

## Cross-reference table - Env-Wq 1700 rule effective DEC-01-2016 to Draft Pre-IP Changes as of JAN-11-2022

Rule Effective 12-01-2016 Section Modified	Proposed Revisions	Comments	WQSAC Discussions & Activities (Presentations by NHDES unless otherwise noted) (*some pre-2018 materials are still being added to the new website)
<b>CHAPTER Env-Wq 1700 SURFACE WATER QUALITY REGULATIONS</b>			
<b>PART Env-Wq 1701 PURPOSE; APPLICABILITY; COMPLIANCE SCHEDULES</b>			
PART Env-Wq 1701 PURPOSE; APPLICABILITY; COMPLIANCE SCHEDULES	Added “VARIANCES”	To reflect content addition.	<a href="#">Jan-14, 2021</a> (slides 59-66)
Env-Wq 1701.02 <u>Applicability.</u> (b)(1)	Struck “of any pollutant”	The certainty of a discharge and the requirement of a “pollutant” is inconsistent with Section 401 of the Clean Water Act and case law.	<a href="#">Nov-4, 2021</a> (slide 14)
Env-Wq 1701.03 <u>Compliance Schedules in NPDES Permits.</u> (a)(2)	Clarifying text. Modify list to become; (b)(2)a. (b)(2)b. (b)(2)c.	Clarity to eliminate confusion.	Jan-13, 2022 Meeting
Env-Wq 1701.03 <u>Compliance Schedules in NPDES Permits.</u> (b)(2)	Clarifying text. (b)(2)	Clarify that all agencies agreement is necessary.	Jan-13, 2022 Meeting
na	New Section Env-Wq 1701.04 Variances (a) (b) (c)	Variances are allowed under the CWA without explicit authorization in State WQStds. Added here for transparency.	<a href="#">Jan-14, 2021</a> (slides 59-66)
<b>PART Env-Wq 1702 DEFINITIONS</b>			
Env-Wq 1702.04 “Assimilative capacity”	Modified text	Create consistency between definition and Env-Wq 1708 by stipulating concentration or mass, and adding flow or volume.	Jan-13, 2022 Meeting
Env-Wq 1702.18 “Discharge” means: (a)	Clarifying text Struck “pollutant”	The certainty of a discharge and the requirement of a “pollutant” is inconsistent with Section 401 of the Clean Water Act and case law.	<a href="#">Nov-4, 2021</a> (slide 14)

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Env-Wq 1702.26 "Mixing zone"	Struck "wastewater"	Inclusion of the term "wastewater" in the 2016 mixing zone definition could be misinterpreted to mean that mixing zones only apply to wastewater treatment facility discharges and not to other discharges such as those from construction projects or stormwater activities.	<a href="#">Nov-4, 2021</a> (slide 12)
<b>PART Env-Wq 1703 WATER QUALITY STANDARDS</b>			
Env-Wq 1703.06 <u>Bacteria</u> . (b)	Added text	To align to the changes that were made to RSA 485:A8,V in 2021.	<a href="#">Jan-14, 2021</a> (slides 67-71) <a href="#">Jul-8, 2021</a> (slide 43) <a href="#">Nov-4, 2021</a> (slide 27)

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Env-Wq 1703.07 <u>Dissolved Oxygen</u> .	-na-	No change.	<p><b>Oct-13, 2016</b> NHDES-Current Crit., History, Other NE States, Issues. <a href="#">Mtg.sum.</a></p> <p><b>Feb-9 2017</b> Pennsylvania Apprch. <a href="#">Mtg.sum.</a></p> <p><b>Apr-13, 2017</b> NHDES-Why D.O.; NHDES-D.O. and temp.; NHF&amp;G-FW Fish/Life stages; EPA 1986 FW Crit. Doc. <a href="#">Mtg. sum.</a></p> <p><b>Sep-8, 2017</b> SB127- a) D.O.%Sat. removed, b) NHDES to adopt D.O. criteria</p> <p><b>Oct-12, 2017</b> EPA-Glen Thursby – Va. Prov. Apprch. <a href="#">Mtg. sum.</a></p> <p><b>Feb 2018</b> – NHDES DO data to EPA</p> <p><b>Jan-11, 2018</b> <a href="#">NHDES-Update</a> (slide 6). NHFG to generate species info.</p> <p><b>Apr-12, 2018</b> NHDES-Update <a href="#">Mtg. sum.</a></p> <p><b>Oct-11, 2018</b> NHDES-Update <a href="#">Mtg. sum.</a></p> <p><b>Dec 2018</b> – Marine Fish Info; NHFG to NHDES to EPA</p> <p><b>Apr-11, 2019</b> <a href="#">NHDES-Marine Discussion &amp; Additional materials</a></p> <p><b>Jul-25, 2019</b> NHDES-Status of EPA work update <a href="#">Mtg. sum.</a> &amp; <a href="#">Additional materials</a></p> <p><b>Dec-6, 2019</b> <a href="#">EPA presentation on GBE data and VPA larval recruitment</a> &amp; <a href="#">Additional materials</a></p> <p><b>Dec 2019</b> Legislation in process changing “dissolved oxygen concentration” to “dissolved oxygen”</p> <p><b>Apr-9, 2020</b> <a href="#">NHDES-Attainment goal level. Conc &amp; %Sat equivalency. Baseline criteria.</a></p> <p><b>Jan-14, 2021</b> <a href="#">NHDES-Summary in context of triennial review</a> (slides 72-76)</p>

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Env-Wq 1703.15 <u>Gross Beta Radioactivity.</u>	Env-Wq 1703.15 <u>Radionuclide Contaminants.</u> (a) (b) (b)(1) (b)(2) (b)(2)a. (b)(3) (b)(4)	Major change to 1703.15-1703.17 as the old radionuclide criteria were based on a predecessor to the Safe DW Act. 1703.15 used to house the “Radionuclide Contaminants” MCLs.	<a href="#">Jul-8, 2021</a> (slides 21-22) <a href="#">Nov-4, 2021</a> (slides 16-21)
Env-Wq 1703.16 <u>Strontium 90.</u>	Env-Wq 1703.16 <u>Average Annual Concentrations Assumed to Produce a Total Body or Organ Dose of 4 mrem/year.</u> (a) (b) (c) (c)(1) (c)(2)	Major change to 1703.15-1703.17 as the old radionuclide criteria were based on a predecessor to the Safe DW Act. 1703.16 used to house the “Average Annual Concentrations Assumed to Produce a Total Body or Organ Dose of 4 mrem/year” MCLs.	<a href="#">Jul-8, 2021</a> (slides 21-22) <a href="#">Nov-4, 2021</a> (slides 16-21)
Env-Wq 1703.17 <u>Radium 226.</u>	Env-Wq 1703.16 <u>Cyanotoxins.</u> (a) (a)(1) (a)(2) (b) (c)	Major change to 1703.15-1703.17 as the old radionuclide criteria were based on a predecessor to the Safe DW Act. 1703.17 used to house the cyanotoxin criteria derived from EPA 304(a) guidance.	<a href="#">Jul-25, 2019 - Cyanobacteria</a> (slides 1-28) Oct-1, 2020 <a href="#">Written update</a> EPA Cyanotoxins Tech. Document Support draft <a href="#">Jan-14, 2021</a> (slides 48-50) <a href="#">Nov-4, 2021</a> (slide 22)
Env-Wq 1703.20 <u>Risk Factors for Human Health Criteria.</u> (c)	Clarification	2016 language is ambiguous and lead to many conversation and a fair bit of confusion.	<a href="#">Nov-4, 2021</a> (slide 15)

Rule Effective 12-01-2016 Section Modified	Proposed Revisions	Comments	WQSAC Discussions & Activities (Presentations by NHDES unless otherwise noted) (*some pre-2018 materials are still being added to the new website)
Table 1703-1: <u>Water Quality Criteria For Toxic Substances</u>			
Column Header: Protection of Aquatic Life Concentration in micrograms per liter (µg/l)	“ug/l” to “ug/L”	Corrected scientific notation.	Jan-13, 2022 Meeting
Column Header: Protection of Aquatic Life Concentration in micrograms per liter (µg/l)	New note (v)	Added default toxins criteria frequency and duration statement for aquatic life designated use.	<a href="#">Nov-4, 2021</a> (slide 11)
Table 1703-1 -added rows-	Additional rows	Additional rows where MCLs exist in Env-Dw 702-706 and there was no corresponding row in Table 1703-1.	<a href="#">Jan-14, 2021</a> (slides 55-58) <a href="#">Jul-8, 2021</a> (slides 21-22)
Table 1703-1 -Many rows-	Updated Human Health Criteria	Many rows updated with most current “Water & Fish Ingestion” and “Fish Consumption Only” criteria.	<a href="#">Jan-14, 2021</a> (slides 46-47) <a href="#">Jul-8, 2021</a> (slides 11-16)
Table 1703-1 -Many rows-	“l” to “l” “Note l” to “Note l” “note l” to “Note l” “note l” to “Note l”	Created consistent use of “Note l” including some cases where 2016 rules missed adding italics to “l”.	Jan-13, 2022 Meeting
Table 1703-1 CAS No: 7429905 Chemical Name: Aluminum	Struck fixed criteria	New criteria are variable dependent upon DOC, pH and hardness.	<a href="#">Oct-17, 2017 (mtg. sum.)</a> EPA introduced draft 304(a) guidance <a href="#">Apr-11, 2019 (mtg.sum.)</a> Jul-25, 2019 <a href="#">Mass. proposal</a> Oct-1, 2020 <a href="#">Written update</a> EPA Aluminum Tech. Support Document draft & NHDES sampling. <a href="#">Jan-14, 2021</a> (slides 51-54) <a href="#">Nov-4, 2021</a> (slide 23)
Table 1703-1 CAS No: 70776033 Chemical Name: Chlorinated naphthalenes	Added in the missing “h”. Chlorinated naphthalenes	Typo	Jan-13, 2022 Meeting

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Table 1703-1 CAS No: N/A Chemical Name: Dinitro-o-cresol (2,4)	Deleted line	This name is an older synonym to Dinitro-o-cresol (4,6) (CASNO 534521) that was mistakenly left here between 2002 and 2015. Dinitro-o-cresol (4,6) (CASNO 534521) remains.	<a href="#">Nov-4, 2021</a> (slide 10)
Table 1703-1 CAS No: 193395 Chemical Name: Ideno(1,2,3-cd)Pyrene	Added in the missing “n”.	Typo	Jan-13, 2022 Meeting
Table 1703-1 CAS No: 72435 Chemical Name: Methoxychlor Human Health, “Water & Fish Ingestion”	Deleted “l”	Updated 304(a) guidance value is below the MCL → “l” no longer applies	Jan-13, 2022 Meeting
Table 1703-1 CAS No: 108883 Chemical Name: Toluene Human Health, “Water & Fish Ingestion”	Deleted “l”	Updated 304(a) guidance value is below the MCL → “l” no longer applies.	Jan-13, 2022 Meeting
Table 1703-1 CAS No: 71556 Chemical Name: Trichloroethane 1,1,1 Human Health, “Fish Consumption Only”	Deleted “l”	Note “l” removed as it only applies to “Water & Fish Ingestion”.	Jan-13, 2022 Meeting

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Table 1703-1 CAS No: 88062 Chemical Name: Trichlorophenol 2,4,6 Human Health, "Fish Consumption Only"	Deleted "c"	Note "c" is removed as the 2 ug/L is based on organoleptic while the cancer-based FC value is 2.8 ug/L	Jan-13, 2022 Meeting
Env-Wq 1703.22 <u>Notes For Table 1703-1.</u>			
Env-Wq 1703.22 (d)	Added "also"	Clarification	Jan-13, 2022 Meeting
Env-Wq 1703.22 (h)	"1703.32" → "1703.33"	Typo	Jan-13, 2022 Meeting
Env-Wq 1703.22 (l)	Added, "The following criteria are to be met as..."	Added to align with MCL criteria frequency and duration assessment.	Jan-13, 2022 Meeting
Table 1703-2A:	Additional rows Removed rows	Rows added where MCLs in Env-Dw 702-706 were previously missing in Env-Wq 1700. Two rows removed as updated "Water & Fish Ingestion" criteria are below the MCL → "Note l" no longer applies.	<a href="#">Jan-14, 2021</a> (slides 55-58) <a href="#">Jul-8, 2021</a> (slides 21-22)
Env-Wq 1703.22 (o)	Modified	Selenium note from 2016 now directs to the new section Env-Wq 1703.34. Too complicated to be just a note.	Oct-1, 2020 <a href="#">Written update</a> EPA Selenium Tech. Support materials in draft <a href="#">July-8, 2021</a> (slides 32-43)
Env-Wq 1703.22 (s)	Modified	Aluminum note rewritten to align with the updated 304(a) aluminum guidance variable dependent upon DOC, pH and hardness..	<a href="#">Oct-17, 2017 (mtg. sum.)</a> EPA introduced draft 304(a) guidance <a href="#">Apr-11, 2019 (mtg.sum.)</a> Jul-25, 2019 <a href="#">Mass. proposal</a> Oct-1, 2020 <a href="#">Written update</a> EPA Aluminum Tech. Support Document draft & NHDES sampling. <a href="#">Jan-14, 2021</a> (slides 51-54) <a href="#">Nov-4, 2021</a> (slide 23)
Env-Wq 1703.22 (v)	Added	Added default toxins criteria frequency and duration statement for aquatic life designated use.	<a href="#">Nov-4, 2021</a> (slide 11)

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Env-Wq 1703.24 <u>Freshwater Aquatic Life Criteria For Metals</u>			
Table 1703-3: Row: Chromium+3 Column: b <sub>c</sub>	“.6848” → “0.6848	Technical correction.	Jan-13, 2022 Meeting
Env-Wq 1703.30 <u>Saltwater Chronic Aquatic Life Criteria for Ammonia at a Salinity of 10 g/kg.</u>			
Table 1703-8:	“Tempterature” → ”Temperature”	Typo	Jan-13, 2022 Meeting
-na-	Env-Wq 1703.34 <u>Freshwater Aquatic Life Criteria for Selenium.</u>	Selenium section to align with updated 304(a) guidance. Too complicated to be just a note at Env-Wq 1703.22 (o).	Oct-1, 2020 <a href="#">Written update</a> EPA Selenium Tech. Support materials in draft <a href="#">July-8, 2021</a> (slides 32-43)
PART Env-Wq 1705 FLOW STANDARDS			
PART Env-Wq 1705 FLOW STANDARDS	PART Env-Wq 1705 PERMITTING RELATED STANDARDS	Heading changed to reflect content of the Part.	<p><b>Sep-08, 2017</b> - SB127-Nutrient limits based on flow &gt; 7Q10</p> <p><b>Oct-17, 2021</b> <a href="#">Mtg. sum.</a> Topic was introduced at WQSAC meeting.</p> <p><b>Jan-11, 2018</b> <a href="#">NHDES-Background</a> (slides 7-20); <a href="#">EPA-Permit Limits Calcs</a> (slides 1-12); <a href="#">Clifton Bell-Alternatives</a> (slides 1-21)</p> <p><b>Apr-12, 2018</b> - <a href="#">NHDES-Recap</a> (slides 1-13) &amp; <a href="#">Applying other States Targets to a NH permit site</a> (slides 1-3)</p> <p><b>Oct-11, 2018</b> <a href="#">NHDES-Alternative scenarios</a> (slides 1-77)</p> <p><b>Apr-11, 2019</b> NHDES-Update <a href="#">Mtg. sum.</a></p> <p><b>Jul-25, 2019</b> <a href="#">Nutrient permitting cont.</a> (slides 1-25) &amp; <a href="#">Additional materials</a></p> <p><b>Dec-6, 2019</b> <a href="#">Additional materials</a></p> <p><b>Jan-14, 2021</b> <a href="#">NHDES-Summary in context of triennial review</a> (slides 77-82)</p> <p><b>Nov-4, 2021</b> <a href="#">Rules framework</a> (slide 24)</p>
Env-Wq 1705.02 <u>Dilution and Nutrient Conditions for Permitting.</u>			



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Env-Wq 1705.02 <u>Low Flow Conditions for Permitting.</u>	Env-Wq 1705.02 <u>Dilution and Nutrient Conditions for Permitting.</u>	To reflect content.	-See above-
Env-Wq 1705.02 (a)	Added text	Clarify	-See above-
Env-Wq 1705.02 (d)	Moved to Env-Wq 1705.02 (f), modified	Provide for permitting toxins.	-See above-
-na-	New Env-Wq 1705.02 (d) (d)(1) (d)(1)a. (d)(1)b. (d)(1)c. (d)(2)	New river nutrient permitting framework.	-See above-
-na-	Env-Wq 1705.02 (e)	Provide for permitting ammonia as a toxin to aquatic life.	-See above-
-na-	Env-Wq 1705.02 (g) (g)(1) (g)(2)	Pertaining to data used for permitting.	-See above-
-na-	Env-Wq 1705.03 Restoration Activities (a) (b)	Pertaining to ecological restoration.	-See above-
PART Env-Wq 1706 SAMPLING AND ANALYSIS			
Env-Wq 1706.01 <u>Procedures.</u>	Added text	To align to the changes that were made to RSA 485:A8,V in 2021	<a href="#">Jan-14, 2021</a> (slides 67-71) <a href="#">Jul-8, 2021</a> (slide 43) <a href="#">Nov-4, 2021</a> (slide 27)

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PART Env-Wq 1708 ANTIDEGRADATION			
Env-Wq 1708.12 <u>Transfer of Water.</u> (a)	Edit	As written, the definition could be an issue for Instream Flow Program activities and perhaps transfers to surface waters aiming to groundwater recharge.	<a href="#">Nov-4, 2021</a> (slide 13)

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