

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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CHAPTER Env-Dw 400 PUBLIC WATER SYSTEM CLASSIFICATION AND DESIGN

PART Env-Dw 402 GENERAL DESIGN STANDARDS: SYSTEMS SERVING 1,000 OR MORE PEOPLE

REVISION NOTE:

Document #10609, effective 6-1-14, readopted with amendments and renumbered former rules Env-Ws 370.01 through Env-Ws 370.05 in Part Env-Ws 370 , entitled “General Design Standards: Serving 1,000 or More People”, under a new subtitle as Env-Dw 402.01 through Env-Dw 402.05, within a new Part Env-Dw 402. The redesignation from subtitle Env-Ws to subtitle Env-Dw was done pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05. Document #10609 also readopted with amendments and renumbered former rule Env-Ws 344.01, entitled “Treatment of Contaminants by Flow Mix”, as Env-Dw 402.08.

The former rules Env-Ws 370.01 through Env-Ws 370.05 had last been filed under Document #8477, effective 11-30-05, and former rule Env-Ws 344.01 had last been filed under Document #8497, effective 11-30-05. These rules did not expire on 11-30-13 since they were extended pursuant to RSA 541-A:14-a until replaced by the rules in Document #10609, effective 6-1-14.

Document #10609 replaces all prior filings for the former rules Env-Ws 370.01 through Env-Ws 370.05 and Env-Ws 344.01. The prior filings for former rules Env-Ws 370.01 through Env-Ws 370.05 and Env-Ws 344.01, beginning as noted below with Document #6521, effective 6-4-97, which had readopted with amendments the entire Chapter Env-Ws 300, include the following documents:

<u>Env-Ws 370.01-370.03</u>	<u>Env-Ws 370.04</u>	<u>Env-Ws 370.05</u>	<u>Env-Ws 344.01</u>
#6521, eff 6-4-97	#7105, eff 9-23-99	#7499, eff 5-25-01	#6521, eff 6-4-97
#8360, INTERIM, eff 6-4-05	#8477, eff 11-30-05	#8351, eff 5-14-05	#8360, INTERIM, eff 6-4-05
#8477, eff 11-30-05		#8477, eff 11-30-05	#8497, eff 11-30-05

Env-Dw 402.01 Adoption by Reference.

(a) Except as otherwise required by this part, design of new public water systems serving more than 1,000 people or expansions of existing public water systems wherein the resulting system will serve more than 1,000 people shall be in accordance with the practices and standards set forth in the 2003 edition of "Recommended Standards for Water Works," committee report of the Great Lakes - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, as referenced in Env-Dw 404.01 and available as noted in Appendix B, with the following exceptions:

- (1) The forward; and
- (2) The policy statements.

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(b) If the local legislative body of a political subdivision which owns a public water system does not vote to approve funding for the requirements of the 1987, 1992, 1997, 2003 editions of the "Recommended Standards for Water Works" as compared to the 1982 edition thereof and the improvements are not fully funded by the state, the department shall not require the improvements to be implemented.

Source. (See Revision Note at part heading for Env-Dw 402)
#10609, eff 6-1-14

Env-Dw 402.02 Design Review Fee.

(a) In accordance with RSA 485:8, a fee shall be collected for the review of new public water systems or existing public water systems where conversion from transient use to residential use is proposed.

(b) As required by RSA 485:8, IV, the applicant shall submit the fee payment at the time of the design review submission.

(c) The amount of the fee shall be based on the number of residential-type or residential-equivalent units proposed to be served by the new public water system, determined as follows:

- (1) For residential-type units, \$45 per unit, regardless of the size of the residential units; and
- (2) For new non-residential systems, \$45 per residential-equivalent unit, rounded off to the nearest full residential-equivalent unit.

(d) A residential-equivalent unit shall be 300 gallons per day (gpd) average daily demand.

(e) The department shall determine the number of units the system is designed to accommodate based on the applicant's system design parameters, proposed plans for additional construction, and other factors bearing on the ultimate system demand.

(f) Any application for expansion within 2 years of the initial submittal shall be deemed part of the initial water system design and therefore subject to the fee.

(g) If the average daily demand of a non-residential public water system is less than 150 gpd, the fee shall be zero dollars .

(h) The maximum fee shall be \$7, 515, equivalent to 167 residential units or residential-equivalent units, as applicable.

(i) No additional fee shall be charged for revised submissions that do not include additional units, or for submissions requesting an extension or expansion of an existing community water system.

Source. (See Revision Note at part heading for Env-Dw 402)
#10609, eff 6-1-14

Env-Dw 402.03 Quality of Products and Workmanship. Where applicable, devices, products, and methods used in the water system's design, installation, construction, or operation shall meet the specification criteria of the American Water Works Association, as specified in Env-Dw 407.

Source. (See Revision Note at part heading for Env-Dw 402)
#10609, eff 6-1-14

Env-Dw 402.04 Public Water System Capacity Assurance. A proposed community water system or non-transient non-community public water system shall meet the requirements of Env-Dw 602 relative to capacity assurance in order to receive design approval from the department.

Source. (See Revision Note at part heading for Env-Dw 402)
#10609, eff 6-1-14

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Env-Dw 402.05 Constructed Conveyances; Distribution Systems. No constructed conveyance that is open or that is designed to be open shall be used in any part of any distribution system that provides drinking water to any member of the public. Examples of open conveyances that are prohibited include but are not limited to open trenches and aqueducts.

Source. (See Revision Note at part heading for Env-Dw 402)
#10609, eff 6-1-14

Env-Dw 402.06 Treatment of Contaminants by Flow Mix.

(a) For the purpose of this section, “flow mix” means a treatment technique where the flow of water from one or more sources having a particular contaminant exceeding an MCL is combined with flow from one or more different sources with that contaminant below the MCL, so that the resultant flow is reliably and consistently below the MCL for that contaminant.

(b) The owner of a public water system shall use flow mix as a treatment alternative only:

- (1) For contaminants in excess of the MCL specified in Env-Dw 703 through Env-Dw 706; and
- (2) In accordance with this section.

(c) Before beginning the design of a flow mix treatment system, the water system owner shall:

- (1) Inform the department that the water system intends to use the flow mix treatment method; and
- (2) Submit to the department flow mix calculations based on analyses of its water sources performed within the past 6 years, or a shorter record that demonstrates consistency of quality, that include the concentration and volume ratios proposed to be used for each source that demonstrate that the criteria of (c), below, will be met.

(d) The department shall approve the use of flow mix if the information submitted pursuant to (b), above, demonstrates that when the sources are combined at the correct ratio, the concentration level of the contaminant proposed to be treated by flow mixing will be reliably and consistently below the applicable MCL.

(e) The equipment used to verify and document proper flow mix treatment shall include:

- (1) One control circuitry for all sources proposed for flow mix;
- (2) Flow meters installed to measure the output from each source to be used;
- (3) A device, such as a gate valve, on the piping from each source to allow that source's output to be regulated;
- (4) A gate valve for the mixture; and
- (5) A sample tap for each source and for the mixture.

(f) The owner shall submit, on a quarterly basis:

- (1) Records to document the actual source flows and the calculated, concentration-weighted ratio of the mixture on a monthly calculation basis; and
- (2) Certification that the established flow mix ratios have been followed.

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(g) A water quality sample shall be taken and analyzed:

- (1) From each source on an annual basis; and
- (2) Of the mixture on a quarterly basis.

Source. (See Revision Note at part heading for Env-Dw 402)
#10609, eff 6-1-14

Appendix A: State Statutes and Federal /Regulations Implemented

Rule Section(s)	State Statute(s) Implemented	Federal Requirement(s) Implemented
Env-Dw 402.01	RSA 485:1, II(c)	40 CFR 142 Subpart B
Env-Dw 402.02	RSA 485:8, III & IV	
Env-Dw 402.03	RSA 485:3, I(c); RSA 485:8	40 CFR 142 Subpart B
Env-Dw 402.04	RSA 485:3, XII	42 USC 300g-9
Env-Dw 402.05	RSA 485:8, I & II	42 USC 300f(4)(A); 40 CFR 142 Subpart B
Env-Dw 402.06	RSA 485:3, III; RSA 485:42	40 CFR 142 Subpart B

Appendix B: Incorporation By Reference Information

Rule Section(s)	Title	Dated	Obtain at:
Env-Dw 402.01(a)	“Recommended Standards for Water Works”, Committee Report of the Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers and Sanitary Engineers.	2003	NH Department of Environmental Services office or http://www.leafocean.com/test/10statepreface.html#IDH_Title