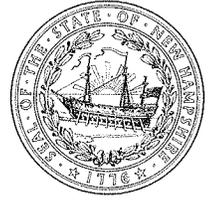


The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner



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

April 12, 2012

The Honorable Bob Odell, Chairman
Energy and Natural Resources Committee
Legislative Office Building, Room 102
Concord, NH 03301

RE: HB 1721 - relative to permitting for the replacement of sewage disposal systems and relative to oil spillage prevention, control, and countermeasure plans.

Dear Chairman Odell:

Thank you for the opportunity to testify on the amendment to HB 1721, relative to permitting for the replacement of sewage disposal systems and relative to oil spillage prevention, control, and countermeasure plans. DES supports the provisions of HB 1721 relating to sewage disposal systems. A separate letter will be provided discussing issues related to oil spillage prevention, control and countermeasure plans.

Section 1 would amend RSA 485-A:38,II-a to clearly allow expansion, relocation or replacement of structures on lots that are greater than 5 acres that do not increase load to proceed without DES construction or operational approval of the sewage disposal system. This section also clarifies that plan approval may be required for other expansions but that construction of the approved system is not required to satisfy these requirements.

Sections 2 through 4 provide language that would only become effective in the event that HB 1415, which was scheduled to be heard by the Committee earlier today, does not pass in order to address the reference to "permit by rule for in kind replacement systems" in the proposed new section RSA 485-A:38, II-a (b). Section 7 of the bill describes the relationship between this contingency language and the outcome for HB 1415 in the Legislature.

Thank you for your consideration of this issue. If you have any questions please contact Rene Pelletier at 271-2951 or me at 271-2958.

Sincerely,

Thomas S. Burack
Commissioner

cc: Representatives Ritter and Groen
Senator De Blois

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