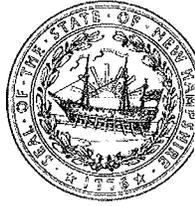




The State of New Hampshire
Department of Environmental Services



Thomas S. Burack, Commissioner
January 23, 2014

The Honorable Shannon Chandley, Chair
Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 1340, An Act exempting septic systems from certain requirements where there are grouted wells.

Dear Chair Chandley and Members of the Committee:

Thank you for the opportunity to testify on HB 1340. This bill would allow for a reduction of the protective well radius of an existing well to a septic system being repaired or replaced "in-kind" in accordance with the provisions of RSA 485-A:33, IV. The Department of Environmental Services (DES) opposes this bill.

HB 1340 would amend RSA 485-A:33, IV (a)(4)-(5) to allow for a reduction of the 75 foot protective well radius from a septic system to the well of the property owner or an abutter, provided that the well has been grouted. Simply grouting a well does not typically provide adequate protection for drinking water supplies, especially from bacterial contamination. Other well system components, such as additional well casing, must also exist to ensure adequate protection if a reduction in the required setback is needed to replace an existing failed septic system. DES, in conjunction with the New Hampshire Water Well Board, has recently developed proposed rules that would establish the appropriate combination(s) of well construction methods that could be used if the 75 foot protective well radius cannot be met for replacement of failed septic systems. These rules are expected to be formally proposed by the Water Well Board in the Spring of 2014 and adopted later in the year. This is the preferred approach since it would provide greater protection to public health than the approach proposed in HB 1340.

Thank you for your consideration in this matter. If you have questions or need additional information, please contact Rene Pelletier, P.G., Assistant Director, Water Division at rene.pelletier@des.nh.gov, 271-2951 or me at tom.burack@des.nh.gov, 271-2958.

Sincerely,

Thomas S. Burack
Commissioner

CC: Representative Warren Groen