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# ENVIRONMENTAL Fact Sheet

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## Reporting Oil Spills, Hazardous Waste Spills and Groundwater Contamination

The State of New Hampshire has statutory and regulatory requirements regarding the reporting of discharges of both petroleum products and hazardous wastes. To promote compliance with these “duty to report” requirements, the following excerpts are presented from the appropriate laws and regulations.

### IN THE EVENT OF A HAZARDOUS WASTE SPILL

#### **Duty To Report, N.H. Hazardous Waste Management Act RSA 147-A:11,**

1. Any generator, operator, transporter or employee of a hazardous waste facility who becomes aware of any storage, treatment, or disposal of hazardous waste in violation of this chapter shall immediately report the violation to the NH Department of Environmental Services (NHDES) Waste Management Division.
2. Any person who fails to give notice as required by RSA 147-A:11,1, shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.
3. Each day of a continuing violation shall constitute a separate offense.

#### **Immediate Action, “Requirements for Hazardous Waste Generators” Env-Hw 513.01,**

The generator shall report any discharge of hazardous waste or discharge of any material which when discharged becomes a hazardous waste that poses a threat to human health or the environment, for example, into storm or sanitary sewers, onto the land or into the air, groundwater or surface waters. Notification shall be both:

1. Immediately, not to exceed one hour from discharge discovery, to local fire department; and
2. Immediately, not to exceed one hour from discharge discovery, to the NHDES Emergency Response group at (603) 271-3899 (Monday through Friday, 8 a.m. to 4 p.m.), or to the NH State Police Dispatch at (603) 223-4381 (24 hours/day).

## **IN THE EVENT OF A PETROLEUM (OIL) SPILL**

### **Duty To Report, NH Oil Spillage In Public Waters Act RSA 146-A:5,**

1. Whoever is responsible for the operation of any oil facility, carrier, or vessel that discharges oil in violation of this chapter shall immediately notify the NHDES Waste Management Division. Any person who fails to give such notice shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.
2. Each day of a continuing violation shall constitute a separate offense.
3. Any person who becomes aware of an oil discharge in violation of this chapter shall immediately notify the NHDES Waste Management Division.

### **Notification, “Contaminated Sites Management” Env-Or 604.06**

Any responsible party or other person having knowledge of a discharge of oil shall report such discharge to the NHDES Waste Management Division immediately (603) 271-3899 (Monday through Friday, 8 a.m. to 4 p.m.), or to the New Hampshire State Police Dispatch at (603) 223-4381 (24 hours/day), unless **all** five of the following conditions are met:

1. The discharge is less than 25 gallons.
2. The discharge is immediately contained.
3. The discharge and/or contamination is completely removed within 24 hours.
4. There is no impact or potential impact to groundwater or surface water.
5. There is no potential for vapors which pose an imminent threat to human health.

## **IN THE EVENT OF GROUNDWATER QUALITY VIOLATIONS**

### **“Contaminated Sites Management” Env-Or 605.06**

The responsible party shall notify the NHDES Waste Management Division (603) 271-3899 (Monday through Friday, 8 a.m. to 4 p.m.), within 60 days of discovery of a violation of the Ambient Groundwater Quality Standards of Env-Or 603.01.

#### **Disclaimer:**

Information contained in this fact sheet is current as of November 6, 2020. Statutory or regulatory changes that may occur after November 6, 2020, may cause part or all of this information to be invalid. If there are any questions concerning the status of the information, please contact NHDES by calling 271-3899.