CHRISTOPHER T. SUNUNU
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR

Emergency Order #29 Pursuant to Executive Order 2020-04 as extended by Executive Order 2020-05

Temporary modification to executive branch deadlines and requirements

WHEREAS, on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, an order declaring a State of Emergency due to the Novel Coronavirus (COVID-19); and

WHEREAS, since issuing Executive Order 2020-04, the Governor has issued Emergency Orders #1–#23 as measures necessary for continued operations with the State of New Hampshire during the State of Emergency; and

WHEREAS, in the days since the Governor declared a State of Emergency, the COVID-19 outbreak in New Hampshire has expanded significantly; and

WHEREAS, the Department of Health and Human Services, Division of Public Health has found that community-based transmission of COVID-19 continues to increase in the State and has been identified in the majority of counties; and

WHEREAS, governmental functions provide critical infrastructure for the people of New Hampshire during the State of Emergency; and

WHEREAS the ability of the people of the State of New Hampshire to comply with strict deadlines and requirements currently in statute or rule will be hindered by conditions related to the State of Emergency; and

WHEREAS the ability of State agencies, boards, commissions and similar entities to process applications and requests or to provide certain services in the manner currently provided by statute and rule will similarly be hindered by the conditions related to the State of Emergency; and

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WHEREAS strict compliance with such statutes and rules may actually increase the likelihood of adverse public health impacts by encouraging otherwise unnecessary in-person contact, travel, or similar activities; and

WHEREAS it is in the best interest of the people of the State of New Hampshire to refrain from activities likely to increase the chance of adverse health impacts; and

WHEREAS it is in the best interest of the people of the State of New Hampshire for private and public services to continue to be available to the extent reasonable during the State of Emergency.

Now therefore pursuant to Section 18 of Executive Order 2020-04 as extended by Executive Order 2020-05, it is hereby ordered, effective immediately, that:

1. State agencies, boards, commissions and similar executive branch entities shall submit recommendations to the Governor describing which, if any, regulatory and statutory deadlines and other requirements should be adjusted in response to the State of Emergency in order to best serve the interests of the people of the State of New Hampshire consistent with the statements provided above.

2. To the extent the Governor modifies statutory or regulatory deadlines or other requirements, such modifications shall be specified in exhibits to this Order.

3. Such exhibits may be published separately and shall be identified as follows: "Exhibit [x] to Emergency Order #__, [Name of affected State entity or program], [date]" and shall be published on the Governor's web page titled "Emergency Orders 2020."

4. Notwithstanding any modification, Government entities of the State of New Hampshire shall endeavor to perform all duties to the best of their abilities and as expeditiously as possible.

Given under my hand and seal at the Executive Chambers in Concord, this 9th day of April, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

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EXHIBIT A to Emergency Order #29

N.H. Department of Environmental Services, April 9th, 2020

Pursuant to Emergency Order #29, which authorizes temporary modification of executive branch deadlines and requirements, issued pursuant to Section 18 of Executive Order 2020-04 as extended by Emergency Order 2020-05, the following is hereby ordered:

Training

No certification, license, or other approval, the renewal of which is dependent on the availability of department training, shall expire prior to the department offering such training.

Air Resources Division

For any entity or person holding an asbestos license or certification that would otherwise expire during the term of the declared state of emergency, the time periods in RSA 141-E:10, III; RSA 141-E:11, II; and Env-A 1810.12 are hereby extended by six months.

The requirements to have a current training certificate in Env-A 1810.01(c) and (d) are hereby waived until such time as the required trainings become available.

The deadline to submit an annual emission report in Env-A 907.02(b) is hereby extended to May 15, 2020.

The deadline to submit annual emission fees in Env-A 705.05(a) is hereby extended to June 15, 2020.

The deadlines to submit annual nitrogen oxides and volatile organic compound emission statements in Env-A 908.02 and Env-A 909.02 are hereby extended to May 15, 2020.

The deadline to submit the annual compliance certification in Env-A 907.03 is hereby extended to May 15, 2020.

For non-Title V permits that would otherwise expire during the term of the declared state of emergency, the term of the permit described in RSA 125-C:11, Env-A 607.08, and Env-A 608.09 is hereby extended by six months.

Applications that would otherwise be due 90 days prior to permit expiration as set forth in Env-A 607.02, 608.02 and 608.10 shall not be due until 30 days prior to permit expiration during the term of the state of emergency.

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Waste Management Division

For any person holding a tank operator certification that would otherwise expire during the term of the declared state of emergency, the time period RSA 146-C:18 is hereby extended by 180 days.

For any person holding a hazardous waste coordinator certification that would otherwise expire during the term of the declared state of emergency, the time period for renewal in RSA 147-A:5 is hereby extended by 180 days.

For any person holding a hazardous waste coordinator certification that expires during the term of the declared state of emergency, the time period set forth in Env-Hw 515.07, as referenced in Env-Hw 515.08 shall end 90 days after the termination of the declared state of emergency.

Upon written consent of the Governor, the commissioner of the department may extend the permit processing deadlines in RSA 149-M:9, VIII & Env-Sw 304 – 305 if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

Other than incident reports for emergency or action level conditions, the timeframes established by Env-Sw 800, 1000, 1100 for submitting facility reports that would otherwise be due during the declared state of emergency are hereby extended by 90 days.

Upon written consent of the Governor, the commissioner of the department may extend the application processing deadlines in Env-Sw 1500 if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

For any person certified as a solid waste operator, if such certification expires during the term of the declared state of emergency, the time periods set forth in RSA 149-M:6, XIII, and Env-Sw 1600 are hereby extended by 180 days.

The $25.00 late fee required by RSA 149-M:6, XIII and Env-Sw 1600 is hereby suspended for any application received within 90 days following the termination of the state of emergency

The department is hereby authorized to waive RSA 149-M:9, VI and Env-Sw 1005.07(b) upon the request of a facility if the department determines that conditions related to the state of emergency prevent compliance. Any waiver shall be subject to such conditions as the department believes are reasonably necessary to ensure safe operation of such facility.

Upon written consent of the Governor, the commissioner of the department may extend the permit processing deadlines in RSA 141-E, RSA 541-A:29, and Env-Sw 2103 and 2106 if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

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Water Division

The requirements for signature by a town or city clerk in RSA 482-A:3, I(a)(1), and by a municipal conservation commission, a local river management advisory committee, or the New Hampshire Rivers Council in RSA 482-A:11, III(a) may be satisfied through electronic means.

Upon written consent of the Governor, the commissioner of the department may extend the permit processing deadlines in RSA 482-A:3, XIV(a)(1) and RSA 482-A:3, XIV, (a)(2) if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

Upon written consent of the Governor, the commissioner of the department may extend the permit processing deadlines in Env-Wt 308.05(c), 309.05(a), and 309.08(a) if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

The timeframes for processing permits established by RSA 483-B:5-b, V(d) are hereby extended by 30 days for notifications received during the declared state of emergency.

Upon written consent of the Governor, the commissioner of the department may extend the permit processing deadlines in RSA 483-B:5-b, V(a) if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

All large public water systems subject to RSA 485:11 shall only be required to test annually in 2020.

Upon written consent of the Governor, the commissioner of the department may extend the permit processing deadlines applicable to alteration of terrain permits required by RSA 485:17 *et seq.* if the commissioner determines that conditions caused by the state of emergency preclude timely processing. However, the department shall endeavor to process all applications as expeditiously as possible.

Given under my hand and seal at the Executive Chambers in Concord, this 9th day of April, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

Chris T. Sununu

GOVERNOR OF NEW HAMPSHIRE

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EXHIBIT B to Emergency Order #29

Department of Justice, Charitable Trusts Unit, April 9th, 2020

Pursuant to Emergency Order #29, which authorizes temporary modification of executive branch deadlines and requirements, issued pursuant to Section 18 of Executive Order 2020-04, the following is hereby ordered:

1. The timeframes established by RSA 7:19-b for the Director of Charitable Trusts ("Director") to review proposed acquisition transactions involving health care charitable trusts, whether for matters filed with the Charitable Trusts Unit before December 31, 2019, or after January 1, 2020, are hereby stayed until the declared State of Emergency is lifted by the Governor. For notices of acquisition transactions pending on the date the State of Emergency was declared by the Governor, the Director will have 60 days after the State of Emergency is lifted to schedule and hold a public hearing as per RSA 7:19-b, IV(a) and determine the matters' compliance with RSA 7:19-b.

2. The timeframe established in RSA 7:28-b, IV, which requires the Director to notify fund raising counsel of any deficiencies in the registration application and the contract between the fund raising counsel and the charitable organization, is hereby extended to 30 days.

3. The timeframe established in RSA 7:28-c, XI, which requires the Director to notify paid solicitors of any deficiencies in a filed "solicitation notice" or registration application, is hereby extended to 30 days.

4. The timeframe established by RSA 7:28-c, VII, which requires that a paid solicitor and the charitable trust file with the Director a joint financial statement after a solicitation campaign has been initiated, is hereby extended by three months.

Given under my hand and seal at the Executive Chambers in Concord, this 9th day of April, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

Christopher T. Sununu

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