



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

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January 10, 2023

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court
State House
Concord, NH

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to the provisions of RSA 124:15,I, authorize the Department of Environmental Services (NHDES) to amend Fiscal Request item #22-232 as approved by Fiscal Committee on June 17, 2022 and approved by Governor & Council on June 15, 2022, Item #107, to authorize NHDES to establish one additional full time temporary position, effective upon Fiscal Committee and Governor & Council approval through June 30, 2023. The position was approved by the Division of Personnel on September 27, 2022. A copy of the approval documentation is attached. This is a no cost amendment.

Classification Title	Position #	Labor Grade	Salary Range
Accountant IV	9T3282	23	\$47,873 - \$67,509

Funding is available through the Emerging Contaminants Fund account: 03-44-44-444010-8873000.

EXPLANATION

A temporary increase in staffing is needed to fully implement two NHDES programs that assist communities and individuals impacted by Per- and Polyfluoralkyl Substances (PFAS) contamination – the PFAS Remediation Loan Fund (PFAS RLF) and the PFAS Rebate Program.

The PFAS RLF was created in 2020, as authorized by RSA 485-H, providing up to \$50 million in low interest loans to certain public water systems and wastewater facilities to address exceedances of PFAS standards. The statute was amended in 2021 to further expand eligibility to municipalities and add a grant element to the program. Eligible applicants may receive grants up to the greater of \$1.5 million or 30% of the total

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eligible cost of the project. The grants are funded through a special appropriation allocating \$25 million in General Finds for this purpose.

The PFAS Rebate Program was created on January 11, 2022 when the Drinking Water and Groundwater Trust Fund (DWGTF) Advisory Commission awarded \$5,000,000 to NHDES to implement a rebate program for removal of PFAS in water in private wells where there has been no offer of alternate water from a third party. On May 9, 2022, the DWGTF Advisory Commission approved an amendment to the program allowing an increase in the dollar amount of the rebates offered. The Fiscal Committee and Governor & Council approved these additional funds in June of 2022. NHDES provides a one-time rebate of up to \$5,000 per residential unit to assist eligible private well users in the purchase and installation of a treatment system designed to remove PFAS, or up to \$10,000 to assist with the connection to an existing public water system.

By directing existing staff to set aside their primary responsibilities, NHDES has been utilizing staff to launch and administer the PFAS RLF and PFAS Rebate Programs. To fully implement the PFAS programs in a timely manner and continue addressing the agency's other responsibilities, an additional full-time temporary Accountant IV is needed in the Administrative Services Unit. Timeliness is essential to the success of the PFAS programs as more components are added and the interest in the programs increases. It was anticipated that as additional PFAS funds were allocated to NHDES additional full time temporary positions would be established to meet the new, increased responsibilities. The magnitude of the funds being awarded for these projects, the associated complexity of administering these funds as grants, and loans, and the extensive financial monitoring necessitates an additional accountant. The existing Drinking Water Groundwater Trust Fund (DWGT), and Methyl-t-butyl Ether (MtBE) programs have also significantly expanded in both volume and complexity and require additional accounting services. As a result of delays in filling previously approved positions, there are sufficient funds in Accounting Unit 03-44-44-444010-8873000 to cover this additional position.

The following is intended to address the seven questions required by the Fiscal Committee with respect to the acceptance of federal and other funds in which new positions are established or extended:

1. **List All Personnel by Classification, Labor Grade, and Salary:** One fulltime, temporary position as listed below:
 - **Accountant IV** (LG 23, \$47,873 - \$67,509) to plan and coordinate the fiscal operations of accounting, financial reporting, and internal control activities including the development and interpretation of policies and oversee the preparation of supporting financial reports, and maintenance of detailed financial records related to the PFAS, Drinking Water Groundwater Trust Fund (DWGT), and Methyl-t-butyl Ether (MtBE) MtBE programs. This includes but is not limited to the supervision and oversight of reconciliations to NHFIRST; analysis, audit and ensuring accurate records and proper authorizations; and review and approval of all

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disbursement requests. In addition, this role will also reconcile dedicated bank accounts, create amortization schedules for the repayment of loans, and prepare invoices and track loan balances of the PFAS, DWGT and MtBE programs.

2. ***Explain the Nature, Need, and Duration of the Program:*** Communities across the state have been impacted by PFAS contamination, largely through no fault of their own. The cost of remediating this contamination for many communities would result in dramatically higher water and sewer rates for end users. The existence of these synthetic chemicals, some of which are occurring at unhealthy levels in New Hampshire's drinking water, require a strategy to protect, preserve, and enhance the water that New Hampshire citizens and environment rely upon.
3. ***What is the Relationship to Existing Programs?*** PFAS is an emerging contaminant. As our understanding of the impacts to groundwater and human health continue to grow, the need to provide services for the investigation, protection and remediation of drinking water will also continue to grow. There was previously no existing program that provided PFAS remediation loans or a PFAS rebate program.
4. ***Has a Substantially Similar Program been Requested of the Legislature and Denied?*** No.
5. ***Why was this Program and Its Funding Not Included in the Operating Budget?*** Funds were not available to establish the PFAS Rebate program at the time the department created its FY22/23 Operating budget request. Demand for the PFAS RLF program was initially limited but has progressively increased.
6. ***Can any Portion of the Funds Be Utilized if Either, None, or Only Part of the Positions are Authorized?*** No, current staff resources would preclude timely review and processing of grants, loans and rebates. Current staffing is not sufficient to allow timely execution of the work required.
7. ***What is the Estimate of the Amount of Funding Required to Continue the Positions in Future Years?***
The estimated cost of this position in FY 24/25 is \$161,208.

We respectfully request your approval of this item.



Robert R. Scott, Commissioner
NH Department of Environmental Services



State Of New Hampshire
DIVISION OF PERSONNEL
Department of Administrative Services
54 Regional Drive, Suite 5
Concord, New Hampshire 03301

CHARLES M. ARLINGHAUS
Commissioner
(603) 271-3201

LORRIE A. RUDIS
Director of Personnel
(603) 271-3261

September 27, 2022.

Ms. Pamela Sopczyk—Director of Human Resources
Department of Environmental Services
29 Hazen Drive
Concord, NH 03301

Regarding: Request to establish a full-time temporary Accountant IV, LG 23, pay schedule A000 – position # 9T3282

Dear Ms. Sopczyk:

The Division of Personnel approves your request received on 8/12/2022 for the Department of Environmental Services to establish position # 9T3282 as a full-time, temporary Accountant IV, LG 23, pending funding approval.

This Accountant IV position is being established as 1 of 3 federally funded positions in the Administrative Services Unit needed to manage new federal funding for infrastructure and to meet the grant requirements of adequate staffing. The Accountant IV, in the Fund Accounting Section, will plan and coordinate fund accounting, financial reporting, and internal control activities within the Drinking Water Groundwater Trust Fund (DWGT), Per-and Polyfluoroalkyl Substances (PFAS) Contaminants and Methyl-t-butyl Ether (MtBE) programs. This role will also reconcile dedicated bank accounts, create amortization schedules for the repayment of loans, and prepare invoices and track loan balances of the program. The Accountant IV will supervise fiscal control activities for DWGT, PFAS Contaminants, and MtBE programs, assess the programs' budgetary needs and prepare the biennial budget and all Governor and Executive Council requests. This position is needed immediately to align to the projected timeline for receiving federal funds and will provide temporary assistance as a necessary resource to perform these duties until a decision is made regarding the approval of a permanent Accountant IV position requested in the FY 24-25 7D budget process.

This position number will be inactive until you receive funding approval from the Fiscal Committee per RSA 124:15.

It will be your responsibility to bring the request for funding before the Fiscal Committee. You may use this letter as confirmation of our decision. Once you have obtained Fiscal Committee approval, please notify the Division of Personnel Operations Section at CentralHRProcessing@nh.gov.

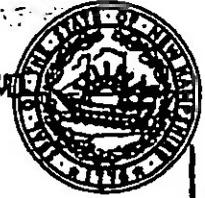
Sincerely,

Marianne Rechy
Classification & Compensation Administrator

Cc: Lorrie Rudis, Director of Personnel



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

June 3, 2022

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The Honorable Karen Umberger, Chairman
 Fiscal Committee of the General Court
 State House
 Concord, NH

**APPROVED
 FISCAL COMMITTEE**
 DATE 17 June 2022
 ITEM # 22-232

His Excellency, Governor Christopher T. Sununu
 and the Honorable Council
 State House
 Concord, New Hampshire 03301

APPROVED G & C
 DATE 15 June 2022
 ITEM # 107

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to accept and expend \$5,000,000 in Drinking Water and Groundwater Trust Funds to fund a rebate program for removal of per- and polyfluoroalkyl substances (PFAS) in private wells, effective upon Fiscal Committee and Governor & Executive Council approval through June 30, 2023. Funding is 100% Drinking Water and Groundwater Trust Fund.

Funding is to be appropriated as follows:

EMERGING CONTAMINANTS
 03-44-44-444010-88730000
 Fiscal Year 2022

Class	Budget Category	Current Budget	Requested Action	Revised Budget
Income				
009-401831	Emerging Contaminants	(\$20,364,774)	(\$5,000,000)	(\$25,364,774)
Expenditures				
18-500106	Overtime	\$9,544	\$10,000	\$19,544
20-500200	Current Expense	\$5,922	\$9,126	\$15,048
27-582703	Transfers to OIT	\$70,887	\$0	\$70,887
28-582814	Transfers to General Services	\$22,784	\$0	\$22,784
30-500321	Equipment	\$8,441	\$0	\$8,441
38-500175	Technology Software	\$171	\$0	\$171
39-500188	Telecommunications	\$15,914	\$0	\$15,914

Class (Con't)	Budget Category	Current Budget	Requested Action	Revised Budget
40-500800	Indirect Costs	\$58,191	\$16,396	\$74,587
42-500620	Additional Fringe Benefits	\$76,133	\$26,078	\$102,211
49-588575	Transfer to other State Agencies	\$15,155	\$0	\$15,155
50-500109	Temporary Personnel	\$259,963	\$285,000	\$544,963
59-500117	Full Time Temporary	\$571,598	\$0	\$571,598
60-500601	Benefits	\$491,091	\$153,400	\$611,491
66-500544	Employee Training	\$8,950	\$0	\$8,950
70-500705	In-State Travel	\$5,829	\$0	\$5,829
80-500710	Out of State Travel	\$13,750	\$0	\$13,750
101-500729	Medical Payments to Provider	\$500	\$0	\$500
102-500731	Contracts for Program Services	\$2,978,510	\$0	\$2,978,510
300-500830	Reimbursements	\$751,441	\$4,500,000	\$5,251,441
301-504059	Loans	\$15,000,000	\$0	\$15,000,000
	Total	\$20,364,774	\$5,000,000	\$25,364,774

EXPLANATION

On January 11, 2022, the Drinking Water and Groundwater Trust Fund (DWGTF) Advisory Commission awarded \$5M to NHDES to implement a rebate program for removal of PFAS in private wells in order to protect public health by reducing exposure to PFAS in drinking water statewide where there has been no offer of alternate water from a third party. On May 9, 2022, the DWGTF Advisory Commission approved an amendment to the program allowing an increase in the dollar amount of the rebates offered.

As of the date of this request, NHDES has tested over 9,000 residential (private) water supply wells across the state for PFAS and has identified over 3,500 wells that exceed one or more of the Ambient Groundwater Quality Standards (AGQS). While there are provisions in state rules for parties that are responsible for contamination of groundwater to remedy water supply wells that violate AGQS, not all PFAS contamination found in the state has been attributed, either technically or legally, to a responsible party. In instances where there is no identified responsible party for a contaminated water supply well, the burden of providing safe drinking water resides with the well owner. Third parties have addressed over 1,000 of the 3,500+ wells that exceed AGQS for PFAS by providing alternate water, either temporarily or permanently, in accordance with state rules; however, as many as 2,000 wells remain that are not currently being provided alternate water from a third party.

The NHDES proposes to provide a one-time rebate of up to \$5,000 per residential unit to assist eligible private residential well users in the purchase and installation of a treatment system designed to remove PFAS or up to \$10,000 to assist with connection to an existing public water system. Eligible treatment systems may also be designed to remove other contaminants in addition to PFAS. Eligible applicants include:

- Owners of single or multiple-unit residential properties serviced by private well(s) having a PFAS exceedance with no offer of an alternate water source from a third party. Eligible PFAS exceedances include exceedance of one or more NHDES AGQS and exceedances of any Maximum Contaminant Levels that may be established by EPA for PFAS;
- Tenants and occupants of residential property serviced by private well(s) with a PFAS exceedance with no offer of an alternate water source from a third party where the owner of the property has not applied for the rebate for the same property; and
- Vendors and subcontractors may apply on behalf of an eligible applicant with an appropriate waiver of claims between the two parties.

It is recognized that the installation of a treatment system requires ongoing operations and maintenance (O&M) for effective contaminant removal. The intent of this program is to provide assistance for the initial installation and does not include rebate funding for the O&M of the treatment system. It is the responsibility of the homeowner to maintain their chosen treatment system once installed.

Initially, NHDES will use existing staff to launch and administer the program. Subsequently, NHDES anticipates the need to fund one temporary full time position to administer the program, and will seek Fiscal Committee approval for same through a future Fiscal request. Up to 10% of the grant will be utilized for personnel costs to develop the program, perform education and outreach to vendors and the public, review applications, administer rebates, and develop and maintain a tracking system for treatment system installations. The reimbursement program will continue until the approved funding is exhausted.

NHDES is requesting to budget these additional funds as shown below:

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|-----------|--|
| Class 018 | To cover the cost of existing staff overtime. |
| Class 020 | To cover the cost of program current expenses. |
| Class 040 | To cover the program share of statewide indirect costs. |
| Class 042 | To cover the program share of additional fringe benefit costs. |
| Class 050 | These funds are available in support of expanded or new program activities not previously budgeted. Employee support from existing NHDES programs will be used |

The Honorable Karen Umberger, Chairman
Fiscal Committee of the General Court and
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and The Honorable Council

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Class 050 These funds are available in support of expanded or new program activities not previously budgeted. Employee support from existing NHDES programs will be used to conduct activities under this program. These funds will be used to replace funding for the following full time positions, which are currently budgeted:

Position #	Title	Account 03-44-44-	Funding Mix	Amount
12030	Hydrogeologist III	444010-8893	100% Other	\$60,000
40492	Hydrogeologist V	444010-8893	100% Other	\$60,000
42224	Executive Secretary	444010-8893	100% Other	\$20,000
9T2669	Civil Engineer VI	444010-8893	100% Other	\$50,000
9T2666	Administrator III	444010-8893	100% Other	\$60,000
9T2911	Program Planner I	444010-7428	100% Other	\$35,000
			Total	\$285,000

Funding in the amount of \$285,000 which is budgeted for the current positions, will either be lapsed or closed to control resulting in a net zero increase in budgeted funds.

Class 060 To cover benefits for personnel.

Class 300 To reimburse up to \$5,000 in costs incurred by eligible private residential well users in the purchase and installation of a treatment system designed to remove PFAS or up to \$10,000 in costs incurred to connect to an existing public water system.

We respectfully request your approval of this item.


Robert R. Scott, Commissioner