



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 8, 2011

The Honorable James Garrity, Chairman
Science, Technology and Energy Committee
Legislative Office Building, Room 304
Concord, New Hampshire 03301

Re: HB 612, establishing a commission to study existing septic systems and potential new septic technologies.

Dear Chairman Garrity:

Thank you for the opportunity to comment on HB 612, which would establish a commission to study existing septic systems and potential new septic technologies. The Department of Environmental Services (DES) supports this bill.

As background, DES has a very successful program, the Subsurface Systems Program, that regulates the design and installation of septic systems under RSA 485-A. Depending on the economy and the rate of housing construction in New Hampshire, this program reviews between 3,800 and 10,000 new septic system plans per year and approves these systems for operation after inspections of installed systems before backfilling. DES also evaluates and approves new and innovative subsurface wastewater disposal and treatment technologies for use in New Hampshire. Many of these new technologies include smaller leaching field sizes, innovative septic tank designs or additional treatment for use near surface waters.

There is an identified need to further encourage the development and use of new innovative technologies that may provide "exceptional" treatment for specific contaminants in sensitive environments. For example, phosphorus is a water quality concern for many of New Hampshire's freshwater lakes, such as certain bays in Lake Winnepesaukee, and nitrogen is a concern in various tidal waterbodies. Emerging on-site wastewater treatment technologies for these applications could be evaluated by the proposed commission and recommendations could then be made to DES and the Legislature on the potential applications for these new technologies.

HB 612 also proposes that the commission review the applicable septic laws and programs of other New England states for comparison with New Hampshire's program. This could also lead to improvements to New Hampshire's laws, regulations and program operation by consideration of alternative public policies and implementation procedures.

Thank you for this opportunity to comment on this bill. Please feel free to call Rene Pelletier at 271-2951 or me at 271-2958 if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack
Commissioner

cc: Senator Odell
Representatives Millham and Kidder