

PART Env-Dw 707 GENERAL MONITORING REQUIREMENTS; LABORATORY ANALYTICAL METHODS

Readopt Env-Dw 707.01, eff. 5-1-10 (doc. #9700), to read as follows:

Env-Dw 707.01 Purpose. The purpose of this part is to establish generally-applicable requirements for monitoring by public water systems (PWS), including sampling and analysis, reporting, and compliance with water quality standards.

Readopt Env-Dw 707.02 and Env-Dw 707.03, eff. 5-1-10 (doc. #9700), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 707.02 Adjustments to Monitoring Requirements.

(a) The department shall require more frequent monitoring than that specified in Env-Dw 708 through Env-Dw 713 if the department determines that additional monitoring is necessary to confirm that a water source is capable of consistently producing an adequate supply of water that meets drinking water quality standards, because:

- (1) The data submitted for any given parameter is inconsistent with the preponderance of data elements submitted for that water source for the same parameter;
- (2) The data submitted for the water source exhibits constituents from known or unknown sources of contamination;
- (3) Potential or known sources of contamination are located in the source water protection area of the water source;
- (4) Treatment installed to treat water that exceeds an MCL has not consistently met design standards; or
- (5) The data submitted after treatment indicates inconsistent contaminant removal is occurring.

(b) If sample results indicate the presence of contaminants for which MCLs are not listed in Env-Dw 702 through Env-Dw 706 but which are included in the ambient groundwater quality standards (AGQS) specified in Env-Or 603.03, the PWS shall comply with the AGQS specified in Env-Or 603.03.

(c) The department shall review the monitoring requirements during each inspection or sanitary survey to determine whether the sampling point(s) and frequency meet all monitoring requirements. If the sampling point(s) and frequency do not meet all monitoring requirements, the department shall adjust the sampling point(s) and frequency to meet them.

Env-Dw 707.03 Monitoring of Consecutive Public Water Systems.

(a) Subject to (b), below, if a PWS supplies water to one or more other public water systems, the department shall eliminate the requirements imposed on the consecutive systems by Env-Dw 708 through Env-Dw 713.

(b) Each consecutive system shall monitor for bacterial contaminants as specified in Env-Dw 709 and for corrosion control parameters as specified in Env-Dw 714, in accordance with the schedule issued by the department pursuant to Env-Dw 708.

Readopt with amendment Env-Dw 707.04, eff. 5-1-10 (doc. #9700), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 707.04 Validity of Laboratory Results.

- (a) The department shall not use sampling or laboratory results if the department determines that the data is:
- (1) From an obvious sampling or laboratory error from known errors in collection, processing, or transcription;

- (2) A technical impossibility;
- (3) Inconsistent with the preponderance of data elements for the same parameter from the same source or system; or
- (4) From a laboratory not accredited in accordance with Env-C 300 when such accreditation is required for the particular analysis.

(b) Unless otherwise noted, any result that is below the detection limit of a test method approved for use pursuant to Env-Dw 707.07 shall be calculated as zero for the purpose of determining compliance.

(c) All chemical concentration data submitted to the department for compliance purposes shall be reported in the same units used for the specified MCL, MCLG, SMCL, or MRDL, as applicable.

(d) If sample results are not acceptable based on the criteria in (a), above, the O/O shall collect a replacement sample within 7 days of notification.

Readopt Env-Dw 707.05, eff. 5-1-10 (doc. #9700), to read as follows:

Env-Dw 707.05 Additional Sampling. The department shall require additional samples to be collected for:

- (a) Any samples exceeding the applicable MCL, SMCL, or MRDL specified in Env-Dw 702 through Env-Dw 706; and
- (b) Any samples for which the results are invalid as specified in Env-Dw 707.04(a).

Readopt with amendment Env-Dw 707.06, eff. 5-1-10 (doc. #9700), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 707.06 Sample Analysis Methods; Sample Collection Protocol; Approval of Alternative Methods.

(a) Acceptable laboratory methods, detection limits, and sample collection protocols shall be those specified in 40 CFR 141, 142, or 143, as applicable.

(b) The O/O of a PWS having its own laboratory or the O/O of a laboratory used by one or more PWS who wishes to use a method other than one specified in (a), above, shall obtain written permission from the department as specified in (c) through (e), below, prior to using any alternative method.

(c) The O/O shall submit a request to use an alternative method in writing to the program manager of the NH environmental laboratory accreditation program (NH ELAP) at the address specified in Env-C 303.01(a).

(d) The request shall include all relevant information, including:

- (1) The name and PWS identifier of each PWS for which the alternative method would be used;
- (2) The reason(s) for requesting approval of the alternate method; and
- (3) Analytical data demonstrating the precision and accuracy of the alternative method as it relates to the determination of compliance with the applicable standard.

(e) An alternative technique shall be approved only if the NH ELAP program manager, with the concurrence of the administrator of the U.S. EPA, determines that the method is equivalent to or better than the prescribed test in both precision and accuracy as it relates to the determination of compliance with the applicable standard.

(f) The use of an alternative analytical technique shall not decrease the frequency of monitoring required by this chapter.

Readopt Env-Dw 707.07, eff. 5-1-10 (doc. #9700), as amended eff. 2-1-15 (doc. #10771), to read as follows:

Env-Dw 707.07 Accredited Laboratory Required.

(a) Subject to (c) and (d), below, compliance determinations for the contaminant categories listed in (b), below, shall be based on data provided by a laboratory accredited pursuant to Env-C 300 for the test being conducted.

(b) The contaminant categories covered by (a), above, shall be as follows:

- (1) Microbiological, as specified in Env-Dw 702;
- (2) Radiological, as specified in Env-Dw 703;
- (3) Inorganics, as specified in Env-Dw 704;
- (4) Organics, as specified in Env-Dw 705;
- (5) Secondaries, as specified in Env-Dw 706;
- (6) Lead and copper, as specified in Env-Dw 714;
- (7) Disinfection residuals, byproducts, and byproduct precursors, as specified in Env-Dw 715;
- (8) Filtration, disinfection, waste recycling, as specified in Env-Dw 716; and
- (9) Groundwater monitoring, as specified in Env-Dw 717.

(c) Samples for turbidity, chlorine residual, temperature, and pH may be performed by any individual qualified to perform the test.

(d) If a sample is analyzed by a method approved pursuant to Env-Dw 707.07, the laboratory performing the analysis need not be accredited by NH ELAP.

Readopt Env-Dw 707.08, eff. 5-1-10 (doc. #9700), to read as follows:

Env-Dw 707.08 Additional Sampling by Department. Nothing in this chapter shall be construed to preclude the department, or any duly designated representative of the department, from:

- (a) Collecting samples; or
- (b) Using the results from such samples to determine compliance by a PWS with the applicable requirements of this chapter.

APPENDIX A - STATE STATUTES, FEDERAL REGULATIONS IMPLEMENTED

Rule Section(s)	State Statute(s) Implemented	Federal Regulation(s) Implemented
Env-Dw 707.01	RSA 485:3, I	
Env-Dw 707.02(a)	RSA 485:3, I(c)	40 CFR 141 Subpart C
Env-Dw 707.02(b)	RSA 485:3, I(c) & IV	40 CFR 141 101
Env-Dw 707.02(c)	RSA 485:3, I	40 CFR 141 Subparts C & Y
Env-Dw 707.03	RSA 485:3, I	40 CFR 141.29
Env-Dw 707.04 - 707.05	RSA 485:3, I	
Env-Dw 707.06 - 707.08	RSA 485:3, I	
Env-Dw 707.06 (a), (d) intro & (1)	RSA 485:3, I	40 CFR 141, 142, & 143; 40 CFR 141.852(a) & (c)
Env-Dw 707.07(b)	RSA 485:3, I	40 CFR 141.28; 40 CFR 141.852(b)
Env-Dw 707.06 - 707.08	RSA 485:3, I	