

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

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## PART Env-Ws 310 DRINKING WATER QUALITY STANDARDS

Env-Ws 310.01 Purpose. The purpose of the rules in Env-Ws 310 through Env-Ws 316 is to establish maximum contaminant levels (MCLs), secondary maximum contaminant levels (SMCLs), and maximum contaminant level goals (MCLGs) for radiological, microbiological, organic, and inorganic contaminants in public drinking water supplies. Env-Ws 310 specifies generic issues associated with the drinking water quality standards specified in Env-Ws 311 through Env-Ws 316.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05

### Env-Ws 310.02 Applicability to Other Rules.

(a) The department shall require confirmation samples for results exceeding the MCL and SMCL standards in Env-Ws 311 through Env-Ws 316 in accordance with the monitoring requirements as specified in Env-Ws 320 through Env-Ws 329.

(b) All laboratory tests shall be processed by a laboratory accredited for the analysis requested except as noted for pH and carbon dioxide in Env-Ws 320 through Env-Ws 329. Laboratory accreditation requirements shall be as specified in Env-C 300.

(c) The department shall require more frequent monitoring than that specified in Env-Ws 320 through Env-Ws 329 if the department determines that additional monitoring is necessary to confirm that a water source is capable of consistently producing an adequate supply of water that meets drinking water quality standards, because:

(1) The data submitted for any given constituent is inconsistent with the preponderance of data elements submitted for that water source for the same constituent;

(2) The data submitted for the water source exhibits constituents from known or unknown sources of contamination; or

(3) Potential or known sources of contamination are located in the source water protection area of the water source.

(d) Reporting requirements shall be as specified in Env-Ws 320 through Env-Ws 329.

(e) If public water system sample results indicate the presence of contaminants for which MCLs are not listed in Env-Ws 311 through Env-Ws 316 but which are included in the ambient groundwater quality standards (AGQS) specified in Env-Wm 1403.05, the department shall require the standards found within Env-Wm 1403.05 to be met.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05

## PART Env-Ws 311 PHYSICAL CHARACTERISTICS - RESERVED

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

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PART Env-Ws 312 MAXIMUM CONTAMINANT LEVEL (MCL) AND MAXIMUM CONTAMINANT LEVEL GOAL (MCLG) – RADIONUCLIDES

Env-Ws 312.01 Radionuclides.

(a) The MCLs and MCLGs shall be applicable to the owner of a community water system as stated in Table 312-1, below:

Table 312-1  
Radionuclides MCLs and MCLGs

<u>Radionuclides Contaminants</u>	<u>Maximum Contaminant Level (MCL)</u>	<u>Maximum Contaminant Level Goal (MCLG)</u>
Compliance Gross Alpha	15 pCi/L	0 pCi/l
Radium 226 + 228	5 pCi/L	0 pCi/l
Uranium	30 ug/L	0 ug/L
Beta Particles	4 millirem/yr	0 millirem/yr

(b) A community water system owner shall comply with the radionuclide MCLs as specified in (a), above, based on the monitoring as specified in Env-Ws 324.

(c) The combined radium-226 and radium-228 values shall be determined by the addition of the results of the analysis for radium-226 and the analysis for radium-228, provided the analysis is performed on a sample collected on the same day.

(d) Analysis for radon shall only be required as part of the approval process for new community or non-transient/non-community water supply sources or a new source at an existing community or non-transient/non-community water system pursuant to Env-Ws 372, Env-Ws 373, Env-Ws 378, and Env-Ws 379.

(e) If the local legislative body of a political subdivision that is developing a new public water system or a new well for an existing public water system does not vote to approve funding for the radon test and the test is not fully funded by the state, the department shall not require the test to be performed by that political subdivision for that system or well.

(f) Compliance with radionuclide MCLs shall be calculated pursuant to Env-Ws 324.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 315.51)

Env-Ws 312.02 Beta Particles and Photon Radioactivity from Man-made Sources.

(a) The average annual concentration of beta particle and photon radioactivity from man-made radionuclides in drinking water shall not produce an annual dose equivalent to the total body or any internal organ greater than 4 millirem/year.

(b) In accordance with 40 CFR 141.66(d)(2) except for the radionuclides listed in Table 312-2, below, the concentration of man-made radionuclides causing 4 millirem total body organ dose equivalents shall be calculated on the basis of an intake of 2 liters of drinking water per day using 168 hour data as listed in “Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure,” National Bureau of Standards Handbook 69 as amended August 1963, U.S. Department of Commerce.

(c) If 2 or more radionuclides are present, the sum of their annual dose equivalent to the total body or to any organ shall not exceed 4 millirem/year.

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(d) The average annual concentrations assumed to produce a total body or organ dose of 4 millirem/yr shall be as given in Table 312-2, below:

Table 312-2  
Average Annual Concentrations Assumed to Produce a Total Body or Organ Dose of 4 millirem/yr

<u>Radionuclide</u>	<u>Critical Organ</u>	<u>pCi/L</u>
Tritium	Total Body	20,000
Strontium 90	Bone Marrow	8

(e) Compliance shall be determined in accordance with Env-Ws 324.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 315.60)

PART Env-Ws 313 MAXIMUM CONTAMINANT LEVEL (MCL) AND MAXIMUM CONTAMINANT LEVEL GOAL (MCLG) - MICROBIOLOGY

Env-Ws 313.01 Health-Related Regulated Microbiological Contaminants.

(a) The microbiological bacterial MCL shall be applicable to all community, non-transient non-community, and transient, non-community water systems. All public water system owners shall monitor for bacteria in accordance with Env-Ws 325.

(b) The microbiological MCL shall be based on the presence or absence of total coliforms in the sample, rather than coliform density, in accordance with the following:

(1) For a system which collects 40 or more samples per month, if no more than 5.0 percent of the samples collected during a month are total coliform-positive, the system shall be deemed in compliance with the MCL for total coliform; or

(2) For a system which collect less than 40 samples per month, if no more than one sample collected during a month is total coliform-positive, the system shall be deemed in compliance with the MCL for total coliforms.

(c) Any fecal coliform-positive repeat samples or E. coli-positive repeat sample or any total coliform-positive repeat sample following a fecal coliform-positive or E. coli-positive routine sample, shall constitute a violation of the MCL for total coliforms. For purposes of the public notification requirements in Env-Ws 355.01, this violation shall be deemed to pose an acute risk to health.

(d) A public water system shall determine compliance with the MCL for total coliforms in (b) and (c), above, for each month or time period in which it is required to monitor for total coliforms in accordance with Env-Ws 325.

(e) Determinations of compliance with the microbiological MCL and MCLG shall be as stated in Env-Ws 325.

(f) Maximum contaminant level for microbiological contaminants shall be as stated in Table 313-1, below:

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Table 313-1  
Microbiological MCLs and MCLG

<u>Microbiological Contaminants</u>	<u>Maximum Contaminant Level (MCL)</u>	<u>Maximum Contaminant Level Goal (MCLG)</u>
Cryptosporidium	None established	Zero
Total Coliform	Absence	Zero
Fecal coliform/E. Coliform	Absence	Zero
Giardia Lamblia	None established	Zero
Legionella	None established	Zero
Viruses	None established	Zero

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 315.01, 315.15 and 315.31)

PART Env-Ws 314 MAXIMUM CONTAMINANT LEVEL (MCL) AND MAXIMUM CONTAMINANT LEVEL GOALS (MCLG) FOR INORGANICS

Env-Ws 314.01 Health Related Regulated Inorganic Chemical Contaminants.

(a) The MCLs and MCLGs for nitrate and nitrite shall apply to community, non-transient non-community, and transient non-community water systems. Monitoring and compliance with the MCLs shall be as specified in Env-Ws 326.

(b) The MCLs and MCLGs, or cross-references thereto, for the inorganic contaminants listed in Table 314-1, below shall apply to only community water systems and non-transient non-community water systems, subject to (d) and (e) below:

Table 314-1  
Inorganic MCLs and MCLGs

<u>Inorganic Contaminants</u>	<u>Maximum Contaminant Level (MCL) mg/L</u>	<u>Maximum Contaminant Level Goal (MCLG) mg/L</u>
Antimony	0.006	0.006
Arsenic	0.010	Zero
Asbestos	7 million fibers/L (longer than 10um)	7 million fibers/L (longer than 10um)
Barium	2	2
Beryllium	0.004	0.004
Cadmium	0.005	0.005
Chromium	0.1	0.1
Copper	See Env-Ws 314.01(c)	1.3
Cyanide (as free Cyanide)	0.2	0.2
Fluoride (also see Env-Ws 316)	4.0	4.0
Lead	See Env-Ws 314.01(c)	Zero
Mercury	0.002	0.002
Nitrate (as N)	10	10
Nitrite (as N)	1	1
Total Nitrate + Nitrite	10	10
Selenium	0.05	0.05
Thallium	0.002	0.0005

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(c) The concentrations of lead and copper in drinking water shall be regulated as follows:

(1) The action level for lead in drinking water shall be deemed exceeded if the concentration of lead is greater than 15 parts per billion in more than 10% of the water system's tap water samples; and

(2) The action level for copper in drinking water shall be deemed exceeded if the concentrations of copper is greater than 1.3 parts per million in more than 10% of the water system's tap water samples.

(d) The concentration of arsenic in drinking water shall be regulated as follows:

(1) Notwithstanding Table 314-1, until January 22, 2006, the enforceable arsenic MCL for existing community or non-transient non-community water systems shall be 0.050 mg/L;

(2) An existing community or non-transient non-community water system owner who fails to comply with the arsenic MCL of 0.010 mg/L by January 22, 2006, shall be deemed not in compliance with this section; and

(3) A proposed new water system or new source that begins operating before January 22, 2006, shall meet the 0.010 mg/L arsenic MCL at the time of operational approval.

(e) The standard for fluoride shall apply to all community water systems and only those non-transient, non-community water systems which serve schools or day care centers.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 316.01)

PART Env-Ws 315 MAXIMUM CONTAMINANT LEVEL (MCL) AND MAXIMUM CONTAMINANT LEVEL GOAL (MCLG) FOR REGULATED ORGANICS

Env-Ws 315.01 Health Related Regulated Volatile Organic Chemical (VOC) Contaminants.

(a) The MCLs and MCLGs for organic contaminants for community and non-transient non-community water systems shall be as stated in Table 315-1, below:

Table 315-1  
Volatile Organic MCLs and MCLGs

<u>Volatile Organic Contaminant</u>	<u>Maximum Contaminant Level (MCL) mg/L</u>	<u>Maximum Contaminant Level Goal (MCLG) mg/L</u>
Benzene	0.005	Zero
Carbon tetrachloride	0.005	Zero
cis-1,2-Dichloroethylene	0.07	0.07
1,2-Dichloroethane	0.005	Zero
para-Dichlorobenzene (1,4-Dichlorobenzene)	0.075	0.075
1,1-Dichloroethylene	0.007	0.007
Dichloromethane (Methylene chloride)	0.005	Zero
Ethylbenzene	0.7	0.7
1,2-Dichloropropane	0.005	Zero
Methyl tertiary-butyl ether (MtBE)	0.013	0.013
Monochlorobenzene (chlorobenzene)	0.1	0.1

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o-Dichlorobenzene	0.6	0.6
Styrene	0.1	0.1
Tetrachloroethylene	0.005	Zero
Toluene	1	1
trans-1,2-Dichloroethylene	0.1	0.1
1,2,4- Trichlorobenzene	0.07	0.07
1,1,2-Trichloroethane	0.005	0.003
Trichloroethylene	0.005	Zero
1,1,1-Trichloroethane	0.2	0.20
Vinyl chloride	0.002	Zero
Xylene, Total	10	10

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; amd by #7735, eff 8-2-02; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 317.01)

Env-Ws 315.02 Health Related Regulated Synthetic Organics.

(a) Subject to (b), below, the MCLs and MCLGs for synthetic organics for community and non-transient non-community water systems where required by Env-Ws 327.40, shall be as stated in Table 315-2, below:

Table 315-2  
Synthetic Organic MCLs and MCLGs

<u>Synthetic Contaminant</u>	<u>Maximum Contaminant Level (MCL) mg/L</u>	<u>Maximum Contaminant Level Goal (MCLG) mg/L</u>
Alachlor (Lasso)	0.002	Zero
Aldicarb (Temik)	0.003	0.001
Aldicarb sulfoxide	0.004	0.001
Aldicarb sulfone (aldoxycarb)	0.002	0.001
Atrazine (Atranex, Crisazine)	0.003	0.003
Carbofuran (Furadon, 4F)	0.04	0.04
Chlordane	0.002	Zero
Dalapon	0.2	0.2
Dibromochloropropane (DBCP)	0.0002	Zero
Di(ethylhexy)adipate	0.4	0.4
Di(ethylhexy)phthalate	0.006	Zero
Dinoseb	0.007	0.007
Diquat	0.02	0.02
Endothall	0.1	0.1
Endrin	0.002	0.002
Ethylene Dibromide (EDB)	0.00005	Zero
Glyphosate	0.7	0.7
Heptachlor	0.0004	Zero
Heptachlor Epoxide	0.0002	Zero
Hexachlorobenzene	0.001	Zero
Hexachlorocyclopentadiene	0.05	0.05
Lindane	0.0002	0.0002
Methoxychlor (DMDT, Martate)	0.04	0.04
Oxamyl (Vydate)	0.2	0.2
PAH		
Benzo(a)pyrene	0.0002	Zero

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Picloram	0.5	0.5
Polychlorinated Biphenyls (PCB)	0.0005	Zero
Pentachlorophenol	0.001	Zero
Simazine	0.004	0.004
Toxaphene	0.003	Zero
2,3,7,8 TCDD (Dioxin)	0.00000003	Zero
2,4,5 TP (Silvex)	0.05	0.05
2,4 D	0.07	0.07

(b) Analysis for the following compounds shall only be required for the initial pump test requirements pursuant to Env-Ws 378 through Env-Ws 379:

- (1) Dibromochloropropane (DBCP);
- (2) Ethylene dibromide (EDB);
- (3) Polychlorinated biphenyls (PCB);
- (4) Dalapon;
- (5) Diquat;
- (6) Endothall; and
- (7) 2,3,7,8 TCCD (Dioxin).

(c) Monitoring and compliance for organics shall be as specified in Env-Ws 327.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 317.40)

Env-Ws 315.03 Health-Related Disinfection Byproducts.

(a) The owner of a community or non-transient non-community water system adding a chemical disinfectant to the water in any part of the drinking water treatment process shall comply with (b) through (d), below.

(b) Monitoring for disinfectant byproducts shall be required pursuant to Env-Ws 382.

(c) The MCLs for disinfection by products shall be as specified in Table 315-3 below:

Table 315-3  
Disinfection Byproducts

<u>Contaminant</u>	<u>Maximum Contaminant Level (MCL) mg/L</u>
Total trihalomethanes (TTHM)	0.080
Haloacetic acids (five) (HAA5)	0.060
Bromate	0.010
Chlorite	1.0



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(d) The MCLGs for disinfection byproducts shall be as specified in Table 317-4, below:

Table 315-4  
MCLGs for Disinfection Byproducts

<u>Contaminant</u>	<u>Maximum Contaminant Level Goal (MCLG) mg/L</u>
Bromodichloromethane	0
Bromoform	0
Bromate	0
Dichloroacetic Acid	0
Trichloroacetic Acid	0.3
Chlorite	0.8
Dibromochloromethane	0.06

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 317.70)

Env-Ws 315.04 Health-Related Regulated Residual Disinfectants.

(a) The owner of a community or non-transient non-community water system adding a chemical disinfectant to the water in any part of the drinking water treatment process shall comply with the MCLs specified in Table 315-5 below. -

(b) The owner of any public water system using chlorine dioxide as a disinfectant or oxidant shall comply with the chlorine dioxide maximum residual disinfection level (MRDL).

(c) The MRDLs and maximum residual disinfection level goals (MRDLGs) for disinfectant residuals shall be those specified in Table 315-5 below:

Table 315-5  
Maximum Residual Disinfectant Levels

<u>Contaminant</u>	<u>Maximum Disinfectant Level mg/L</u>	<u>Residual</u>	<u>Maximum Residual Disinfection Level Goal mg/L</u>
Chlorine, as Cl <sub>2</sub>	4.0		4
Chloramines, as Cl <sub>2</sub>	4.0		4
Chlorine Dioxide, as ClO <sub>2</sub>	0.8		0.8

(d) Monitoring and compliance for residual disinfectants shall be as required pursuant to Env-Ws 382.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 317.80)

Env-Ws 315.05 Special Treatment Chemicals.

(a) The MCLs and MCLGs for the compounds shown in Table 315-6, below, shall apply to community and non-transient non-community systems:

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Table 315-6  
Maximum Residuals for Certain Treatment Chemicals

<u>Contaminant</u>	<u>Maximum Contaminant Level (MCL)</u>	<u>Maximum Contaminant Level Goal (MCLG) mg/L</u>
Acrylamide	0.05% dose at 1 mg/l	Zero
Epichlorohydrin	0.01% dose at 20 mg/l	Zero

(b) Compliance shall be determined in accordance with Env-Ws 327.90.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 317.90)

PART Env-Ws 316 REGULATED SECONDARY MAXIMUM CONTAMINANT LEVELS (SMCLs)

Env-Ws 316.01 Aesthetic Regulated Secondary Maximum Contaminant Levels.

(a) This part shall apply to contaminants in drinking water that primarily affect the aesthetic qualities relating to the public acceptance of drinking water. At considerably higher concentrations of these contaminants, health implications may also exist.

(b) Subject to (c), below, the SMCLs for community and non-transient non-community public water systems shall be as stated in Table 316-1, below:

Table 316-1  
Secondary Maximum Contaminant Levels

<u>Contaminant</u>	<u>Secondary Levels</u>
Aluminum	0.05 - 0.2 mg/L
Chloride	250 mg/L
Color	15 color units
Copper	1.0 mg/L
Corrosivity	Non - corrosive
Fluoride	2.0 mg/L
Foaming Agents	0.5 mg/L
Iron	0.3 mg/L
Manganese	0.05 mg/L
Methyl tertiary-butyl ether (MtBE)	0.020 mg/L
Odor	3 threshold odor number
PH	6.5 - 8.5
Silver	0.1 mg/L
Sulfate	250 mg/L
Sulfide	0.05 mg/L
Total Dissolved Solids (TDS)	500 mg/L
Zinc	5 mg/L
Sodium	100-250 mg/L

(c) For aluminum, the SMCL based on color considerations shall be 0.05 mg/L and the SMCL based on treatment process considerations shall be 0.2 mg/L.

(d) Monitoring shall be in compliance with Env-Ws 329.

(e) Subject to (f), below, monitoring for the factors listed below shall be waived after initial testing required pursuant to Env-Ws 372-373:

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- (1) Aluminum;
  - (2) Color;
  - (3) Corrosivity;
  - (4) Foaming agents;
  - (5) Odor;
  - (6) Silver;
  - (7) Sodium;
  - (8) Sulfide; and
  - (9) TDS.
- (f) The system shall take samples for the appropriate factors listed in (e), above, based on:
- (1) Exceedences of the SMCLs in any of its active water supply sources; or
  - (2) Customer complaints attributable to these factors.

Source. (See Revision Note at chapter heading Env-Ws 300) #6521, eff 6-4-97; amd by #7645, eff 2-8-02; ss by #8360, INTERIM, eff 6-4-05, EXPIRES: 12-1-05; ss by #8474, eff 11-30-05 (formerly Env-Ws 319.01)

PART Env-Ws 317 - 319 RESERVED

APPENDIX

Rule Section(s)	State Statute(s) Implemented	Federal Statute(s)/ Regulation(s) Implemented
Env-Ws 310.01	RSA 485:1, I	40 CFR 141 Subpart A
Env-Ws 310.02(a)	RSA 485:3, I(c)	40 CFR 141 Subpart C
Env-Ws 310.02(b)	RSA 485:44, I	40 CFR 141.28
Env-Ws 310.02(c)	RSA 485:3, I(c)	40 CFR 141 Subpart C
Env-Ws 310.02(d)	RSA 485:41, IV	40 CFR 141 Subpart D, O, & Q
Env-Ws 310.02(e)	RSA 485:35; 485:3, I(c)	40 CFR 141.101
Env-Ws 312	RSA 485:3, I	40 CFR 141.55 and 141.66
Env-Ws 313	RSA 485:3, I	40 CFR 141.52 and 63
Env-Ws 314	RSA 485:3, I	40 CFR 141.51 and 62
Env-Ws 315	RSA 485:3, I	40 CFR 141.50, 53, 54, 61, 64, and 65
Env-Ws 315.05	RSA 485:3, IV	40 CFR 141.111
Env-Ws 316	RSA 485:3, I(a), I(b)(1), II RSA 485:16-a; 485:3, I	40 CFR 143.3; 40 CFR 141.64; 40 CFR 141.65