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REVISION NOTE:

Document #9842, effective 12-23-10, readopted with amendments and redesignated former Part Env-Ws 384 titled Underground Injection Control Requirements as Env-Wq 404 pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05.

The prior filings for former Env-Ws 384 include the following documents:

#4875, eff 7-23-90	#5636, eff 6-14-93
#4984, eff 11-20-90	#5872, eff 7-19-94
#5098, eff 3-18-91	#5873, eff 7-26-94
#5287, eff 11-27-91	#6521, eff 6-4-97
#5422, eff 6-22-92	#7983, eff 11-1-03
#5541, eff 12-24-92	

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART Env-Wq 404 UNDERGROUND INJECTION CONTROL REQUIREMENTS

Statutory Authority: RSA 485:2, V

Env-Wq 404.01 Purpose. The purpose of these rules is to establish standards, criteria, and procedures for underground injection to wells to prevent pollution and protect groundwater as specified in 40 CFR 144, 145, and 146.

Source. (See Revision Note (RN) at p. i) #9842, eff 12-23-10; ss by #12728, eff 3-1-19

Env-Wq 404.02 Definitions. As used in this part, the following definitions shall apply:

- (a) “Underground injection” means the subsurface emplacement of fluids through a well.
- (b) “Well” means any of the following:
 - (1) A bored, drilled, or driven shaft whose depth is greater than the largest surface dimension;
 - (2) A dug hole whose depth is greater than the largest surface dimension;
 - (3) An improved sinkhole; or
 - (4) A subsurface fluid distribution system as defined in 40 CFR 144.3.

Source. (See RN at p. i) #9842, eff 12-23-10; ss by #12728, eff 3-1-19

Env-Wq 404.03 Federal Definitions. For any terms used in the federal regulations incorporated by Env-Wq 404.04, the associated federal definitions shall apply.

Source. (See RN at p. i) #9842, eff 12-23-10; ss by #12728, eff 3-1-19

Env-Wq 404.04 Underground Injection Control Requirements. The owner or operator of a facility where underground injection to a well or wells occurs shall comply with 40 CFR 144, 145, and 146, July 1, 2018 edition.

Source. (See RN at p. i) #9842, eff 12-23-10; ss by #12728, eff 3-1-19

APPENDIX A: STATE STATUTES, FEDERAL REGULATIONS IMPLEMENTED

Rule Section(s)	State Statute(s) Implemented	Federal Regulations Implemented
Env-Wq 404	RSA 485:3, X	40 CFR 144, 145, & 146