



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

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April 14, 2020

The Honorable Mary Jane Wallner, Chairman
 Fiscal Committee of the General Court
 State House

His Excellency, Governor Christopher T. Sununu
 and the Honorable Council
 State House
 Concord, NH 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services to accept and expend \$2,250,000 in MtBE Settlement Funds from the Department of Justice (DOJ) to continue implementing the MtBE corrective action plan, effective upon Fiscal Committee and Governor and Council approval through June 30, 2021. 100% MtBE Settlement Funds.

Funding is to be appropriated as follows:

MtBE Settlement Funds
 03-44-44-444010-88930000
 FY 2020

Class	Budget Category	Current Budget	Requested Action	Revised Budget
Income				
009-407624	MtBE Settlement Funds	(\$14,370,725)	(\$2,250,000)	(\$16,620,725)
Expenditures				
010-500100	Personal Services-Permanent	\$428,852	-0-	\$428,852
018-500106	Overtime	\$15,600	-0-	\$15,600
020-500200	Current Expenses	\$28,214	-0-	\$28,214
022-500255	Rents-Leases Other than State	\$7,306	-0-	\$7,306
026-500251	Organizational Dues	\$435	-0-	\$435
027-582703	Transfers to OIT	\$69,532	-0-	\$69,532
028-582814	Transfers to General Services	\$48,989	-0-	\$48,989
030-500321	Equipment	\$5,245	-0-	\$5,245
037-500174	Technology-Hardware	\$7,602	-0-	\$7,602
039-500188	Telecommunications	\$8,672	-0-	\$8,672
040-500800	Indirect Costs	\$119,558	-0-	\$119,558

Class Con't	Budget Category	Current Budget	Requested Action	Revised Budget
042-500620	Additional Fringe Benefits	\$64,993	-0-	\$64,993
049-584920	Transfers to Other Agencies	\$351	-0-	\$351
050-500109	Personnel Services Temp	\$91,476	-0-	\$91,476
059-500117	Personnel Services Temp Full Time	\$421,326	-0-	\$421,326
060-500601	Benefits	\$467,934	-0-	\$467,934
066-500544	Employee Training	\$4,200	-0-	\$4,200
070-500705	Instate Travel	\$2,000	-0-	\$2,000
080-500710	Out-of-State Travel	\$2,500	-0-	\$2,500
101-500729	Medical Payments to Providers	\$1,000	-0-	\$1,000
102-500731	Contracts for Program Services	\$3,500,000	-0-	\$3,500,000
300-500830	Reimbursements	\$9,075,000	\$2,250,000	\$11,325,000
	Total	\$14,370,725	\$2,250,000	\$16,620,725

EXPLANATION

In 2003, DOJ sued gasoline manufacturers and marketers to obtain damages for the statewide problem of MtBE contamination. DOJ settled with every defendant other than ExxonMobil. After deductions from the settlement for legal fees, costs, and administrative expenses, \$81.6 million in settlement money became available for remediation of MtBE contamination in groundwater and drinking water. The MtBE Remediation Bureau is operating under the terms of a Memorandum of Understanding with DOJ regarding the use of the settlement funds. The purpose of this request is to authorize DES to accept and expend additional settlement funds from DOJ, to continue with implementation of the MtBE corrective action plan. This includes the use of state cleanup, remediation, water treatment, analytical laboratory contractors, and reimbursement to affected parties for state approved remedial costs and for DES personnel. This request is to supplement the existing FY2020 budget appropriation. Because drinking water infrastructure extension projects bringing potable water to MtBE affected communities in Epsom, Plaistow, Salem, and Windham are at the height of construction, the current appropriation amount is insufficient to last until the end of this fiscal year. We anticipate more than 20 reimbursements totaling approximately \$2.8 million for public drinking water system improvement projects, investigations, and contamination prevention in the next two months. There is currently only \$643,000 left in this year's Class 300-Reimbursements appropriation.

We respectfully request your approval.


 Robert R. Scott, Commissioner