



The State of New Hampshire
Department of Environmental Services



Clark B. Freise, Assistant Commissioner

April 25, 2017

The Honorable Kevin Avard
Chair, Energy and Natural Resources Committee
State House, Room 103
Concord, NH 03301

RE: HB258, *An Act relative to the submission and approval of subsurface sewage disposal system plans and authorizing certain septage and sludge land applications*

Dear Chair Avard and Members of the Committee:

Thank you for the opportunity to testify on the Amendment to HB 258. This amendment would allow a permanent exemption to certain septage and sludge land application restrictions. NHDES supports this bill.

This amendment continues use authorization granted to certain septage and sludge land application sites upon which septage or sludge was spread in accordance with all applicable rules adopted by the federal Environmental Protection Agency and NHDES, during any portion of the 3-year period prior to January 1, 1998. In addition, it allows this restriction exemption to continue for qualifying land that is used for scientific research on septage or sludge.

DES supports this bill as it allows farmers who have been land applying septage and sludge in accordance with NHDES and federal rules without creating risk or harm to the public or environment to continue to do so.

Thank you again for the opportunity to comment on the Amendment to HB 258. Should you have further questions or need additional information, please feel free to contact Rene Pelletier, Assistant Director, Water Division (603-271-2951, rene.pelletier@des.nh.gov).

Sincerely,

for Clark B. Freise
Assistant Commissioner

cc: Sponsor of HB 258: Representative Sprague

Sen. Avard, Dist 12
April 19, 2017
2017-1472s
08/10

Amendment to HB 258

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the submission and approval of subsurface sewage disposal system plans
4 and authorizing certain septage and sludge land applications.
5

6 Amend the bill by inserting after section 3 the following and renumbering the original section 4 to
7 read as 5:

8

9 4 Use Authorization; Septage and Sludge Land Application. Amend 1998, 56:6 as amended by
10 2003, 43:14, 2003, 302:3, 2005, 141:2, 2007, 287:1, and 2011, 32:5 to read as follows:

11 56:6 [Temporary] Use Authorization. The septage and sludge land application restrictions
12 contained in RSA 483:9, VI(c), RSA 483:9-a, VII(b), RSA 483:9-aa, VII(b), and RSA 483:9-b, VII(b)
13 shall not apply [until January 1, 2017] to any land upon which septage or sludge has been spread in
14 accordance with all applicable rules adopted by the federal Environmental Protection Agency and
15 the New Hampshire department of environmental services, during any portion of the 3-year period
16 prior to January 1, 1998. In addition, there shall be no termination of this restriction exemption for
17 qualifying land that is used for scientific research on septage or sludge. Any continued application
18 of septage and sludge pursuant to this section shall comply with all applicable federal and state
19 laws and any best management practices published by the university of New Hampshire
20 cooperative extension.