

HB 1602-FN - AS INTRODUCED

2022 SESSION

22-2710

08/04

HOUSE BILL

1602-FN

AN ACT

relative to perfluorinated chemicals in drinking water.

SPONSORS:

Rep. Grassie, Straf. 11; Rep. Cohen, Hills. 28; Rep. Meuse, Rock. 29; Rep. Woods, Merr. 23; Rep. B. Boyd, Hills. 21; Rep. Marsh, Carr. 8; Rep. Vail, Hills. 30; Rep. Langley, Hills. 8; Sen. Watters, Dist 4

COMMITTEE:

Resources, Recreation and Development

ANALYSIS

This bill requires testing for PFAS in drinking water of child care facilities and schools.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to perfluorinated chemicals in drinking water.

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

1 1 New Section; PFAS Levels in Drinking Water; Schools and Child Care Facilities.. Amend RSA
2 485 by inserting after section 17-a the following new section:

3 485:17-b Per and Polyfluoroalkyl Substance Levels in Drinking Water in Schools and Licensed
4 Child Care Facilities.

5 I. Upon the effective date of this section, and within every 5-year period thereafter, public
6 and private schools and licensed child care facilities that have not sampled in the prior 2 years shall
7 test for the presence of per and polyfluoroalkyl substances (PFAS) in drinking water at all locations
8 at the facility that is available for consumption by children. Such testing shall be in accordance with
9 guidance from the department. If test results demonstrate the presence of PFAS in a concentration
10 that exceeds the applicable standard established by the department or the Environmental Protection
11 Agency, whichever is more stringent, the school or licensed child care facility shall, within 5 business
12 days, notify parents and guardians of the excessive levels. The school or licensed child care facility
13 shall, as an interim measure, ensure that the children are provided only drinking water that meets
14 the standard. The school or licensed child care facility shall also implement a remediation plan, as
15 approved by the department, within 30 days of notification of parents or, in consultation with the
16 department, as soon as practicable. The department shall review the plan and any associated
17 submittals within 30 days of receiving them. If 3 consecutive rounds of sampling performed every 5
18 years are below the standard, further testing shall not be required.

19 II. Any time the applicable state standard for PFAS in drinking water is changed, public
20 and private schools and licensed child care facilities shall, within 30 days, compare the results of
21 their most recent testing with such new standard and, in the event any such results exceed the new
22 standard, proceed with the requirements of paragraph I relative to notice, remediation, and interim
23 measures.

24 2 Effective Date. This act shall take effect July 1, 2022.

HB 1602-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to perfluorinated chemicals in drinking water.

FISCAL IMPACT: ☒ State ☐ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$130,000	\$130,000	\$130,000
Funding Source:	☒ General ☐ Education ☐ Highway ☐ Other			

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$171,500 - 294,000	\$171,000 - \$294,000	\$171,000 - \$294,000

METHODOLOGY:

This bill requires the Department of Environmental Services to administer and enforce PFAS sampling, reporting and notification requirements at all schools (public and nonpublic) and licensed childcare facilities. While the total of all facilities subject to this bill exceeds 1,500, for the purpose of estimated local costs, the Department estimates there are 490 public schools with an average number of sampling sites each of 10, for a total of 4,900 public school sampling sites. The Department further estimates the average cost per sample ranges from \$175-\$300, therefore the cost to complete the required sampling for local school districts would range from \$857,500 to \$1,470,000, or \$171,500 to \$294,000, assuming testing occurs once every five years.

The Department states to administer, track and enforce the proposed sampling, notification and remediation requirements for over 1,500 facilities, it would need an additional staff person (environmentalist IV, labor grade 27). Assuming a start date of July 1, 2022, this position, including salary, benefits, and other expenses, would cost approximately \$130,000 in FY 2023 and each year thereafter. It should be noted that this bill provides neither authority nor appropriation for new personnel.

AGENCIES CONTACTED:

Department of Environmental Services

