

Senate Energy and Natural Resources Committee

Matthew Schelzi 271-3266

SB 443, relative to wastewater engineering.

Hearing Date: January 20, 2026

Time Opened: 9:34 a.m.

Time Closed: 9:45 a.m.

Members of the Committee Present: Senators Avard, Pearl, McConkey, Watters and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill adds rulemaking authority for certain requirements for review and approval of wastewater infrastructure plans and specifications including the sewer connection permit program.

This bill is a request of the department of environmental services.

Sponsors:

Sen. Ricciardi

Sen. Pearl

Sen. Fenton

Sen. Watters

Sen. Lang

Sen. Gannon

Sen. Birdsell

Rep. Bucu

Rep. Dunn

Who supports the bill: Senator Denise Ricciardi, (SD9), Senator Howard Pearl (SD17), Zachary Lorch (NHDES), Daniel Richardson.

Summary of testimony presented:

Senator Denise Ricciardi, District 9

- **Senator Ricciardi** said this bill is a cleanup and clarification bill. It removes outdated, unused, and confusing statutory language that does not represent existing practices. The bill clarifies authority and nothing more. She said it clearly defines the Department of Environmental Services authority over industrial discharges and sewer connections so programs can be administered consistently and transparently.
- The bill does not create new programs or requirements. It simply modernizes and clarifies existing ones. She said SB 443 removes fees associated with the industrial pre-treatment program consistent with prior legislative action eliminating sewer connection permit fees. By eliminating the fee and securing

the authority in the proper place, DES can move forward with rules that encourage a relationship between industry and municipalities.

Zach Lorch, NH DES Wastewater Engineering Bureau

- Mr. Lorch said this bill clarifies NH DES's authority regarding wastewater discharges to municipal sewers. He said NH DES plays a role in ensuring a level playing field for industry while supporting municipalities as they regulate those that discharge to them. He said the statute change will clarify NH DES authority and remove archaic language.

Senator McConkey asked if he could clarify eliminating the sewer connection permit program. He wanted to make sure rural areas would still be able to go about the permit process the same way.

Mr. Lorch said his wheelhouse is industrial discharge. However, he said the connection onto sewer is about making sure it does not overwhelm the pump station or the utility, but he would need to get back to him with a more specific answer.

Senator Avard asked if one day he wanted to connect his home to the sewer line, would this bill prevent that from happening.

Mr. Lorch said this bill is just making sure the municipality has the infrastructure and the focus is on larger discharges, but it would not prevent anyone from connecting to sewer.

Senator Rosenwald was concerned about the strikethrough language on line 16 that removes the requirement for the Department to purchase professional liability insurance.

Mr. Lorch said that language was not something the Department does, and that this bill is about clarifying the language.

Senator McConkey asked if residential septic connections to sewer systems will be required. He said the same fee is charged to connect to a sewer as they do to apply for a septic design. He wasn't clear on the language.

Mr. Lorch said this will not affect subsurface rules and the intent is to clarify the rule, because they removed the fee for sewer connection permits, they did not lose the authority to do sewer connection permits.

Senator McConkey said on line 3 it states, "and other waste" and he wanted clarification on that.

Senator Rosenwald said since HB 2 eliminated the fee that there should not be any budget gap by enacting this legislation.

Mr. Lorch said there should not be a budget gap.