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## 010600 - Regulatory Requirements

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## 010600 - Regulatory Requirements

## SECTION 01 0600 – REGULATORY REQUIREMENTS

### PART 1 - GENERAL

#### 1.1 SUMMARY

A. The architects and engineers for all construction projects are responsible for identifying and preparing the documentation necessary for all permits and reviews by governmental authorities having jurisdiction over design of projects at the University of New Hampshire. The following list is a description of review processes required on recent projects undertaken by the University. It is not intended to be exhaustive, but is provided to assist in the identification of the potential permits and reviews to be undertaken for a specific project. Architects and engineers should become familiar with the regulations for each of these reviews and permits.

#### B. TOWN OF DURHAM

1. Water and Sewer Connection Permit/Fee.
2. In agreement with the Town of Durham, the University is subject to a water and sewer connection fee for all new buildings, additions to existing buildings, and changes in water consumption.
3. NOTE: The University of New Hampshire, as a part of the University System of New Hampshire, does not come under the jurisdiction of any local governmental authorities. Therefore local regulations such as zoning and building permits do not apply to projects at the University except as noted above. Any questions or potential issues that the architects or engineers have regarding the University's status should be addressed directly to the office of Facilities Design & Construction.

#### 1.2 NEW HAMPSHIRE STATE REVIEWS AND PERMITS

#### A. Committee on Architectural Barrier-Free Design.

1. Architectural Barrier Free Design Code Compliance - RSA 275-C:10.
2. This committee reviews each publicly funded project for compliance with the Architectural Barrier Free Design Code for the State of New Hampshire. A submittal for review consists of a complete set of Design Development drawings and any potential conflicts with the Code or requests for waivers. The drawings should include mounting heights of all fixtures, controls and accessories. The committee meets on a monthly basis to review requests for waivers. If necessary, the Accessibility Specialist can be contacted for clarifications or interpretations of the Code (Tel 603-271-2773). See ADA Accessibility Guidelines for Buildings and Facilities – Appendix A to Part 36 – Standards for Accessible Design, Federal Register/Vol.56, No.144/Rules and Regulations.

- B. State Fire Marshal - NFPA and BOCA Life Safety Code Compliance.
  - 1. The Durham Fire Department acts as the agent for the State Fire Marshall's office in meetings and the review of design and construction documents throughout a project. Typically, we have a preliminary meeting with the fire department and submit schematic, design development and construction documents for their review and approval. Other meetings are held as requires. Additional copies of schematic, design development and construction bid document are sent directly to the State Fire Marshal by the Architect or Engineer. The SFMO is also responsible for issuing the Certificate of Occupancy (CO) for completed Projects. The Durham Fire Department works as the Agent of the State for routine and scheduled inspections of the work in progress, including Fire Alarm System Sign off.
  
- C. New Hampshire Bureau of Food Protection - New Hampshire Rules for the Sanitary Production and Distribution of Food (He-P2300) and BOCA Compliance.
  - 1. The Bureau of Food Protection reviews and approves all designs and construction of public food service facilities. A submittal for review consists of a complete set of Design Development drawings with a cover letter summarizing the scope of the project. Once construction is underway a field inspector will review the work. If necessary, the Plan Reviewers can be contacted for clarification or interpretations of the Code. (Tel 603-271-4589).
  
- D. New Hampshire DOE Status of State Energy Codes
  - 1. Compliance with the NH Energy code is required for all University Projects.
  
- E. Water Supply and Pollution Control Commission.
  - 1. Water Supply Permit and Water Use Registration - RSA 148.25, 148-B.
    - a. The water system for the University is provided through the University/Durham water system. A water supply permit is required for any extension of or improvement to an existing water main. A water use registration is required for projects with daily water demands projected in excess of 20,000 gallons per day.
  - 2. Sewer Discharge Permit - RAS 485-A:4, 485.8-V.
    - a. A sewer discharge permit is required for any new connection to the public sewer system that exceeds 5000 gallons per day of domestic discharge. The permit application consists of filing a State form through the Town with copies to the State. The Town must sign off and forward the application to the State WSPCC Design Review Branch. The time for State review is typically 1 to 3 weeks.
  - 3. Industrial Discharge Permit - RSA 485.

- a. An industrial discharge permit is required for discharges receiving pretreatment or discharges containing pollutants resulting from any process of industry, manufacturing, trade or business, or from development of any natural resources. The permit application consists of filing a State Discharge Permit Request Application and Approval: form through the Town with copies to the State. The Town must sign off and forward the application to the State WSPCC Design Review Branch. The time for State review is typically 2 to 6 weeks.
4. Significant Alteration of Terrain (Site Specific Permit) - RSA 485-A:17.
    - a. A site specific permit is required when any activity that alters or disturbs more than 100,000 sf of land is anticipated. The permit application consists of filing a "Site Specific Application" form, a project narrative, hydrology calculations, soil erosion and sediment control plans and construction level drawings (design development drawings are usually acceptable). In addition review and approval is required from the Natural Heritage Inventory at the New Hampshire Department of Resources and Economic Development (RAS 217-A:7). A locus map and a portion of the project narrative from the Site Specific Application must be submitted to NHI and approval received before WSPCC will begin review of the full application. These processes can proceed concurrently with any wetlands review and permit application.
  5. Wetlands Board Permit - RSA 483-A, 483-A:11, 488-A.
    - a. A permit from the Wetlands Board is required when construction activities will occur within any wetlands boundaries. Depending on the significance of the wetlands and the disturbance to it, a public hearing must be filed with the Durham Town Clerk and the State Wetlands Board. Abutters must be notified by the proponent. The Town Conservation Commission will review the submittal and forward their comments on to the State Wetlands Board. The total time for review should be 6 to 8 weeks, if no public hearing is required.

### 1.3 FEDERAL REGULATORY REVIEWS AND PERMITS

#### A. Environmental Protection Agency:

1. NPDES Stormwater Permit. Construction Storm Water Management Plan-EPA is required for all UNH projects. Plan shall remain on public display throughout the project.
  - a. EPA NPDES General Permit.
2. A NPDES Stormwater permit is required for construction projects disturbing five or more acres of land. The purpose of this permit is to assure that accurate measures are taken to control soil erosion and sedimentation during construction. A general NPDES permit has been issued by the EPA authorizing

all such activities providing that a Notice of Intent is filed with the EPA prior to the commencement of construction and further provided that all construction activity complies with the conditions of the general permit.

- a. Resource information is available at the University of New Hampshire Storm Water web site: <http://www.unh.edu/erg/cstev/>.

B. Department of the Army:

1. Department of Army Permit.

- a. Section 404 of the Federal Water Pollution Control Act.

2. A permit is required by the Army Corps of Engineers for any discharge of fill material into wetlands on a site. The permit application is filed with the State Wetlands Board in the form of the State application to the Board (see Wetlands Board Permit above). A water quality certification is required as a prerequisite to the Army permit (the application for the Wetlands Board permit initiates the water quality certification review process). The Wetlands Board will coordinate the Army Corps of Engineers to determine if additional application materials are required. Without additional materials the review is concurrent with the Wetlands Board process, with additional materials the review can take as long as 6 to 9 months.

PART 2 - MATERIALS (NOT USED)

PART 3 - EXECUTION (NOT USED)

END OF SECTION 01 0600