



# Regulators Roundtable NEWEA Annual Conference January 23, 2023

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# NH's Hot Topics

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- NPDES – What's Shaking
- Water Quality Standards
- 2022 Clean Watersheds Needs Survey (CWNS)
- Funding – BIL, ARPA, EC, CDS, SAG
- Biosolids PFAS Efforts
- Challenges Facing the Wastewater Community



# NPDES Permits & Compliance

## What's Shaking

- Recent issuance of general permits
  - 2022 Dewatering and Remediation General Permit – Effective 8/31/22
    - Combined Dewatering General Permit and Remediation General Permit
  - 2021 Small WWTFGP – Design Flow <1MGD
    - Covers about 40 NH facilities between the final permit (effective 12/1/21) and the modification that is on PN until 1/25/23
  - Medium WWTFGP – Design Flow 1 to 5MGD
    - Future: Estimate will cover 18 NH facilities
- Compliance Schedules & PFAS in NPDES Permits
- Rules
  - Env-Wq 306 Dental Amalgam Rules. Adopted December 2021.
  - Env-Wq 305 Pretreatment Rules. Adopted July 2021.
  - Env-Wq 301 State Surface Water Discharge Permits. Readopt by May 2023.
- NH's NPDES Regulatory Universe
  - 92 Municipal & Industrial Permits
  - 31 Hydros, 2 NCCW, 5 DRGP, 5 Potable Water GP & 5 Aqua GP
  - + 13 GBTNGP

# Key Proposed Rule Revisions

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## Water Quality Standards Update Env-Wq 1700

- **PFAS** – Adopt the drinking water MCLs as WQS for locations within 20-miles upstream of public water supply surface water intakes
- **Aluminum** – Revisions for consistency with EPA criteria calculator
- **Nutrient Criteria** – Revisions allow maximum flexibility on the flow statistic used in criteria calculations\*



**SB60**

**\*Requires Legislative Revision of RSA 485-A:8, Classification of Water, Section II**



# 2022 Clean Watersheds Needs Survey (CWNS)



- **Wastewater (Cat 1-5 + 10)**
  - Data submitted for 97/130 municipalities
  - \$1.94B in needs identified
- **Gray, Green & General Stormwater (NH State Specific Approach for Cat 6)**
  - 56/235 municipalities submitted information
  - \$400M in needs identified
- **Decentralized WW Systems (NH State Specific Approach for Cat 12)**
  - Historically only included municipal community septic systems
  - This round including non-municipal septic systems/private septic systems
  - \$880M in needs identified
- **Non-Point Source (Cat 7K)**
  - 28 municipalities included
  - \$44M in needs identified

# 2022 CWSRF Funding



“Earmarks”  
\$6.5M  
20% Match  
Required

**Base**  
\$11.6M  
\$2.3M State  
Match (20%)  
  
10-40% Subsidy

**Repayment**  
\$60.5M  
No State Match  
  
0% Subsidy

**BIL  
Supplemental**  
\$17.9M  
\$1.79M State  
Match (10%)  
  
49% Subsidy

**BIL  
Emerging  
Contaminants**  
\$935,000  
  
100% Subsidy



# CWSRF 2022 PPL Summary

Project Type	# Pre-Apps	Total \$
WW Infrastructure	108	\$451,912,739
*Sewer Extensions	10	\$80,123,027
SW Infrastructure	29	\$54,992,274
WW Planning	48	\$2,424,323
SW Planning	30	\$2,875,000
Asset Management	22	\$870,000
Energy Audit Measures	6	\$1,519,100
Emerging Contaminants	1	\$300,000
<b><i>Totals:</i></b>	<b><i>254</i></b>	<b><i>\$595,016,463</i></b>

Principal Forgiveness for Affordability Factors: 5%, 10%, 15%, 25% & 30%

# Congressionally Directed Spending (CDS)

## Clean Water Impacts

State	2022	2023	2022 + 2023
Connecticut	\$1,220,000	(\$842,430)	\$377,570
Maine	\$11,717,000	\$19,468,717	\$31,185,717
Massachusetts	(\$5,720,000)	(\$8,167,727)	(\$13,887,727)
New Hampshire	\$2,245,000	\$1,724,417	\$3,969,417
Rhode Island	(\$1,024,000)	\$5,346,459	\$4,322,459
Vermont	\$5,786,000	(\$2,099,972)	\$3,686,028

## Drinking Water Impacts

State	2022	2023	2022 + 2023
Connecticut	\$3,659,455	\$2,030,451	\$5,689,906
Maine	(\$1,193,000)	\$251,451	(\$941,549)
Massachusetts	\$6,184,000	\$1,065,700	\$7,249,700
New Hampshire	(\$1,645,196)	\$620,423	(\$1,024,773)
Rhode Island	\$7,652,000	(\$832,549)	\$6,819,451
Vermont	(\$3,433,000)	(\$2,147,549)	(\$5,580,549)



# CWSRF Incentive Programs

## **Asset**

### **Management**

Clean Water Grants  
OR 100% Principal  
Forgiveness up to  
\$30,000; multiple  
phases available for  
WW, one phase  
available for SW

## **Energy Audits**

Free! (Just ask!)

## **Energy Audit Measure**

### **Implementation**

50% Principal  
Forgiveness up to  
\$250,000  
(Affordability % for  
costs above  
\$500,000)

## **Planning**

100% Principal  
Forgiveness up  
to \$100,000

# Wastewater State Aid Grant (SAG)

## RSA 486

- 20 – 30 % state grant contribution for municipalities towards principal and interest
- Steps for communities seeking funding
  - Follow SAG requirements from concept to completion
  - Submit pre-applications each year
  - Submit application upon project completion
- HB398 – 2021 Session – New Awards
  - \$5,735,248 FY ending June 30, 2023
  - \$6,919,115 FY ending June 30, 2024
  - Nonlapsing
  - Effective July 1, 2022
- HB311 – 2023 Session – Efficiency & New Awards
  - \$15M FY ending June 30, 2024
  - \$15M FY ending June 30, 2025
  - Nonlapsing
  - Effective July 1, 2023

# NH Biosolids PFAS Efforts

Education & Outreach

- 2017 Influent/Effluent Sampling at NHs WWTFs
- Since 2017 Annual Sampling Sludge Quality Certification (SQC)
- Very Limited Septage Sampling
- Collection System Sampling (Merrimack, Concord, Sunapee, New London, Conway & Hampton on deck)
- Northeast Biosolids Improvement Program
- CWSRF Emerging Contaminants Fund (BIL)
- USGS Soil/ Sludge Leaching Study
- NH Soil Standards Development (HB1547)



# USGS Soil/Sludge Leaching Study



- Three phase study
  - Phase 1: NH soil occurrence sampling (100 samples)
  - Phase 2: Batch Experiments on 5 major biosolids and PFAS contaminated NH soils
  - Phase 3: Field Investigation to prove accurate coefficients were developed
- Full Report Completion: Spring 2023
- Phase 1 Data Release: Complete
- Phase 2 & 3 Data Release: February 2023
- NH Soil Standards Development: HB1547 - November 2023 (!)



# CWSRF BIL Emerging Contaminants \$

- Focus on PFAS
- \$935,000 in 2022
- \$2.1M each FY 23-26
- 100% Grant
- Project Type:
  - Treatment of Landfill Leachate (Municipally Owned Landfills to Municipal WWTFs)



# Challenges Facing the Wastewater Community

- ❑ Retirements – recruitment & retention
  - ❑ NHs Certified Wastewater Operators (~470)
- ❑ Escalating costs – electricity, inflation, fuel, transportation, chemicals
- ❑ Execution of projects
  - ❑ APRA/CWSRF funds must be spent quickly
  - ❑ Supply chain issues - long lead times on equipment
  - ❑ Consulting firms & Contractor's capacity for new work
- ❑ Uncertain regulatory environment
  - ❑ Biosolids beneficial re-use
  - ❑ Sludge Disposal for Lagoon Closures
  - ❑ PFAS monitoring and WWTF pass-thru
- ❑ Climate change & debris impacts
  - ❑ Drought / Intense rainfall
  - ❑ “disposal wipes” fouling pipes & damaging pumps





Thank you!

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