

RULEMAKING NOTICE

Notice Number _____	Rule Number _____ Env-Or 603.03(c) intro., Table 600-1
<p>1. Agency Name & Address:</p> <p>Department of Environmental Services 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095</p>	<p>2. RSA Authority: <u>RSA 485-C:4, III</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment <u> X </u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment _____</p>

5. Short Title: **Change to Ambient Groundwater Quality Standard for Manganese**

6. (a) Summary of what the rule says and of any proposed amendments:

Env-Or 603.03(c), Table 600-1, establishes ambient groundwater quality standards (AGQS) for regulated contaminants that result from human operations or activities. The Department is proposing to decrease the AGQS in Table 600-1 for manganese (Mn) from 0.84 milligrams per liter (mg/L) to 0.30 mg/L, to match the current EPA Lifetime Health Advisory (LHA) for manganese (0.3 mg/L or 300 micrograms per liter (µg/L) based on exposure considerations for adults). This change is required by RSA 485-C:6, I (“... Where federal maximum contaminant level or health advisories have been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, ambient groundwater quality standards shall be no less stringent than such standards. ...”).

6. (b) Brief description of the groups affected:

The rules affect any person who owns a site that is contaminated with manganese.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	State Statutes Implemented
Env-Or 603.03(c) intro & Table 600-1	RSA 485-C:6, I, II

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	Amy Doherty	Title:	Hydrogeologist V, Haz. Waste Remediation Bureau
Address:	Dept. of Environmental Services 29 Hazen Drive; P.O. Box 95 Concord, NH 03302-0095	Phone #:	(603) 271-6542
		Fax#:	(603) 271-2181
		E-mail:	Amy.Doherty@des.nh.gov

The rules also can be viewed in PDF at
<http://des.nh.gov/organization/commissioner/legal/rulemaking/index.htm>

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **4:00 p.m. on Friday, November 13, 2020**

YOU MAY SUBMIT WRITTEN COMMENTS WITHOUT ATTENDING THE PUBLIC HEARING

Fax
 E-mail
 Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Thursday, November 5, 2020 at 1:00 PM**

Place: **This will be a virtual public hearing. Please register at:**

<https://attendee.gotowebinar.com/register/608841960477210125>

After registering, you will receive a confirmation email containing information about joining the webinar.

**Brought to you by GoToWebinar®
Webinars Made Easy®**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant): FIS # 20:079, dated 09/23/2020:

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules. Any cost or benefit is attributable to RSA 485-C:4, III and RSA 485-C:6, I and not the rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Any costs are attributable to the statute, which requires an AGQS to be no less stringent than a federal health advisory. The rule thus does not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision, and does not violate Part I, Article 28-a of the N.H. Constitution.