

SB 443 - VERSION ADOPTED BY BOTH BODIES

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to wastewater engineering.

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

1 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~~  
4 ~~least 30 days prior to the beginning of construction].~~

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

27 3 Duties of the Department; Wastewater Systems. RSA 485-A:4, IX-b and IX-c is repealed and  
28 reenacted to read as follows:

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

**SB 443 - VERSION ADOPTED BY BOTH BODIES**

**- Page 2 -**

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

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

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

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

9 5 New Paragraph; Rulemaking. Amend RSA 485-A:6 by inserting after paragraph VI-a the  
10 following new paragraph:

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

12 6 Rulemaking. Amend RSA 485-A:6, X-a to read as follows:

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

14 7 Effective Date. This act shall take effect 60 days after its passage.