



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 10, 2018

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

RE: HB 1689, *Repealing the Repeal of the Pollution Prevention Program of the Department of Environmental Services*

Dear Chair Avard and Honorable Members of the Committee:

Thank you for the opportunity to testify in full support of HB 1689. This bill would permanently remove the prospective repeal (currently July 1, 2020, per Laws of 2009, 167:4) of the NH Pollution Prevention Program (NHPPP), thus eliminating the need for the New Hampshire Department of Environmental Services (NHDES) and the General Court from having to periodically extend the repeal date of this effective compliance and pollution prevention (P2) technical assistance resource for small businesses.

As documented in many biennial progress reports to the Legislature over its 22-year history, the NHPPP has provided free and confidential P2 strategies and non-regulatory compliance assistance through onsite consultations to over 225 small New Hampshire businesses and organizations, saving them nearly \$5.5 million in the process. Annually, the NHPPP responds to over 200 information requests, conducts several P2 trainings, and provides numerous individual site visits upon request. In 1993, the program partnered with the University of New Hampshire's Chemical Engineering Program to create a P2 Internship Program, which subsequently has placed 135 students in 75 regulated facilities, resulting in nearly \$2 million in savings for participating businesses. In addition to the onsite consultations, the NHPPP has worked with many business sectors such as marinas, automobile salvage facilities, dry cleaners, printers, ski areas, dentists, restaurants, hotels, healthcare facilities, and even schools, municipalities and other State agencies to help them reduce wastes and energy use, conserve water and save money. For its exceptional efforts, the NHPPP has received several national and regional awards and has been recognized as one of the most accomplished P2 programs in the country.

The General Court formally established the NHPPP to "assist the regulated community to achieve compliance with regulatory requirements in a cost-effective manner sensitive to environmental quality" in 1996. The legislation included a prospective repeal (July 1, 2002) unless NHDES could demonstrate that the program was "effective in encouraging enhanced voluntary compliance with environmental law and in not providing opportunities for avoiding such compliance." Based on multiple NHPPP biennial reports and positive feedback from the program's many satisfied customers, in 2002 the General Court extended the repeal date to 2010. During the 2009 legislative session, a second extension was

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requested and granted, authorizing the NHPPP to continue to offer its services to New Hampshire's small businesses until July 1, 2020.

NHDES considers the NHPPP to be a critical component of its efforts to help the regulated community, particularly small businesses, not only to achieve compliance with various environmental requirements, but also help them create a safer workplace, lower their costs, and exceed minimum compliance standards wherever possible -- all within a safe, non-regulatory atmosphere.

NHDES believes that the NHPPP has consistently demonstrated its value to the businesses and citizens of New Hampshire whom it serves by encouraging enhanced voluntary compliance with environmental laws. It is inefficient to return to the General Court every few years to once again request an extension of the prospective repeal date. It is our intention, and our hope, to continue this important program to support small businesses. Funding will continue to originate from the fee-based Hazardous Waste Clean-up Fund, authorized under RSA 147-B. This program does not use State General Funds.

Thank you again for the opportunity to testify in support of HB 1689. A copy of the NHPPP's most current Biennial Report is being submitted to the Committee with this letter. Should you have further questions or need additional information, please contact Vincent Perelli, Administrator of the NHDES Planning, Prevention & Assistance Unit (Vincent.perelli@des.nh.gov, 271-8989); Clark Freise, NHDES Assistant Commissioner (Clark.freise@des.nh.gov, 271-3449); or Melissa Zych, NHPPP Program Manager (Melissa.zych@des.nh.gov, 271-6460).

Sincerely,



Robert R. Scott
Commissioner

cc: *Sponsors of HB 1689*: Representative Frank Byron, Representative Chris Christensen, Representative Suzanne Smith, and Senator Martha Fuller Clark