



The State of New Hampshire  
**Department of Environmental Services**

**Thomas S. Burack, Commissioner**

*Celebrating 25 Years of Protecting  
New Hampshire's Environment*

November 8, 2012

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301



**REQUESTED ACTION**

Pursuant to RSA 147-B:11-a, accept the 2012 Hazardous Waste Cleanup Fund Annual Report.

**EXPLANATION**

The New Hampshire Department of Environmental Services hereby submits its annual report on the activities and finances of the Hazardous Waste Cleanup Fund (Fund) for State Fiscal Year 2012. The report also includes an historical summary of Fund finances for state fiscal years 2008 through 2012.

The New Hampshire Hazardous Waste Cleanup Fund was established in 1981 to provide for the proper, adequate, and safe cleanup of sites in New Hampshire where hazardous wastes or materials have been improperly discharged, disposed of or spilled, and to support the regulatory and enforcement programs associated with such cleanups. Pursuant to RSA 147-B, the Fund may be used for investigation and cleanup of hazardous waste sites; matching grants to municipalities and regional planning groups for household hazardous waste and used oil collection programs; the DES Brownfields program; hazardous waste generator training, certification, and self-certification programs; the NH Pollution Prevention Program; and hazardous waste permitting, administrative and enforcement costs. The Fund is supported by fees on various hazardous waste related activities, cost recovery revenues, fines, and penalties. The Fund and its associated activities are administered by the Department's Waste Management Division.

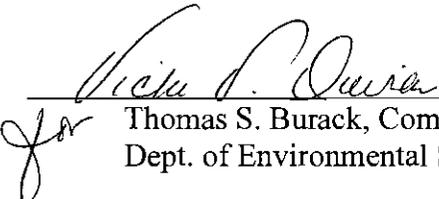
There are currently over 2,200 active hazardous waste generators in the state, ranging from very small businesses to major manufacturing facilities. Together, they generated nearly 11 million pounds of hazardous waste in 2012. Proper management of this waste is critical to the protection of human health and the environment in our state. Improper management results in contamination of soil and groundwater, which poses risks of exposure to our citizens, especially through consumption of contaminated drinking water. Such events threaten our health, quality of life, and our economy. The Department's database of sites contaminated by hazardous waste includes 1,132 sites. Of those sites, 667 have been closed, and 465 sites are in the investigation or cleanup phase.



The variety of activities supported by the Fund include critical prevention activities including outreach, training, inspections, and enforcement of our hazardous waste rules; grants to local governments to ensure proper handling of used oil and hazardous wastes; and pollution prevention services. Vital cleanup activities include direction and oversight of privately financed site investigation and site cleanup; working with developers in our state brownfields covenant-not-to-sue and federal brownfields grant programs to encourage cleanup and redevelopment of brownfields sites; and state oversight of the investigation and cleanup of 21 Superfund National Priority List (NPL) hazardous waste sites.

DES personnel work diligently with the business community, site owners, and the public at large to ensure that hazardous wastes are properly managed at the source. When those efforts are not successful, we work to ensure that safe and effective cleanup is achieved. The Fund plays a critical role in ensuring that the necessary resources are available to achieve these important goals.

We respectfully request your acceptance of this report.

  
Thomas S. Burack, Commissioner  
Dept. of Environmental Services

Attachment

cc: Hon. Peter Bragdon, President of the Senate  
Hon. William O'Brien, Speaker of the House  
Tammy L. Wright, Clerk of the Senate  
Karen O. Wadsworth, Clerk of the House  
N.H. State Library



STATE OF NEW HAMPSHIRE

***Hazardous Waste Cleanup Fund***  
RSA Chapter 147-B

**2012**  
***Annual***  
***Report***



**Waste Management Division**

October 1, 2012

## EXECUTIVE SUMMARY

Pursuant to RSA 147-B:11-a, this document presents the Annual Report on the activities and finances of the Hazardous Waste Cleanup Fund for the state fiscal year ending June 30, 2012. The report also includes an historical summary of Fund finances for state fiscal years ending June 30, 2008 through June 30, 2012. This report is respectfully submitted to:

His Excellency, Governor John H. Lynch  
and the Honorable Council  
Councilor Raymond S. Burton, District 1  
Councilor Daniel St. Hilaire, District 2  
Councilor Christopher T. Sununu, District 3  
Councilor Raymond J. Wieczorek, District 4  
Councilor David K. Wheeler, District 5  
Hon. Peter Bragdon, President of the Senate  
Hon. William O'Brien, Speaker of the House

The New Hampshire Hazardous Waste Cleanup Fund was established in 1981 to provide for the proper, adequate, and safe cleanup of sites in New Hampshire where hazardous wastes or materials have been improperly discharged, disposed of or spilled, and to support the regulatory and enforcement programs associated with such cleanups. Pursuant to RSA 147-B, the Fund may be used for investigation and cleanup of hazardous waste sites; matching grants to municipalities and regional planning groups for household hazardous waste and used oil collection programs; the DES Brownfields program; hazardous waste generator training, certification, and self-certification programs; the NH Pollution Prevention Program; and hazardous waste permitting, administrative and enforcement costs. The Fund is supported by fees on various hazardous waste related activities, cost recovery revenues, fines, and penalties. The Fund and its associated activities are administered by the Department's Waste Management Division.

There are currently over 2,200 active hazardous waste generators in the state, ranging from very small businesses to major manufacturing facilities. Together, they generated nearly 11 million pounds of hazardous waste in 2012. Proper management of this waste is critical to the protection of human health and the environment in our state. Improper management results in contamination of soil and groundwater, which poses risks of exposure to our citizens, especially through consumption of contaminated drinking water. Such events threaten our health, quality of life, and our economy. The Department's database of sites contaminated by hazardous waste includes 1,132 sites. Of those sites, 667 have been closed, and 465 sites are in the investigation or cleanup phase.

The variety of activities supported by the Fund include critical prevention activities including outreach, training, inspections, and enforcement of our hazardous waste rules; grants to local governments to ensure proper handling of used oil and hazardous wastes; and pollution prevention services. Vital cleanup activities include direction and oversight of privately financed site investigation and site cleanup; working with developers in our state brownfields covenant-not-to-sue

and federal brownfields grant programs to encourage cleanup and redevelopment of brownfields sites; and state oversight of the investigation and cleanup of 21 Superfund National Priority List (NPL) hazardous waste sites.

DES personnel work diligently with the business community, site owners, and the public at large to ensure that hazardous wastes are properly managed at the source. When those efforts are not successful, we work to ensure that safe and effective cleanup is achieved. The Fund plays a critical role in ensuring that the necessary resources are available to achieve these important goals.

Michael J. Wimsatt, P.G., Director  
Waste Management Division

Thomas S. Burack, Commissioner  
Department of Environmental Services

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## A. INTRODUCTION - HAZARDOUS WASTE CLEANUP FUND

The New Hampshire Hazardous Waste Cleanup Fund (HWCF) was established in 1981 to provide for the proper, adequate and safe cleanup of sites in New Hampshire where hazardous wastes or materials have been improperly discharged, disposed of or spilled (RSA 147-B:1). Under RSA 147-B, the HWCF may be used for:

- investigation and cleanup of hazardous waste sites (RSA 147-B:6, I);
- matching grants to municipalities and regional planning groups for household hazardous waste collection programs (RSA 147-B:6, I-a.);
- processing hazardous waste facility permits and enforcing and implementing the conditions of a permit (RSA 147-B:6, I-b.)
- grants to political subdivisions for used oil collection centers, used oil educational programs, and the administration and enforcement of used oil collection requirements established in RSA 147-B:13 (RSA 147-B:6, I-d.);
- a brownfields program established in RSA 147-F (RSA 147-B:6, I-e.);
- the hazardous waste coordinator certification program (RSA 147-B:6, I-f.);
- the small quantity generator self-certification program (RSA 147-B:6, I-g.);
- permitting, administrative and enforcement costs associated with the HWCF (RSA 147-B:6, IV);
- the New Hampshire Pollution Prevention Program established under RSA 21-O:15 through 21-O:22 (RSA 147-B:6, VI); and
- supporting a state hazardous waste facility siting program (147-B:4).

The HWCF is supported by fees (hazardous waste generator fees, notification fees, automotive oil fees, hazardous waste facility permit fees, brownfields program fees, hazardous waste coordinator certification fees, and small quantity generator self-certification fees); cost recovery settlements; fines, penalties and interest. The HWCF is administered by the New Hampshire Department of Environmental Services, Waste Management Division (DES).

## B. REVENUE

### I. Generator Fees

Fees are assessed to hazardous waste generators through the documentation provided on hazardous waste manifests (i.e., the transportation documents used to record the shipment of all hazardous waste through and within the state). The fee is based on the amount of waste that is shipped off-site by generators of hazardous waste under RSA 147-B:8. A fee of \$.0045 per pound of unrecycled hazardous waste was established in statute with the creation of the HWCF on June 23, 1981. The fee was increased by the Legislature to \$.018 per pound in 1983, to \$.03 per pound in 1990 and to \$.06 per pound or a minimum of \$100, effective July 1, 2007. There is also a statutory fee (\$.003 per pound) assessed on a hazardous waste facility when wastes are received from out-of-state; however, there were no facilities to which this fee applied during FY 2012. Generator fees received in FY 2012 totaled \$359,417.

### II. Notification Fees

Fees are assessed to new hazardous waste generators that are required to notify DES of their hazardous waste activities under RSA 147-A:6-a. A \$100 non-refundable fee was first established under Chapter 148, Laws of 2003. The fee was increased by the Legislature to \$150, effective July 1, 2007. Notification fees received in FY 2012 totaled \$19,050.

### III. Automotive Oil Fees

A fee of \$.02 per gallon is assessed on the import of automotive oil into the state under RSA 147-B:12, effective July 1, 1998. The fee is collected for deposit to the HWCF by the NH Department of Safety. Automotive oil fees received in FY 2012 totaled \$140,645.

### IV. Hazardous Waste Permit Fees

A permit application fee not to exceed \$7,500 is assessed on each permit, permit modification and permit renewal application under RSA 147-A:4, II, effective July 1, 2007. The New Hampshire Hazardous Waste Rules under Env-Hw 304.07 establish a non-refundable fee to be submitted with each type of permit application. The fees range from a low of \$400 for a Limited Permit to a high of \$7,500 for a Standard Permit. Hazardous waste permit fees received in FY 2012 totaled \$3,850.

### V. Brownfields, Groundwater Management Permit and Expedited Site Assessment Programs

Chapter 241, Laws of 1996 established RSA 147-F the Brownfields Program, and transferred the authority to collect the pre-existing site assessment review fee (RSA 485:3-b) and the groundwater management permit fee (RSA 485:3-c) to RSA 147-B:6, I-e. of the HWCF. The Brownfields Program has an eligibility determination fee and a participation fee.

Under RSA 147-F:14, I-III, effective July 1, 2007, there are three types of fees assessed for the Brownfield covenant not to sue program: a program eligibility application fee of \$750, including a \$500 resubmission fee if needed; a \$4,500 fee to cover the costs of DES' review work on the plans and submittals from program participants; and a time and materials fee to reimburse DES for any costs exceeding the initial \$4,500.

Under RSA 485:3-b, effective July 1, 2007, an expedited review fee is assessed on environmental site assessment reports based on the equalized assessed valuation of the property. The equalized assessed valuation fee ranges from a low of \$1,800 to a high of \$7,500.

Under RSA 485:3-c, effective July 1, 2007, a groundwater management permit application fee of \$2,000 is assessed on each permit application submitted under RSA 485:3, X, unless otherwise exempted by statute.

Brownfields, Groundwater Management Permit and Expedited Site Assessment Program fees received in FY 2012 totaled \$280,000.

#### VI. Hazardous Waste Coordinator Certification Program Fees

Chapter 87, Laws of 2002 established the Hazardous Waste Coordinator Certification (HWCC) Program. Under RSA 147-A:5, III (b) a program fee of \$125 is assessed and under RSA 147-A:5, III (a) a reasonable course fee (currently \$125) to cover the expenses for the education and training programs is assessed. Hazardous Waste Coordinator Program fees received in FY 2012 totaled \$224,653.

#### VII. Small Quantity Generator (SQG) Self-Certification Program Fees

Chapter 148, Laws of 2003 established the SQG Self-Certification Program. The program was originally funded by a \$60 per year fee, payable every three years at the time of certification. Under RSA 147-A:5, IV (b), the fee was increased by the Legislature to \$90 per year beginning July 1, 2007. Small Quantity Generator Self-Certification Program fees received in FY 2012 totaled \$165,762.

#### VIII. Cost Recovery

RSA 147-B:10 established strict liability for all costs incurred by the state in responding to a release or threatened release of hazardous waste or hazardous material. Recovered costs from responsible parties for work performed by DES are deposited into the HWCF. Cost recovery received in FY 2012 totaled \$694,583.

#### IX. Fines and Penalties

RSA 147-A:16 (Criminal Penalty; Fine), RSA 147-A:17 (Civil Forfeiture) and RSA 147-A:17-a (Administrative Fines) specify that criminal penalties, civil forfeitures and administrative fines shall be deposited into the HWCF. Fines and penalties received in FY 2012 totaled \$137,547.

#### X. Interest

RSA 147-B:3, II specifies that HWCF interest received on investments made by the state treasurer shall be credited to the HWCF. Interest received in FY 2012 totaled \$6,719.

## C. ACTIVITY AND EXPENDITURES

### I. Permitting, Administration and Enforcement

RSA 147-B:6, IV authorizes DES to use the HWCF to support permitting, administration and enforcement costs, which include the review and processing of permit applications; inspections of hazardous waste facilities to determine compliance with the NH Hazardous Waste Rules (Env-Hw 100 – 1100); compliance monitoring and enforcement of DES issued administrative penalty actions; review of hazardous waste transportation manifest data and the collection of generator fees based on that data; and the administrative oversight of these functions. The NH Department of Justice (DOJ) also invoices the HWCF for its services. Currently, there are 2,241 active hazardous waste generators in the state that produced 10.8 million pounds of hazardous waste in FY 2012. The cost to the HWCF associated with permitting, administration and enforcement in FY 2012 totaled \$367,649 (\$305,517 DES and \$62,132 DOJ).

### II. Hazardous Waste Transporter Registration

The HWCF is used minimally under RSA 147-B:6, IV to support the administration and enforcement of the Hazardous Waste Transporter Registration Program. Hazardous waste transporters must register with DES under Chapter Env-Hw 600 in an effort to better protect human health and the environment from hazardous waste spills during transportation. Program work includes reviewing annual registration applications, performing background checks to assure applicants meet required performance standards issuing registrations, inspection of transport vehicles and providing technical assistance as needed. In FY 2012, DES issued 135 registrations and conducted 2 inspections of transport vehicles in conjunction with the NH State Police. The cost to the HWCF associated with hazardous waste transportation in FY 2012 totaled \$158.

### III. Emergency Response and Complaint Investigations

RSA 147-B:6, I authorizes the HWCF to be used to provide for the adequate and safe cleanup of sites where hazardous wastes or hazardous materials have been stored or disposed of, which threaten the environment or the public health and welfare. The HWCF is used to support the response capability for non-petroleum hazardous material emergencies on a 24/7/365 basis. The Spill Response and Complaint Investigations Section (SRCIS) personnel provide technical assistance to the local on-scene commanders, environmental monitoring, sampling expertise and contaminant identification. SRCIS also investigates complaints regarding the mismanagement of solid and hazardous wastes. Investigations are conducted in the field and may include sampling of various containers and media (sometimes in hazardous environments), conducting interviews of potential witnesses and responsible parties, as well as inspections and documentation of potential environmental crime scenes. SRCIS further identifies hazardous waste generators who have failed to properly notify DES of their waste activities and are therefore operating without proper regulatory controls in place. In FY 2012, SRCIS responded to 98 hazardous waste complaints. The cost to the HWCF associated with emergency response and complaint investigations in FY 2012 totaled \$167,407.

### IV. Asbestos Disposal Site Oversight

RSA 147-B:6, I authorizes the HWCF to be used to provide for the adequate and safe cleanup of sites where hazardous wastes or hazardous materials have been stored or disposed of which threaten the environment or the public health and welfare. DES oversees the management of both active and inactive

asbestos disposal sites, and uses the HWCF when needed to supplement the cost of doing so. Three of New Hampshire's operating landfills are currently authorized to receive asbestos waste and DES monitors these facilities for compliance with applicable requirements. In addition, DES administers an inactive asbestos disposal site program for several hundred inactive asbestos disposal sites located on residential, commercial, industrial and public properties throughout Nashua and Hudson. This program includes: investigation and confirmation of new sites; periodic inspection of known sites; technical assistance for development and implementation of emergency response and remedial action plans; review and approval of work plans for site work that involves disturbing of asbestos at the sites; monitoring long term site maintenance; coordination of program initiatives with the U.S. Environmental Protection Agency (EPA); general education to ensure that work on these properties is done properly and safely; and licensure of inactive asbestos disposal site contractors and workers. There was no cost to the HWCF in FY 2012 associated with asbestos disposal sites.

#### V. Household Hazardous Waste (HHW) Collection Program

RSA 147-B:6, I-a authorizes the allocation of matching grant monies to local and regional entities for HHW collection projects. In addition to the actual collection and proper disposal of the wastes, these projects must include a significant educational component, which emphasizes the proper management and disposal of HHW and the use of alternative and less toxic products. In FY 2012, the HHW Collection Program signed 22 contracts covering 170 communities. The cost to the HWCF associated with the household hazardous waste collection program in FY 2012 totaled \$146,247.

#### VI. Used Oil Collection Program

RSA 147-B:6, I-d and RSA 147-B:13 authorizes a used oil collection program and provides funding for individual grants not to exceed \$2,500 annually to establish and improve used oil collection centers at public facilities, non-profits and certain private business locations. Political subdivisions that use the same center may combine their grants to a maximum of \$5,000. The statute further authorizes monies for educational outreach to support the grant program and personnel to administer the program. Program management and administration expenditures include: personnel, grant administration, import fee collection by the NH Department of Safety, legal services and educational outreach. Municipally-owned used oil collection centers serve most communities in the state, and many communities have received multiple grants since inception of the program in 1995. The cost to the HWCF associated with the used oil collection program in FY 2012 totaled \$127,372.

#### VII. Superfund National Priorities List Site Remediation

RSA 147-B:6, I authorizes the HWCF to be used to provide for the adequate and safe cleanup of sites where hazardous wastes or hazardous materials have been stored or disposed of, which threaten the environment or the public health and welfare. In cooperation with the EPA, DES provides project management and oversight for long term remediation of contaminated sites that are included within EPA's Superfund Program, sometimes referred to under the acronym CERCLA (Comprehensive Environmental Response, Compensation and Liability Act of 1980). This legislation provided the federal government with broad authority to compel parties responsible for contamination at the nation's worst abandoned or uncontrolled hazardous waste sites to either remediate the contamination or reimburse EPA for the costs of performing the remediation. In New Hampshire, EPA shares its Superfund Program responsibilities for hazardous waste site remediation with DES. The state and EPA always negotiate with potentially responsible parties (PRPs) of the sites for recovery of past costs and future anticipated costs. There are currently 21 National Priority List (NPL) Superfund sites in New

Hampshire. The Beede Waste Oil Site is a NPL Superfund Site and is being cleaned up by the responsible parties. State oversight costs are paid by the HWCF and are being reimbursed by the responsible parties. Revenue and expenditures are included in the State Site Remediation Program below. The cost to the HWCF associated with the superfund program in FY 2012 totaled \$2,109.

### VIII. State Site Remediation

RSA 147-B:6, I authorizes the HWCF to be used to provide for the adequate and safe cleanup of sites where hazardous wastes or hazardous materials have been stored or disposed of, which threaten the environment or the public health and welfare. When DES determines the treatment, storage, disposal, or transportation of a hazardous waste or hazardous material poses an immediate or long-term threat to the environment or human health, HWCF monies may be used for the removal of such a threat. Circumstances that dictate use of the HWCF include: containment and cleanup expenses; entering into contracts with consultants, personnel and spill response specialists; purchasing, leasing or renting equipment to analyze, control or contain spills and potential discharges; and other expenses associated with containment or cleanup, such as laboratory analyses.

The HWCF provides funding to support pre-remedial work at known hazardous waste sites. These monies support site assessments for sites not yet on EPA's CERCLIS list. (CERCLIS is the EPA database that identifies hazardous waste sites that are eligible for federal funding.) Once a site is proven by the state to be a hazardous waste site and there are no willing or financially viable responsible parties to clean up the site, EPA will place the site on CERCLIS, making the site eligible for federal funding for additional pre-remedial work (assessments and investigations). There are 64 New Hampshire listed CERCLIS sites, including the 21 Superfund NPL sites. At the end of FY 2012, there were 1,132 sites in total in DES' hazardous waste site database - 667 closed, 156 being cleaned up, and 309 being investigated. The cost to the HWCF associated with the state site remediation program in FY 2012 totaled \$587,991.

### IX. Brownfields Program

RSA 147-B:6, I-e authorizes the HWCF to be used to support the operations and staff positions in RSA 147-F, the Brownfields Program. The purpose of the Brownfields Program is to encourage cleanup and development of contaminated sites. This program saves clean undeveloped areas known as "greenfields" from development and puts the abandoned or unused "brownfields" properties back on the local tax rolls. The program provides incentives for redevelopment of contaminated properties by providing comprehensive liability protection to parties who have no pre-existing liability for the contamination, but assume responsibility for remediation of the property. The program provides grants for technical assistance for environmental assessment and cleanup planning for eligible parties and sites. The total number of brownfields sites identified as of June 30, 2012 is 237 (165 active and 72 closed).

The cooperative agreement between DES and EPA for the federal grant known as the Brownfields State Response Program Grant (SRPG) funds several project manager positions in DES' site remediation program. The grant conditions require all program income derived from the grant proceeds to be used solely for the assessment and cleanup of brownfields sites in accordance with the terms of the cooperative agreement. Program income is derived from cost recovery of project manager time from responsible parties. This program income is deposited to a sub-account in the HWCF and used in accordance with grant conditions. The cost to the HWCF associated with the brownfields program in FY 2012 totaled \$507,874.

#### X. New Hampshire Pollution Prevention Program (NHPPP)

RSA 147-B:6, VI authorizes the HWCF to be used to support the NHPPP established under RSA 21-O:15 through RSA 21-O:22. The NHPPP provides pollution prevention and compliance assistance to New Hampshire's hazardous waste generators through outreach, on-site visits, workshops, training, webinars, the P2 internship program and numerous fact sheets and other publications. The program is also known for its partnerships with other governmental, non-governmental and industry trade organizations to encourage businesses to scrutinize their processes for pollution prevention and hazardous waste reduction opportunities. In FY 2012, the NHPPP conducted 97 site visits, responded to 108 information requests, and offered numerous presentations, trainings and publications. The cost to the HWCF associated with the New Hampshire Pollution Prevention Program in FY 2012 totaled \$136,353.

#### XI. Hazardous Waste Coordinator Certification (HWCC) Program

RSA 147-B:6, I-f authorizes the HWCF to be used to process hazardous waste coordinator certification applications, provide technical training and assistance to coordinators, and hire personnel to administer the HWCC program. The purpose of the HWCC program is to improve the management of hazardous waste and increase the compliance rate of the larger hazardous waste generators, thereby reducing the potential liability and health risks to business owners, employees, the public and the environment. The HWCC program is a compliance tool that provides a forum for educating the hazardous waste generators in the complex area of hazardous waste management. The HWCC program requires each hazardous waste generator that generates more than 220 pounds of hazardous waste in a calendar month to have on staff at the facility where the hazardous waste is generated, a Hazardous Waste Coordinator (HWC), certified by DES. The HWC is responsible for ensuring that the facility is aware of its need to comply with the rules relating to hazardous waste management. A facility may have more than one HWC on staff and designate one person as the primary coordinator. Each HWC must pass a comprehensive written exam to earn initial certification. Each year following the initial certification, the HWC is required to apply for recertification and attend continuing education courses provided by DES to renew their certification. In FY 2012, the HWCC program conducted 28 classes and trained 946 individuals. The cost to the HWCF associated with the Hazardous Waste Coordinator Certification Program in FY 2012 totaled \$246,011.

#### XII. Small Quantity Generator (SQG) Self-Certification Program

RSA 147-B:6, I-g authorizes the HWCF to be used to provide technical training and assistance to hazardous waste generators, hire personnel and pay administrative cost for the SQG Self-Certification Program. The purpose of the SQG Self-Certification Program is to provide a means to check the compliance status of the SQGs by requiring submittal of a Self-Certification and Declaration of Compliance Form. A small quantity generator of hazardous waste is any facility that generates less than 220 pounds of hazardous waste in each and every calendar month. Despite the relatively small amount of hazardous waste generated by each individual SQG, about a third of the contaminated sites in New Hampshire are a result of waste mismanagement by SQGs. Over the years, many SQGs have been inspected by staff from DES, but many more have not been inspected. With 1,896 SQGs in the state, DES has been limited in its ability to monitor compliance at these facilities through inspections. To address this inspection problem and to improve the compliance rates of SQGs, the Legislature established the SQG Self-Certification Program during the 2003 session for implementation in FY 2004.

The program requires each SQG to review their hazardous waste management procedures, conduct a self-inspection of their facility and certify compliance to DES every three years. The state is divided up into 3 regions by counties and sent the Self-Certification and Declaration of Compliance Form in October. The completed form is due back by January 1. SQGs that are not in compliance must develop a Corrective Action Plan specifying how and when they plan to come into compliance. In FY 2012, the program managed 877 Self-Certification and Declaration of Compliance Forms. The cost to the HWCF associated with the Hazardous Waste Coordinator Certification Program in FY 2012 totaled \$193,276.

D. FISCAL YEAR ANNUAL BALANCE REPORT 2012

FISCAL YEAR 2012  
Cash Receipts and Disbursements  
June 30, 2012

		Revenue	Expenses
BALANCE FORWARD FROM FY 2011	\$3,371,937		
REVENUE			
Generator Fees		359,417	
Notification Fees		19,050	
Automotive Oil Fees		140,645	
Hazardous Waste Permit Fees		3,850	
Brownfields Program Fees		280,000	
Hazardous Waste Coordinator Certification Program Fees		224,653	
Small Quantity Generator Self-Certification Program Fees		165,762	
Cost Recovery		694,583	
Fines and Penalties		137,547	
Interest		6,719	
	revenue subtotal	\$2,032,226	
EXPENDITURES			
Permitting, Administration and Enforcement			305,517
Transfer to NH Dept. of Justice			62,132
Hazardous Waste Transporter Program			158
Emergency Response/Complaint Investigation			167,407
Asbestos Abatement and Oversight			0
Household Hazardous Waste Collection Program			146,247
Used Oil Collection Program			127,372
Superfund National Priorities List Site Remediation			2,109
State Site Remediation			587,991
Brownfields Program			507,874
New Hampshire Pollution Prevention Program			136,353
Hazardous Waste Coordinator Certification Program			246,011
Small Quantity Generator Self-Certification Program			193,276
	expenditures subtotal		\$2,482,447
ENDING BALANCE FY 2012 <sup>1</sup>	\$2,377,633		

<sup>1</sup> This balance does not include the \$544,083 in encumbered funds.

E. HISTORICAL FINANCIAL SUMMARY 2008-2012

<b>Revenue</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
Generator Fees	\$466,747	\$545,360	\$391,329	\$461,610	\$359,417
Notification Fees	\$22,520	\$13,200	\$22,800	\$29,819	\$19,050
Automotive Oil Fees	\$119,908	\$117,309	\$293,807	\$225,883	\$140,645
HW Permit Fees	\$3,500	\$7,650	\$8,450	\$13,600	\$3,850
Brownfields GMP/ESA Fees	\$387,750	\$389,250	\$123,250	\$314,250	\$280,000
HWCC Fees	\$150,615	\$169,070	\$182,368	\$218,595	\$224,653
SQG Fees	\$174,820	\$198,925	\$218,754	\$179,625	\$165,762
Cost Recovery	\$373,786	\$414,276	\$603,359	\$554,888	\$694,583
Fines and Penalties	\$524,909	\$201,017	\$78,079	\$172,731	\$137,547
Interest	\$122,882	\$45,322	\$0	\$7,491	\$6,719
<b>TOTAL REVENUE</b>	<b>\$2,347,437</b>	<b>\$2,101,379</b>	<b>\$1,922,196</b>	<b>\$2,178,492</b>	<b>\$2,032,226</b>

<b>Expenditures</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012</b>
Permitting, Administration and Enforcement (DES)	\$239,538	\$239,086	\$213,556	\$256,574	\$305,517
Permitting, Administration and Enforcement (DOJ)	\$79,011	\$79,791	\$75,574	\$84,201	\$62,132
HW Transporter Registration	\$32	\$16,783	\$2,736	\$76	\$158
Emergency Response / Complaints	\$133,557	\$93,398	\$142,998	\$156,416	\$167,407
Asbestos	\$7,535	\$1,750	\$6,561	\$1,345	\$0
HHW Collection	\$239,377	\$261,236	\$247,772	\$282,396	\$146,247
Used Oil	\$97,887	\$109,426	\$112,975	\$106,233	\$127,372
Superfund	\$26,741	\$227	\$2,072	\$1,014	\$2,109
State Site Remediation	\$459,027	\$507,486	\$634,911	\$558,312	\$587,991
Brownfields	\$61,183	\$107,392	\$304,112	\$530,616	\$507,874
NHPPP	\$170,706	\$164,302	\$109,947	\$98,496	\$136,353
HWCC	\$200,763	\$208,343	\$219,734	\$231,623	\$246,011
SQG Self-Certification	\$153,810	\$133,347	\$154,734	\$158,201	\$193,276
Other	\$0	\$0	\$100,000	\$0	\$0
<b>TOTAL EXPENDITURES</b>	<b>\$1,869,167</b>	<b>\$1,922,567</b>	<b>\$2,327,682</b>	<b>\$2,465,503</b>	<b>\$2,482,447</b>

F. FISCAL YEAR ANNUAL BALANCE REPORTS 2008-2011

FISCAL YEAR 2011  
Cash Receipts and Disbursements  
June 30, 2011

		Revenue	Expenses
BALANCE FORWARD FROM FY 2010	\$3,658,945		
REVENUE			
Generator Fees		461,610	
Notification Fees		29,819	
Automotive Oil Fees		225,883	
Hazardous Waste Permit Fees		13,600	
Brownfields Program Fees		314,250	
Hazardous Waste Coordinator Certification Program Fees		218,595	
Small Quantity Generator Self-Certification Program Fees		179,625	
Cost Recovery		554,888	
Fines and Penalties		172,731	
Interest		7,491	
revenue subtotal		\$2,178,492	
EXPENDITURES			
Permitting, Administration and Enforcement			256,574
Transfer to NH Dept. of Justice			84,201
Hazardous Waste Transporter Program			76
Emergency Response/Complaint Investigation			156,416
Asbestos Abatement and Oversight			1,345
Household Hazardous Waste Collection Program			282,396
Used Oil Collection Program			106,233
Superfund National Priorities List Site Remediation			1,014
State Site Remediation			558,312
Brownfields Program			530,616
New Hampshire Pollution Prevention Program			98,496
Hazardous Waste Coordinator Certification Program			231,623
Small Quantity Generator Self-Certification Program			158,201
expenditures subtotal			\$2,465,503
ENDING BALANCE FY 2011 <sup>1</sup>	\$2,904,805		

<sup>1</sup> This balance does not include the \$467,132 in encumbered funds.

FISCAL YEAR 2010  
Cash Receipts and Disbursements  
June 30, 2010

		Revenue	Expenses
BALANCE FORWARD FROM FY 2009	\$4,064,432		
REVENUE			
Generator Fees		391,329	
Notification Fees		22,800	
Automotive Oil Fees		293,807	
Hazardous Waste Permit Fees		8,450	
Brownfields Program Fees		123,250	
Hazardous Waste Coordinator Certification Program Fees		182,368	
Small Quantity Generator Self-Certification Program Fees		218,754	
Cost Recovery		603,359	
Fines and Penalties		78,079	
Interest		0	
revenue subtotal		\$1,922,196	
EXPENDITURES			
Permitting, Administration and Enforcement			213,556
Transfer to NH Dept. of Justice			75,574
Hazardous Waste Transporter Program			2,736
Emergency Response/Complaint Investigation			142,998
Asbestos Abatement and Oversight			6,561
Household Hazardous Waste Collection Program			247,772
Used Oil Collection Program			112,975
Superfund National Priorities List Site Remediation			2,072
State Site Remediation			634,911
Brownfields Program			304,112
New Hampshire Pollution Prevention Program			109,947
Hazardous Waste Coordinator Certification Program			219,734
Small Quantity Generator Self-Certification Program			154,734
Other <sup>1</sup>			100,000
expenditures subtotal			\$2,327,682
ENDING BALANCE FY 2010 <sup>2</sup>	\$2,883,318		

<sup>1</sup> This expenditure represents the \$100,000 transfer of dedicated funds to the general fund under Special Session HB 1-FN-A.

<sup>2</sup> This balance does not include the \$775,628 in encumbered funds.

FISCAL YEAR 2009  
Cash Receipts and Disbursements  
June 30, 2009

		Revenue	Expenses
BALANCE FORWARD FROM FY 2008	\$3,885,619		
REVENUE			
Generator Fees		545,360	
Notification Fees		13,200	
Automotive Oil Fees		117,309	
Hazardous Waste Permit Fees		7,650	
Brownfields Program Fees		389,250	
Hazardous Waste Coordinator Certification Program		169,070	
Small Quantity Generator Self-Certification Program		198,925	
Cost Recovery		414,276	
Fines and Penalties		201,017	
Interest		45,322	
revenue subtotal		\$2,101,379	
EXPENDITURES			
Permitting, Administration and Enforcement			239,086
Transfer to NH Dept. of Justice			79,791
Hazardous Waste Transporter Program			16,783
Emergency Response/Complaint Investigation			93,398
Asbestos Abatement and Oversight			1,750
Household Hazardous Waste Program			261,236
Used Oil Collection Program			109,426
Superfund National Priorities List Site Remediation			227
State Site Remediation			507,486
Brownfields Program			107,392
New Hampshire Pollution Prevention Program			164,302
Hazardous Waste Coordinator Certification Program			208,343
Small Quantity Generator Self-Certification Program			133,347
Other			0
expenditures subtotal			\$1,922,567
ENDING BALANCE FY 2009 <sup>1</sup>	\$3,169,333		

<sup>1</sup> This balance does not include the \$895,098 in encumbered funds.

FISCAL YEAR 2008  
Cash Receipts and Disbursements  
June 30, 2008

		Revenue	Expenses
BALANCE FORWARD FROM FY 2007	\$3,407,348		
REVENUE			
Generator Fees		466,747	
Notification Fees		22,520	
Automotive Oil Fees		119,908	
Hazardous Waste Permit Fees		3,500	
Brownfields Program Fees		387,750	
Hazardous Waste Coordinator Certification Program Fees		150,615	
Small Quantity Generator Self-Certification Program Fees		174,820	
Cost Recovery		373,786	
Fines and Penalties		524,909	
Interest		122,882	
revenue subtotal		\$2,347,437	
EXPENDITURES			
Permitting, Administration and Enforcement			239,538
Transfer to NH Dept. of Justice			79,011
Hazardous Waste Transporter Program			32
Emergency Response/Complaint Investigation			133,557
Asbestos Abatement and Oversight			7,535
Household Hazardous Waste Collection Program			239,377
Used Oil Collection Program			97,887
Superfund National Priorities List Site Remediation			26,741
State Site Remediation			459,027
Brownfields Program			61,183
New Hampshire Pollution Prevention Program			170,706
Hazardous Waste Coordinator Certification Program			200,763
Small Quantity Generator Self-Certification Program			153,810
expenditures subtotal			\$1,869,167
ENDING BALANCE FY 2008 <sup>1</sup>	\$3,450,592		

<sup>1</sup> This balance does not include the \$435,026 in encumbered funds.