



## Summary of Water Conservation Rules Env-Wq 2101 (formerly Env-Ws 390)

Applicants for new water withdrawal permits need to be aware that they are subject to water conservation requirements under RSA 485:61, which became law in July 2002. The information contained below is only a summary of the water conservation rules and is intended to provide an overview of the key requirements specified by rule. A regulated entity or interested person should [view the actual rules online](#).

The law requires that the New Hampshire Department of Environmental Services (NHDES) adopt and administer water conservation rules for all new permit applicants for the following water withdrawals:

1. Sources of groundwater for community water systems subject to RSA 485:3;
2. Sources of groundwater for bottled and bulk water operations subject to RSA 485:3;
3. Sources of groundwater where withdrawals exceed 57,600 gallons over any 24-hour period subject to RSA 485-C;
4. Sources of surface water associated with projects that require a water quality certification pursuant to Section 401 of the Federal Clean Water Act or pursuant to RSA 485-A:12, IV;
5. Sources of surface water that are augmented by a surface water transfer pursuant to Env-Wq 1708.12; and
6. Any consecutive water system or privately owned redistribution system that receives water from a wholesale system that is subject to the water conservation rules.

A general summary of the requirements of the water conservation rules is provided below.

### **Requirements for All Large Community Water Systems and All New Small Community Water Systems**

1. Install and maintain meters for all water withdrawals and service connections.
2. Implement a leak detection and repair program in accordance with the *Manual of Water Supply Practices, Water Audits and Loss Control Programs*, document identification number AWWA M36, American Water Works Association, 2016.
3. Report a water balance and implement a response plan to reduce water losses to less than 15% as required.
4. Implement a rate structure that encourages efficient water use.
5. Implement a water conservation educational outreach initiative.

### **Requirements for *Existing Small Community Water Systems***

1. Install and maintain meters for all water withdrawals.
2. Either: a) Install service connection meters, implement a conservation rate structure, and report a water balance; b) complete a leak detection survey for the entire distribution system every two years; or c) conduct a night flow analysis at least twice per year using a high resolution distribution meter.
3. Repair all leaks within 60 days of identification.
4. Implement a water conservation educational outreach initiative.

### **Requirements for *Industrial, Commercial, Institutional Water Users***

1. Install and maintain meters for all water withdrawals.
2. Retrofit or replace single-pass water-cooling systems when feasible.
3. Install controls to stop the overflow or discharge of water to waste when feasible.
4. Identify water conservation best management practices or best available technologies that may be applicable to the types of water-using processes at the subject facility and implement those measures when feasible.
5. For all new lawn areas, install six inches of loam and devices to shut off automatic irrigation systems when watering is not needed.

For more information about the water conservation rules, contact the Water Conservation Program at [\(603\) 271-0659](tel:6032710659) or via email at [waterconservation@des.nh.gov](mailto:waterconservation@des.nh.gov).