

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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PART Env-Ws 370 GENERAL DESIGN STANDARDS: SYSTEMS SERVING 1,000 OR MORE PEOPLE

Env-Ws 370.01 Adoption by Reference.

(a) Except as otherwise required by this part, design of new public water systems serving more than 1,000 people or expansions of existing public water systems wherein the resulting system will serve more than 1,000 people shall be in accordance with the practices and standards set forth in the 2003 edition of "Recommended Standards for Water Works," committee report of the Great Lakes - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, as referenced in Env-Ws 307.02, with the following exceptions:

- (1) The forward; and
- (2) The policy statements.

(b) If the local legislative body of a political subdivision which owns a public water system does not vote to approve funding for the requirements of the 1987, 1992, 1997, and 2003 editions of the "Recommended Standards for Water Works" as compared to the 1982 edition thereof and the improvements are not fully funded by the state, the department shall not require the improvements to be implemented.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8477, eff 11-30-05

Env-Ws 370.02 Design Review Fee.

(a) In accordance with RSA 485:8, a fee shall be collected for the review of new public water systems or existing public water systems where conversion from transient use to residential use is proposed.

(b) The fee shall be determined as follows:

- (1) For residential-type units, the fee shall be \$45 per unit, regardless of the size of the residential units;
- (2) For new non-residential systems, the fee shall be \$45 per unit, wherein the number of units is determined by conversion of the average daily demand to a residential-equivalent unit basis as described in (b)(3), below;
- (3) For purposes of calculating the fee, a residential-equivalent unit shall be an average daily demand of 300 gallons per day. The average daily demand for non-residential units shall be as defined by Env-Ws 372 and Env-Ws 373. The calculated fee for non-residential systems shall be determined by rounding off to the nearest full residential-equivalent unit;
- (4) In determining the number of units the system is designed to accommodate, the department shall use system design parameters, proposed plans for additional construction, and other factors bearing on the ultimate system demand;
- (5) The department shall presume that any application for expansion within 2 years of the initial submittal is part of the initial water system design and therefore subject to the fee;
- (6) If the average daily demand of a non-residential public water system is less than one-half of a residential-equivalent unit, the fee shall be zero dollars;

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(7) The maximum fee shall be based on 167 residential-type units or residential-equivalent units, as applicable, and shall be \$7,515; and

(8) No additional fee shall be charged for revised submissions which do not include additional units, or for submissions requesting an extension or expansion of an existing public water system.

(c) As required by RSA 485:8, IV, the applicant shall submit the fee payment at the time of the design review submission. The amount of the fee shall be based on the number of residential-type or residential-equivalent units proposed to be served by the new public water system.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8477, eff 11-30-05

Env-Ws 370.03 Quality of Products and Workmanship. Where applicable, devices, products, or methods used in the water system’s design, installation, construction, or operation shall meet the specification criteria of the American Water Works Association as specified in Env-Ws 307.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8477, eff 11-30-05

Env-Ws 370.04 Public Water System Capacity Assurance. A proposed community water system or non-transient non-community public water system shall meet the requirements of Env-Ws 371 relative to capacity assurance in order to receive design approval from the department.

Source. #7105, eff 9-23-99; ss by #8477, eff 11-30-05

Env-Ws 370.05 Constructed Conveyances; Distribution Systems.

(a) No constructed conveyance that is open or that is designed to be open shall be used in any part of any distribution system that provides drinking water to any member of the public. Examples of open conveyances that are prohibited shall include open trenches and aqueducts.

(b) The distribution system that provides drinking water to any member of the public shall conform to the specifications of Env-Ws 375, Design Standards for Water Treatment, Distribution, and Storage.

Source. #7499, eff 5-25-01; ss by 8351, eff 5-14-05; ss by #8477, eff 11-30-05

APPENDIX

Rule Section(s)	State Statute(s) Implemented	Federal Statute(s)/Regulation(s) Implemented
Env-Ws 370.01	RSA 485:1, II(c)	40 CFR 142 Subpart B
Env-Ws 370.02	RSA 485:8, III and IV	
Env-Ws 370.03	RSA 485:3, I(c); RSA 485:8	40 CFR 142 Subpart B
Env-Ws 370.04	RSA 485:3, XII	42 USC 300g-9
Env-Ws 370.05	RSA 485:8, I and II	42 USC 300f(4)(A); 40 CFR 142 Subpart B