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## Rules/Regulatory

### Proposed and Recently Adopted Rules

The "Proposed" section below contains copies of rules and rulemaking filing documents related to rules that DES has proposed but has not yet adopted. The date and time of the public hearing and the deadline for filing public comment is listed for each proposed rule, as is a link to the email for the staff contact for the rulemaking. Unless otherwise specified, all rulemaking hearings are held at the DES offices at 29 Hazen Drive, Concord. Under 2011 amendments to RSA 541-A, an agency may choose to prepare and seek public comment on a Draft Final Proposal prior to filing a Final Proposal for review by the Joint Legislative Committee on Administrative Rules ("JLCAR"). If a Draft Final Proposal is prepared, it will be posted on this page with the date and time of the public hearing if one has been scheduled and the deadline for submission of written comments. Final Proposed rules are posted once the rule has been filed for review by the JLCAR.

The "Recently Adopted" section below contains copies of rules that DES has adopted but not yet certified. Until the certified text is available, the adopted text is the official text of the rules. For rulemakings that amend only a portion of a set of existing rules, the amendments posted here must be read in conjunction with the remaining rules (available at the [DES Certified Rules](#) page).

All documents have been saved in Adobe Acrobat Reader  format.

[Redesignation Chart](#)  [updated 01-08-2015]

### Proposed:

This contains copies of rules and rulemaking filing documents related to rules that the Department has proposed. These rules have not been adopted. Please note the following:

1. For Initial Proposals, the public comment period is noted on the associated Rulemaking Notice. If the public comment period has ended but a Final Proposal has not been posted, it means that the Department is considering the comments it has received in order to prepare a Final Proposal.
2. If a Final Proposal is posted, it means that the rule has been filed for review by the Joint Legislative Committee on Administrative Rules ("JLCAR"). The date the rules are expected to be reviewed by the JLCAR is noted below.

#### PROPOSED AIR PROGRAM RULES (Env-A)

- Env-A 3300 Municipal Waste Combustion  
NOTE: Pursuant to RSA 541-A:14-a, I, the existing rules will continue in effect until this rulemaking is complete and the new rules are in effect.

OLS Notice Number 2016-12

PUBLIC HEARING: Thursday, March 3, 2016, 1:00 PM; Rooms 113-114, DES Offices, 29 Hazen Drive, Concord

DEADLINE FOR FILING WRITTEN COMMENT: Friday, March 11, 2016 (4:00 PM)

CONTACT: Karla McManus ([Karla.McManus@des.nh.gov](mailto:Karla.McManus@des.nh.gov)), ARD Planning and Rules Manager

JLCAR review anticipated at meeting scheduled for June 17, 2016

[Final Proposal - Annotated](#) 

[Final Proposal - Fixed Text](#) 

[Summary of Comments - Responses](#) 

[Initial Proposal](#) 

[Initial Proposal - Fixed Text](#)  (easier to read)

[Rulemaking Notice](#) 

#### PROPOSED CROSS-PROGRAM RULES (Env-C)

- Env-C 300 N.H. Environmental Laboratory Accreditation Program  
NOTE: Pursuant to RSA 541-A:14-a, I, the existing rules will continue in effect until this rulemaking is complete and the new rules are adopted and effective.

OLS Notice Number

PUBLIC HEARING: Tuesday, May 31, 2016, 9:00 AM; Rooms 111-112, DES Offices, 29 Hazen Drive, Concord

DEADLINE FOR FILING WRITTEN COMMENT: Friday, June 10, 2016 (4:00 PM)

CONTACT: Debra Sonderegger ([Debra.Sonderegger@des.nh.gov](mailto:Debra.Sonderegger@des.nh.gov)), DWGB Principal Planner

[Initial Proposal](#) 

[Initial Proposal - Fixed Text](#) 

[Rulemaking Notice](#) 

See pg 2.  
June 21, 2016 →  
DES Public Hearing

PROPOSED DAM & RELATED RULES (Env-Wr)

PROPOSED DRINKING WATER & RELATED RULES (Env-Dw)

- Env-Dw 600 Capacity Assurance for Certain Public Water Systems  
NOTE: Pursuant to RSA 541-A:14-a, I, the existing rules will continue in effect until this rule making is complete and the new rules are in effect.

OLS Notice Number 2016-41

PUBLIC HEARING: Tuesday, April 19, 2016, 10:00 AM; Room 110, DES Offices, 29 Hazen Drive, Concord

DEADLINE FOR FILING WRITTEN COMMENT: Friday, April 29, 2016 (4:00 PM)

CONTACT: Holly Green ([Holly.Green@des.nh.gov](mailto:Holly.Green@des.nh.gov)), DWGB Environmentalist III

[Initial Proposal](#) 

[Initial Proposal - Fixed Text](#) 

[Rulemaking Notice](#) 

PROPOSED HAZARDOUS WASTE RULES (Env-Hw)

PROPOSED OIL & REMEDIATION RULES (Env-Or)

PROPOSED SOLID WASTE RULES (Env-Sw)

PROPOSED WATER QUALITY/QUANTITY RULES (Env-Wq)

- Env-Wq 1000 Subdivisions; Individual Sewage Disposal Systems  
NOTE: Pursuant to RSA 541-A:14-a, I, the existing rules that would otherwise expire on February 9, 2016 and that are included in this rulemaking will continue in effect until new rules are in effect.

OLS Notice Number 2016-19

PUBLIC HEARING: Tuesday, March 8, 2016; 9:00 AM; Auditorium, DES Offices, 29 Hazen Drive, Concord

Public Information Sessions, at which comments also will be accepted, are scheduled as follows:

Friday, March 4, 2016; 10:00 AM; Gorham Regional Office, 80 Glen Road, Gorham, NH

Monday, March 7, 2016; 9:00 AM; Keene Public Library, 60 Winter Street, Keene, NH

Wednesday, March 9, 2016; 1:00 PM; Portsmouth Regional Office, Pease International Tradeport, 222 International Drive, Suite 175, Portsmouth, NH

DEADLINE FOR FILING WRITTEN COMMENT: Friday, March 25, 2016 (4:00 PM)

CONTACT: Rob Tardif ([Robert.Tardif@des.nh.gov](mailto:Robert.Tardif@des.nh.gov)), CE V, SSB

[Initial Proposal](#) 

[Initial Proposal - Fixed Text](#) 

[Rulemaking Notice](#) 

- Env-Wq 1700 Surface Water Quality Standards  
NOTE: Pursuant to RSA 541-A:14-a, I, the existing rules that would otherwise expire on May 21, 2016 and that are included in this rulemaking will continue in effect until new rules are in effect.

OLS Notice Number 2016-76

PUBLIC HEARING: Tuesday, June 21, 2016; 10:00 AM; Rooms 112-113-114, 29 Hazen Drive, Concord

DEADLINE FOR FILING WRITTEN COMMENTS: Friday, July 22, 2016 (4:00 PM)

CONTACT: Gregg Comstock ([Gregg.Comstock@des.nh.gov](mailto:Gregg.Comstock@des.nh.gov)), Supervisor, WD Water Quality Planning Section

[Initial Proposal](#) 

[Initial Proposal - Fixed Text](#) 

[Rulemaking Notice](#) 

PROPOSED WETLANDS RULES (Env-Wt)

PROPOSED COUNCIL & BOARD RULES

SPECIAL NOTE FOR COUNCIL AND BOARD RULES: New Hampshire has four environmental councils and two environmental boards. Each council and board has its own enabling legislation and so is separate and distinct from each other council and board. The councils and boards are also separate and distinct from the New Hampshire Department of Environmental Services. DES posts the rulemaking-related documents of the councils and boards on this page as a service to the councils and boards and as part of the administrative support DES is required by law to provide. Such inclusion on this page shall not be construed as indicating that DES has any control over the content of the rules.

**Recently Adopted:**

This section contains copies of rules that have been adopted by the Department but for which the certified text is not yet available. Until the certified text is available, this is the official text of the rules. Once the certified text is available, the certified text is the official version of the rules and will be available on the [DES Certified Rules](#) page.

NOTE: For rulemakings that amend only a portion of a set of existing rules, the amendments posted here must be read in conjunction with the remaining rules (available on the [DES Certified Rules](#) page).

RECENTLY ADOPTED AIR PROGRAM RULES (Env-A)

RECENTLY ADOPTED CROSS-PROGRAM RULES (Env-C)

RECENTLY ADOPTED DAM PROGRAM & RELATED RULES (Env-Wr)

RECENTLY ADOPTED DRINKING WATER & RELATED RULES (Env-Dw)

- [Env-Dw 301](#)  Sources of Water Definitions - effective April 1, 2016
- [Env-Dw 302](#)  Large Production Wells and Wells for Large Community Water Systems - effective April 1, 2016
- [Env-Dw 303](#)  Groundwater Sources of Bottled Water - effective April 1, 2016
- [Env-Dw 305](#)  Small Production Wells for Small Community Water Systems - effective April 1, 2016

RECENTLY ADOPTED HAZARDOUS WASTE RULES (Env-Hw)

RECENTLY ADOPTED OIL & REMEDIATION RULES (Env-Or)

- [Env-Or 603.03 amendments](#)  - Emergency Ambient Groundwater Quality Standards for Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) - EFFECTIVE MAY 31, 2016

RECENTLY ADOPTED SOLID WASTE RULES (Env-Sw)

RECENTLY ADOPTED WATER QUALITY/QUANTITY RULES (Env-Wq)

- [Env-Wq 402](#)  Groundwater Discharge Permits and Registrations - eff. March 1, 2016  
[Env-Wq 402 Cross-Reference Table](#)  (prior rules to current rules)
- [Env-Wq 800](#)  Sludge Management - eff. January 1, 2016

RECENTLY ADOPTED WETLANDS RULES (Env-Wt)

- [Env-Wt 501 amd](#)  Wetlands Mitigation - related process - eff. February 1, 2016
- [Env-Wt 800](#)  Wetlands Mitigation - eff. February 1, 2016

RECENTLY ADOPTED COUNCIL & BOARD RULES

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