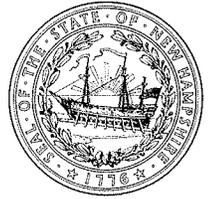


The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



*Celebrating 25 Years of Protecting
New Hampshire's Environment*

January 26, 2012

The Honorable Andrew Renzullo
Resources and Recreation Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 1529 relative to the introduction of fluoride and herbicides into the drinking water of the state.

Dear Representative Renzullo:

Thank you for the opportunity to comment on HB 1529, which would prohibit the use of fluoride and herbicides in the drinking water of the state. The Department of Environmental Services (DES) defers to the Division of Public Health Services of the Department of Health and Human Services concerning the proposed fluoride ban in Section 1 of the bill. DES does not support Sections 2 through 4 of HB 1529.

If enacted, Sections 2 through 4 of HB 1529 would result in an immediate ban on herbicide uses for milfoil control in any areas within 10 miles upgradient of a drinking water supply intake of a domestic water supply of a city, town or village. This would eliminate this treatment option for a very substantial area of New Hampshire's surface waters, resulting in a negative impact to the environment by precluding an effective method of milfoil control without any public health benefit. DES has water quality data from permitted application sites that consistently demonstrate that these chemicals are non-detectable quite near the sites, at distances of much less than one mile from the point of use, and that these compounds dissipate rapidly within a few days to non-detectable levels at the application sites. No significant detectable movement of these chemicals occurs over longer distances that could negatively affect water quality at distant public water supply intakes.

State permits for the herbicide applications for milfoil control are issued by the Department Agriculture, Markets and Foods, Division of Pesticide Control. Permit applications are sent to DES for review when public drinking water supply intakes exist in the surface waters where an herbicide application is proposed. When water supply intakes are in close proximity, DES will make recommendations on how to reduce risks, including recommendations to deny if the proposed herbicide application is too close to an intake. We believe that this existing process is adequate and protective of public water supplies.

Thank you for this opportunity to comment. Please call Amy Smagula at 271-2248, or me at 271-2958, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack,
Commissioner

cc: Representatives Kingsbury and Notter

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