

-Summary of Water Conservation Rules- Env-Wq 2101 (formerly Env-Ws 390)

Applicants applying for permits to develop new sources of water need to be aware that they are subject to water conservation requirements under RSA 485:61, which became law in July 2002. The information contained below is only a summary of the water conservation rules and is intended to provide an overview of the key requirements specified by rule. A regulated entity or interested person should view the actual rules located at: <http://des.nh.gov/organization/commissioner/legal/rules/index.htm#drinking>.

The law requires that the New Hampshire Department of Environmental Services (NHDES) adopt and administer water conservation rules for applicants developing the following type of new water sources:

1. New sources of groundwater for community water systems subject to RSA 485:3;
2. New sources of groundwater for bottled and bulk water operations subject to RSA 485:3;
3. New sources of groundwater that exceed 57,600 gallons over any 24-hour period subject to RSA 485-C;
4. New sources of surface water associated with projects that require a water quality certification pursuant to Section 401 of the Federal Clean Water Act or pursuant to RSA 485-A:12, IV;
5. Surface water sources that are augmented by a surface water transfer pursuant to Env-Wq 1708.12; and
6. Any consecutive water system or privately owned redistribution system that receives water from any of the above.

A general summary of the requirements of the water conservation rules is provided below.

Requirements for All Large Community Water Systems and All New Small Community Water Systems Developing New Sources of Water

1. Install and maintain meters for all water withdrawals and service connections.
2. Implement a water audit, leak detection and leak repair program in accordance with the “Manual of Water Supply Practices, Water Audits and Loss Control Programs”, document identification number AWWA M36, American Water Works Association, 2016.
3. When applicable, develop and implement response plans to reduce water losses to less than 15%.
4. Implement a rate structure that encourages efficient water use.
5. Implement a water conservation educational outreach initiative.

**Requirements for Existing Small Community Water Systems
Developing New Sources of Water**

1. Either: a) Install source and service connection meters and implement a water audit, leak detection and leak repair program in accordance with the “Manual of Water Supply Practices, Water Audits and Loss Control Programs”, document identification number AWWA M36, American Water Works Association, 2016; b) complete a system-wide leak detection survey once every two years; or c) implement a night flow analysis program using a high resolution distribution meter.
2. Repair all leaks within 60 days of identification.
3. Implement a water conservation educational outreach initiative.

**Requirements for Applicants Developing New Sources of Water for
Industrial, Commercial, or Institutional Water Uses**

1. Install water meters for all water sources.
2. Retrofit or replace single pass water-cooling systems when feasible based upon an economic analysis that includes a four-year payback period.
3. Install controls to stop the overflow or discharge of water to waste when feasible based upon an economic analysis that includes a four-year payback period.
4. Identify water conservation best management practices or best available technologies that may be applicable to the types of water-using processes at the subject facility and implement these measures when feasible based upon an economic analysis that includes a four-year payback period.
5. For all new lawn areas, install six (6) inches of loam and devices to shut-off automatic irrigation systems when not needed.

For more information about the water conservation rules, contact Kelsey Vaughn at (603) 271-0659 or via email at kelsey.vaughn@des.nh.gov.