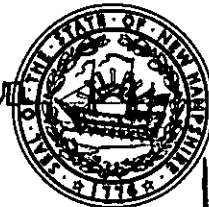




The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



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June 3, 2022

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court
State House
Concord, NH

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

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to accept and expend \$5,000,000 in Drinking Water and Groundwater Trust Funds to fund a rebate program for removal of per- and polyfluoroalkyl substances (PFAS) in private wells, effective upon Fiscal Committee and Governor & Executive Council approval through June 30, 2023. Funding is 100% Drinking Water and Groundwater Trust Fund.

Funding is to be appropriated as follows:

EMERGING CONTAMINANTS
03-44-44-444010-88730000
Fiscal Year 2022

Class	Budget Category	Current Budget	Requested Action	Revised Budget
Income				
009-401831	Emerging Contaminants	(\$20,364,774)	(\$5,000,000)	(\$25,364,774)
Expenditures				
18-500106	Overtime	\$9,544	\$10,000	\$19,544
20-500200	Current Expense	\$5,922	\$9,126	\$15,048
27-582703	Transfers to OIT	\$70,887	\$0	\$70,887
28-582814	Transfers to General Services	\$22,784	\$0	\$22,784
30-500321	Equipment	\$8,441	\$0	\$8,441
38-500175	Technology Software	\$171	\$0	\$171
39-500188	Telecommunications	\$15,914	\$0	\$15,914

Class (Con't)	Budget Category	Current Budget	Requested Action	Revised Budget
40-500800	Indirect Costs	\$58,191	\$16,396	\$74,587
42-500620	Additional Fringe Benefits	\$76,133	\$26,078	\$102,211
49-588575	Transfer to other State Agencies	\$15,155	\$0	\$15,155
50-500109	Temporary Personnel	\$259,963	\$285,000	\$544,963
59-500117	Full Time Temporary	\$571,598	\$0	\$571,598
60-500601	Benefits	\$491,091	\$153,400	\$611,491
66-500544	Employee Training	\$8,950	\$0	\$8,950
70-500705	In-State Travel	\$5,829	\$0	\$5,829
80-500710	Out of State Travel	\$13,750	\$0	\$13,750
101-500729	Medical Payments to Provider	\$500	\$0	\$500
102-500731	Contracts for Program Services	\$2,978,510	\$0	\$2,978,510
300-500830	Reimbursements	\$751,441	\$4,500,000	\$5,251,441
301-504059	Loans	\$15,000,000	\$0	\$15,000,000
	Total	\$20,364,774	\$5,000,000	\$25,364,774

EXPLANATION

On January 11, 2022, the Drinking Water and Groundwater Trust Fund (DWGTF) Advisory Commission awarded \$5M to NHDES to implement a rebate program for removal of PFAS in private wells in order to protect public health by reducing exposure to PFAS in drinking water statewide where there has been no offer of alternate water from a third party. On May 9, 2022, the DWGTF Advisory Commission approved an amendment to the program allowing an increase in the dollar amount of the rebates offered.

As of the date of this request, NHDES has tested over 9,000 residential (private) water supply wells across the state for PFAS and has identified over 3,500 wells that exceed one or more of the Ambient Groundwater Quality Standards (AGQS). While there are provisions in state rules for parties that are responsible for contamination of groundwater to remedy water supply wells that violate AGQS, not all PFAS contamination found in the state has been attributed, either technically or legally, to a responsible party. In instances where there is no identified responsible party for a contaminated water supply well, the burden of providing safe drinking water resides with the well owner. Third parties have addressed over 1,000 of the 3,500+ wells that exceed AGQS for PFAS by providing alternate water, either temporarily or permanently, in accordance with state rules; however, as many as 2,000 wells remain that are not currently being provided alternate water from a third party.

The NHDES proposes to provide a one-time rebate of up to \$5,000 per residential unit to assist eligible private residential well users in the purchase and installation of a treatment system designed to remove PFAS or up to \$10,000 to assist with connection to an existing public water system. Eligible treatment systems may also be designed to remove other contaminants in addition to PFAS. Eligible applicants include:

- Owners of single or multiple-unit residential properties serviced by private well(s) having a PFAS exceedance with no offer of an alternate water source from a third party. Eligible PFAS exceedances include exceedance of one or more NHDES AGQS and exceedances of any Maximum Contaminant Levels that may be established by EPA for PFAS;
- Tenants and occupants of residential property serviced by private well(s) with a PFAS exceedance with no offer of an alternate water source from a third party where the owner of the property has not applied for the rebate for the same property; and
- Vendors and subcontractors may apply on behalf of an eligible applicant with an appropriate waiver of claims between the two parties.

It is recognized that the installation of a treatment system requires ongoing operations and maintenance (O&M) for effective contaminant removal. The intent of this program is to provide assistance for the initial installation and does not include rebate funding for the O&M of the treatment system. It is the responsibility of the homeowner to maintain their chosen treatment system once installed.

Initially, NHDES will use existing staff to launch and administer the program. Subsequently, NHDES anticipates the need to fund one temporary full time position to administer the program, and will seek Fiscal Committee approval for same through a future Fiscal request. Up to 10% of the grant will be utilized for personnel costs to develop the program, perform education and outreach to vendors and the public, review applications, administer rebates, and develop and maintain a tracking system for treatment system installations. The reimbursement program will continue until the approved funding is exhausted.

NHDES is requesting to budget these additional funds as shown below:

Class 018	To cover the cost of existing staff overtime.
Class 020	To cover the cost of program current expenses.
Class 040	To cover the program share of statewide indirect costs.
Class 042	To cover the program share of additional fringe benefit costs.
Class 050	These funds are available in support of expanded or new program activities not previously budgeted. Employee support from existing NHDES programs will be used

Class 050 These funds are available in support of expanded or new program activities not previously budgeted. Employee support from existing NHDES programs will be used to conduct activities under this program. These funds will be used to replace funding for the following full time positions, which are currently budgeted:

Position #	Title	Account 03-44-44-	Funding Mix	Amount
12030	Hydrogeologist III	444010-8893	100% Other	\$60,000
40492	Hydrogeologist V	444010-8893	100% Other	\$60,000
42224	Executive Secretary	444010-8893	100% Other	\$20,000
9T2669	Civil Engineer VI	444010-8893	100% Other	\$50,000
9T2666	Administrator III	444010-8893	100% Other	\$60,000
9T2911	Program Planner I	444010-7428	100% Other	\$35,000
			Total	\$285,000

Funding in the amount of \$285,000 which is budgeted for the current positions, will either be lapsed or closed to control resulting in a net zero increase in budgeted funds.

Class 060 To cover benefits for personnel.

Class 300 To reimburse up to \$5,000 in costs incurred by eligible private residential well users in the purchase and installation of a treatment system designed to remove PFAS or up to \$10,000 in costs incurred to connect to an existing public water system.

We respectfully request your approval of this item.


Robert R. Scott, Commissioner