (2) clarify existing requirements and update cross-references; and (3) replace the term “owner” with “O/O” throughout Env-Dw 1200 to reflect the change in terminology required by EPA.

No comments from the public were received at the public hearing held on March 29, 2018 or prior to the April 6, 2018 deadline for written comments. Written comments noting several edits were received from the Office of Legislative Services, Administrative Rules (OLS); those edits have been made or otherwise addressed. The Department also corrected a cross-reference to Env-Dw 719 that was necessitated by proposed revisions to that part.