

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER Env-Dw 500 OPERATION AND MAINTENANCE

PART Env-Dw 501 PERMIT TO OPERATE

Section Env-Dw 501.01 Permit to Operate Required; Current Information Required.

Section Env-Dw 501.02 Information Recorded for Permit to Operate.

Section Env-Dw 501.03 PTO Billing and Fee Payment.

Section Env-Dw 501.04 Issuance and Display of PTO.

Section Env-Dw 501.05 PTO Fees.

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PART Env-Dw 501 PERMIT TO OPERATE

Statutory Authority: RSA 485:3-a; RSA 485:41, VIII

REVISION NOTE:

Document #9411, effective 3-12-09, readopted with amendments and renumbered former Env-Ws 303.03, entitled Permit to Operate, under a new subtitle as Part Env-Dw 501, within a new Chapter Env-Dw 500 entitled Operation and Maintenance. The redesignation from subtitle Env-Ws to subtitle Env-Dw was done pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05.

Document #9411 replaces all prior filings for rules formerly in Env-Ws 303.03. The prior filings for rules in former Env-Ws 303.03 include the following documents:

- #4875, INTERIM, eff 7-23-90 (as Env-Ws 302.06)
- #4984, eff 11-20-90 (as Env-Ws 302.06)
- #5422, eff 6-22-92 (as Env-Ws 302.07)
- #6521, eff 6-4-97
- #8360, INTERIM, eff 6-4-05
- #8498, eff 11-30-05

Env-Dw 501.01 Permit to Operate Required; Current Information Required.

(a) The owner of each community water system (CWS) and of each non-transient non-community water system (NTNC) shall obtain a permit to operate (PTO) annually for the system from the department, pursuant to RSA 485:3-a.

(b) The owner of a system required to obtain a PTO shall update the contact information on file with the department as needed to ensure that the information is current at all times.

Source. #9411, eff 3-12-09

Env-Dw 501.02 Information Recorded for Permit to Operate.

(a) The department shall record the information described in (b) or (c), below, as applicable, into its database:

- (1) For all existing CWS or NTNC; and
- (2) When an EPA ID is assigned by the department to any new CWS or NTNC.

(b) For an NTNC, the department shall record:

- (1) The name of the NTNC;
- (2) The name, mailing address, and daytime telephone number of the owner of the NTNC and, if available, an e-mail address; and
- (3) An estimate of the number of persons served by the system on a repeat basis for at least 6 months per year.

(c) For a CWS, the department shall record:

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (1) The name of the CWS;
- (2) The name, mailing address, and daytime telephone number of the owner of the CWS and, if available, an e-mail address;
- (3) The number of persons served by the water system; and
- (4) The number of household service connections in the CWS.

Source. #9411, eff 3-12-09

Env-Dw 501.03 PTO Billing and Fee Payment.

- (a) The department shall issue an application for the PTO to each CWS and NTNC:
 - (1) In the amount specified in Env-Dw 501.05; and
 - (2) To the e-mail address on record for the system or, if no e-mail address is available, to the mailing address on record for the system.
- (b) Subject to (d), below, the owner of the system shall return the application with the specified fee on or before June 30 of the year in which the application was sent.
- (c) In addition to returning the application with the specified fee, the owner of the system shall:
 - (1) Certify that all information on the application that pertains to the system is correct; or
 - (2) If the information is not correct, provide corrected information.
- (d) If the application is issued after June 1, the owner shall return the application as specified in (b) and (c), above, within 30 days of the date of issuance.
- (e) The owner shall remit payment of the invoice to the department at the following address:

Department of Environmental Services
Drinking Water and Groundwater Bureau
Attn: Information Management
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

Source. #9411, eff 3-12-09

Env-Dw 501.04 Issuance and Display of PTO.

- (a) The department shall issue a PTO to a CWS or NTNC upon receipt of the signed application and fee payment as specified in Env-Dw 501.03.
- (b) The PTO shall be valid for the period July 1 through the following June 30.
- (c) The owner shall display the PTO on the premises of the system in a clearly visible location.

Source. #9411, eff 3-12-09

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Dw 501.05 PTO Fees.

- (a) As specified in RSA 485:41, VIII, the PTO fee for an NTNC shall be \$150 per year.
- (b) As specified in RSA 485:41, VIII, the PTO fee for a CWS shall be the smaller of \$300 or \$10 per household or household equivalent, as defined in RSA 485:1-a.
- (c) If a system changes ownership and the PTO fee for the current year has not been paid, the new owner shall pay the entire PTO fee for the current year, however nothing herein shall be construed to prevent the new owner from seeking reimbursement of the fee, on a prorated basis or otherwise, from the previous owner.
- (d) For any CWS or NTNC placed in operation on or after October 1, no PTO shall be required until the following permit period.
- (e) For purposes of calculating the fee, 2 or more systems on the same property owned by the same person shall be deemed to be a single water system.
- (f) If paid by check or money order, the PTO fee shall be paid separately from other fees which are owed to the department.

Source. #9411, eff 3-12-09

APPENDIX

Rule Section(s)	State Statute(s) Implemented
Env-Dw 501	RSA 485:3-a; RSA 485:41, VIII