

CHAPTER 62
SB 443 - FINAL VERSION

2026 SESSION

26-2235
08/06

SENATE BILL

443

AN ACT relative to wastewater engineering.

SPONSORS: Sen. Ricciardi, Dist 9; Sen. Pearl, Dist 17; Sen. Fenton, Dist 10; Sen. Watters, Dist 4;
Sen. Lang, Dist 2; Sen. Gannon, Dist 23; Sen. Birdsell, Dist 19; Rep. Buco, Carr. 1;
Rep. Dunn, Rock. 16

COMMITTEE: Energy and Natural Resources

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.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to wastewater engineering.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 62:1 Duties of Department; Wastewater Systems. Amend RSA 485-A:4, VI to read as follows:

2 VI. To require the filing with the department of plans and specifications of the installation of
3 systems and devices for handling, treating, or disposing of sewage, industrial and other wastes[~~, at least~~
4 ~~30 days prior to the beginning of construction~~].

5 62:2 Duties of the Department; Wastewater Systems. Amend RSA 485-A:4, IX to read as follows:

6 IX. To set standards of design and construction for sewerage and sewage or waste treatment
7 systems and standards or design guidelines as the department determines to be appropriate for
8 innovative/alternative waste treatment systems. [~~Innovative/alternative waste treatment systems shall~~
9 ~~include solar and such other systems as shall be identified or accepted by the department.~~] To [~~reject, if~~
10 ~~necessary, or modify and~~] **review and** approve **or deny** as deemed necessary for the purposes of the state
11 water pollution control program all engineering or other documents associated with the design and
12 construction of pollution control projects and perform such other related engineering or inspectional work
13 as will provide for proper design, construction and operation of the facilities involved, and take such other
14 action as the department deems necessary, **including but not limited to establishing a permitting program**,
15 to maximize the effectiveness of sewerage and other pollution control facilities, both proposed and in
16 construction. [~~The department is authorized to purchase professional liability insurance annually in order~~
17 ~~to provide coverage in connection with resident construction engineering services which may be made~~
18 ~~available to municipalities by the department for projects undertaken with benefit of a federal grant under~~
19 ~~the provisions of this chapter; provided, however, that no construction engineering services shall be~~
20 ~~provided to any municipality with a population of greater than 5,000 according to the office of planning and~~
21 ~~development estimate for that even decade year preceding project application to the department or when~~
22 ~~the estimated project costs exceed \$2,000,000.] The purpose of this paragraph is to ensure the planning,
23 **design**, construction and operation of publicly owned pollution control facilities which in the judgment of
24 the department will produce maximum benefits with the least expenditure of federal, state and local funds.~~

25 62:3 Duties of the Department; Wastewater Systems. RSA 485-A:4, IX-b and IX-c is repealed and
26 reenacted to read as follows:

27 IX-b. To review and provide conditions for industrial discharge permits issued by municipalities or
28 sewer utility districts if such discharges are not to an Environmental Protection Agency approved
29 pretreatment program.

30 IX-c. To review and approve or deny as deemed necessary plans, specifications and engineering
31 documents associated with the request to discharge additional sewage or industrial wastes to a municipal
32 sewer system through administration of a sewer connection permit program.

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1 62:4 New Paragraphs; Rulemaking; Requirements for Permits. Amend RSA 485-A:6 by inserting
2 after paragraph III the following new paragraphs:

3 III-a. Requirements under RSA 485-A:4, IX-b, relative to industrial discharge permits.

4 III-b. Requirement under RSA 485-A:4, IX-c, relative to administration of a sewer connection
5 permit program.

6 62:5 New Paragraph; Rulemaking. Amend RSA 485-A:6 by inserting after paragraph VI-a the
7 following new paragraph:

8 VI-b. Requirements under 485-A:5 relative to pretreatment standards.

9 62:6 Rulemaking. Amend RSA 485-A:6, X-a to read as follows:

10 X-a. The requirements for permits under RSA 485-A:4, ~~IX~~, XVI-a, and XVI-b.

 62:7 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 08, 2026
Effective Date: July 07, 2026