



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 26, 2018

The Honorable Chris Christensen, Chair
House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: SB 453 as amended (2018-1554h), AN ACT relative to requirements and criteria for a competitive grant program for drinking water protection and relative to fluoridated water

Dear Chairman Christensen and Members of the Committee:

Thank you for the opportunity to comment on SB 453 as amended (2018-1554h). This bill as amended by the senate defines the duties of the Drinking Water and Groundwater Trust Fund Commission (Commission) created under RSA 485-F, clarifies eligible entities for grants and loans and streamlines the current process for communities that need water to receive it from a system that fluoridates. NHDES supports both the bill as amended by the senate and the house amendment that is being heard today.

The need for drinking water infrastructure improvements in New Hampshire is on the order of \$85,000,000 annually. The Drinking Water and Groundwater Trust Fund provides essential funding, in the form of loans and grants, to communities for these important investments in safe and reliable drinking water. One project that has been approved by the Commission is to extend water into areas of southern New Hampshire with contaminated groundwater and, in some case, insufficient supply. The source of this water will be Manchester, a municipality that voted long ago to add fluoride for the purpose of oral health. This bill would allow communities such as Salem, Hampstead, and Plaistow to purchase Manchester water for their public water systems without each of the communities having to specifically vote to receive safe drinking water. In addition, the amendment allows bulk delivery of water from towns which fluoridate to small community water systems in times of drought or other water supply emergency. We also support that customers be notified that fluoride will be in their water but may not be at sufficient levels, due to degradation and/or dilution, to prevent cavities.

Thank you again for the opportunity to comment on this proposed legislation. If you have questions or need additional information, please contact Clark Freise, Assistant Commissioner (Clark.Freise@des.nh.gov or 271- 3449).

Sincerely,

Robert R. Scott
Commissioner

cc: Senators Morse and Feltes and Representatives Smith and Christensen

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Amendment to SB 453

1 Amend the bill by inserting after section 2 the following and renumbering the original section 3 to
2 read as 5:

3

4 3 New Hampshire Drinking Water and Groundwater Advisory Commission Established.
5 Amend RSA 485-F:4, I(g) to read as follows:

6 (g) The director of economic development, department of ~~[resources]~~ **business** and
7 economic ~~[development]~~ **affairs**, or designee.

8 4 New Hampshire Drinking Water and Groundwater Advisory Commission Established.
9 Amend RSA 485-F:4, VII(a)(5) to read as follows:

10 (5) The project provides funding through cost-sharing grants to municipalities,
11 municipally-owned water utilities, and **privately owned** water utilities ~~[regulated by the public~~
12 ~~utilities commission]~~ **that are public water systems as defined in RSA 485:1-a, XV** for the
13 design, construction, and extension of public water systems, and the establishment and expansion of
14 wellhead protection areas where they provide the most cost effective method for providing safe and
15 clean drinking water.

Rep. Christensen, Hills. 21
Sen. Morse, Dist 22
April 16, 2018
2018-1554h
08/03

Amendment to SB 453

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

2

3 AN ACT relative to requirements and criteria for a competitive grant program for drinking
4 water protection and relative to fluoridated water.
5

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

8

9 5 Fluoridated Water. Amend RSA 485:14 to read as follows:

10 485:14 Use of Fluoride.

11 *I.* No fluoride shall be introduced into the public water supply unless and until the
12 municipality [~~or municipalities~~] using said waters have held a public hearing as to the introduction
13 of fluoride into the public water supply of said municipality [~~or municipalities~~], and the registered
14 voters of such municipality [~~or municipalities~~] have approved such action pursuant to RSA 44:16,
15 RSA 31:17-a, RSA 52:23, or RSA 485:14-a. For purposes of this section "municipality" means a
16 municipality that has 100 or more user connections that are served from the public water supply.

17 *II. Paragraph I, RSA 44:16, RSA 31:17-a, RSA 52:23, and RSA 485:14-a shall not*
18 *apply to any municipality that does not fluoridate its water if such municipality receives*
19 *fluoridated water from another supplier. If a municipality receives fluoridated water*
20 *from another supplier, such municipality shall:*

21 *(a) Only obtain said fluoridated water from another municipality; and*

22 *(b) Provide written information to water users prior to receiving the fluoridated*
23 *water that includes the following:*

24 *(1) A statement that the water contains fluoride for the purpose of*
25 *improving community oral health but that fluoride levels may be too low to effectively*
26 *prevent tooth decay;*

27 *(2) An identification of the source of the fluoridated water; and*

28 *(3) The most recent compliance sample result for fluoride that the*
29 *municipality that fluoridated the water has submitted to the department.*