
Committee Report

CONSENT CALENDAR

March 7, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Resources, Recreation and Development to which was referred HB 261,

AN ACT requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Chuck Grassie

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Resources, Recreation and Development
Bill Number:	HB 261
Title:	requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.
Date:	March 7, 2019
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2019-0028h

STATEMENT OF INTENT

The proposed amendment establishes the process for the Department of Environmental Services to adopt a standard of 5 parts per billion for arsenic in drinking water through their rulemaking process. The committee agrees that the current level of arsenic in drinking water causes an unacceptable level of cancer cases in children and the general population. The lower level has been shown to be affordable, achievable, and effective.

Vote 17-1.

Rep. Chuck Grassie
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Resources, Recreation and Development

HB 261, requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chuck Grassie for Resources, Recreation and Development. The proposed amendment establishes the process for the Department of Environmental Services to adopt a standard of 5 parts per billion for arsenic in drinking water through their rulemaking process. The committee agrees that the current level of arsenic in drinking water causes an unacceptable level of cancer cases in children and the general population. The lower level has been shown to be affordable, achievable, and effective.

Vote 17-1.

Original: House Clerk
Cc: Committee Bill File

Heather Ebbs

From: Suzanne Smith <zanne719@gmail.com>
Sent: Wednesday, March 6, 2019 1:25 PM
To: Heather Ebbs
Subject: Fwd: Committee Report HB261

HB261 Motion OTP/A Vote 17-1 Consent

HB 261

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Chuck Grassie for the Majority of Resources, Recreation and Development.

The proposed amendment establishes the process for the Department of Environmental Services to adopt a standard of 5 parts per billion for arsenic in drinking water through their rule making process. The committee agrees that the current level of arsenic in drinking water causes an unexceptionable level of cancer cases in children and the general population. The lower level has been shown to be affordable, achievable and effective.

Sent from my iPad

Amendment to HB 261

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Ambient Groundwater Quality Standards; Contaminants in Drinking Water.

4 I. The commissioner shall initiate rulemaking pursuant to RSA 485-C:4, III within 120 days
5 of the effective date of this paragraph to revise the ambient groundwater quality standard for
6 arsenic to a value not to exceed 5 micrograms per liter.

7 II. The commissioner shall initiate rulemaking pursuant to RSA 485:3, I within 120 days of
8 the effective date of this paragraph to adopt a maximum contaminant limit for arsenic to a value
9 not to exceed 5 micrograms per liter for public water systems regulated by RSA 485-C.

10 2 Ambient Groundwater Quality Standards. Amend 2018, 190:1 to read as follows:

11 190:1 Department of Environmental Services; Ambient Groundwater Quality Standards. By
12 January 1, 2019, the commissioner of the department of environmental services shall review the
13 ambient groundwater standard for arsenic to determine whether it should be lowered, taking into
14 consideration the extent to which the contaminant is found in New Hampshire, the ability to detect
15 the contaminant in public water systems, the ability to remove the contaminant from drinking
16 water, the impact on public health, and the costs and benefits to affected entities that will result
17 from establishing the standard. ~~[Any proposed change to the ambient groundwater standard for~~
18 ~~arsenic shall require the approval of the general court.]~~ On or before January 1, 2019, the
19 commissioner shall submit a report of the findings to the chairpersons of the house and senate
20 committees with jurisdiction over natural resources.

21 3 Effective Date. This act shall take effect 90 days after its passage.

Voting Sheets

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 261

BILL TITLE: requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.

DATE: March 6, 2019

LOB ROOM: 305

MOTIONS: OUGHT TO PASS WITH AMENDMENT

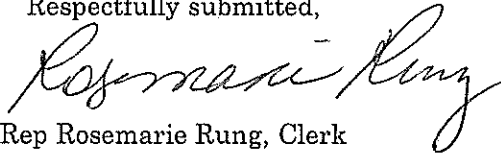
Moved by Rep. Grassie Seconded by Rep. Grassie AM Vote: 17-1
Amendment # 2019-0028h

Moved by Rep. Grassie Seconded by Rep. W. Thomas Vote: 17-1

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Rosemarie Rung, Clerk

HOUSE COMMITTEE ON RESOURCES, RECREATION AND DEVELOPMENT

EXECUTIVE SESSION on HB 261

BILL TITLE: requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.

DATE: March 6, 2019

LOB ROOM: 305

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of 2019 Amendment # 0028 h. (if offered) Interim Study (2nd year)

Moved by Rep. Grassie Secoded by Rep. W. Thomas Vote: 17-1

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # (if offered) Interim Study (2nd year)

Moved by Rep. Grassie Secoded by Rep. W. Thomas Vote: 17-1

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # (if offered) Interim Study (2nd year)

Moved by Rep. Secoded by Rep. Vote:

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # (if offered) Interim Study (2nd year)

Moved by Rep. Secoded by Rep. Vote:

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: Motion

Respectfully submitted: Rosemarie Rung
Rep Rosemarie Rung, Clerk



2019 SESSION

Resources, Recreation and Development

Bill #: HB 261 Motion: Adoption AM #: 2019-0028h Exec Session Date: 2/6/2019

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Smith, Suzanne J. Chairman	✓		
Maes, Kevin G. Vice Chairman	✓		
Spang, Judith T.			✓
Parkhurst, Henry A. L. <i>Beaulieu, Jane Query</i>	✓		
Thomas, Yvonne D. <i>Beaulieu, Jane</i>	✓		
Grassie, Chuck W.	✓		
Bushway, Patricia J.	✓		
Cohen, Bruce L.			✓
Noel, Henry W.	✓		
Rung, Rosemarie Clerk	✓		
Thomas, Wendy E.N.	✓		
Renzullo, Andrew	✓		
Gould, Linda R.	✓		
Horgan, James F.		✓	
Feeney, George	✓		
Gunski, Michael D. <i>Lekas, A.</i>	✓		
Harb, Robert D.	✓		
Hobson, Deborah L.	✓		
Lucas, Gates S. <i>L'Heureux</i>	✓		
Whittemore, James R.	✓		
TOTAL VOTE:	17	1	2



2019 SESSION

Resources, Recreation and Development

Bill #: HB 261 Motion: OTP-A AM #: 00286 ²⁰¹⁹⁻ Exec Session Date: 3/6/2019

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Smith, Suzanne J. Chairman	✓		
Maes, Kevin G. Vice Chairman	✓		
Spang, Judith T.			✓
Parkhurst, Henry A. L. <i>Query, J.</i>	✓		
Thomas, Yvonne D. <i>Beaulieu, J</i>	✓		
Grassie, Chuck W.	✓		
Bushway, Patricia J.	✓		
Cohen, Bruce L.			✓
Noel, Henry W.	✓		
Rung, Rosemarie Clerk	✓		
Thomas, Wendy E.N.	✓		
Renzullo, Andrew	✓		
Gould, Linda R.	✓		
Horgan, James F.		✓	
Feeney, George	✓		
Gunski, Michael D. <i>Lekas A</i>	✓		
Harb, Robert D.	✓		
Hobson, Deborah L.	✓		
Lucas, Gates S. <i>L'Heaveny</i>	✓		
Whittemore, James R.	✓		
TOTAL VOTE:	17	1	2

Amendment to HB 261

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Hearing Minutes

NH HOUSE OF REPRESENTATIVES
RESOURCES, RECREATION AND DEVELOPMENT COMMITTEE
TESTIMONY ON HB 261

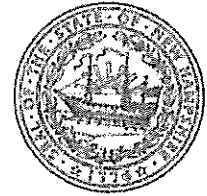
1. *Rep. Grassie introduced the bill as the prime sponsor. It is identical to one filed last year HB1592 by former Rep. Messmer. The bill returned from the Senate with a change that had the legislature set the arsenic standard. The intent of the House bill was to have the standard set through the DES rule-making process and that is reflected in the amendment to this bill.
2. *Paul Susca for NHDES spoke in favor of this bill and provided written testimony.
3. Chris Albert, a consultant, spoke about concerns about the bill for several reasons: no fiscal impact report, no study report. Also he had concerns about the lowering of the standard below EPA and whether this would allow SRF funds to be used.
4. Former Rep. Mindi Messmer, representing NH State Water Alliance, spoke in favor of the bill. She noted NH's high rate of specific cancers and NJ's 5 ppb standard and that health costs would be expected to be lower with a lower arsenic standard.
5. Carl Wikstrom, representing himself, spoke in opposition to this bill. He raised concerns about the cost vs. number of lives saved.
6. *Dr. JJ Smith from NH Public Health Association spoke about concerns about this bill and the challenge of municipal water suppliers to remove arsenic to this level.
7. Mr. Susca returned to answer additional questions.

Testimony



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



2*

February 12, 2019

The Honorable Suzanne Smith
Chair, House Resources, Recreation and Development Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 261 - requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water

Dear Chair Smith and Members of the Committee:

Thank you for the opportunity to testify on HB 261. As introduced, this bill would require the commissioner of the New Hampshire Department of Environmental Services (NHDES) to revise the ambient groundwater quality standard (AGQS) and the drinking water maximum contaminant level (MCL) for arsenic to a value not to exceed 0.5 parts per billion. NHDES has concerns with the bill as introduced, but we understand that the prime sponsor intends to introduce an amendment that would require NHDES to initiate rulemaking pursuant to its existing authorities to revise the AGQS and the MCL for arsenic to a value not to exceed 5 micrograms per liter (5 parts per billion – ppb). The amended bill would also amend Chapter 190:1 of Laws of 2018 (HB 1592) to delete the provision that any proposed change to the AGQS for arsenic would require the approval of the General Court. If HB 261 is amended in this fashion, NHDES would fully support the bill.

Last year, HB 1592 directed NHDES to “review the ambient groundwater standard for arsenic to determine whether it should be lowered, taking into consideration the extent to which the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, the impact on public health, and the costs and benefits to affected entities that will result from establishing the standard.” NHDES completed the required review during the summer and fall of 2018, and submitted its report to the chairs of this committee and the Senate Energy and Natural Resources Committee on December 31, 2018.

NHDES’ report includes a recommendation and proposal that rulemaking be initiated to lower the AGQS for arsenic to 5.0 micrograms per-liter (5.0 ppb) and to lower the MCL for arsenic to 5.0 micrograms per liter (5.0 ppb) as a running annual average.” As outlined in the report, NHDES believes that lowering the standard to 5.0 ppb will result in significant and lasting public health benefits that outweigh the costs of compliance with the new standards. A copy of the summary section of the report is attached for reference.

The Honorable Suzanne Smith
Chair, House Resources, Recreation and Development Committee
February 12, 2019
Page 2 of 2

In summary, we anticipate that the bill sponsor will introduce an amendment to HB 261 that has the full support of NHDES. Thank you again for the opportunity to comment on this bill. Should you have further questions or need additional information, please feel free to contact either Sarah Pillsbury, Administrator, Drinking Water and Groundwater Bureau, (sarah.pillsbury@des.nh.gov, 271-1168) or Paul Susca, Supervisor, Planning, Drinking Water and Groundwater Bureau (paul.susca@des.nh.gov, 271-7061).

Sincerely,



Robert R. Scott
Commissioner

cc: Sponsors of HB 261: Representatives Grassie, Adjutant, Cushing, and Murphy

Attachment: Summary section (3 pp) of NHDES report R-WD-18-20, "Review of the Drinking Water Maximum Contaminant Level (MCL) and Ambient Groundwater Quality Standard (AGQS) for Arsenic"

Excerpt from NHDES report R-WD-18-20, "Review of the Drinking Water Maximum Contaminant Level (MCL) and Ambient Groundwater Quality Standard (AGQS) for Arsenic"

<https://www.des.nh.gov/organization/commissioner/pip/publications/documents/r-wd-18-20.pdf>

1. SUMMARY

1.1 Background

Chapter 190, New Hampshire Laws of 2018 (House Bill 1592), effective June 8, 2018, directs the New Hampshire Department of Environmental Services (NHDES) to "review the ambient groundwater standard for arsenic to determine whether it should be lowered, taking into consideration the extent to which the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, the impact on public health, and the costs and benefits to affected entities that will result from establishing the standard." Any new ambient groundwater quality standard (AGQS) for arsenic would, in effect, also establish a new drinking water standard (maximum contaminant level – MCL) for arsenic, since public water systems must comply with AGQSs for contaminants that they are monitoring, under New Hampshire Administrative Rule Env-Dw 707.02(b). The AGQS of 10 parts per billion (ppb) applies to facilities that discharge to groundwater. The MCL of 10 ppb applies to public water systems (PWSs) that serve residential populations (community PWSs) and to non-community PWSs that serve the same 25 or more people each day for at least six months of the year, such as schools and places of work with their own wells. Compliance with both the AGQS and MCL are determined on the basis of a running annual average where monitoring is done quarterly, or with annual monitoring at sites with results less than half the standard.

Arsenic is naturally occurring and quite common in New Hampshire's groundwater, and health studies of New Hampshire residents have demonstrated the connection between arsenic and the increased prevalence of conditions including bladder and other cancers and developmental effects on children. More than one-third of community PWSs in New Hampshire have a measurable amount of arsenic in their water. The U.S. Environmental Protection Agency (EPA) typically sets MCLs for drinking water contaminants at a level at which a lifetime of exposure would result in one excess cancer in one million people exposed. However, EPA makes exceptions for contaminants for which the technology is not readily available to detect the contaminant at extremely low levels or to remove the contaminant (treat the water) to such low levels, or when the cost of compliance with a lower standard would be very high. For some contaminants, EPA has established drinking water MCLs with cancer risks in the 10-in-a-million to 100-in-a-million range. The 10 ppb MCL for arsenic is associated with a far greater risk – 3,000 in a million (roughly 1 in 300) – based on the health effects information available in 2001 when the standard was set. Water systems have been required to meet the new standard since January 23, 2006.

In 2003, EPA began the process of updating the 1988 Toxicological Review upon which the 10 ppb MCL was based. Since then, evidence has continued to mount about the health effects of arsenic at low levels (less than 10 ppb) of exposure. EPA currently expects to complete the review of a revised assessment

scope (by the National Academy of Sciences) in 2019, with completion of the risk assessment itself expected in 2021.

The only state that has adopted a standard other than EPA's 10 ppb is New Jersey. In 2003, the State of New Jersey's Drinking Water Quality Institute recommended an arsenic standard of 3 ppb, based on the feasibility of laboratory analytical methods and water treatment technology, but unlike EPA, did not explicitly balance the cost of treatment with the benefit of the reduced health risk. Citing reservations about some of the water treatment methods available to attain the recommended 3 ppb standard, the New Jersey Department of Environmental Protection (NJDEP) adopted a drinking water standard of 5 ppb, which it has been enforcing since 2006. According to NJDEP's most recent report on Public Water Systems, there were no violations of the 5 ppb MCL during 2017 among the state's 582 community and 717 non-transient, non-community water systems.

1.2 Recommendation

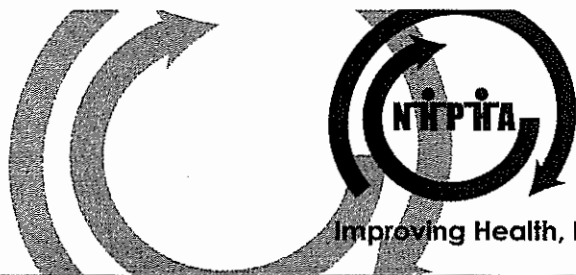
After considering a number of factors as outlined in the Rationale section below, NHDES recommends and proposes that rulemaking be initiated to lower the AGQS for arsenic to 5.0 micrograms per liter (5.0 ppb) and to lower the MCL for arsenic to 5.0 micrograms per liter (5.0 ppb) as a running annual average.

1.3 Rationale

While the costs of compliance with drinking water and groundwater standards of 5 ppb for arsenic would be substantial, the tangible and intangible benefits to public health warrant the recommended reduction. Information gathered and analyses performed for this review enable NHDES to estimate some of those costs and benefits. At the outset, NHDES focused this review on a range of potential MCL/AGQS standards from 3 to 6 ppb, but by the conclusion of the review, determined that both the costs and benefits of a 5 ppb standard could be addressed with greatest confidence. The rationale for NHDES' recommendations is summarized below:

- Exposure to inorganic arsenic in drinking water and food at levels below the current MCL of 10 ppb has been shown to increase the risk of a wide range of adverse health effects, including lung, bladder and skin cancer; cardiovascular disease; adverse birth outcomes; illnesses in infants; and reduced IQ. (Section 5.1 of this report)
- For some of these adverse health effects, it is possible to estimate the magnitude of the reduction in risk associated with reducing the MCL from 10 to 5 ppb. In this category are lung, bladder and skin cancer. These are the health effects that were taken into account when EPA set the current MCL at 10 ppb. (Tables 4-6)
- For some additional health effects, convincing information is now available regarding the increased risk in the 5-10 ppb range, but the available information does not make it possible to confidently estimate the number of cases or deaths that could be avoided by lowering the MCL. In this category are adverse birth outcomes, illnesses during the first year of life, and deaths from cardiovascular disease (CVD).

- CVD is of particular interest due to the number of people affected and the evidence that arsenic in the 5-10 ppb range is likely to substantially increase the risk of death from this cause. (Section 5.1)
- The potential for arsenic above 5 ppb to lower the IQ of school children is of great concern, but the available evidence does not enable estimates of the number of children affected with any degree of confidence. However, the potential life-long impact on children must be considered.
- NHDES considered both the tangible (economic) and intangible costs to those affected by the health risks mentioned above.
- Water treatment technologies that are currently used to treat drinking water are capable of reliably maintaining an average arsenic level of 5 ppb, and in many cases lower than that. For a few water systems (those using greensand treatment) relatively minor adjustments in treatment processes can achieve 5 ppb or less. For the vast majority of water systems (those currently using or likely to use adsorption) achieving lower arsenic levels is a matter of replacing their treatment media more frequently. For a substantial number of water systems, maintaining an average arsenic concentration below 5 ppb would not be feasible. This review includes estimates of the costs associated with these changes. (Tables 1 and 2)
- Lowering the groundwater standard (AGQS) from 10 ppb to 5 ppb would affect an estimated 46 municipal landfills, increasing the cost of groundwater monitoring and treatment. Also affected would be an estimated 40 sites with groundwater discharge permits (sewage and septage lagoons, wastewater discharges), which would need to install and operate additional monitoring wells, and treatment systems for private wells. (Table 3)
- Nearly all laboratories that are currently accredited to test for arsenic in public water systems are already able to reliably measure arsenic at levels low enough to ensure that public water systems and other regulated facilities maintain compliance with an MCL and AGQS of 5 ppb.



NEW HAMPSHIRE
**PUBLIC HEALTH
ASSOCIATION**

Improving Health, Preventing Disease, Reducing Costs for All

6*

4 Park Street, 4th Floor
Concord, NH 03301
603.228.2983 | info@nhpha.org
www.nhpha.org

February 12, 2019

Honorable members of the House Resources, Recreation and Development committee,

I am writing to provide a perspective from the NH Public Health Association on, HB 261, the arsenic rule making instruction to DES. It seeks to change the standard to 0.5 parts per billion which is equivalent to 0.5 microgram per liter, the way we commonly express this. Health protection from this naturally occurring toxin may make the bill appropriate to make this bill an OTP but there are some reasons that it might be better to decide to form a study committee or even a commission. Let me elaborate a little and provide you with a link to materials that may be helpful as you deliberate.

Arsenic is a toxin that is very much like radiation. There is no known safe level of exposure but it is impossible to eliminate all exposure. We are fortunate in NH to have researchers at Dartmouth College who lead an effort to help us understand how to move forward in improving protection from this natural (and sometimes man-made) environmental hazard, the Dartmouth Toxic Metals Superfund Research Program. Their information regarding their work to understand how to reduce arsenic exposure can be accessed here:
<https://www.dartmouth.edu/~toxmetal/arsenic/index.html>.

While it is true that reducing ambient water MCL will reduce cancer cases and other negative health effects in the future, the magnitude of the reduction is not clear. Forcing municipalities and others to cut the amount in their water to 0.5 rather than the current standard of 10 will not automatically dramatically reduce drinking water exposures for a few reasons. Most importantly, many people get most of their drinking water from bottled water companies as they do not trust their public water supply or don't like its taste. The current standard from the FDA for arsenic in bottled water is still 10 so that exposure will continue for them unless a way can be crafted to also make a new bottle water standard here in NH even for water that comes from other states. And about 40 percent of the state's households get their water at home from private wells. There is no mandate to test private wells for arsenic. These factors mean substantial risk in NH would not be addressed by the bill as it stands.

In 2001, the EPA lowered the public drinking water standard for arsenic from 50 to 10. It seems unreasonable to suddenly burden our public systems with this new, expensive mandate without further study of the best ways to reduce exposure for everyone. I believe more public education and perhaps mandated testing before real estate transfers could possibly accomplish much more in terms of risk reduction than this dramatic change in ambient water standard for public systems. It is because this issue has many facets that need further exploration that a study committee or commission seems most appropriate even though the goal of the legislation as introduced is certainly laudable.

J. J. Smith, MD, MPH
Public Policy Advocacy Lead at NH Public Health Association

2018 Outstanding Affiliate of the Year of the American Public Health Association



February 12, 2019

Representative Suzanne Smith, Chair
House Resources, Recreation and Development Committee
State House
Concord, New Hampshire 03301

RE: HB 261 Setting Arsenic Standards

Dear Representative Smith and Members of the Committee,

For the record, the New Hampshire Municipal Association opposes **HB 261** dealing with a statutory water quality standard of 0.5 parts per billion (ppb) for arsenic.

HB 1592 enacted last year required the New Hampshire Department of Environmental Services (NHDES) to review the ambient groundwater standard for arsenic to determine whether it should be lowered from 10 ppb, considering:

- the extent to which arsenic is found in New Hampshire,
- the ability to detect it in public water systems,
- the ability to remove it from drinking water,
- the impact on public health, and
- the costs and benefits that will result from changing the standard.

NHDES issued its *Review of the Drinking Water Maximum Contaminant Level (MCL) and Ambient Groundwater Quality Standard (AGQS) for Arsenic* report on December 31, 2018 with a recommendation that the standard be lowered to 5 ppb. The report states that “maintaining levels of 3 ppb or below is not technically feasible for a large percentage of public water systems.” Therefore, the arsenic standard proposed in **HB 261** not realistic.

Additionally, at the NHDES recommended level of 5 ppb level, the report indicates that the cost of compliance will be significant. We note that there is no fiscal impact statement on **HB 261** estimating the costs associated with an arsenic standard of 0.5 ppb. For these reasons we ask the committee to **recommend ITL on HB 261**.

Respectfully Submitted,

Barbara Reid
NHMA Government Finance Advisor

NEW HAMPSHIRE MUNICIPAL ASSOCIATION

25 Triangle Park Drive • Concord, NH 03301 • Tel: 603.224.7447 • NH Toll Free: 800.852.3358

NHMAinfo@nhmunicipal.org • governmentaffairs@nhmunicipal.org • legalinquiries@nhmunicipal.org

Website: www.nhmunicipal.org

Bill as
Introduced

HB 261 - AS INTRODUCED

2019 SESSION

19-0398
08/06

HOUSE BILL **261**

AN ACT requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.

SPONSORS: Rep. Grassie, Straf. 11; Rep. Adjutant, Graf. 17; Rep. Cushing, Rock. 21; Rep. Murphy, Hills. 21

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill requires the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Ambient Groundwater Quality Standards. Amend RSA 485-C:4 by inserting
2 after paragraph XII the following new paragraph:

3 XIII. The commissioner shall initiate rulemaking within 120 days of the effective date of
4 this paragraph to revise the ambient groundwater quality standard for arsenic not to exceed 0.5
5 parts per billion.

6 2 New Paragraph; Contaminants in Drinking Water. Amend RSA 485:3 by inserting after
7 paragraph XIV the following new paragraph:

8 XV. The commissioner shall initiate rulemaking within 120 days of the effective date of this
9 paragraph to adopt a maximum contaminant limit for arsenic not to exceed 0.5 parts per billion for
10 public water systems regulated by this chapter.

11 3 Effective Date. This act shall take effect 90 days after its passage.