

# NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

## TABLE OF CONTENTS

### PART Env-Ws 320 MONITORING, REPORTING AND COMPLIANCE DETERMINATION - RESERVED

#### PART Env-Ws 321 GENERAL MONITORING

- Section Env-Ws 321.01 Purpose
- Section Env-Ws 321.02 Monitoring of Consecutive Public Water Systems
- Section Env-Ws 321.03 Laboratory Results
- Section Env-Ws 321.04 Additional Sampling
- Section Env-Ws 321.05 Public Notice
- Section Env-Ws 321.06 Identifying Sampling Interval
- Section Env-Ws 321.07 RESERVED
- Section Env-Ws 321.08 Protocol for Monitoring Waiver
- Section Env-Ws 321.09 Monitoring Within a Compliance Period
- Section Env-Ws 321.10 Monitoring For Ground and Surface Water Systems
- Section Env-Ws 321.11 Sampling Points
- Section Env-Ws 321.12 Separate Sampling Taps
- Section Env-Ws 321.13 Averaging Results
- Section Env-Ws 321.14 Calculating Compliance
- Section Env-Ws 321.15 Eligibility of Data
- Section Env-Ws 321.16 Additional Compliance Samples Collection by the System Operator
- Section Env-Ws 321.17 Removing a Source From and Reducing Monitoring Responsibility
- Section Env-Ws 321.18 Minimum Monitoring Responsibilities
- Section Env-Ws 321.19 Notes for Collection Protocol Tables

#### PART Env-Ws 322 REPORTING MONITORING DATA

- Section Env-Ws 322.01-.09 - RESERVED
- Section Env-Ws 322.10 Reporting Requirements
- Section Env-Ws 322.11 Reporting Data from Commercial or Other Laboratories

#### PART Env-Ws 323 - RESERVED

#### PART Env-Ws 324 - RESERVED

#### PART Env-Ws 325 BACTERIAL, PHYSICAL AND RADIONUCLIDE MONITORING

- Section Env-Ws 325.01 Collection Location of Bacterial Samples
- Section Env-Ws 325.02 Collection Intervals of Bacteria Samples
- Section Env-Ws 325.03 Non-Compliance Bacterial Samples
- Section Env-Ws 325.04 Frequency of Routine Monitoring of Coliform Bacteria for Community Water Systems
- Section Env-Ws 325.05 Frequency of Routine Monitoring of Coliform Bacteria for Non-Community Water Systems
- Section Env-Ws 325.06 Bacteria Sampling Requirement When Turbidity Exceeds One NTU
- Section Env-Ws 325.07 Repeat Monitoring
- Section Env-Ws 325.08 Waiver of the 5 Routine Sample Monitoring Requirement
- Section Env-Ws 325.09 Invalidation of Total Coliform Samples
- Section Env-Ws 325.10 Adjusting Bacteria Sampling Frequency After a Sanitary Survey
- Section Env-Ws 325.11 Fecal Coliform/Escherichia Coli (E. coli) Testing and Boil Order Requirement if Detected
- Section Env-Ws 325.12 Sample Volume and Collection Protocol
- Section Env-Ws 325.13 Response to Violation
- Section Env-Ws 325.14 Compliance
- Section Env-Ws 325.15 Violation
- Section Env-Ws 325.16-.18 - RESERVED
- Section Env-Ws 325.19 Monitoring for Unregulated Microbiology

## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

### PART Env-Ws 326 MONITORING FOR INORGANIC CHEMICALS

- Section Env-Ws 326.01 Monitoring for Regulated Inorganic Chemicals
- Section Env-Ws 326.02 Monitoring Location for Regulated Inorganics
- Section Env-Ws 326.03 Frequency of Monitoring for Regulated Inorganics
- Section Env-Ws 326.04-.05 - RESERVED
- Section Env-Ws 326.06 Changes When Contaminant Concentrations are Over 50% but Less Than the MCL for Regulated Inorganics
- Section Env-Ws 326.07 Monitoring Where the MCL is Exceeded for Regulated Inorganics
- Section Env-Ws 326.08 Sample Collection Protocol for Regulated Inorganics
- Section Env-Ws 326.09 Confirmation Samples for Regulated Inorganics
- Section Env-Ws 326.10 Compliance Determination for Regulated Inorganics
- Section Env-Ws 326.11 Reporting for Regulated Inorganics
- Section Env-Ws 326.12-.19 - RESERVED
- Section Env-Ws 326.20 Monitoring for Asbestos
- Section Env-Ws 326.21 Waiver of Monitoring for Asbestos
- Section Env-Ws 326.22 Monitoring Location for Asbestos
- Section Env-Ws 326.23 Monitoring When the MCL for Asbestos is Exceeded
- Section Env-Ws 326.24 Confirmation Sampling for Asbestos
- Section Env-Ws 326.25 Collection Protocol for Asbestos
- Section Env-Ws 326.26 Reporting for Asbestos
- Section Env-Ws 326.27 Compliance for Asbestos
- Section Env-Ws 326.28-.29 - RESERVED
- Section Env-Ws 326.30 Initial Monitoring for Nitrate
- Section Env-Ws 326.31 Confirmation Samples for Nitrate MCL Exceedance
- Section Env-Ws 326.32 Revised Monitoring for Nitrate
- Section Env-Ws 326.33 Collection Protocol for Nitrate
- Section Env-Ws 326.34 Reporting and Compliance for Nitrate
- Section Env-Ws 326.35 Initial Monitoring for Nitrite
- Section Env-Ws 326.36 Confirmation Samples for Nitrite
- Section Env-Ws 326.37 Revised Monitoring for Nitrate
- Section Env-Ws 326.38 Collection Protocol For Nitrite
- Section Env-Ws 326.39 Reporting and Compliance for Nitrite
- Section Env-Ws 326.40-.59 - RESERVED
- Section Env-Ws 326.60 Monitoring for Unregulated Inorganic Chemicals

### PART Env-Ws 327 MONITORING FOR ORGANICS

- Section Env-Ws 327.01 General Monitoring Frequency for VOC
- Section Env-Ws 327.02 Monitoring Location for VOC
- Section Env-Ws 327.03-.05 - RESERVED
- Section Env-Ws 327.06 Confirmation Sampling for VOC
- Section Env-Ws 327.07 Revised Monitoring Frequency for VOC
- Section Env-Ws 327.08-.09 - RESERVED
- Section Env-Ws 327.10 Monitoring for Vinyl Chloride
- Section Env-Ws 327.11-.12 - RESERVED
- Section Env-Ws 327.13 Laboratory Methods and Protocol for VOC
- Section Env-Ws 327.14 Compliance Determination for VOC
- Section Env-Ws 327.15-.39 - RESERVED
- Section Env-Ws 327.40 Initial Monitoring Frequency for Synthetic Organics
- Section Env-Ws 327.41 Monitoring Location for Synthetic Organics
- Section Env-Ws 327.42 Monitoring Frequency for Synthetic Organics
- Section Env-Ws 327.43-.44 - RESERVED
- Section Env-Ws 327.45 Confirmation Sampling for Synthetic Organics
- Section Env-Ws 327.46 RESERVED

## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- Section Env-Ws 327.47 Revised Monitoring for Synthetic Organics Where a Contaminant is Detected
- Section Env-Ws 327.48 RESERVED
- Section Env-Ws 327.49 Laboratory Methods and Sample Protocol for Synthetic Organics
- Section Env-Ws 327.50 RESERVED
- Section Env-Ws 327.51 Compliance Determination for Synthetic Organics
- Section Env-Ws 327.52 Reporting Synthetic Organics
- Section Env-Ws 327.53 Monitoring for Endrin
- Section Env-Ws 327.54 PCB Monitoring
- Section Env-Ws 327.55-.69 - RESERVED
- Section Env-Ws 327.70 Monitoring for Disinfection Byproducts
- Section Env-Ws 327.71 Monitoring Frequency and Location
- Section Env-Ws 327.72 Frequency Reduction
- Section Env-Ws 327.73 Compliance
- Section Env-Ws 327.74-.89 - RESERVED
- Section Env-Ws 327.90 Monitoring for Acrylamide and Epichlorohydrin

### PART Env-Ws 328 UNREGULATED ORGANICS - RESERVED

### PART Env-Ws 329 MONITORING FOR SECONDARIES

- Section Env-Ws 329.01 Monitoring For Regulated Secondary MCLs
- Section Env-Ws 329.02 Monitoring Location
- Section Env-Ws 329.03 Monitoring Frequency
- Section Env-Ws 329.04 Sample Collection Protocol
- Section Env-Ws 329.05 Confirmation Samples
- Section Env-Ws 329.06 Compliance Determination
- Section Env-Ws 329.07 Reporting
- Section Env-Ws 329.08 Sodium
- Section Env-Ws 329.09 RESERVED

### PART Env-Ws 330 LABORATORY ANALYTICAL TECHNIQUES

- Section Env-Ws 330.01 Sample Analysis Method
- Section Env-Ws 330.02 Approved Laboratories

### PART Env-Ws 331-339 - RESERVED

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

PART Env-Ws 320 MONITORING, REPORTING AND COMPLIANCE DETERMINATION - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97

PART Env-Ws 321 GENERAL MONITORING

Statutory Authority: RSA 485:3

Env-Ws 321.01 Purpose. The purpose of this part is to establish requirements for drinking water monitoring, reporting, and compliance of public water systems.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.02 Monitoring of Consecutive Public Water Systems.

(a) When a public water system supplies water to one or more other public water systems, the department shall modify the monitoring requirements imposed on the consecutive systems by Env-Ws 325 through Env-Ws 329 for chemical monitoring purposes.

(b) Each consecutive system shall monitor for the requirements specified in Env-Ws 325 and Env-Ws 381 in accordance with the schedule issued by the department.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.03 Laboratory Results.

(a) The department shall not use sampling or laboratory results if the department determines that the data:

- (1) Is from an obvious sampling or laboratory error from known errors in collection, processing, or transcription;
- (2) Is a technical impossibility;
- (3) Is inconsistent with the preponderance of data elements for the same contaminant; or
- (4) Is from a laboratory not certified or accredited in accordance with Env-C 300 when such accreditation is required for analysis.

(b) Any sample below detection limits specified in Env-Ws 330 shall be calculated as zero for the purpose of determining the annual or running average.

(c) All chemical concentration data submitted to the department for compliance purposes shall be reported in units of milligrams per liter (mg/L) or micrograms per liter (ug/L).

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.04 Additional Sampling.

(a) The department shall require confirmation samples if any of the results specified in Env-Ws 321.03(a) occur.

(b) Raw water samples shall be required of sources before treatment for the factors affected by that treatment process in accordance with the schedule issued by the department pursuant to Env-Ws 321.06.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(c) The department shall develop a sampling schedule based on:

- (1) Concentration of contaminant;
- (2) Variability of contaminant; and
- (3) Reliability of treatment process.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.05 Public Notice.

(a) Each public water system owner shall provide public notice in accordance with Env-Ws 351 when an applicable standard MCL, MRDL, monitoring requirement, or treatment technique established by RSA 485, Env-Ws 301 through 349, Env-Ws 380, or Env-Ws 381 has been violated.

(b) If a public water system has a distribution system separable from other parts of the distribution system with no interconnections, only that part of the system that exceeds the MCL, as specified in Env-Ws 315 through Env-Ws 319 as appropriate, shall be out of compliance.

(c) The public water system owner shall provide public notice as specified in Env-Ws 350 through Env-Ws 359 to the users of only that portion of the system which is out of compliance.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.06 Identify Sampling Interval. The department shall provide each system owner with a sampling schedule and identify any modification to the sampling schedule in writing.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.07 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.08 Protocol for Monitoring Waiver.

(a) Request(s) to waive or reduce monitoring responsibility for volatile organic compounds and synthetic organic compounds at a source of public drinking water, where permitted by these rules, shall be submitted in writing to the department on forms supplied by the department.

(b) Requests for waivers shall include the following:

(1) Source and owner identification, including:

- a. System name;
- b. Address;
- c. 10 digit EPA ID#; and
- d. Phone number(s);

(2) Source water protection area information including:

- a. The maximum daily volume;

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- b. Delineation of the source water protection area that contributes water and is likely to contribute contamination to the drinking water source; and
  - c. Identification of known and potential sources of contamination within the source water protection area;
- (3) Identification of land uses:
- a. For wells, within the sanitary protective area established in accordance with Env-Ws 372, Env-Ws 378, or Env-Ws 379; and
  - b. For surface water sources, within the surface water intake protection area; and
- (4) A management program which includes:
- a. Distribution of educational materials to residents and known and potential contamination sources within the source water protection area; and
  - b. For sources producing greater than 57,600 gpd, or for systems that serve greater than 1,000 people, a potential contamination source inspection program to ensure compliance with the best management practice rules pursuant to Env-Ws 421.
- (c) No waiver shall be granted if any of the following conditions exist:
- (1) An unresolved significant deficiency, as defined in Env-Ws 306, identified in a sanitary survey;
  - (2) An unresolved administrative order or letter of deficiency from the department;
  - (3) The system does not have an active primary water system operator pursuant to Env-Ws 367;
  - (4) The permit-to-operate fee has not been paid;
  - (5) The system is not in compliance with the lead and copper requirements as specified in Env-Ws 381;
  - (6) The system is not in compliance with the monitoring requirements specified in Env-Ws 320 through Env-Ws 339; or
  - (7) The waiver application form is incomplete or contains false information.
- (d) A volatile organic compound (VOC) waiver shall not be granted if a condition listed in Env-Ws 321.08(c), above, or any of the following conditions exist:
- (1) Excluding the pumphouse, there are structures, of any size or type, within the sanitary radius which:
    - a. Have a discharge to the ground or groundwater, other than hydrants, blow-offs, sampling taps or other apparatus transmitting potable water; or
    - b. Store, use, or handle hazardous substances other than chemicals or other substances necessary for treatment processes in the pump station;
  - (2) The well is situated within the boundary of a parking lot;
  - (3) There is a known source of contamination within the source water protection area;
  - (4) The system is on mandatory quarterly VOC sampling;
  - (5) The system has had a confirmed VOC detection within the previous 3 years;

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (6) The sanitary radius contains any wastewater disposal systems, dumpster(s), or petroleum or chemical storage tank(s) except:
- a. A tank used exclusively to store potable water treatment chemicals;
  - b. A home heating oil tank located within a basement with an intact concrete floor; or
  - c. A home heating oil tank located on an impervious surface with a roof and protected from collision; or
- (7) There is an on-site VOC treatment system.
- (e) If a VOC waiver is granted, the department shall use the following criteria in determining the duration of the waiver:
- (1) The duration shall be 6 years if all of the following conditions are met:
    - a. The sanitary radius is in its natural state, except for the pumphouse and other necessary structures transmitting potable water or protected chemical storage needed for water treatment;
    - b. There are no potential sources of contamination within the source water protection area; and
    - c. There are no highways within 500 feet of the source; and
  - (2) The duration shall be 3 years if any one of the following conditions are met:
    - a. A driveway is situated within the sanitary radius;
    - b. One or more potential contamination sources are situated within the source water protection area;
    - c. A highway, is less than 500 feet from the source;
    - d. A parking lot is situated within the sanitary radius where the well is outside the parking lot;
    - e. A local road, with no route number, is situated within the sanitary radius; or
    - f. A tank specified in (d)(6) above, is present in the sanitary radius.
- (f) A synthetic organics contaminant (SOC) waiver shall be granted for 3 years if the source is:
- (1) Within a pesticide application area;
  - (2) Under a power line; or
  - (3) Within 50 feet of an active railroad.
- (g) Subject to (f) above, a SOC waiver shall be granted for 6 years, unless:
- (1) A condition listed in Env-Ws 321.08(c) exists; or
  - (2) The system is on a mandatory quarterly SOC sampling program.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7352, eff 8-24-00; ss by #7501, eff 6-5-01

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 321.09 Monitoring Within A Compliance Period. Each public water system owner shall monitor at the time designated by the department within each compliance period in accordance with the system's sampling schedule provided by the department.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.10 Monitoring for Ground and Surface Water Systems. Unless otherwise noted, a system owner using a combination of groundwater and surface water shall monitor as if it was a surface water supply.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.11 Sampling Points.

(a) A system owner shall collect each sample at the same sampling point designated by the department in the sampling schedule.

(b) A system owner shall collect one sample from each sampling point. Composite samples shall not be allowed.

(c) If a system draws water from more than one source and the sources are combined before distribution, the system owner may take a combined or blended sample to satisfy that system's chemical monitoring requirements as specified in Env-Ws 321 through Env-Ws 328.

(d) The department shall approve a blended sample if:

(1) The supply sources are combined before entry to the distribution system; and

(2) Where there are multiple sources, the sources are operated simultaneously or automatically alternated between pump operating cycles.

(e) A representative sample shall be allowed for chemical monitoring pursuant to Env-Ws 326 through Env-Ws 327 if the following conditions are met:

(1) If the system is served by multiple sources that are on-line together for at least 48 hours prior to sampling and which feed into the same storage tank, a single representative sample may be collected to meet the requirements of Env-Ws 327.41 through Env-Ws 327.55 for the applicable required compliance period, cycle or other monitoring interval;

(2) If the system has multiple sources that cannot be on-line for 48 hours, 4 quarterly representative samples may be collected to meet the requirements of Env-Ws 327.43; and

(3) The sample shall be collected at the entry to the distribution system.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.12 Separate Sampling Taps.

(a) Each source shall have a separate sampling tap except where conditions, such as vacuum manifold, prevent such tap installation.

(b) Where treatment is in use, a separate sampling tap shall be installed prior to and after treatment.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01



NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 321.13 Averaging Results. If a confirmation sample is collected for any contaminant, the results of the initial and confirmation sample shall be averaged.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.14 Calculating Compliance.

(a) A system owner who conducts monitoring at a frequency greater than annually by a running annual average at each sampling point shall be out of compliance with the maximum contaminant level (MCL) if the running average at any sampling point is greater than the MCL.

(b) A system owner who conducts monitoring annually, or less frequently, shall be out of compliance with the MCL if the level of a contaminant at any sampling point is greater than the MCL.

(c) For nitrate and nitrite, compliance shall be based on one sample if the levels of these contaminants are below the MCLs. If the levels of nitrate or nitrite exceed 50% of the MCLs, a confirmation sample shall be required and compliance shall be determined based on the average of the initial and confirmation sample as required by Env-Ws 326.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.15 Eligibility of Data. The monitoring requirements for a public water system owner shall not be complete until all required samples(s) have been collected, analyzed, and the results received by the department in accordance with monitoring and reporting requirements in Env-Ws 300.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.16 Additional Compliance Samples Collected by the System Owner. A system owner may collect more samples than the minimum required. In order for these sample results to be used for compliance calculations, they shall be uniformly distributed over the appropriate monitoring interval, sample locale and sources, and the data shall be identified as compliance data and submitted to the department.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.17 Removing a Source From and Reducing Monitoring Responsibility.

(a) To remove a source owner's obligation to comply with all monitoring regulations, the discharge piping shall be physically disconnected from the system source. A closed gate valve shall not be considered as being disconnected.

(b) To reduce the frequency and extent of monitoring regulations when the current source is not used for human consumption, the system owner shall:

(1) Submit in writing to the department a request to reduce the monitoring frequency; and

(2) Provide information to justify how the reduction in sampling frequency will not compromise public health and safety.

(c) The department shall reduce the monitoring frequency to the minimum sampling as specified in Env-Ws 321.18(b), when:

(1) The water supply to which decreased monitoring is requested is clearly designated for non-potable use;

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (2) The system owner has obtained an alternative potable water source; and
- (3) If providing bottled water, the source has been approved pursuant to Env-Ws 389.

(d) To reactivate a source, all monitoring requirements as specified in Env-Ws 320- Env-Ws 329 shall be completed prior to use.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 321.18 Minimum Monitoring Responsibilities.

(a) A system owner shall conduct minimum monitoring if the water supply meets the criteria specified in Env-Ws 321.17(c), and is:

- (1) Designed or intended as a public water system where there are less than 15 service connections and less than 25 people being serviced; or
- (2) Providing bottled water for human consumption on a temporary basis due to the inability of the current water supply to meet the chemical standards specified in Env-Ws 310-319.

(b) Minimum monitoring shall consist of:

- (1) Quarterly bacteriological analysis in accordance with Env-Ws 325;
- (2) Annual nitrate analysis and nitrite analysis every 3 years in accordance with Env-Ws 326.01; and
- (3) Analysis for Volatile Organic Compounds (VOC), Inorganic Compounds (IOC), Synthetic Organic Compounds (SOC), and radionuclides every 3 years as appropriate for the system classification.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8040, eff 2-14-04

Env-Ws 321.19 Notes for Collection Protocol Tables. The following requirements shall apply to the sampling protocols identified in Tables 325-1 through Table 329-1 in Env-Ws 325 through Env-Ws 329:

(a) If HNO<sub>3</sub> cannot be used because of shipping restrictions, the sample shall be initially preserved by icing and shall immediately be shipped to the laboratory. Upon receipt in the laboratory, the sample shall be acidified with concentrated HNO<sub>3</sub> to pH less than 2. At time of analysis, the sample container shall be thoroughly rinsed with 1:1 HNO<sub>3</sub>. The washings shall be added to the test sample.

(b) The container shall:

- (1) Be made of plastic, where the letter "P" means plastic, hard or soft; or
- (2) Be made of glass, where the letter "G" means glass.

(c) In all cases, samples shall be analyzed as soon after collection as possible.

Source. #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PART Env-Ws 322 REPORTING MONITORING DATA

Env-Ws 322.01 through Env-Ws 322.09 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

### Env-Ws 322.10 Reporting Requirements.

(a) Except where a shorter period is specified, such as where there is an acute MCL violation as specified in Env-Ws 351, the system owner shall report to the department the results of any test measurement or analysis required by Env-Ws 325 through Env-Ws 329, within 2 business days of the analysis being completed.

(b) Except where a different reporting period is specified, the system owner shall report to the department within 2 business days the failure to comply with any primary drinking water rule, including failure to comply with monitoring requirements set forth in Env-Ws 321 through Env-Ws 329.

(c) The system owner may report analytical results to the department in cases where the DES laboratory services unit performs the analysis and reports the results to the department staff which would normally receive such notification from the owner.

(d) Reporting requirements for public notification shall be as specified in Env-Ws 350 through Env-Ws 354.

(e) The system owner shall submit to the department within the time stated in the request, copies of any records required to be maintained under Env-Ws 303 or Env-Ws 304, or copies of any documents in existence at the time of the request which the department is entitled to inspect pursuant to the authority of RSA 485, the New Hampshire Safe Drinking Water Act.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 322.11 Reporting Data from Commercial or Other Laboratories. The owner of a public water supply system, who has samples analyzed by a commercial or other laboratory certified or accredited pursuant to Env-C 300 to meet monitoring requirements, shall:

(a) Notify the certified or accredited laboratory that sample analyses requested are to meet department monitoring requirements; and

(b) Enter into a written agreement with the certified or accredited laboratory to have the laboratory perform the following duties related to reporting public water supply analyses or other related data:

(1) Submit to the department the results of all analyses performed by the certified or accredited laboratory, including:

- a. Name of system;
- b. City or town where the system is located;
- c. Name, title, and telephone number of the person collecting the sample;-
- d. System EPA identification number;
- e. Name of contaminant(s);
- f. Sampling period;
- g. Results;
- h. Date analyzed;
- i. Sample collection point;
- j. Date and time sample was collected;

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- k. Name and certification/accreditation identification number of the laboratory that performed the test;
  - l. Telephone number of the laboratory that performed the test;
  - m. Authorized signature from the laboratory that performed the test; and
  - n. Treatment techniques applied; and
  - o. Analytical method, including detection limit;
- (2) Report the analytical results no later than 2 business days after analysis has been completed;
- (3) Notify the department by telephone or facsimile as soon as possible, but within 24 hours of:
- a. The presence of any total coliform or fecal coliform, or E. Coli, in any sample result; and
  - b. The exceedence of any MCL specified in Env-Ws 310 through Env-Ws 319; and
- (4) Submit the information specified in (1)k. through o., above, for the subcontract laboratory if a subcontract laboratory is used to perform any analysis.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PART Env-Ws 323 VULNERABILITY ANALYSIS - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PART Env-Ws 324 MONITORING FOR RADIONUCLIDES

Env-Ws 324.01 Purpose. The purpose of this part is to establish procedures and criteria for the monitoring of radionuclides in drinking water.

Source. (See Revision Note at chapter heading Env-Ws 300); ss by #8040, eff 2-14-04

Env-Ws 324.02 Applicability.

- (a) The requirements of this part shall apply to owners and operators of community water systems.
- (b) The requirements specified in Env-Ws 324.06(c) shall apply to non-transient non-community water systems.

Source. #8040, eff 2-14-04

Env-Ws 324.03 Implementation Dates. In accordance with 40 CFR 141.66(f)(1), beginning December 8, 2003, the owner of a community water system shall monitor for radionuclides as specified in this part and comply with the MCLs as specified in Env-Ws 315.51.

Source. #8040, eff 2-14-04

Env-Ws 324.04 Definitions.

- (a) "Alpha particle" means a positively charged atomic particle consisting of 2 neutrons and 2 protons.
- (b) "Analytical gross alpha" means total gross alpha activity as measured by the EPA approved methodologies, as specified in 40 CFR 141.25, and includes, but is not be limited to, alpha particles from radium-226, uranium, thorium, and polonium.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (c) "Beta particle" means an electron emitted from the nucleus of a radionuclide.
- (d) "Compliance gross alpha" means the analytical gross alpha activity minus the uranium activity.
- (e) "Department" means the department of environmental services.
- (f) "Grandfathered data" means analytical gross alpha, compliance gross alpha, radium 226, radium 228, and uranium monitoring results collected during the time period specified in Env-Ws 324.08.
- (g) "Mass" means a unit of measure in micrograms/Liter (ug/L).
- (h) "Picocuries per Liter" (pCi/L) means a unit of measure of radioactivity.
- (i) "Radionuclides" means alpha particles, beta particles, or both.

Source. #8040, eff 2-14-04

Env-Ws 324.05 Frequency and Sample Location for Radionuclides.

- (a) An owner of a public water system shall collect a minimum of one water sample at each entry point to the distribution system.
- (b) The system owner shall collect each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.
- (c) If the system owner draws water from more than one source and the sources are combined before distribution, the system owner shall sample the blend, provided it meets the criteria established in Env-Ws 321.11, at each entry point to the distribution system during periods of normal operating conditions.
- (d) The system owner shall collect samples in accordance with the schedule provided by the department pursuant Env-Ws 324.09 or 324.10, as applicable.

Source. #8040, eff 2-14-04

Env-Ws 324.06 Radionuclide Monitoring Requirements for New Systems or Sources.

- (a) The owner of a new community water system or an existing community water system using a new source of supply shall collect and analyze quarterly samples for compliance gross alpha combined radium-226 and radium-228, radon, and uranium.
- (b) Initial monitoring shall begin within the first quarter that the new system or source first provides water to the system and shall be carried out in accordance with Env-Ws 324.07.
- (c) The owner of a new non-transient, non-community water system or an existing non-transient, non-community water system using a new source of supply shall collect and analyze one sample for compliance gross alpha, combined radium-226 and radium-228, radon, and uranium prior to use of the new source.

Source. #8040, eff 2-14-04

Env-Ws 324.07 Initial Monitoring for Radionuclides.

- (a) A system owner shall collect 4 consecutive quarterly samples to determine compliance gross alpha, combined radium-226 and radium-228, and uranium at all sampling points between December 8, 2003 and December 31, 2007 in accordance with 40 CFR 141.
- (b) Each public water system owner shall monitor in the quarters designated by the department during each compliance period.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(c) If the results of the samples from the first 2 quarters are below the detection limits as specified in Env-Ws 324.18, the system owner may submit a written request to the department that the monitoring frequency be reduced.

(d) The written request shall contain the following:

- (1) The system name;
- (2) The system EPA identification number; and
- (3) A summary of the historical radionuclide data from the system and nearby systems, when available.

(e) Upon determination by the department that the results are all below the detection limits, as listed in Table 324-2, the final 2 quarters of the initial monitoring shall be dismissed and the monitoring frequency shall be as specified in Env-Ws 324.10.

Source. #8040, eff 2-14-04

Env-Ws 324.08 Grandfathering Historical Data to Comply With Initial Monitoring Requirements.

(a) An owner of a public water system may use historical monitoring data to comply with the initial monitoring requirements for compliance gross alpha, combined radium-226 and radium-228, and uranium provided that:

- (1) A minimum of 2 samples were collected at each entry point to the distribution system pursuant to Env-Ws 324.05;
- (2) The radium-228 samples were collected at least 5 months apart; and
- (3) All data were collected prior to December 8, 2003.

(b) To meet initial monitoring requirements using historical data, the owner shall submit a written request to the department which includes the following information:

- (1) The system name;
- (2) The system EPA identification number;
- (3) A summary of all radiological data collected from each entry point to the distribution system for the historical time period selected;
- (4) An explanation of any change in the system's configuration that occurred during the period for which the data is submitted, including, but not limited to:
  - a. Any source additions or deletions;
  - b. All well hydrofracturing or well deepening procedures;
  - c. Whether the sample was collected from:
    1. The entry point to the distribution systems; or
    2. The well head.
  - d. Any documented increase or decrease in water system demand of more than 25%;
  - e. All treatment process additions, deletions, or modifications; and
  - f. Any other factors that would affect the representativeness of the radiological data.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(c) The owner of a public water system shall not use historical data for beta and photon emitters to satisfy the monitoring requirements of this part.

(d) For the purpose of grandfathering radium-226 and radium-228 data, the public water system owner shall add the results of the separate analysis together provided the samples were collected from the same entry point to the distribution system.

(e) If the department determines that the results are representative of the current water quality, the department shall accept the use of grandfathered data in lieu of the initial monitoring requirements and the monitoring frequency shall be as specified in Env-Ws 324.10.

(f) The department shall not allow the grandfathering of data at levels subject to yearly monitoring in accordance with Table 324-1.

Source. #8040, eff 2-14-04

Env-Ws 324.09 Increased Monitoring for Radionuclides.

(a) If the running annual average of the initial monitoring results for a sampling point is above the MCL, the system shall collect and analyze quarterly samples at that sampling point.

(b) If the system has results from 4 consecutive quarters that are reliably and consistently below the MCL, the system owner may request a reduction in monitoring in accordance with Env-Ws 324.10(b).

Source. #8040, eff 2-14-04

Env-Ws 324.10 Reduced Monitoring for Radionuclides.

(a) If the average of the initial monitoring results meet the criteria specified in Table 324-1 below, the system owner may submit a written request to the department that the monitoring frequency be reduced.

Table 324-1

Monitoring Frequency Based on Contaminant Concentrations

Compliance Gross Alpha (pCi/L)

Average Monitoring Result	Frequency
13.5- 15	Yearly
7.6-13.4	Every 3 years
3 -7.5	Every 6 years
< 3	Every 9 years

Radium 226 plus Radium-228 (pCi/L)

Average Monitoring Result	Frequency
4.5-5	Yearly
2.6-4.4	Every 3 years
1.0-2.5	Every 6 years
< 1.0	Every 9 years

Uranium (ug/L)

Average Monitoring Result	Frequency
27-30	Yearly
15.5-26.5	Every 3 years
1 -15.4	Every 6 years
< 1	Every 9 years

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(b) The written request shall contain the following:

- (1) The system name;
- (2) The system EPA identification number; and
- (3) A summary of the historical radionuclide data from the system.

(c) Based on review of the submitted results, the department shall modify the system's schedule in accordance with Table 324-1 and notify the system in writing of their new monitoring requirements.

Source. #8040, eff 2-14-04

Env-Ws 324.11 Substituting Analytical Gross Alpha Results for Radium 226.

(a) If the analytical gross alpha particle activity does not exceed 5 pCi/L, the system owner may substitute this value for the radium-226 measurement, providing the criteria in Env-Ws 324.16 are met.

(b) If the analytical gross alpha activity measurement is used in lieu of the radium-226 measurement, the department shall use this analytical result to determine future monitoring of radium-226 in accordance with Env-Ws 324.10.

(c) If the analytical gross alpha activity measurement result is less than the detection limit, the department shall use one half of the detection limit to determine compliance and future monitoring frequency in accordance with Env-Ws 324.10.

Source. #8040, eff 2-14-04

Env-Ws 324.12 Substituting Analytical Gross Alpha Results for Compliance Gross Alpha.

(a) If the analytical gross alpha particle activity does not exceed 15 pCi/L, the system owner may substitute this value for the compliance gross alpha measurement, providing the criteria in Env-Ws 324.16 are met.

(b) If the analytical gross alpha activity measurement is used in lieu of the compliance gross alpha measurement, the department shall use this analytical result to determine future monitoring of compliance gross alpha in accordance with Env-Ws 324.10.

(c) If the analytical gross alpha activity measurement result is less than the detection limit, the department shall use one half of the detection limit department to determine compliance and future monitoring frequency in accordance with Env-Ws 324.10.

Source. #8040, eff 2-14-04

Env-Ws 324.13 Substituting Analytical Gross Alpha Results for Uranium.

(a) If the analytical gross alpha particle activity does not exceed 20 pCi/L, the system owner may substitute this value for the uranium measurement, providing the criteria in Env-Ws 324.16 are met.

(b) If the analytical gross alpha activity measurement is used in lieu of the uranium measurement, the department shall use this analytical result to determine future monitoring of uranium in accordance with Env-Ws 324.10.

(c) If the analytical gross alpha activity measurement result is less than the detection limit, the department shall use one half of the detection limit to determine compliance and future monitoring frequency in accordance with Env-Ws 324.10.

Source. #8040, eff 2-14-04



## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 324.14 Monitoring and Compliance Requirements for Beta Particle Photon and Radioactivity for Vulnerable Systems. To determine compliance with the maximum contaminant levels in Env-Ws 315.51 and Env-Ws 315.60 for beta particle and photon radioactivity, the department shall comply with the provisions of 40 CFR 141.26(b).

Source. #8040, eff 2-14-04

Env-Ws 324.15 Compliance Determinations for Radionuclides.

(a) The department shall determine compliance with Env-Ws 315.51 and Env-Ws 315.60 based on the analytical results obtained at each sampling point.

(b) For a system who is monitoring annually or less frequently, if one sampling point exceeds an MCL, the system owner shall collect a confirmation sample within 14 days.

(c) The confirmation sample shall:

(1) Be a new sample collected under the same contributing conditions as the original sample; and

(2) Be analyzed within 45 days of collection.

(d) The results of the confirmation sample shall be averaged with the initial sample results and the average shall be used to determine compliance.

(e) If the average exceeds the MCL, the system shall be deemed in violation of the MCL.

(f) To determine compliance with the MCLs listed in Env-Ws 315.51 and Env-Ws 315.60, averages of data shall be used and shall be rounded to the same number of significant figures as the MCL for the substance in question.

(g) For systems monitoring more than once per year, the department shall determine compliance with the MCL by a running annual average at each sampling point. If the average of any sampling point is greater than the MCL, then the system shall be deemed out of compliance with the MCL.

(h) For systems monitoring more than once a year, if any sample result shall cause the running average to exceed the MCL at any sample point, the system shall be deemed out of compliance with the MCL immediately.

(i) The system owner shall include all samples taken and analyzed under the provisions of this section to determine compliance, even if that number is greater than the minimum required.

(j) If the system owner does not collect all required samples, compliance shall be based on the running average of the samples that were collected.

(k) If a sample result is less than the detection limit, zero shall be used to calculate the annual average, unless an analytical gross alpha activity is being used in lieu of radium-226 or uranium. If the analytical gross alpha result is less than detection, one half of the detection limit shall be used to calculate the annual average.

(l) In accordance with 40 CFR 141.26(c)(5), beginning December 8, 2003, if the MCL for the radionuclides set forth in Env-Ws 315.51 is exceeded, the owner of a public water system shall notify the department pursuant to Env-Ws 324.17 and to the public as required by Env-Ws 351.04.

Source. #8040, eff 2-14-04

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 324.16 System Reporting and Recordkeeping.

(a) A system owner shall report the monitoring results for radionuclides to the department within the first 10 days following the month in which the results are received.

(b) In accordance with 40 CFR 141 Appendix A, beginning December 8, 2003, a system owner that fails to report the monitoring results to the department within the first 10 days following the month in which the results are received shall notify the public as required by Env-Ws 351.04.

(c) Subject to Env-Ws 322.11, the system owner shall submit the monitoring results in the same unit of measurement and number of significant figures that the MCL is expressed in, as set forth in Table 315-4.

(d) If the system owner uses substitute data, pursuant to Env-Ws 324.11 through 324.13, the system owner shall submit the original data to the department and designate which values are to be used for each specific MCL, in accordance with the criteria specified above.

Source. #8040, eff 2-14-04

Env-Ws 324.17 Sample Collection Protocol and Laboratory Analytical Methods.

(a) The sampling protocol for alpha and beta radionuclides shall be those set forth in Table 324-1, below:

Table 324-1

Sample Collection Protocol for Radionuclides

<u>Contaminant</u>	<u>Preservative</u>	<u>Container</u>	<u>Maximum Holding Time</u>
Alpha radionuclides	HNO3	P or G	6 months
Beta radionuclides	HNO3	P or G	6 months

(b) The sample container shall:

- (1) Be made of hard or soft plastic, where the letter "P" means plastic; or
- (2) Be made of glass, where the letter "G" means glass.

(c) Laboratory analysis for radionuclides shall be conducted in accordance with Env-C 300.

(d) A laboratory may use EPA Method 200.8 Revision 5.4 to analyze for the mass of uranium present in the sample, as listed in "Methods for the Determination of Metals in Environmental Samples Supplement 1" (National Technical Information Service) as amended 1994, U.S. Department of Commerce.

(e) Laboratory detection limits for radionuclides shall be those set forth in Table 324-2, below:

Table 324-2

Detection Limits for Radionuclides

<u>Contaminant</u>	<u>Detection Limit</u>
Compliance Gross Alpha	3 pCi/L
Analytical Gross Alpha	3 pCi/L
Gross Beta	4 pCi/L
Radium-226	1 pCi/L
Radium-228	1 pCi/L
Cesium-134	10 pCi/L
Uranium	1 ug/L
Tritium	1,000 pCi/L

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Strontium-89	10
Strontium-90	2
Iodine-131	1
Other radionuclides	1/10 of the applicable limit

Source. #8040, eff 2-14-04

PART Env-Ws 325 BACTERIA MONITORING

Env-Ws 325.01 Collection Location of Bacterial Samples.

- (a) A public water system owner shall collect total coliform samples at sites which are representative of water throughout the distribution system according to a written sample site plan.
- (b) The department shall review the written site plan.
- (c) If the department determines that the coliform sample sites are not representative of water throughout the distribution system, the system owner shall not collect samples until the department revises the site plan.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.02 Collection Intervals of Bacteria Samples.

- (a) A public water system owner serving greater than 4,900 persons shall collect samples on at least 2 separate occasions at least one week apart throughout the sampling month.
- (b) A system owner which uses only groundwater, not under the direct influence of surface water as defined in Env-Ws 302, and serves 4,900 persons or fewer, may collect all required samples on a single day if the samples are obtained at different sites.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.03 Non-Compliance Bacterial Samples.

- (a) Non-compliance bacterial samples shall not be used to determine compliance with the MCL for total coliforms as specified in Env-Ws 315.01.
- (b) Repeat samples collected pursuant to Env-Ws 325.07 shall not be considered non-compliance samples, but shall be used to determine compliance with the MCL for total coliforms as specified in Env-Ws 315.01.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.04 Frequency of Routine Monitoring of Coliform Bacteria for Community Water Systems.

- (a) The minimum monitoring frequency for total coliforms for community water systems shall be based on the population served by the system, as stated in Table 325-1, below:

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Table 325-1  
Frequency of Sampling for Community Water Systems

<u>Population Served</u>	<u>Minimum number of samples per month</u>
25 to 1,000	1
1,001 to 2,500	2
2,501 to 3,300	3
3,301 to 4,100	4
4,101 to 4,900	5
4,901 to 5,800	6
5,801 to 6,700	7
6,701 to 7,600	8
7,601 to 8,500	9
8,501 to 12,900	10
12,901 to 17,200	15
17,201 to 21,500	20
21,501 to 25,000	25
25,001 to 33,000	30
33,001 to 41,000	40
41,001 to 50,000	50
50,001 to 59,000	60
59,001 to 70,000	70
70,001 to 83,000	80
83,001 to 96,000	90
96,001 to 130,000	100
130,001 to 220,000	120
220,001 to 320,000	150
320,001 to 450,000	180
450,001 to 600,000	210
600,001 to 780,000	240
780,001 to 970,000	270
970,001 to 1,230,000	300
1,230,001 to 1,520,000	330
1,520,001 to 1,850,000	360

(b) The owner of a community water system serving 25 to 1,000 persons may submit to the department a written request that the monitoring frequency specified in (a) above be reduced to no less than one sample per calendar quarter.

(c) The written request shall include the following information:

- (1) The system name;
- (2) The system EPA number; and
- (3) The rationale for the reduction in monitoring.

(d) The department shall approve the request if it determines that:

- (1) The system has had no confirmed presence of coliform bacteria within the past 12 months;
- (2) The system owner has submitted all required bacteria samples within the past 12 months;

## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (3) The system's most recent sanitary survey shows that the system is supplied solely by protected groundwater and is free of sanitary defects as specified in Env-Ws 306;
  - (4) The system's sanitary protective radius does not contain any structure, item, or activity that poses the risk of bacterial contamination; and
  - (5) The system does not continuously use a bacterial disinfection/inactivation treatment process.
- (e) The department shall notify the system owner in writing if it approves the request to reduce the frequency of bacteria monitoring.
- (f) A system owner monitoring bacteria at a reduced frequency under (b), above shall return to monitoring bacteria at the standard frequency pursuant to Env-Ws 325.04 if the department determines that:
- (1) The system has a confirmed presence of total coliform contamination;
  - (2) The system owner fails to submit 2 or more required routine bacteria samples within an 18 month period;
  - (3) A sanitary survey identifies a sanitary defect that has not been corrected within the time frame set forth pursuant to Env-Ws 306;
  - (4) The system's sanitary protective radius contains a structure, item, or activity that poses the risk of bacterial contamination;
  - (5) The system owner has installed a bacterial disinfection/inactivation treatment process in response to a MCL violation that operates continuously;
  - (6) A new source is added to the water system; or
  - (7) The physical configuration of the system warrants additional monitoring to accurately determine water quality.
- (g) The department shall notify the system owner in writing if a system monitoring bacteria at a reduced frequency under (b), above, is returned to monitoring bacteria at the standard frequency.
- (h) If a community water system owner monitoring bacteria at a reduced frequency under (b) above fails to submit a routine bacteria sample during an assigned month, the system owner shall submit the sample as soon as the system owner discovers the failure, or upon notification by the department of the failure, whichever date comes first.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

### Env-Ws 325.05 Frequency of Routine Monitoring of Coliform Bacteria for Non-Community Systems.

- (a) A non-community water system owner using only groundwater not under the direct influence of surface water as defined in Env-Ws 302, and serving 1,000 persons or fewer, shall collect one sample during each calendar quarter that the system provides water to the public.
- (b) The owner of a non-community water system as described in (a) above, that provides water to the public at least 3 calendar quarters of the year, may submit a written request to the department that the monitoring frequency specified in (a), above be reduced to no less than twice per calendar year.
- (c) The request shall contain the following information:
- (1) The water system name;
  - (2) The water system EPA number; and

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (3) The rationale for the reduction in monitoring frequency.
- (d) The department shall approve the request identified in (b), above, if the department determines that:
  - (1) The system has had no presence of coliform contamination within the past 12 months;
  - (2) The system owner has submitted all required bacteria samples within the past 12 months;
  - (3) The most recent sanitary survey shows that the system is supplied solely by protected groundwater and is free of sanitary defects;
  - (4) The system's sanitary protective radius does not contain any structure, item, or activity that poses the risk of bacterial contamination; and
  - (5) The system does not continuously use a bacterial disinfection/inactivation treatment process.
- (e) The department shall notify the system owner in writing if it approves the request to reduce the frequency of bacteria monitoring.
- (f) The department shall return a non-community system monitoring bacteria at a reduced frequency under (b) above to standard monitoring bacteria frequency if the department determines that:
  - (1) The system has a confirmed presence of total coliform contamination;
  - (2) The system owner fails to submit 2 or more required routine bacteria samples within an 18 month period;
  - (3) A sanitary survey identifies a sanitary defect that has not been corrected within the time frame set forth pursuant to Env-Ws 306;
  - (4) The system's sanitary protective radius contains a structure, item, or activity that poses the risk of bacterial contamination;
  - (5) The system owner installed a bacterial disinfection/inactivation treatment process in response to a MCL violation that operates continuously;
  - (6) A new source is added to the water system; or
  - (7) The physical configuration of the system warrants additional monitoring to accurately determine water quality.
- (g) The department shall notify a system owner in writing if the system monitoring bacteria at a reduced frequency under (b), above, is returned to standard monitoring frequency pursuant to (a) above.
- (h) An owner of a non-community water system using only ground water, except ground water under the direct influence of surface water as defined in Env-Ws 302, and serving more than 1,000 persons during any month, shall monitor bacteria at the same frequency as a like-sized community water system, as specified in Env-Ws 325.04(a), except the department shall reduce this monitoring frequency to no less than once per month, in writing, for any month the system serves 1,000 persons or fewer. For systems using ground water under the direct influence of surface water, paragraph (j) of this section shall apply.
- (i) An owner of a non-community water system using surface water, in total or in part, shall monitor bacteria at the same frequency as a like-sized community water system as specified in Env-Ws 325.04(a).
- (j) A non-community water system using groundwater under the direct influence of surface water as defined in Env-Ws 302, shall monitor at the same frequency as a like-sized community system, as specified in

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 325.04(a). The system owner shall begin monitoring at this frequency beginning 6 months after the department determines that the groundwater is under the direct influence of surface water.

(k) If a non-community water system owner fails to submit a routine bacteria sample during an assigned month, the system owner shall submit the sample as soon as the system owner discovers the failure, or upon notification by the department of the failure, whichever date comes first.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.06 Bacteria Sampling Requirement When Turbidity Exceeds One NTU.

(a) An owner of a public water system using surface water or groundwater under the direct influence of surface water, as defined in Env-Ws 302, and does not practice filtration pursuant to Env-Ws 380, shall collect at least one sample near the first service connection each day the turbidity level of the source water, measured as specified in 40 CFR 141.22, exceeds one NTU.

(b) The sample shall be analyzed for turbidity and for the presence of total coliforms.

(c) When one or more turbidity measurements in any day exceed one NTU, the system owner shall collect a coliform sample within 24 hours of the first exceedence, unless the department determines that the system cannot have the sample analyzed within 30 hours of collection.

(d) Sample results from this coliform monitoring shall be included in determining compliance with the MCL for total coliforms in Env-Ws 315.01.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.07 Repeat Monitoring.

(a) If a routine sample is total, fecal or E. coli coliform-positive, the public water system owner shall collect a set of repeat samples within 24 hours after being notified by the department of the positive result.

(b) A system owner who collects more than one routine sample/month shall collect at least 3 repeat samples for each total, fecal, or E coli coliform-positive sample found.

(c) A system owner who collects one routine sample/month or less shall collect at least 4 repeat samples for each total, fecal or E coli coliform-positive sample found.

(d) The department shall extend the 24-hour limit, if the department determines that the system owner cannot collect the repeat samples within 24 hours or when the samples cannot be analyzed within 30 hours of being collected.

(e) In determining the amount of the time extension identified in (d) above, the department shall evaluate the need to protect public health against the system's inability to collect the samples within the 24-hour limit.

(f) The system owner shall collect one repeat sample from the following locations:

- (1) The sampling tap where the original total, fecal, or E. coli coliform-positive sample was collected;
- (2) A tap within 5 service connections upstream of the original sampling site;
- (3) A tap within 5 service connections downstream of the original sampling site; and
- (4) If required, at another distribution location chosen by the system owner.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (g) The system owner shall collect all repeat samples on the same day.
- (h) A system owner with a single service connection may:
  - (1) Collect the required set of repeat samples over a 4 day period; or
  - (2) Collect a larger volume repeat sample(s) in one or more sample containers of any size, as long as the total volume collected is at least 400 ml.
- (i) If one or more repeat samples in the set is total, fecal, or E. coli coliform-positive, the public water system owner shall:
  - (1) Collect an additional set of repeat samples in the manner specified in (a) through (i) above;
  - (2) Repeat this process until either total coliforms are not detected in one complete set of repeat samples, or the system owner determines that the MCL for total coliforms in Env-Ws 315.01 has been exceeded;
  - (3) Notify the department of the results of (2) above; and
  - (4) Collect the samples within 24 hours of being notified of the positive result unless the department extends the limit as provided in (e) above.
- (j) The department shall not waive the requirement for a system owner to collect repeat samples in accordance with this section.
- (k) If a system owner collecting less than 5 routine samples per month has one or more total coliform-positive samples and the department does not invalidate the sample(s) under Env-Ws 325.09, the system owner shall collect at least 5 routine samples during the next month the system provides water to the public, except that the department shall waive this requirement if the conditions of Env-Ws 325.08 are met.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.08 Waiver of the 5 Routine Sample Monitoring Requirement.

- (a) The department shall waive the requirement to collect 5 routine samples the next month the system provides water to the public if the department:
  - (1) Perform a site visit before the end of the next month that the system provides water to the public;
  - (2) Determines why the sample was total, or fecal, or E. coli coliform positive; and
  - (3) Establishes that the water system has corrected the problem or will correct the problem before the end of the next month the system owner serves water to the public.
- (b) Once a determination is made by the department to waive the requirement to collect the 5 routine samples, the department shall:
  - (1) Document the waiver decision in writing, have it approved and signed by the supervisor of the department official who recommends such a decision, and make this document available to EPA and the public; and
  - (2) Describe the specific cause(s) of the total or fecal or E. Coli coliform-positive sample and what action the system owner has taken and/or will take to correct this problem.



NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (c) As part of the 5 routine sample monitoring requirement, the system owner shall:
- (1) Not seek a waiver of the requirement to collect 5 routine samples the next month that the system provides water to the public solely on the grounds that all repeat samples are total coliform-negative; and
  - (2) Continue to take at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with the MCL for total or fecal coliforms in Env-Ws 315.01, unless the department has determined that the system owner has corrected the contamination problem before the system owner collected the set of repeat samples required in Env-Ws 325.07, and all repeat samples are total and fecal coliform-negative.
- (d) Results of all routine and repeat samples not invalidated by the department shall be included in determining compliance with the MCL for total coliforms in Env-Ws 315.01.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.09 Invalidation of Total Coliform Samples.

- (a) A positive sample for total coliforms or fecal, E. Coliform-positive which is invalidated under this section shall not be used to meet the minimum monitoring requirements of this section.
- (b) The department shall invalidate a total or fecal or E. Coli coliform-positive sample only if:
- (1) The laboratory establishes that improper sample analysis caused the total or fecal or E. Coli coliform-positive sample result; or
  - (2) The department, on the basis of the results of repeat samples collected as required by Env-Ws 325.07, determines that the total coliform, fecal or E. Coli-positive coliform sample resulted from a domestic or other non-distribution system plumbing problem.
- (c) The department shall not invalidate:
- (1) A sample on the basis of repeat sample results unless all repeat sample(s) collected at the same tap as the original total coliform or fecal or E. coliform positive sample are also total coliform-positive, and all repeat samples collected within 5 service connections of the original tap are total coliform-negative; and
  - (2) A total coliform-positive sample on the basis of repeat samples if all the repeat samples are total coliform-negative, or if the public water system has only one service connection.
- (d) Where the department has substantial grounds to believe that a total coliform, fecal or E. coli-positive result is due to a circumstance or condition which does not reflect water quality in the distribution system, the system owner shall still collect all repeat samples required under Env-Ws 325.07 and use them to determine compliance with the MCL for total, fecal, or E. Coli coliforms in Env-Ws 315.01.
- (e) If the department invalidates a total coliform sample:
- (1) The rationale for the decision shall be documented in writing and approved and signed by the supervisor of the department official who recommended the decision; and
  - (2) The written documentation shall state the specific cause of the total coliform-positive sample, and what action the system has taken, or shall take to correct this problem; and
  - (3) The department shall make this document available to the EPA and the public.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(f) A laboratory shall invalidate a total coliform sample where total coliforms are not detected if the sample:

- (1) Produces turbid culture in the absence of gas production using an analytical method where gas formation is examined, such as the multiple-tube fermentation technique;
- (2) Produces turbid culture in the absence of an acid reaction in the presence--absence coliform test; or
- (3) Exhibits confluent growth or produces colonies too numerous to count with an analytical method using a membrane filter.

(g) If a laboratory invalidates a sample because of such interference as specified in (f) above, the system owner shall collect another sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the presence of total coliforms.

(h) The system owner shall continue to resample within 24 hours and have the samples analyzed until it obtains a valid result.

(i) The department shall extend the 24-hour limit if the system owner has a logistical problem in collecting the sample within 24 hours that is beyond its control.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.10 Adjusting Bacteria Sampling Frequency After a Sanitary Survey.

(a) A system shall undergo a sanitary survey in accordance with Env-Ws 306.

(b) The department shall review the results of each sanitary survey to determine:

- (1) Whether the wellhead is physically inaccessible;
- (2) Whether the wellhead is subject to flooding which cannot be corrected within 90 days of the sanitary survey pursuant to Env-Ws 306.01(e); or
- (3) If any other condition exists which would increase the potential for bacterial contamination.

(c) The department shall increase the bacterial monitoring frequency of a water system to monthly if the department determines that any one of the criteria of (b) above exists.

(d) In conducting a sanitary survey of a system using groundwater, information on sources of contamination within the delineated wellhead protection area, that was collected in the course of developing and implementing the program, shall be considered instead of collecting new information, if the information was collected since the last time the system was subject to a sanitary survey.

(e) The department shall perform the sanitary survey.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.11 Fecal Coliform/Escherichia Coli (E. coli) Testing and Boil Order Requirement if Detected.

(a) If any routine or repeat sample is total coliform positive, the system shall analyze that total coliform-positive culture medium to determine if fecal coliforms are present, except that the system may test for E. coli in lieu of fecal coliforms.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (b) If fecal coliforms or E. coli are present, the system owner shall:
- (1) Notify the department by the end of the day when the system owner is notified of the test result, unless the system owner is notified of the result after the department office is closed, in which case the system shall notify the department before the end of the next business day; and
  - (2) Issue a boil order advising all consumers that the water should be vigorously boiled for not less than 2 minutes before human consumption.
- (c) A boil order shall be issued by the owner of the water supply.
- (d) Boil order language shall:
- (1) Clearly explain the need to boil water for a minimum of 2 minutes for any purpose associated with human and animal consumption, which includes, but is not limited to, brushing teeth, washing vegetables, food preparation, dishwashing, making infant formula, or making ice;
  - (2) Provide the name, title, and telephone number of the public water system contact who can address any questions or concerns; and
  - (3) State that further notification will be issued when the boil order has been lifted.
- (e) For all systems, the boil order shall be posted in a conspicuous place in areas frequented by the public.
- (f) Public notification of the boil order shall be in accordance with the public notification requirements of acute violations as specified in Env-Ws 351.
- (g) The boil order shall be lifted by the system owner when:
- (1) A minimum of 2 consecutive samples show an absence of total, fecal, or E. coli coliform bacteria;
  - (2) The source of contamination has been identified and corrected; and
  - (3) The department notifies the system owner that the boil order may be rescinded.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.12 Sample Volume and Collection Protocol.

- (a) A standard sample volume of 100 ml shall be used for total coliform analysis, regardless of analytical method used.
- (b) A public water system shall analyze the sample for the presence or absence of total, fecal, or E. coli coliforms.
- (c) A public water system may analyze the sample for total coliform density.
- (d) Unless a system disinfects on a regular and continuous basis, chlorine or other disinfectants shall not be added to the system within one week prior to the time when bacterial test(s) samples are scheduled to be collected. If disinfection is necessary to protect public health within one week of a bacterial test, such treatment shall be described on the sample identification form. Failure to report disinfection occurring within one week on the sample information form, shall be considered as misrepresentation of the sample.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 325.13 Response to Violation.

(a) A public water system owner who has exceeded the MCL for total, fecal or E. coli coliforms in Env-Ws 315.01, shall report the violation to the department as soon as it learns of the violation but within 24 hours and notify the public in accordance with Env-Ws 351.01 through Env-Ws 355.01.

(b) A public water system owner who has failed to comply with a coliform monitoring requirement, including the sanitary survey requirement, shall report the monitoring violation to the department as soon as it learns of the violation and notify the public in accordance with Env-Ws 351.01 through Env-Ws 355.01.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.14 Compliance. Compliance shall be determined as specified in Env-Ws 315.01, and Env-Ws 325.01 through Env-Ws 325.15.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.15 Violation.

(a) A standard total coliform MCL violation shall be determined by the following criteria:

(1) For a system owner who collects less than 40 samples per month, where any one routine sample is positive and any one or more of the repeat samples is positive with the exception of a positive repeat sample at only the original routine sample site; or

(2) For a system owner who collects 40 or more samples per month, where more than 5.0% of the samples collected during a month are total coliform positive.

(b) An acute MCL violation shall be:

(1) Where any routine sample tests positive for total coliform but negative for fecal coliform or E. coli and is followed by any repeat sample which tests positive for fecal coliforms or E. coli; or

(2) Where any routine sample tests positive for fecal coliform or E. coli and any of the repeat samples test positive for total coliform, fecal coliform, or E. coli.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.16 through Env-Ws 325.18 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 325.19 Monitoring for Unregulated Microbiology.

(a) Where designated by the department, a system owner shall monitor for unregulated microbiological contaminants. The frequency of testing shall be that for the regulated microbiological factors specified in Env-Ws 315.01, and in Env-Ws 325.01 through Env-Ws 325. 15.

(b) The department shall make this determination if:

(1) There have been violation(s) of the total coliform or fecal MCL;

(2) The type of source is surface water or groundwater under the direct influence of surface water;

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

- (3) A watershed vulnerability analysis indicates risk of animal hosts in the watershed; or
- (4) There has been a suspected waterborne disease outbreak in the system.

(c) The analytical procedure shall be the methods of the 18<sup>th</sup> edition of "Standard Methods for the Examination of Water and Wastewater" as specified in 40 CFR Part 141.21.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PART Env-Ws 326 MONITORING FOR INORGANIC CHEMICALS

Env-Ws 326.01 Monitoring for Regulated Inorganic Chemicals.

(a) The owner of a community and non-transient, non-community water system shall conduct monitoring to determine compliance with the MCLs specified in Env-Ws 316.01.

(b) The owner of a transient, non-community water system shall conduct monitoring to determine compliance with the nitrate and nitrite MCLs specified in Env-Ws 316.01, in accordance with Env-Ws 326.30 through Env-Ws 326.39.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.02 Monitoring Location for Regulated Inorganics.

(a) The owner of a public water system using groundwater shall take a minimum of one sample at every entry point to the distribution system, which entry point is representative of each well after treatment, hereafter called a sampling point, for each 3 year compliance period.

(b) The system owner in (a), above shall collect each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(c) The system owner shall collect a raw water sample in accordance with Env-Ws 321.04(b), where treatment processes are installed.

(d) The owner of a public water system using surface water shall take a minimum of one sample at every entry point to the distribution system:

- (1) After any application of treatment; or
- (2) In the distribution system at a point which is representative of each source after treatment for each 3-year compliance period.

(e) The system owner shall collect each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(f) If a system draws water from more than one source and the sources are combined before distribution, the system owner shall collect a sample at an entry point to the distribution system during periods of routine operating conditions.

(g) Each source shall have a separate sampling tap except where conditions, such as vacuum manifold, prevent such tap installation.

(h) Where treatment is in use, a separate sampling tap shall be installed prior to and after treatment.

(i) For purposes of this section, surface water systems include systems with a combination of surface and groundwater sources.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.03 Frequency of Monitoring for Regulated Inorganics.

(a) The owner of a groundwater system shall collect one sample at each sample point during each compliance period.

(b) The owner of a surface water system, or combined surface/groundwater system, shall collect one sample at each sample point annually.

(c) The frequency of monitoring for asbestos shall be in accordance with Env-Ws 326.20 through Env-Ws 326.27.

(d) The frequency of monitoring for nitrate and nitrite shall be in accordance with Env-Ws 326.30 through Env-Ws 326.39.

(e) The department shall waive the requirement to monitor for cyanide if the department determines that the water system is not vulnerable to cyanide due to a lack of any industrial source(s) within the wellhead contributing area.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.04 and Env-Ws 326.05 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.06 Changes When Contaminant Concentrations are over 50% but Less than the MCL for Regulated Inorganics.

(a) If, in a representative sample, the concentration of a contaminant is greater than or equal to 50% of the MCL of any inorganic chemical listed in Env-Ws 316.01, the system owner shall collect a confirmation within 14 days. This sample shall be analyzed for the contaminant(s) that meets or exceeds 50% of the MCL.

(b) The confirmation sample shall:

- (1) Be a new sample collected under the same contributing conditions as the original sample; and
- (2) Be analyzed within 14 days of collection.

(c) The results of the confirmation sample shall be averaged with the initial sample results and the average shall be used to determine compliance with Env-Ws 326.10.

(d) If the average is less than 50% of the MCL listed in Env-Ws 316.01, the monitoring requirements for those sources shall be as specified in Env-Ws 326.03.

(e) If the average is equal to or greater than 50% of the MCL, the monitoring requirements for those sources that contributed to the sample shall be revised as follows:

- (1) A sample for that contaminant shall be collected from each distinct source that contributed to the previous representative sample; and
- (2) The monitoring frequency for that source, for that contaminant, shall be revised to quarterly.

(f) The revised monitoring schedule for each source pursuant to (e) above shall continue until the concentration of the particular contaminant is determined by the department to be reliably and consistently below the MCL as defined in Env-Ws 302.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(g) After a minimum of one year of quarterly sampling, the owner may submit in writing a request to the department that the monitoring frequency be reduced.

(h) The written request shall include:

- (1) The system name;
- (2) The system EPA number; and
- (3) A summary of all quarterly sampling results.

(i) Upon determination that the contaminant concentration, is reliably and consistently below the MCL, the monitoring frequency specified in Env-Ws 326.03 shall be resumed subject to the requirements of (k) below.

(j) Subsequent samples shall be collected during the quarter(s) which previously resulted in the highest analytical result.

(k) A system owner shall not be eligible for reduced monitoring specified in (i) above if the water system is operating any type of treatment to reduce the amount of regulated inorganics.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.07 Monitoring Where the MCL is Exceeded for Regulated Inorganics.

(a) A system owner who exceeds the MCL, as calculated pursuant to Env-Ws 326.10, shall monitor quarterly beginning in the next quarter after the violation occurs.

(b) A system owner shall collect raw water samples prior to the treatment system for as long as the treatment is used to reduce levels of a regulated inorganic. The samples shall be collected at the same time the scheduled monitoring samples are required and the results shall be submitted with the compliance results.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.08 Sample Collection Protocol for Regulated Inorganics.

(a) A system owner shall conduct sample collection for those contaminants listed in Env-Ws 316.01 using the sample preservation, container, and maximum holding time procedures subject to the notes specified in Env-Ws 321.19, as specified in Table 326-1 below:

Table 326-1  
Sample Collection Protocol for Regulated Inorganics

<u>Contaminant</u>	<u>Preservative (a)</u>	<u>Container (b)</u>	<u>Maximum Holding Time (c)</u>
Arsenic	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Barium	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Cadmium	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Chromium	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Fluoride	None	P or G	1 month
Mercury	Conc HNO <sub>3</sub> to pH LT 2	P or G	28 days
			14 days
Selenium	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Antimony	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Beryllium	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Cyanide	Cool 4 C, NaOH pH GT 12	P or G	14 days
Nickel	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months
Thallium	Conc HNO <sub>3</sub> to pH LT 2	P or G	6 months

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.09 Confirmation Samples for Regulated Inorganics. Where the sampling results for contaminants specified in Env-Ws 316.01 indicate a level at 50% or above the MCL, a system owner shall collect one additional sample as soon as possible after the initial sample was collected, but not to exceed 14 days, at the same sampling point and same contributing condition.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.10 Compliance Determination for Regulated Inorganics.

(a) If a confirmation sample is collected for regulated inorganics, then the initial and confirmation samples shall be averaged and the results of this average shall be used to determine whether the system exceeds the MCLs as specified in Env-Ws 316.

(b) Compliance with Env-Ws 316.01 shall be based on the analytical result(s) obtained at each sampling point which is an entry point to the distribution system. If this sampling point does not comply with these rules, then, the system represented by this sampling point shall be deemed to be out of compliance.

(c) For a system which is conducting monitoring at a frequency greater than annually, the department shall determine compliance with the MCL specified in Env-Ws 316.01 by a running annual average, as defined in Env-Ws 302, at each sampling point.

(d) If the department determines that the average at any sampling point is greater than the MCL as specified in Env-Ws 316, then the system shall be deemed as being out of compliance.

(e) If the department determines that any one sample would cause the annual average to exceed the MCL specified in Env-Ws 316, then the system shall be deemed as being out of compliance.

(f) Any sample result which is below the detection limit shall be calculated as zero for the purpose of determining the annual average.

(g) The department shall identify a system which is monitoring annually, or less frequently, as being out of compliance with the MCLs if the level of a contaminant at any sampling point is greater than the MCL.

(h) The department shall determine compliance with MCLs for confirmation samples based on the average of the 2 samples.

(i) If a public water system has a distribution system separable from other parts of the distribution system with no interconnections, only that part of the system that exceeds the MCL as specified in Env-Ws 316.01 shall be out of compliance. The system owner shall give public notice to the users of only that portion of the system which is out of compliance.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.11 Reporting for Regulated Inorganics. A system owner shall report regulated inorganics in accordance with Env-Ws 322.10.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01



NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 326.12 through Env-Ws 326.19 - RESERVED

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.20 Monitoring for Asbestos.

(a) Each new community and non-transient, non-community water system owner shall monitor for asbestos during the 3-year compliance period that it begins operation.

(b) A system owner may use monitoring data collected after January 1, 1990 if the data were collected and analyzed in accordance with all applicable requirements existing at the time the sample was collected to satisfy the monitoring requirements for the initial compliance period beginning January 1, 1999.

(c) Asbestos monitoring shall be in accordance with Env-Ws 326.20 through Env-Ws 326.27.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.21 Waiver of Monitoring for Asbestos.

(a) A system owner may request from the department, as specified in Env-Ws 326.60, a waiver of asbestos monitoring if the owner believes the system is not vulnerable to either asbestos contamination in its source water or due to corrosion of asbestos-cement pipe, or both.

(b) The department shall grant a waiver to a system if the department determines that the system is not vulnerable to asbestos.

(c) A system shall be deemed vulnerable to asbestos if the system:

(1) Has potential for asbestos contamination of the water source; or

(2) Uses asbestos-cement pipe for finished water distribution and the water is corrosive.

(d) A waiver shall remain in effect until the completion of the 3-year compliance period.

(e) A system owner not receiving a waiver shall monitor in accordance with the provisions of Env-Ws 326.20.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.22 Monitoring Location for Asbestos.

(a) The owner of a system vulnerable to asbestos contamination due solely to corrosion of asbestos-cement pipe shall collect one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination shall most likely occur.

(b) The owner of a system vulnerable to asbestos contamination due solely to source water shall monitor in accordance with Env-Ws 326.01 through Env-Ws 326.11.

(c) The owner of a system vulnerable to asbestos contamination both to its source raw water supply and corrosion of asbestos-cement pipe shall collect one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination shall most likely occur.

(d) The department and the system owner shall confer on the location of the sampling point and in so doing shall consider appropriate factors such as the amount of asbestos cement pipe and the age of the pipe.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.23 Monitoring When the MCL for Asbestos is Exceeded.

(a) The owner of a system which exceeds the MCL, as specified in Env-Ws 316.01, shall monitor quarterly beginning in the next calendar quarter after the initial violation occurred.

(b) After a minimum of one year of quarterly sampling, the owner may submit to the department a written request to reduce the monitoring frequency.

(c) The request shall include:

- (1) The system name;
- (2) The system EPA number; and
- (3) A summary of all quarterly sampling results.

(d) The department shall decrease the quarterly monitoring requirement to the frequency specified in Env-Ws 326.20 through Env-Ws 326.22, provided the department has determined that the system is reliably and consistently below the MCL as defined in Env-Ws 301, subject to the requirements of (e) below.

(e) A system owner shall not be eligible for reduced monitoring specified in (d) above if the water system is operating any type of treatment to reduce the amount of asbestos.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.24 Confirmation Sampling for Asbestos. Where the results of sampling for asbestos indicate that the concentration of asbestos is greater than or equal to 50% of the MCL, a system owner shall collect a confirmation sample within 2 weeks after the initial sample was collected at the same sampling point and under the same contributing conditions.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.25 Collection Protocol for Asbestos.

(a) Samples to be analyzed for asbestos shall be collected in accordance with the protocol listed in Table 326-2, subject to the notes specified in Env-Ws 321.19 as follows:

Table 326-2  
Sample Protocol for Asbestos

<u>Contaminant</u>	<u>Preservative (a)</u>	<u>Container (b)</u>	<u>Maximum holding time (c)</u>
Asbestos	Cool, 4 °C.	P or G	2 days

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.26 Reporting for Asbestos. A system owner shall report for asbestos in accordance with Env-Ws 322.10.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 326.27 Compliance for Asbestos.

(a) Compliance determination for asbestos shall be made using the analytical monitoring results obtained at each sampling point.

(b) For systems which are conducting monitoring at a frequency greater than annually, the department shall determine compliance with the MCL for asbestos by analyzing a running annual average at each sampling point.

(c) If the average at any sample point is greater than the MCL, then the department shall identify the system as being out of compliance

(d) If any one sample in (c) above would cause the annual average to exceed the MCL, the system shall be out of compliance.

(e) For a system which is monitoring annually or less frequently, the system shall be out of compliance with the MCL for asbestos if the level of a contaminant at any sampling point is greater than the MCL. For confirmation samples required by the department, the department shall determine compliance based on the average of the 2 samples.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.28 through Env-Ws 326.29 - RESERVED

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.30 Initial Monitoring for Nitrate.

(a) Each community, non-transient non-community, and transient non-community water system owner shall monitor to determine compliance with the MCL for nitrate specified in Env-Ws 316.01.

(b) Initial monitoring requirements shall be as follows:

(1) A community, transient non-community, and non-transient non-community water system served by groundwater system shall monitor annually; and

(2) A system served by surface water shall monitor quarterly.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.31 Confirmation Samples for Nitrate MCL Exceedance.

(a) Where the nitrate sampling results indicate an exceedance of the MCL, a system owner shall collect a confirmation sample within 24 hours of the system's receipt of notification of the analytical results of the first sample.

(b) A system owner unable to comply with the 24 hour sampling requirement shall immediately notify the consumers served by the system in accordance with Env-Ws 351 through Env-Ws 354 and appropriate portion of Env-Ws 356.01. A system owner shall collect and analyze a confirmation sample within 7 days of notification of the analytical results of the first sample.

(c) A system owner shall collect a confirmation sample within 7 days when the nitrate results are equal to or greater than 50% of the MCL but less than the MCL.

(d) The results of the initial and confirmation samples shall be averaged in determining compliance.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(e) A system owner shall collect raw water samples prior to the treatment system for as long as the treatment is used to reduce levels of nitrate. The samples shall be collected at the same time the scheduled monitoring samples are required and the results submitted with the compliance results.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.32 Revised Monitoring for Nitrate.

(a) The owner of a community, transient non-community, and non-transient non-community water system using groundwater shall monitor for nitrate quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50% of the nitrate MCL.

(b) If the department determines that 4 consecutive quarterly samples are reliably and consistently below the nitrate MCL, then a groundwater system may reduce the monitoring frequency from quarterly to annually.

(c) After a minimum of one year of quarterly sampling, the system owner may submit a written request to the department that the monitoring frequency be reduced.

(d) The written request shall include:

- (1) The system name;
- (2) The system EPA number; and
- (3) A summary of all quarterly sampling results.

(e) A surface water system shall return to quarterly monitoring if any one sample is greater than or equal to 50% of the nitrate MCL.

(f) If an exceedance of the MCL for nitrate is confirmed, a system owner shall conduct a minimum quarterly sampling for at least 4 quarters.

(g) After the initial round of quarterly sampling is completed, each community, transient non-community, and non-transient non-community system which is monitoring annually shall collect subsequent samples during the quarters(s) which previously resulted in the highest analytical result. If the results do not show a consistent trend, then at least one sample shall be collected during the months of May through August.

(h) A system owner shall not be eligible for reduced monitoring in (b) above if the water system is operating any type of treatment to reduce the amount of nitrate.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.33 Collection Protocol for Nitrate.

(a) Collection protocol requirements for nitrate samples shall be as shown in Table 326-3, below, subject to the notes specified in Env-Ws 321.19:

Table 326-3  
Sample Protocol for Nitrate

<u>Contaminant</u>	<u>Preservative (a)</u>	<u>Container (b)</u>	<u>Maximum holding time (c)</u>
Nitrate			
Chlorinated	Cool, 4 oC	P or G	28 days
Non-chlorinated	Conc to pH LT 2	P or G	14 days

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(b) H<sub>2</sub>SO<sub>4</sub> shall be substituted for HNO<sub>3</sub> in Env-Ws 321.19(a).

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.34 Reporting and Compliance for Nitrate. A system owner shall report for nitrates in accordance with Env-Ws 322.10.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.35 Initial Monitoring for Nitrite. A community, non-transient non-community and transient non-community water system owner shall monitor once every compliance period to determine compliance with the MCL for nitrite in Env-Ws 316.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.36 Confirmation Samples for Nitrite.

(a) Where nitrite sampling results indicate an exceedence of the MCL, a system owner shall take a confirmation sample within 24 hours of the system's receipt of notification of the analytical results of the first sample.

(b) A system owner unable to comply with the 24 hour sampling requirement shall immediately notify the consumers served by the system, in accordance with Env-Ws 351 through Env-Ws 354 and the appropriate portion of Env-Ws 356.01. A system owner taking this option shall take and analyze a confirmation sample within 2 weeks of notification of the analytical results of the first sample.

(c) A system owner shall collect a confirmation sample within 7 days when the nitrite results are greater than 50% of the MCL but less than the MCL.

(d) The results of the initial and confirmation samples shall be averaged in determining compliance.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.37 Revised Monitoring for Nitrite.

(a) After the initial sample, a system for which the analytical result for nitrite is less than 50% of the MCL shall monitor for nitrite annually.

(b) For a community, non-transient non-community, and transient noncommunity water system, the repeat monitoring frequency shall be quarterly for one year following any one sample in which the concentration of nitrite is equal to or greater than 50% of the MCL.

(c) After a minimum of one year of quarterly sampling, the system owner may submit a written request to the department that the monitoring frequency be reduced.

(d) The written request shall include:

- (1) The system name;
- (2) The system EPA identification number; and
- (3) A summary of all quarterly sampling results.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(e) If the department determines that 4 consecutive quarterly samples are reliably and consistently less than the nitrite MCL, then a system may reduce the monitoring frequency from quarterly to annually, subject to the requirement of (h) below.

(f) A system owner who monitors annually shall collect each subsequent sample during the quarter(s) which previously resulted in the highest analytical results and if the results do not show a consistent trend, then at least one of the nitrite samples shall be collected during the months of May through August.

(g) A water system shall not be eligible for reduced monitoring specified in (e) above if the water system is operating any type of treatment to reduce the amount of nitrite.

(h) A system owner shall collect raw water samples prior to the treatment system for as long as the treatment is used to reduce levels of nitrite. The samples shall be collected at the same time the scheduled monitoring samples are required and the results submitted with the compliance results.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.38 Collection Protocol for Nitrite. Collection protocol requirements shall be as shown in Table 326-4 below, subject to the note specified in Env-Ws 321.19:

Table 326-4  
Sample Protocol for Nitrite

<u>Contaminant</u>	<u>Preservative (a)</u>	<u>Container (b)</u>	<u>Maximum holding time (c)</u>
Nitrite	Cool, 4 °C	P or G	48 hours

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.39 Reporting and Compliance for Nitrite. The reporting requirements for nitrite shall be those specified in Env-Ws 322.10.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.40 through Env-Ws 326.59 - RESERVED

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 326.60 Monitoring for Unregulated Inorganic Chemicals.

(a) Each community and non-transient non-community water system owner shall collect one sample at each sampling point for analysis of each contaminant listed in Env-Ws 316.60(a) and shall report the results to the department.

(b) Each community and non-transient non-community water system owner may apply to the department for a waiver from the requirements in (a) above.

(c) The department shall grant a waiver from the requirement of (a) above if previous related analytical results indicate that contamination will not occur, provided this data was collected after January 1, 1990.

(d) A groundwater system owner shall collect at least one sample at every entry point to the distribution system which is representative of each well after treatment, hereafter called a sampling point.

## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Subsequent samples for the same test category(ies) shall be collected at the same sampling point unless another sampling point is more representative of a source or treatment plant.

(e) A surface water system owner shall collect at least one sample at points in the distribution system that are representative of each source or at entry to the distribution system after treatment, hereafter called a sampling point. Subsequent samples for the same test category(ies) shall be collected at the sampling point unless conditions make another sampling point more representative of a source or treatment point. For purposes of this section, surface water systems shall include systems with a combination of surface and groundwater sources.

(f) If the system draws water from more than one source and the sources are combined before distribution, the system owner shall sample at an entry point to the distribution system during periods of normal operating conditions, when water representative of all sources is being used.

(g) With the exception of sulfate, a system owned by a municipality that chooses not to fund this monitoring and which does not use the state-owned laboratory shall not be required to do this monitoring.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

### PART Env-Ws 327 MONITORING FOR ORGANICS

#### Env-Ws 327.01 General Monitoring Frequency for VOC.

(a) A community and non-transient, non-community water system owner shall initially monitor for the contaminants listed in Env-Ws 317.01 on a quarterly basis for at least one year.

(b) Each community and non-transient non-community water system owner which does not detect a contaminant listed in Env-Ws 317.01 shall be required to monitor annually.

(c) The department shall increase the required monitoring frequency where necessary to detect variations in the sources or within the system to accurately identify consumer exposure to the contaminants listed in Env-Ws 317.01.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

#### Env-Ws 327.02 Monitoring Location for VOC.

(a) A groundwater system owner shall collect at least one sample at every entry point to the distribution system, which entry point shall be representative of each well, after-treatment, hereafter called a sampling point.

(b) The system owner in (a) above shall collect each sample at the same sampling point unless conditions make another sampling point more representative of each source, treatment plant or distribution system.

(c) A surface water system owner, or an owner using a combination of surface and groundwater sources shall collect at least one sample at points in the distribution system that are representative of each source or at each entry point to the distribution system after treatment, hereafter called a sampling point. Each sample shall be collected at the same sampling point unless conditions make another sampling point more representative of each source, treatment plant, or within the distribution system.

(d) If a system obtains water from more than one source and the sources are combined before distribution, the system owner shall collect the samples at an entry point to the distribution system during periods of normal operating conditions, that is when the water representative of all sources is being used.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.03 - Env-Ws 327.05 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.06 Confirmation Sampling for VOC.

(a) If, in a representative sample, a detection of an organic contaminant chemical at a level greater than or equal to the detection limit of 0.0005 mg/l is made, a system owner shall collect a confirmation sample within 14 days under the same contributing conditions. This sample shall be analyzed for the contaminant type(s) detected.

(b) The confirmation sample shall not be the original sample. A new sample shall be collected under the same contributing conditions. Analysis shall be made within 14 days of collection.

(c) If the concentration of the contaminant in the averaged sample is below the method detection limit, the monitoring requirement for those sources shall be that stated in Env-Ws 327.01 and Env-Ws 327.02.

(d) The results of the confirmation shall be averaged with the first sampling results and the average shall be used to determine compliance in accordance with Env-Ws 327.14.

(e) If the concentration of the contaminant in the confirmation sample is below the detection limit of the test method, the monitoring requirements for those sources shall be that stated in Env-Ws 327.02 through Env-Ws 327.05.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01; amd by #8351, eff 5-14-05

Env-Ws 327.07 Revised Monitoring Frequency for VOC.

(a) If the average result of the initial and confirmation sample indicates the detection of an organic contaminant listed in Env-Ws 317.01 the monitoring requirements for those sources that contributed to that sample shall be revised as follows:

(1) The sample for that contaminant shall be collected from each distinct source that contributed to the previous representative sample; and

(2) The sampling frequency for these sources/sites shall be revised to quarterly.

(b) The revised monitoring schedule for each source, pursuant to (a) above, shall continue until the concentration of the contaminant in each source is determined by the department to be reliably and consistently below the MCL.

(c) After a minimum of one year of quarterly sampling, the system owner may submit a written request to the department that the monitoring frequency be reduced.

(d) The written request shall contain the following:

(1) The system name;

(2) The system EPA identification number; and

(3) A summary of all quarterly sampling results.



NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(e) Upon determination by the department that the chemical is reliably and consistently below the MCL, the monitoring frequency as specified in Env-Ws 327.01 shall be resumed, subject to the requirement of (f) below.

(f) A system owner shall not be eligible for reduced monitoring specified in (e) above if the water system is operating any type of treatment to reduce the amount of VOCs.

(g) A system owner which monitors annually shall monitor during the quarter(s) which previously yielded the highest analytical result.

(h) A system owner shall collect raw water samples prior to the treatment system for as long as the treatment is used to reduce levels of a VOC. The samples shall be collected at the same time the scheduled monitoring samples are required and the results shall be submitted with the compliance results.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.08 - Env-Ws 327.09 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.10 Monitoring for Vinyl Chloride.

(a) An owner of a groundwater system who detects one or more of the following 2-carbon organic compounds in its water supply shall monitor quarterly for vinyl chloride:

- (1) Trichloroethylene;
- (2) Tetrachloroethylene;
- (3) 1,2-dichloroethane;
- (4) 1,1,1-trichloroethane;
- (5) Cis-1,2-Dichloroethylene;
- (6) Trans-1,2 Dichloroethylene; or
- (7) 1,1-dichloroethylene.

(b) A groundwater system owner shall collect a vinyl chloride sample at each sampling point at each source at which one or more of the 2-carbon organic compounds was detected and confirmed.

(c) If the results of the first analysis do not detect vinyl chloride, the department shall reduce the quarterly monitoring frequency of vinyl chloride monitoring to one sample during each compliance period.

(d) A surface water system owner shall monitor for vinyl chloride in accordance with the requirements specified above for groundwater systems.

(e) After a minimum of one year of quarterly sampling, the system owner may submit a written request to the department that the monitoring frequency be reduced.

(f) The written request shall contain the following:

- (1) The system name;
- (2) The system EPA identification number; and
- (3) A summary of all quarterly sampling results.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(g) The sampling frequency specified in (e) above shall be reduced if the department determines the quality of the water is reliably and consistently below the MCL, subject to (h) below.

(h) A system owner shall not be eligible for reduced monitoring if the water system is operating any type of treatment to reduce the amount of vinyl chloride.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.11 - Env-Ws 327.12 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.13 Laboratory Methods and Protocol for VOC.

(a) Analysis shall only be conducted by laboratories that are certified, accredited, or both, by EPA or the department according to the requirements in Env-C 300.

(b) The sampling protocol for VOC shall be as shown in Table 327-1 below subject to the notes specified in Env-Ws 321.19:

Table 327-1  
Sample Protocol for Volatile Organics

<u>Contaminant</u>	<u>Preservative (a)</u>	<u>Container (b)</u>	<u>Maximum holding time (c)</u>
VOC		G	2 weeks

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.14 Compliance Determination for VOC.

(a) Compliance with Env-Ws 317.01(a)(b) or (c) shall be determined based on the analytical results obtained at each sampling point.

(b) For a system owner conducting monitoring at a frequency greater than annually, the department shall determine compliance by analyzing a running annual average, as defined in Env-Ws 302, of all samples collected at each sampling point. If the annual average of any sampling point is greater than the MCL, then the department shall identify the system as out of compliance.—Any sample below detection limit shall be calculated as zero for the purposes of determining the annual average.

(c) If any one sample in (b) above would cause the annual average to exceed the MCL, the system shall be out of compliance.

(d) If monitoring is conducted annually, or less frequently, the system shall be out of compliance if the level of a contaminant at any sampling point is greater than the MCL. The determination of compliance where confirmation samples are collected shall be based on the average of 2 samples.

(e) If a public water system has a distribution system separable from other parts of the distribution system with no interconnections, the department shall allow the system owner to give public notice to only that area served by that portion of the system which is out of compliance.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.15 through Env-Ws 327.39 - RESERVED

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.40 Initial Monitoring Frequency for Synthetic Organics.

(a) Each community and non-transient non-community water system owner shall initially collect one sample for each contaminant listed in Env-Ws 317.40 on a quarterly basis for one year.

(b) Each community and non-transient non-community water system owner which does not detect a contaminant listed in Env-Ws 317.40 may apply to the department for a waiver from this requirement after completing the initial monitoring in accordance with Env-Ws 321.08.

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.41 Monitoring Location for Synthetic Organics.

(a) An owner of a groundwater system shall collect at least one sample at every entry point to the distribution system which entry point is representative of each well after treatment, hereafter called a sampling point. Each sample shall be collected at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(b) An owner of a surface water system, including systems with a combination of surface and groundwater sources, shall collect at least one sample at points in the distribution system that are representative of each source or at each entry point to the distribution system after treatment, hereafter called a sampling point. Each sample shall be collected at the same sampling point unless conditions make another sampling point more representative of each source, or treatment plant.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.42 Monitoring Frequency for Synthetics Organics.

(a) Each community and non-transient, non-community water system owner shall monitor for synthetic organics on an annual basis.

(b) The department shall reduce the sampling frequency to a minimum of one sample during each successive 3-year compliance period if a waiver has been granted pursuant to Env-Ws 321.08.

(c) Each community and non-transient non-community water system may apply to the department for a waiver from the requirement of this section in accordance with Env-Ws 321.08.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.43 - Env-Ws 327.44 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.45 Confirmation Sampling for Synthetic Organics.

(a) A system owner which detects synthetic organic contaminant chemical listed in Env-Ws 317.40 shall collect a confirmation sample within 14 days under the same contributing conditions. This sample shall be analyzed for the contaminant type(s) that was detected.

(b) The confirmation sample shall not be the original sample. A new sample shall be collected under the same contributing conditions. Analysis shall be made within 14 days of collection.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(c) If the confirmation sample indicates the presence of an organic contaminant listed in Env-Ws 317.40, the results of the confirmation sample shall be averaged with the first sampling result and the average used to determine compliance as specified in Env-Ws 327.51.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.46 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.47 Revised Monitoring For Synthetic Organics Where a Contaminant is Detected.

(a) If a system owner detects synthetic organic contaminant listed in Env-Ws 317.40 in any sample, then the department shall revise the sampling requirements for those sources that contributed to that sample as follows:

- (1) The sample for that contaminant shall be collected from each distinct source which contributed to the previous representative sample; and
- (2) The sampling frequency for these sources shall be revised to quarterly.

(b) If the concentration of the contaminant in the confirmation sample is equal to or greater than 50% of the MCL, the monitoring requirement for those sources shall be as specified in Env-Ws 327.47.

(c) The revised monitoring schedule for each source for the particular contaminant shall continue until the concentration of the contaminant in each source is determined by the department to be reliably and consistently below the MCL.

(d) After a minimum of one year of quarterly sampling, the system owner may submit a written request that the monitoring frequency be reduced.

(e) The written request shall contain:

- (1) The system name;
- (2) The EPA identification number; and
- (3) A summary of all quarterly sampling results.

(f) If the department determines that the contaminant is reliably and consistently below the MCL, then the monitoring frequency as specified in Env-Ws 327.40 through Env-Ws 327.55 shall be resumed.

(g) A system which monitors annually shall monitor during the quarter(s) which previously yielded the highest analytical results.

(h) A system which has 3 consecutive annual samples with no detection of a contaminant may apply to the department for a waiver as specified in Env-Ws 321.08.

(i) A system owner shall collect raw water samples prior to the treatment system for as long as the treatment is used to reduce levels of a regulated organic. The samples shall be collected at the same time the scheduled monitoring samples are required and the results submitted with the compliance results.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.48 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.49 Laboratory Methods and Sample Protocol for Synthetic Organics.

(a) Analysis shall only be conducted by laboratories that are certified, accredited, or both by EPA or the department according to the requirements in Env-C 300.

(b) The sampling protocol for synthetic organics shall be as shown in Table 327-2, subject to the notes specified in Env-Ws 321.19:

Table 327-2  
Sample Protocol for Synthetic Organics

<u>Contaminant</u>	<u>Preservative (a)</u>	<u>Container (B)</u>	<u>Maximum holding time (c)</u>
SOCs	Sodium Thiosulfate	G	2 weeks

Source. (See Revision Note at chapter heading for Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.50 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.51 Compliance Determination for Synthetic Organics.

(a) Compliance with Env-Ws 317.40 shall be determined using the analytical results obtained at each sampling point.

(b) For systems which are conducting monitoring at a frequency greater than annually, the department shall determine compliance by running an annual average of all samples collected at each sampling point. If the annual average of any sampling point is greater than the MCL, then the department shall identify the system as out of compliance. If the initial sample or subsequent sample would cause the annual average to be exceeded, then the system shall be identified as being out of compliance.

(c) If monitoring is conducted annually or less frequently, then the department shall identify the system as being out of compliance if the level of a contaminant at any sampling point is greater than the MCL. Where confirmation samples are collected, as specified in Env-Ws 327.50, the determination of compliance shall use the average of 2 samples.

(d) If a public water system has a distribution system separable from other parts of the distribution system with no interconnections, the department shall allow the system owner to give notice to only that portion that is out of compliance.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.52 Reporting Synthetic Organics. The owner of a public water system required to monitor under Env-Ws 327.40 shall send a copy of the results of such monitoring to the department as specified in Env-Ws 322.10 within 48 hours of receipt of the results from the laboratory.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 327.53 Monitoring for Endrin.

(a) The frequency of monitoring for the pesticide endrin for purposes of determining compliance with the MCL shall be conducted in accordance with this section.

(b) An owner of a community water system using a surface water source shall collect samples during June through September, when contamination by pesticides is most likely to occur. These analyses shall be repeated at intervals specified by the department in Env-Ws 321.04(c) when near areas within which endrin has been used, but in no event less frequently than at 3-year intervals.

(c) An owner of a community water system using only a groundwater source shall conduct analyses if endrin has been used within that well's recharge area.

(d) If the analysis made pursuant to (a) above indicates that the level of endrin exceeds the MCL, the system owner shall report to the department within 7 days and shall conduct 3 additional analyses within one month.

(e) When the average of 4 analyses made pursuant to (d) above, rounded to the same number of significant figures as the MCL, exceeds the MCL, the system owner shall report to the department pursuant to Env-Ws 322 and shall give notice to the public pursuant to Env-Ws 351 and 357.40(b).

(f) Monitoring after public notification shall continue until the MCL has not been exceeded in 2 successive samples or until a monitoring schedule as a condition to a variance, exemption or enforcement action shall become effective.

(g) Initial analysis data for surface water acquired within one year prior to the effective date of this section and data for groundwater acquired within 3 years prior to the effective date of this section may be substituted by the system owner.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.54 PCB Monitoring.

(a) Each system owner which monitors for PCBs shall analyze each sample using the initial method 505 or 508 specified in 40 CFR Part 141.24.

(b) If PCBs, as one of 7 Aroclors, are detected in any initial sample, the system owner shall reanalyze the sample using the subsequent method 508A specified in Env-C 304.04.

(c) The department shall determine compliance with the PCB MCL based on the quantitative results of analyses using method 508A.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.55 through Env-Ws 327.69 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.70 Monitoring for Disinfection Byproducts.

(a) Until December 31, 2003, the owner of a community water system using groundwater not under the direct influence of surface water adding a disinfectant or oxidant to the water in any part of the treatment process and serving 10,000 or more persons shall comply with Env-Ws 327.70 through 327.73.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(b) After December 31, 2003, the owner of a water system in (a) above shall comply with Env-Ws 382.

(c) The owner of a community or non-transient non-community water system adding a disinfectant or oxidant to the water in any part of the drinking water treatment process and serving 10,000 or more persons shall monitor for total trihalomethanes.

(d) The minimum number of samples required to be collected by the system owner shall be based on the number of treatment plants used by the system, except that multiple wells drawing raw water from a single aquifer shall be considered one treatment plant for determining the minimum number of samples.

(e) Criteria for determining if multiple wells draw from a single aquifer shall be as specified in Env-Ws 382.07(c).

(f) All samples collected within an established frequency shall be collected within a 24-hour period.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01; ss by #7735, eff 8-2-02

Env-Ws 327.71 Monitoring Frequency and Location.

(a) An owner of a community and non-transient non-community water system using surface water sources in whole or in part, and an owner of a community and non-transient non-community water systems using only groundwater sources that have not been determined by the department to qualify for the monitoring requirements of Env-Ws 327.72(d), shall analyze for total trihalomethanes at quarterly intervals on at least 4 water samples for each treatment plant used by the system.

(b) At least 25% of the samples shall be collected at locations within the distribution system reflecting the maximum residence time of the water in the system. The remaining 75% shall be collected at representative locations in the distribution system, taking into account number of persons served, different sources of water and different treatment methods employed. The results of all analyses per quarter shall be arithmetically averaged and reported to the department within 30 days of the system's receipt of such results. All samples collected shall be used to determine the average, unless the analytical results are invalidated for technical reasons. Sampling and analyses shall be conducted in accordance with the methods listed in Env-Ws 300.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.72 Frequency Reduction.

(a) A community and non-transient non-community water system owner may submit a written request to the department that the monitoring frequency required by Env-Ws 327.71 be reduced to a minimum of one sample analyzed for TTHMs per quarter collected at a point in the distribution system reflecting the maximum residence time of the water in the system, upon a written determination by the department that the data from at least one year of monitoring in accordance with Env-Ws 327.71 and local conditions demonstrate that total trihalomethane concentrations will be reliably and consistently below the MCL.

(b) If, at any time during which the reduced monitoring frequency prescribed under this paragraph applies, the results from any analysis exceed 0.10 mg/l of TTHMs and such results are confirmed by at least one check sample collected promptly after such results are received, or if the system owner makes any significant change to its source of water or treatment program, the system owner shall immediately begin monitoring in accordance with the requirements of Env-Ws 327.71, which monitoring shall continue for at least one year before the frequency shall be reduced again.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(c) A significant change in (b) above, shall include:

- (1) The addition of any chemical to the treatment process; or
- (2) The addition of any component to the treatment process that would affect water quality.

(d) The department shall increase a system's monitoring frequency above the minimum where it is necessary to detect variations of TTHM levels within the distribution system.

(e) An owner of a community or non-transient non-community water system using only groundwater sources may seek to have the monitoring frequency, required by Env-Ws 327.71, reduced to a minimum of one sample for maximum TTHM potential per year for each treatment plant used by the system collected at a point in the distribution system reflecting maximum residence time of the water in the system.

(f) The system owner shall submit to the department the results of at least one sample analyzed for maximum TTHM potential for each treatment plant used by the system collected at a point in the distribution system reflecting the maximum residence time of the water in the system. The department shall reduce the system owner's monitoring frequency upon a written determination by the department that, based upon the data submitted by the system owner, the system has a maximum TTHM potential of less than 0.10 mg/l and that, based upon an assessment of the local conditions of the system, the system is not likely to approach or exceed the MCL for total TTHMs.

(g) The system owner shall report the results of all analyses to the department within 30 days of the system's receipt of such results. All samples collected shall be used to determine whether the system must comply with the monitoring requirements of Env-Ws 327.71, unless the analytical results are invalidated for technical reasons. Sample analyses shall be conducted in accordance with the methods listed in Env-Ws 330.

(h) If at any time during which the reduced monitoring frequency prescribed under Env-Ws 327.72(c) applies, the results from any analysis collected by the system owner for maximum TTHM potential are equal to or greater than 0.10 mg/l, and such results are confirmed by at least one check sample collected promptly after such results are received, the system owner shall immediately begin monitoring in accordance with the requirements of Env-Ws 327.71, and such monitoring shall continue for at least one year before the frequency shall be reduced again.

(i) In the event of any significant change, as specified in (c) above, to the system's raw water or treatment program, the system owner shall immediately analyze an additional sample for maximum TTHM potential collected at a point in the distribution system reflecting maximum residence time of the water in the system for the purpose of determining whether the system owner must comply with the monitoring requirements of Env-Ws 327.71 above. The department shall increase monitoring frequencies above the minimum if the department determines this is necessary to detect variation of TTHM levels within the distribution system.

Source. (See Revision Note at chapter heading Env-Ws 300)  
#6521, eff 6-4-97; ss by #7501, eff 6-5-01; amd by #8351, eff  
5-14-05

Env-Ws 327.73 Compliance.

(a) The department shall determine compliance with Env-Ws 317.70 based on an analysis of a running annual average of quarterly samples collected by the system, as prescribed in Env-Ws 327.71. If the average of samples covering any 12-month period exceeds the MCL, the system owner shall report to the department and notify the public pursuant to Env-Ws 351 through Env-Ws 354 and Env-Ws 357.70. Monitoring after public notification shall be at a frequency as designated in Env-Ws 327.45 through Env-Ws 327.48 and shall continue until a monitoring schedule as a condition to a variance, exemption or enforcement action shall become effective.



NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(b) Before a community water system owner makes any significant change, as specified in Env-Ws 327.72(c), to its existing treatment process for the purposes of achieving compliance, such system owner shall submit and obtain department approval of a detailed plan setting forth its proposed modification and those safeguards that it will implement to ensure that the bacteriological quality of the drinking water served in accordance with Env-Ws 375 by such system shall not be adversely affected by such modification. Each system owner shall comply with the provisions set forth in the state-approved plan.

(c) The system owner, in its modification plan, shall:

- (1) Evaluate the water system for sanitary defects and evaluate the source water for biological quality;
- (2) Evaluate its existing treatment practices and consider improvements that shall minimize disinfectant demand and optimize finished water quality throughout the distribution system;
- (3) Provide baseline water quality survey data of the distribution system, including the monitoring results for:
  - a. Coliform and fecal coliform bacteria;
  - b. Fecal streptococci;
  - c. Standard plate counts at 35° C and 20° C;
  - d. Phosphate;
  - e. Ammonia;
  - f. Nitrogen; and
  - g. Total organic carbon;
- (4) Conduct virus studies where source waters are heavily contaminated with sewage effluent;
- (5) Conduct additional monitoring to assure continued maintenance of optimal biological quality in finished water, for example, when chloramines are introduced as disinfectants or when pre-chlorination is being discontinued;
- (6) Conduct additional monitoring for chlorate, chlorite and chlorine dioxide when chlorine dioxide is used;
- (7) Conduct standard plate count analyses before and after any modifications; and
- (8) Consider maintaining an active disinfectant residual throughout the distribution system at all times during and after the modification.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.74 through Env-Ws 327.89 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 327.90 Monitoring for Acrylamide and Epichlorohydrin. Each public water system owner shall certify annually in writing to the department that when acrylamide and epichlorohydrin are used in drinking water systems the combination of dose and monomer level does not exceed the levels specified in Env-Ws 317.90.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PART Env-Ws 328 UNREGULATED ORGANICS - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PART Env-Ws 329 MONITORING FOR SECONDARIES

Env-Ws 329.01 Monitoring for Regulated Secondary MCLs. An owner of a community and non-transient, non-community water systems shall conduct monitoring to determine compliance with the secondary MCLs specified in Env-Ws 319.01, as appropriate, in accordance with this part.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.02 Monitoring Location.

(a) A ground water system owner shall collect at least one sample at every entry point to the distribution system which is representative of each well after treatment. The system owner shall collect each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(b) A surface water system owner shall collect at least one sample at every entry point to the distribution system after any application of treatment or in the distribution system at a point which is representative of each source after treatment. The system owner shall collect each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant.

(c) If a system draws water from more than one source and the sources are combined before distribution, the system owner shall sample at an entry point to the distribution system during periods of normal operating conditions such as when water is representative of all sources being used. Each source shall have a separate sampling tap except where conditions, such as vacuum manifold, prevent such installation.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.03 Monitoring Frequency.

(a) The frequency of monitoring conducted to determine compliance with the SMCLs in Env-Ws 319.01 shall be once every 3 years.

(b) Systems which exceed the secondary MCL, as calculated in Env-Ws 329.06, shall monitor quarterly beginning in the next calendar quarter after the violation occurred.

(c) After a minimum of one year of quarterly sampling, the system owner may submit a written request to reduce the monitoring frequency.

(d) The written request shall contain the following:

- (1) The system name;
- (2) The EPA identification number; and
- (3) A summary of the sample results.

(e) Upon determination that the contaminant concentration, is reliably and consistently below the MCL, the monitoring frequency specified in (a) shall be resumed.

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.04 Sample Collection Protocol.

(a) Sample collection shall be conducted using the sample preservation, container, and maximum holding time procedures specified in the Table 329-1 below:

Table 329-1  
Sample Protocol for Secondary Contaminants

<u>Contaminants</u>	<u>Volume (ml)</u>	<u>Conditions (a)</u>	<u>Container (b)</u>	<u>Hold Times Maximum Holding (c)</u>
Aluminum	200 ml	Conc HNO <sub>3</sub> , to lt pH 2	P or G	6 months
Chloride	50	Cool 4°C	P or G	28 days
Color	50	Cool 4°C to lt pH 2	P or G	48 hr
Copper	200	Conc HNO <sub>3</sub> , to lt pH 2	P or G	6 months
Corrosivity				
Fluoride		Cool 4°C	P or G	28 days
Foaming Agents	250	Cool 4°C	P or G	48 hours
Iron	200	Conc HNO <sub>3</sub> , to lt pH 2	P or G	6 months
Manganese	200	Conc HNO <sub>3</sub> , to lt pH 2	P or G	6 months
Odor	200	Cool 4°C	G	24 hrs
pH	25	None	P or G	Immediately
Sulfate	50	Cool 4°C	P or G	28 days
TDS		Cool 4°C	P or G	7 days
Zinc	200	Conc HNO <sub>3</sub> , to lt pH 2	P or G	6 months

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.05 Confirmation Samples.

(a) Where the results of sampling indicate an exceedence of the secondary MCL, the system owner shall collect a confirmation sample within 30 days after the initial sample was collected at the same sampling point.

(b) If a confirmation sample is collected for any contaminant, then the results of the initial and confirmation sample shall be averaged. The resulting average shall be used to determine the system's compliance in accordance with Env-Ws 329.06.

(c) Where iron or manganese samples are being collected, consideration shall be given to the effect of very low flow in suspending these precipitates.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.06 Compliance Determination.

(a) Compliance with the SMCLs shall be determined based on the analytical result(s) obtained at each sampling point at the entry to the system. If any sampling point is determined to be out of compliance, the system shall be deemed to be out of compliance.

## NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(b) For systems which are conducting quarterly monitoring, the department shall determine compliance by analyzing a running annual average at each sampling point. If the average at any sample point is greater than the MCL, then the department shall identify the system as out of compliance. Any sample below the detection limit shall be calculated at zero for the purpose of determining the annual average.

(c) For systems which are monitoring annually, or less frequently, the department shall identify the system as out of compliance with the secondary MCLs if the level of a contaminant at any sampling point is greater than the SMCL. For confirmation samples required by the department, the determination of compliance shall be based on the average of the 2 samples.

(d) A system owner who exceeds the SMCL for fluoride shall provide public notice as specified in Env-Ws 359.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.07 Reporting. Reporting shall comply with the requirements of Env-Ws 322.10.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env Ws 329.08 Sodium.

(a) An owner of a community and non-transient non-community public water system shall collect and analyze one sample per plant at the entry point of the distribution system for the determination of sodium concentration levels. Samples shall be collected and analyzed annually for systems using surface water sources in whole or in part, and at least every 3 years for systems using solely groundwater sources. The system owner shall be required by the department to collect and analyze water samples for sodium more frequently in locations where the sodium content is variable.

(b) The system owner shall report to the department the results of the analyses for sodium within the first 10 days of the month following the month in which the sample results were received or within the first 10 days following the end of the required monitoring period whichever of these is first. If more than annual sampling is required, as discussed above, the system owner shall report the average sodium concentration within 10 days of the month following the month in which the analytical results of the last sample used for the annual average was received.

(c) The system owner shall notify appropriate local and state public health officials of the sodium levels by written notice by direct mail within 3 months. A copy of each notice required to be provided by this paragraph shall be sent to the department within 10 days of its issuance. The system owner shall not be required to notify appropriate local and state public health officials of the sodium levels where the department provides such notices in lieu of the supplier.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 329.09 RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

### PART Env-Ws 330 LABORATORY ANALYTICAL TECHNIQUES

Env-Ws 330.01 Sample Analysis Method.

(a) Acceptable laboratory methods shall be those specified in 40 CFR 141, 142, or 143, as applicable.

(b) With the written permission of the department, alternate analytical technique may be employed by the system laboratory. Application by letter should be made to the DES laboratory certification officer. An

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

alternative technique shall be accepted only if it is equivalent to the prescribed test in both precision and accuracy as it relates to the determination of compliance with any MCL. The use of the alternative analytical technique shall not decrease the frequency of monitoring required by this part.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

Env-Ws 330.02 Approved Laboratory.

(a) Compliance determination for the following contaminant categories in Table 330-1 below shall be from data provided by an approved laboratory:

Table 330-1  
Water Quality Categories Requiring Testing By Approved Laboratories

Microbiological	Part Env-Ws 315
Physical (turbidity)	Part Env-Ws 315
Radiological	Part Env-Ws 315
Inorganics	Part Env-Ws 316
Organics	Part Env-Ws 317, Env-Ws 318
Secondaries	Part Env-Ws 319

(b) Samples shall be considered for compliance purposes only if they have been analyzed by a laboratory certified, accredited, or both under Env-C 300 except that measurement for turbidity, chlorine residual, temperature and pH may be performed by any person qualified to perform the test.

(c) Nothing in this part shall be construed to preclude the department or any duly designated representative of the department from taking samples or from using the results from such samples to determine compliance by the supplies of water with the applicable requirements of this part.

(d) General laboratory certification, accreditation, or both shall be as set forth in Chapter Env-C 300.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #7501, eff 6-5-01

PARTS Env-Ws 331 through Env-Ws 339 - RESERVED

Source. (See Revision Note at chapter heading Env-Ws 300) #4850, eff 6-25-90; ss by #5422, eff 6-22-92

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

APPENDIX

<b>Rule Section(s)</b>	<b>State Statute(s) Implemented</b>	<b>Federal Statute(s)/ Regulation(s) Implemented</b>
Env-Ws 321.01	RSA 485:3, I	--
Env-Ws 321.02	RSA 485:3, I	40 CFR 141.29
Env-Ws 321.03 - 321.04	RSA 485:3, I	--
Env-Ws 321.05	RSA 485:3, I	40 CFR 141.32
Env-Ws 321.06 - 321.10	RSA 485:3, I	--
Env-Ws 321.11	RSA 485:3, I	40 CFR 141.24 (f)
Env-Ws 321.12 - 321.19	RSA 485:3, I	--
Env-Ws 321.18	RSA 485:41, I	40 CFR 141.26; 40 CFR 141.66
Env-Ws 322	RSA 485:41, IV	40 CFR 141.31
Env-Ws 323	RSA 485:3, I	40 CFR 141.24 (f)
Env-Ws 324.01	RSA 485:3, I	40 CFR 141.26
Env-Ws 324.02	RSA 485:3, I	40 CFR 141.66
Env-Ws 324.03 - 324.16	RSA 485:3, I; 485:41, I, & IV	40 CFR 141.26
Env-Ws 324.17	RSA 485:41, IV	40 CFR 141 Appendix
Env-Ws 324.18	RSA 485:3, I	40 CFR 141.25 40 CFR 141.26
Env-Ws 325.01- 325.11	RSA 485:3, I	40 CFR 141.21
Env-Ws 325.12	RSA 485:3, I	40 CFR 141.21 (f)
Env-Ws 325.13 - 325.14	RSA 485:3, I	40 CFR 141.22 (g)
Env-Ws 325.15	RSA 485:3, I	40 CFR 141.63 (a)
Env-Ws 325.19	RSA 485:3, I	40 CFR 141.63 (a)
Env-Ws 325.31- 325.34	RSA 485:3, I	40 CFR 141.22
Env-Ws 325.35	RSA 485:41, IV	40 CFR 141.31 (b)
Env-Ws 325.40	RSA 485:3	--
Env-Ws 325.51	RSA 485:3, I	40 CFR 141.26 (a)
Env-Ws 325:53	RSA 485:41, IV	40 CFR 141.26 (a)
Env-Ws 325:54 - 325.64	RSA 485:3, I	40 CFR 141.26 (a)
Env-Ws 325.65 - 325.68	RSA 485:3, I	--
Env-Ws 325.70	RSA 485: 3, I	--
Env-Ws 325.80	RSA 485:3, IV	--
Env-Ws 326.01 - 326.03	RSA 485:3, I (c)	40 CFR 141.23(a)
Env-Ws 326.06 - 326.10	RSA 485:3, I (c)	40 CFR 141.23(a)
Env-Ws 326.11	RSA 485:41, IV	40 CFR 141.31
Env-Ws 326.20 - 326.25	RSA 485:3, I (c)	40 CFR 141.23(b)
Env-Ws 326.26	RSA 485:41, IV	40 CFR 141
Env-Ws 326.27	RSA 485:3, I	40 CFR 141.23 (b)
Env-Ws 326.30 - 326.33	RSA 485:3, I	40 CFR 141.23
Env-Ws 326.34	RSA 485:41, IV	40 CFR 141.31
Env-Ws 326.35 - 326.38	RSA 483:3, I	40 CFR 141.23
Env-Ws 326.39	RSA 485:41, IV	40 CFR 141.31
Env-Ws 326.60	RSA 485:3, II	
Env-Ws 327.01 - 327.02	RSA 485:3, I	40 CFR 141.40
Env-Ws 327.06	RSA 485:3, I	--
Env-Ws 327.06(e)	RSA 485:3; 485:41	40 CFR 141.24
Env-Ws 327.07	RSA 485:3, I	--
Env-Ws 327.10	RSA 485:3, I	40 CFR 141.24 (f)

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-Ws 327.13 - 327.14	RSA 485:3, I	40 CFR 14.23 (k)
Env-Ws 327.40 - 327.42	RSA 485:3, I	40 CFR 141.24 (f)
Env-Ws 327.45	RSA 485:3, I	40 CFR 141.24 (f)
Env-Ws 327.47	RSA 485:3, I	
Env-Ws 327.49	RSA 485:3, I	--
Env-Ws 327.51	RSA 485:3, I	
Env-Ws 327.52	RSA 485:41, IV	40 CFR 141.31
Env-Ws 327.53 - 327.54	RSA 485:3, I	
Env-Ws 327.70	RSA 485:3, I(c)	40 CFR 141.132
Env-Ws 327.71 327.73	RSA 485:3, I	40 CFR 141.30
Env-Ws 327.90	RSA 485:3, I (c)	40 CFR 141.111
Env-Ws 329.01 - 329.06	RSA 485:3, II	40 CFR 143.4
Env-Ws 329.07	RSA 485:41, IV	40 CFR 141.31
Env-Ws 329.08	RSA 485:3, II	
Env-Ws 330	RSA 485:3, I	