1. Agency Name & Address:

Department of Environmental Services
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

2. RSA Authority:
RSA 125-C:4, I(a)

3. Federal Authority:
N/A

4. Type of Action:
Adoption
Repeal
Readoption
Readoption w/amendment

5. Short Title:
Hot Mix Asphalt Plants

6. (a) Summary of what the rule says and of any proposed amendments:

The existing rules, Env-A 2700, establish standards for regulating visible emissions, particulate matter emissions, and fugitive emissions from hot mix asphalt plants. The rules are proposed to be readopted because they are scheduled to expire on February 16, 2023. The rule is being readopted without any changes.

6. (b) Brief description of the groups affected:

The rules affect owners and operators of certain hot mix asphalt plants that emit particulate matter, visible, and fugitive emissions.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

<table>
<thead>
<tr>
<th>Rule Section(s)</th>
<th>State Statute Implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Env-A 2701</td>
<td>RSA 125-C:6, II</td>
</tr>
<tr>
<td>Env-A 2702</td>
<td>RSA 125-C:6, II</td>
</tr>
<tr>
<td>Env-A 2703</td>
<td>RSA 125-C:6, II</td>
</tr>
<tr>
<td>Env-A 2704</td>
<td>RSA 125-C:6, II</td>
</tr>
</tbody>
</table>

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: Karla McManus
Title: DES-ARD Planning and Rules Manager

Address: Department of Environmental Services
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

Phone #: (603) 271-6854
Fax#: (603) 271-1381
E-mail: Karla.S.McManus@des.nh.gov

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

The rules also can be viewed in PDF in the Public Comment Opportunities section of the NHDES website at https://www.des.nh.gov/public-comment-opportunities and selecting “Rulemaking”

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: 4:00 p.m. on Friday, September 9, 2022

☒ Fax ☒ E-mail ☐ Other format (specify):
9. Public hearing scheduled for:

Date and Time: Tuesday, August 30, 2022 at 11:00 AM

Place: Room 208C, DES Offices, 29 Hazen Drive, Concord, NH

NOTE: NHDES security procedures require all visitors to sign in and present photo identification (such as a driver’s license). If you plan to attend the public hearing in person, please bring photo identification with you.

You also may attend the hearing via WebEx, which can be accessed through the following link:

Join from the meeting link: https://nhgov.webex.com/nhgov/j.php?MTID=mc760b3a64cefdbeb6751429d1697eb4
Meeting number (access code): 2313 125 8905
Meeting password: ZyVmN3dAi78
You also may join the meeting by phone: +1-415-655-0001 US Toll
Access Code: 2313 125 8905
Contact Lisa Camire at Lisa.J.Camire@des.nh.gov or (603) 271-4848 if you have any questions or technical issues connecting to the hearing.

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 22:136, dated 07/07/2022

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):
There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:
No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

   A. To State general or State special funds:
      None.

   B. To State citizens and political subdivisions:
      None.

   C. To independently owned businesses:
      None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures and so do not violate Part I, Article 28-a of the N.H. Constitution.