

NEW HAMPSHSIRE CODE OF ADMINISTRATIVE RULES

TABLE OF CONTENTS

CHAPTER We 100 ORGANIZATIONAL RULES

PART We 101 DEFINITIONS

- Section We 101.01 Abandoned Well
- Section We 101.02 Active Well
- Section We 101.03 Adjudicative Proceeding
- Section We 101.04 Agency
- Section We 101.05 Bentonite
- Section We 101.06 Board
- Section We 101.07 Board Clerk
- Section We 101.08 Closed Loop Geothermal Well
- Section We 101.09 Competent Bedrock
- Section We 101.10 Contested Case
- Section We 101.11 Critical Well Location
- Section We 101.12 Declaratory Ruling
- Section We 101.13 Department
- Section We 101.14 Director
- Section We 101.15 Division
- Section We 101.16 Drive Shoe
- Section We 101.17 Fiscal Impact Statement
- Section We 101.18 Grout
- Section We 101.19 Hydrofracturing
- Section We 101.20 Inactive Well
- Section We 101.21 Jaswell-type Seal
- Section We 101.22 License
- Section We 101.23 Licensing
- Section We 101.24 Listed
- Section We 101.25 Monitoring Well
- Section We 101.26 Non Adjudicative Processes
- Section We 101.27 Open Loop Geothermal Well
- Section We 101.28 Order
- Section We 101.29 Party
- Section We 101.30 Person
- Section We 101.31 Pitless Adapter
- Section We 101.32 Portland Cement
- Section We 101.33 Presiding Officer
- Section We 101.34 Pump Installer
- Section We 101.35 Pump Installations
- Section We 101.36 Rule
- Section We 101.37 Schedule 40
- Section We 101.38 Sewer
- Section We 101.39 Shale Packer
- Section We 101.40 Sitting Member
- Section We 101.41 Standard Dimension Ratio (SDR)
- Section We 101.42 Water Well Construction
- Section We 101.43 Water Well Contractor
- Section We 101.44 Well
- Section We 101.45 Well Log

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART We 102 STRUCTURE OF THE BOARD

Section We 102.01 Structure

PART We 103 ACCESS TO FILES

Section We 103.01 Access to Files

PART We 104 SOURCES OF AUTHORITY

Section We 104.01 Statutes Granting Authority

Section We 104.02 Previously Existing Wells

PART We 105 DUTIES OF THE BOARD

Section We 105.01 Summary of Duties

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 200 RULES OF PRACTICE AND PROCEDURE

PART We 201 PURPOSE AND APPLICABILITY

- Section We 201.01 Purpose
- Section We 201.02 Applicability
- Section We 201.03 Governing Statutes and Rules

PART We 202 QUORUM, COMPUTATION OF TIME, FILING OF DOCUMENTS AND DATES OF ISSUANCE OR FILING

- Section We 202.01 Quorum
- Section We 202.02 Computation of Time
- Section We 202.03 Filing of Documents
- Section We 202.04 Date of Issuance or Filing

PART We 203 COMPLAINTS AND INVESTIGATIONS

- Section We 203.01 Preliminary Processing of Complaints
- Section We 203.02 Formal Processing of Complaints
- Section We 203.03 Investigations by the Board
- Section We 203.04 Investigations by the Department

PART We 204 PETITIONS FOR WAIVER OR EXEMPTION OF RULES, EXEMPTIONS OF STATUTORY REQUIREMENTS AND DECLARATORY RULINGS

- Section We 204.01 Applicability
- Section We 204.02 Undue Hardship
- Section We 204.03 Filing
- Section We 204.04 Format and Content of Petitions
- Section We 204.05 Processing of Petitions for Waiver or Exemption of Rules, Exemption of Statutory Requirements and Declaratory Rulings
- Section We 204.06 Exemptions

PART We 205 PETITIONS FOR RULEMAKING AND REQUESTS FOR EXPLANATION OF RULES

- Section We 205.01 Applicability
- Section We 205.02 Filing
- Section We 205.03 Format and Content of Petitions
- Section We 205.04 Processing of Rulemaking Petitions
- Section We 205.05 Requests for Explanation of Rules

PART We 206 APPEALS PROCEDURES AND CONDUCT OF HEARINGS

- Section We 206.01 Applicability
- Section We 206.02 Time for Filing of Appeals
- Section We 206.03 Notice of Appeals
- Section We 206.04 Supplemental Materials
- Section We 206.05 Communications with the Board
- Section We 206.06 Signatures
- Section We 206.07 Identification and Distribution of Notice of Appeal
- Section We 206.08 Scheduling and Notice of Hearing
- Section We 206.09 Calendar of Hearings
- Section We 206.10 Extensions of Time
- Section We 206.11 Pre-Hearing Conferences
- Section We 206.12 Requests for Information or Documents

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- Section We 206.13 Appearance Before the Board
- Section We 206.14 Failure to Appear
- Section We 206.15 Parties, Intervenors, and Complainants
- Section We 206.16 Representatives
- Section We 206.17 Removal of Representatives
- Section We 206.18 Presiding Officer
- Section We 206.19 Withdrawal of Presiding Officer or Member of the Board
- Section We 206.20 Testimony
- Section We 206.21 Exhibits
- Section We 206.22 Motions
- Section We 206.23 Requests for Finding and Conclusions
- Section We 206.24 Evidence
- Section We 206.25 Standard of Proof
- Section We 206.26 Burden of Proof
- Section We 206.27 Hearing Record
- Section We 206.28 Recess and Adjournment
- Section We 206.29 Continuance
- Section We 206.30 Close of the Record
- Section We 206.31 Reopening of the Record
- Section We 206.32 Decisions
- Section We 206.33 Motion for Rehearing or Reconsideration

PART We 207 NON-ADJUDICATIVE PUBLIC HEARINGS

- Section We 207.01 Applicability
- Section We 207.02 Non-Adjudicative Public Hearings
- Section We 207.03 Notice
- Section We 207.04 Record
- Section We 207.05 Opening the Hearing
- Section We 207.06 Testimony
- Section We 207.07 Closing of the Hearing and the Record
- Section We 207.08 Continuances

NEW HAMPSHSIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 300 LICENSE REQUIREMENTS, QUALIFICATIONS, FEES, AND APPLICATION PROCEDURES

PART We 301 PURPOSE AND APPLICABILITY

Section We 301.01 Purpose

Section We 301.02 Applicability

PART We 302 LICENSE REQUIREMENTS AND QUALIFICATIONS; EXCEPTIONS

Section We 302.01 License Required

Section We 302.02 Exemptions

Section We 302.03 Businesses Shall Be Licensed

Section We 302.04 Individual May Be Licensed

Section We 302.05 Minimum Experience Requirement

Section We 302.06 Proof of Experience

Section We 302.07 Qualified Individual

Section We 302.08 Loss of Qualified Individual

PART We 303 LICENSES; LICENSE APPLICATION PROCEDURE

Section We 303.01 Type of Construction or Installation to be Specified on License

Section We 303.02 Fees

Section We 303.03 Application Forms

PART We 304 EXAMINATIONS

Section We 304.01 Examination Required

Section We 304.02 Schedule

Section We 304.03 Exemptions

PART We 305 RECIPROCITY

Section We 305.01 Statutory Authority

Section We 305.02 Required Agreement

Section We 305.03 Procedure

NEW HAMPSHSIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 400 LICENSE RENEWAL

PART We 401 LICENSE RENEWAL PROCEDURE

Section We 401.01 Application for Renewal

Section We 401.02 Renewal of License

Section We 401.03 Notice of Invalidation

Section We 401.04 Refusal of License Renewal

PART We 402 CONTINUING EDUCATION

Section We 402.01 Purpose

Section We 402.02 Applicability

Section We 402.03 Requirements

Section We 402.04 Continuing Education; Subject Matter

NEW HAMPSHSIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 500 ETHICAL STANDARDS

PART We 501 CODE OF ETHICS

Section We 501.01 Purpose

Section We 501.02 Ethical Practices

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 600 STANDARDS FOR THE CONSTRUCTION, MAINTENANCE AND ABANDONMENT OF WELLS

PART We 601 PURPOSE AND APPLICABILITY

Section We 601.01 Purpose

Section We 601.02 Applicability

PART We 602 NEW WELL CONSTRUCTION

Section We 602.01 Public Water Systems

Section We 602.02 Reports

Section We 602.03 Chlorination

Section We 602.04 Discharge of Chlorinated Water

Section We 602.05 Grouting of Well Casings

Section We 602.06 Well Location: Protective Well Radii, Generally

Section We 602.07 Well Location: Setbacks from Septic Systems

Section We 602.08 Well Location: Protective Well Radii and Setbacks from Property Boundaries

Section We 602.09 Well Location: Other Potential Sources of Contamination

Section We 602.10 Well Location: Dug Wells in Areas Prone to Flooding or Standing Water

Section We 602.11 Well Location: Underground Storage Tanks

Section We 602.12 Well Location: State Approved Septic Plans

Section We 602.13 Setback Reductions: General Requirements

Section We 602.14 Setback Reductions: Bedrock Wells

Section We 602.15 Setback Reductions: Septic Systems

Section We 602.16 Setback Reductions: Special Methods of Construction for Bedrock Wells

Section We 602.17 Setback Reductions: Setback Reduction Form

Section We 602.18 Wells for Public Water Systems

Section We 602.19 Private Wells on Lots Served by a Public Water System

Section We 602.20 Wells Drilled in Bedrock: Recordkeeping and Reporting

Section We 602.21 Wells Drilled in Bedrock: Casing Function and Materials

Section We 602.22 Wells Drilled in Bedrock: Installation and Placement of Casing

Section We 602.23 Wells Constructed in Unconsolidated Materials: Applicability, Recordkeeping, and Reporting

Section We 602.24 Wells Constructed in Unconsolidated Materials: Casing Function and Materials

Section We 602.25 Wells Constructed in Unconsolidated Materials: Installation and Placement of Casing

Section We 602.26 Driven Wells: Applicability, Recordkeeping, and Reporting

Section We 602.27 Driven Wells: Casing Function and Materials

Section We 602.28 Driven Wells: Installation and Placement of Casings

Section We 602.29 Wells Constructed by Excavation: Applicability Recordkeeping, and Reporting

Section We 602.30 Wells Constructed by Excavation: Casing Function and Materials

Section We 602.31 Wells Constructed by Excavation: Installation and Placement of Casing

Section We 602.32 Wells Constructed by Excavation: Backfill

Section We 602.33 Development of Well Yield, Generally

Section We 602.34 Development of Well Yield by Hydrofracturing

Section We 602.35 Termination of Well Casings Below Ground Surface

Section We 602.36 Monitoring Wells

Section We 602.37 Closed Loop Geothermal Wells

Section We 602.38 Open Loop Geothermal Wells

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART We 603 WELL MAINTENANCE

- Section We 603.01 Active Wells
- Section We 603.02 Inactive Wells
- Section We 603.03 Well Casing Extensions
- Section We 603.04 Abandoned Wells
- Section We 603.05 Responsibility

PART We 604 SEALING ABANDONED WELLS

- Section We 604.01 Purpose
- Section We 604.02 Applicability
- Section We 604.03 Determination of Abandonment
- Section We 604.04 Removal of Pumping Equipment and Debris
- Section We 604.05 Sealing
- Section We 604.06 Responsibility

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 700 STANDARDS FOR THE INSTALLATION, MAINTENANCE, REPAIR OR
REPLACEMENT OF PUMPS

PART We 701 PURPOSE AND APPLICABILITY

Section We 701.01 Purpose

Section We 701.02 Applicability

PART We 702 INSTALLATION, MAINTENANCE, REPAIR OR REPLACEMENT
REQUIREMENTS

Section We 702.01 Public Water System Requirements under RSA 485:1

Section We 702.02 Chlorination

Section We 702.03 Discharge of Chlorinated Water

Section We 702.04 Electrical Requirements

Section We 702.05 Mechanical Requirements

Section We 702.06 Standards Adopted by Reference

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 800 REPORTS

PART We 801 WELL COMPLETION REPORT

Section We 801.01 Required Information and Entry Format

Section We 801.02 Location, Accuracy, Method of Reference, Street Address and Attachments

Section We 801.03 Submission Procedure

PART We 802 MONITORING WELL COMPLETION REPORT

Section We 802.01 Applicability

Section We 802.02 Required Information and Entry Format

Section We 802.03 Location Accuracy, Method of Reference, Street Address and Attachments

Section We 802.04 Submission Procedure

NEW HAMPSHSIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 900 ADMINISTRATIVE FINES

PART We 901 DETERMINATION OF FINE AMOUNT

Section We 901.01 Administrative Fine Amount

Section We 901.02 Administrative Fine Adjustments

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER We 1000 REGISTRY OF COMPLAINTS

PART We 1001 PURPOSE AND APPLICABILITY

Section We 1001.01 Purpose

Section We 1001.02 Applicability

PART We 1002 MAINTAIN A REGISTRY

Section We 1002.01 Registry

Section We 1002.02 Contents of the Registry

Section We 1002.03 Public Access

Section We 1002.04 Requests for Removal from the Registry