



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

Robert R. Scott, Commissioner

July 17, 2023

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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, NH

**REQUESTED ACTIONS**

1. Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to **RETROACTIVELY** amend Fiscal Committee item #FIS 22-329 (approved October 14, 2022) and Governor and Council item #67 (approved October 19, 2022) by extending the grant end date to June 30, 2025 from June 30, 2023, and reallocate the amounts as shown in the table below, upon Fiscal Committee and Governor & Council approval as of July 1, 2023 through June 30, 2025. 100% Federal Funds.
2. Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to accept and expend \$72,260 in federal funds from the United States Environmental Protection Agency's Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) Program to fund investments in wastewater infrastructure for combined sewer overflow projects, effective upon Fiscal Committee and Governor & Council approval through June 30, 2025. 100% Federal Funds.

The Budget Table is shown below.

OSG Program  
 03-44-44-442010-6362  
 Fiscal Year 2024

Class	Budget Category	Current Budget	Acceptance of Funds	Reallocation Request	Revised Budget
<b>Income</b>					
000-404646	Federal Funds	(\$976,740)	(\$72,260)	-0-	(\$1,049,000)
<b>Expenditures</b>					
041-500801	Audit Fund Set Aside	\$3,889	-0-	(\$2,840)	\$1,049
072-500573	Grants Federal	\$972,851	\$72,260	\$2,840	\$1,047,951
<b>TOTAL</b>		<b>\$976,740</b>	<b>\$72,260</b>	<b>-0-</b>	<b>\$1,049,000</b>

**EXPLANATION**

The purpose of the grant is intended to address infrastructure needs for combined sewer overflows (CSO) sanitary sewer overflows (SSO) and stormwater management by awarding funds to eligible communities for projects. For example, the City of Berlin will use the funds to complete an infiltration/inflow project to reduce stormwater flows to its wastewater collection system resulting in reduced CSO discharges from its Watson Street Pump Station in accordance with its CSO Long-Term Control Plan. This request is RETROACTIVE as EPA only recently modified its grant terms and conditions to eliminate the requirement for matching funds by the grant recipient including extending the end date for the 20/21 award to September of 2026.

The extension is needed to provide NHDES additional time to award grants to eligible communities like the City of Berlin. To date, no grant funds have been awarded or spent.


This request also includes increasing the budget as the federal fiscal year 2022 award was higher than anticipated when the FY24/25 operating budget was prepared. Current staffing resources are sufficient to administer this program.

NHDES is also requesting to reallocate the funds as shown below:

Class 041- Audit Set Aside: Reduce class to 1/10 of 1 percent of total budget. The funds were originally budgeted at 1 percent which is more than needed to cover this cost.

Class 072 – Grants Federal: Increase class to cover grants to entities for infrastructure projects.

We respectfully request your approval of this item.

  
Robert R. Scott  
Commissioner

**NH DEPARTMENT OF ENVIRONMENTAL SERVICES**  
**OSG Program**  
**FISCAL SITUATION FY24**  
**03-44-44-442010-63620000**

Total Federal Award	\$1,049,000
Less Expenditures thru 06/30/23	\$0
Remaining Authorization to Budget	\$1,049,000
Less Current FY24 Budget Authorization	\$976,740
Total Available for Budgeting	\$72,260
<b>REQUESTED ACTION</b>	<b>\$72,260</b>
Available to Budget at a later date	\$0

Grant Award Number	<u>Award Amount</u>	<u>Expenses to 06/30/2023</u>	<u>Balance</u>
SO33000522-1	\$649,000	\$0	\$649,000
SO33000523-0	\$400,000	\$0	\$400,000
<b>TOTAL</b>	<b>\$1,049,000</b>	<b>\$0</b>	<b>\$1,049,000</b>

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Assistance Amendment</b>	<b>GRANT NUMBER (FAIN):</b> 33000522 <b>MODIFICATION NUMBER:</b> 1 <b>PROGRAM CODE:</b> SO	<b>DATE OF AWARD</b> 04/13/2023
		<b>TYPE OF ACTION</b> Supplemental Decrease	<b>MAILING DATE</b> 04/18/2023
		<b>PAYMENT METHOD:</b>	<b>ACH#</b> 10108
<b>RECIPIENT TYPE:</b> State		<b>Send Payment Request to:</b> Contact EPA RTPFC at: rtpfc-grants@epa.gov	
<b>RECIPIENT:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618		<b>PAYEE:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095	
<b>PROJECT MANAGER</b> Kathie Bourret 29 Hazen Drive Concord, NH 03302 Email: kathleen.Bourret@des.nh.gov Phone: 603-271-2902		<b>EPA PROJECT OFFICER</b> Jason Turgeon 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Turgeon.Jason@epa.gov Phone: 617-918-1637	<b>EPA GRANT SPECIALIST</b> Trevor Tavano Grants Management Branch, 05-5 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Tavano.Trevor@epa.gov Phone: 617-918-1235
<b>PROJECT TITLE AND EXPLANATION OF CHANGES</b> NH 2020 + 2021 combined OSG  Amendment #1 approves a Time Extension through 09/30/2026 for New Hampshire D.E.S. This Amendment also de-obligates \$162,250 in local cost-share pursuant to EPA's OSG Implementation Document dated March 2021 and Amendments dated November 2022. All Administrative Terms and Conditions remain unchanged, and in full force and effect. The Programmatic Terms and Conditions have been updated.			
<b>BUDGET PERIOD</b> 10/01/2022 - 09/30/2026	<b>PROJECT PERIOD</b> 10/01/2022 - 09/30/2026	<b>TOTAL BUDGET PERIOD COST</b> \$811,250.00	<b>TOTAL PROJECT PERIOD COST</b> \$811,250.00
<b>NOTICE OF AWARD</b>  Based on your Application dated 06/21/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$0.00. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$649,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1, EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1, EPA New England R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official for Arthur Johnson Digital signature applied by EPA Award Official Fred Weeks			<b>DATE</b> 04/13/2023

## EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$649,000	\$0	\$649,000
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$0	\$0
Local Contribution	\$162,250	(\$162,250)	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$811,250	(\$162,250)	\$649,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.447 - Sewer Overflow and Stormwater Reuse Municipal Grant Program	Clean Water Act: Sec. 221	2 CFR 200, 2 CFR 1500 and 40 CFR 33

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 33000523 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> SO	<b>DATE OF AWARD</b> 02/28/2023
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 03/03/2023
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 10108
		<b>RECIPIENT TYPE:</b> State	
<b>RECIPIENT:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618		<b>PAYEE:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095	
<b>PROJECT MANAGER</b> Kathleen Bourret 29 Hazen Drive Concord, NH 03302 Email: Kathleen.Bourret@des.nh.gov Phone: 603-271-2902	<b>EPA PROJECT OFFICER</b> Jason Turgeon 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Turgeon.Jason@epa.gov Phone: 617-918-1637	<b>EPA GRANT SPECIALIST</b> Trevor Tavano Grants Management Branch 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Tavano.Trevor@epa.gov Phone: 617-918-1235	
<b>PROJECT TITLE AND DESCRIPTION</b> New Hampshire Sewer Overflow and Stormwater Program 2022 See Attachment 1 for project description.			
<b>BUDGET PERIOD</b> 10/01/2022 - 09/30/2026	<b>PROJECT PERIOD</b> 10/01/2022 - 09/30/2026	<b>TOTAL BUDGET PERIOD COST</b> \$400,000.00	<b>TOTAL PROJECT PERIOD COST</b> \$400,000.00
<b>NOTICE OF AWARD</b>			
<p>Based on your Application dated 12/20/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$400,000.00. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$400,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1, EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1, Water Division R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
<b>Digital signature applied by EPA Award Official</b> Arthur Johnson - Director, Mission Support Division			<b>DATE</b> 02/28/2023

### EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$400,000	\$400,000
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$0	\$0
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$400,000	\$400,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
68.447 - Sewer Overflow and Stormwater Reuse Municipal Grant Program	Clean Water Act: Sec. 221	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	23010CG002	22	E4	014	000BM6	4159			\$400,000
									\$400,000



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



Robert R. Scott, Commissioner

September 12, 2022

The Honorable Karen UMBERGER, 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

**APPROVED  
 FISCAL COMMITTEE**

DATE 14 October 2022

ITEM # 22-529

**APPROVED G & C**

DATE 19 October 2022

ITEM # 67

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Environmental Services (NHDES) to accept and expend \$649,000 in federal funds from the United States Environmental Protection Agency's Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) Program to fund investments in wastewater infrastructure for combined sewer overflow projects, effective upon Fiscal Committee and Governor & Council approval through June 30, 2023. Funding is 100% Federal Funds.

The Budget Table is shown below.

OSG Program  
 03-44-44-442010-6362  
 Fiscal Year 2023

Class	Budget Category	Current Budget	Requested Action	Revised Budget
<b>Income</b>				
000-404646	Federal Funds	\$0	(\$649,000)	(\$649,000)
<b>Expenditures</b>				
41-500801	Audit Set-Aside	\$0	\$649	\$649
72-500574	Grants – Federal	\$0	\$648,351	\$648,351
	<b>Total</b>	<b>\$0</b>	<b>\$649,000</b>	<b>\$649,000</b>



The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court and  
His Excellency, Governor Christopher T. Sununu  
and The Honorable Council

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### EXPLANATION

The United States Environmental Protection Agency's (EPA) Sewer Overflow and Stormwater Reuse Municipal Grant (OSG) Program was reauthorized on October 23, 2018, when the America's Water Infrastructure Act of 2018 was signed into law and amended section 221 of the Federal Water Pollution Control Act (also known as the Clean Water Act). This legislation substantially amended the existing OSG Program expanding project eligibilities to include stormwater management projects and reauthorized appropriations for the program, among other modifications. This program is intended to address infrastructure needs for combined sewer overflows (CSO), sanitary sewer overflows (SSO), and stormwater management and awards grants to states to make sub-awards to eligible entities for eligible projects. This request includes New Hampshire's FFY 2020 and 2021 allotments.

States are required to prioritize funding projects for communities that are financially distressed, have a long-term municipal CSO or SSO control plan, or for projects that have requested a grant on their Clean Water State Revolving Fund (CWSRF) Intended Use Plan. Projects under this program will have many of the same program requirements as the CWSRF and, to the extent that eligible projects are available, at least 20 percent of a state's allocation must be used for green infrastructure, water and energy efficiency improvements, and other environmentally innovative activities.

EPA developed the allotment formula for the OSG program to best address CSOs, SSOs, and stormwater needs for each state, as determined by the data from the latest Clean Watersheds Needs Survey, along with supplemental data on population, urban population, and precipitation.

Current staffing resources are sufficient to administer this program. These funds were not included in the FY22/23 operating budget, as the program did not anticipate the availability of these funds at the time the budget was created.

This grant requires matching funds of 20% which will be provided by the grant recipient in a manner approved by EPA.

NHDES is requesting to budget these funds as shown below:

- Class 041 To cover the cost of Audit Set-Aside charges related to the federal program.
- Class 072 To cover grants to entities for infrastructure projects.


We respectfully request your approval of this item.

  
Robert R. Scott, Commissioner

**NH DEPARTMENT OF ENVIRONMENTAL SERVICES**  
**OSG Program**  
**FISCAL SITUATION FY23**  
**03-44-44-442010-63620000**

Total Federal Award	\$649,000
Less Expenditures thru 06/30/22	\$0
Remaining Authorization to Budget	\$649,000
Less Current FY23 Budget Authorization	\$0
Total Available for Budgeting	\$649,000
<b>REQUESTED ACTION</b>	<b>\$649,000</b>
Available to Budget at a later date	\$0

Grant Award Number	<u>Award Amount</u>	<u>Expenses to 06/30/2022</u>	<u>Balance</u>
SO33000522	\$649,000	\$0	\$649,000
TOTAL	\$649,000	\$0	\$649,000

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 33000522 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> SO	<b>DATE OF AWARD</b> 08/04/2022
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 08/09/2022
		<b>PAYMENT METHOD:</b>	<b>ACH#</b> 10108
<b>RECIPIENT TYPE:</b> State	<b>Send Payment Request to:</b> Contact EPA RTPFC at: rtpfc-grants@epa.gov		
<b>RECIPIENT:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095 EIN: 02-6000618	<b>PAYEE:</b> New Hampshire D.E.S. 29 Hazen Drive, P.O. Box 95 Concord, NH 03302-0095		
<b>PROJECT MANAGER</b> Kathie Bourret 29 Hazen Drive Concord, NH 03302 Email: kathleen.bourret@des.nh.gov Phone: 603-271-2902	<b>EPA PROJECT OFFICER</b> Jason Turgeon 5 Post Office Square, Suite 100, 6-WO Boston, MA 02109 Email: Turgeon.Jason@epa.gov Phone: 617-918-1637	<b>EPA GRANT SPECIALIST</b> Trevor Tavano Grants Management Branch, 05-5 5 Post Office Square, Suite 100 Boston, MA 02109 Email: Tavano.Trevor@epa.gov Phone: 617-918-1235	
<b>PROJECT TITLE AND DESCRIPTION</b> NH 2020 + 2021 combined OSG See Attachment 1 for project description.			
<b>BUDGET PERIOD</b> 10/01/2022 - 09/30/2024	<b>PROJECT PERIOD</b> 10/01/2022 - 09/30/2024	<b>TOTAL BUDGET PERIOD COST</b> \$811,250.00	<b>TOTAL PROJECT PERIOD COST</b> \$811,250.00
<b>NOTICE OF AWARD</b>			
<p>Based on your Application dated 06/21/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$649,000.00. EPA agrees to cost-share 80.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$649,000.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1, EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 1, EPA New England R1 - Region 1 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digitally signed by EPA Award Official Arthur Johnson - Director, Mission Support Division Fred Weeks - Deputy Director, Mission Support Division			<b>DATE</b> 08/04/2022