

# SVE Associates

Engineering \* Surveying \* Landscape Architecture \* Planning

December 3, 2014



Paul M. Gildersleeve, PE  
Solid Waste Management Bureau  
29 Hazen Dr. – PO Box 95  
Concord, NH 03302-0095

**RE: Walpole – Ruggiero Processing Facility, 32 Industrial Park Drive**

Paul:

With this letter you should find an application for a Type 1A permit modification application, 2 copies of the revised site plan, a revised Standby Trust Agreement, and a permit fee of \$2,000. The letter of credit for the Standby Trust Agreement was submitted previously and remains valid.

We are officially withdrawing our previously submitted Type 1B permit modification application. If the permit fee submitted with the Type 1B application is refundable, or returnable, please do so.

I believe you will let us know when you have completed your review of the application, at which time we will schedule through the Town a public hearing and issue a legal notice to all abutters.

Should you need any additional information please let me know.

Sincerely,

**SVE Associates**

Rob Hitchcock, P.E.  
Project Manager

cc: Joe Ruggiero

47 Marlboro St., Keene, NH 03431 Phone: (603) 355-1532 Fax (603) 355-2969 E-mail [svek@sveassoc.com](mailto:svek@sveassoc.com)  
P.O. Box 1818, Brattleboro, VT 05302-1818 Phone: (802) 257-0561 Fax (802) 257-0721



Waste Management Division

**For Office Use Only:**  
 WMD Log #: \_\_\_\_\_  
 Date Rec'd.: \_\_\_\_\_  
 No. of Copies: \_\_\_\_\_  
 Fee: \$ \_\_\_\_\_ /Check # \_\_\_\_\_



# APPLICATION FORM FOR TYPE I MODIFICATION TO SOLID WASTE MANAGEMENT FACILITY PERMIT

pursuant to  
 RSA 149-M and New Hampshire Administrative Solid Waste Rule Env-Sw 315

## SECTION I. FACILITY IDENTIFICATION

(1)	Facility name: Ruggiero Processing Facility, LLC
(2)	Functional classification: <input checked="" type="checkbox"/> collection/storage/transfer <input type="checkbox"/> processing/treatment <input type="checkbox"/> landfill
(3)	Mailing address: PO Box 434, Saxtons River, VT 05154
(4)	Permit number: DES-SW-SP-12-001
(5)	Location, by street address and municipality: 32 Industrial Park Drive, Walpole, NH

## SECTION II. PERMITTEE IDENTIFICATION

(1)	Permittee/applicant name: Joseph Ruggiero		
(2)	Mailing address: PO Box 434, Saxtons River, VT 05154		
(3)	Telephone number: 802-384-0397		
(4)	If different than above, identify the individual associated with and designated by the permittee/applicant to be the contact individual for matters concerning this application:		
	(a) Name: Rob Hitchcock	(b) Title: Engineer	
	(c) Mailing address: SVE Associates, 47 Marlboro St., Keene, NH 03431		
	(d) Telephone number: 355-1532	(e) E-Mail: rhitchcock@sveassoc.com	

## SECTION III. DESCRIPTION OF PROPOSED MODIFICATION

Describe the proposed modification by answering each of the following questions. Use additional paper as necessary.

(1)	Provide a <b>BRIEF</b> description of the proposed modification. [Check box if response is provided on separate paper <input type="checkbox"/> Due to the closure of Wheelabrator in Claremont, all MSW collected by Ruggiero Trash Removal now gets trucked a great distance. In an effort to reduce trucking costs, the applicant wants to receive MSW at the subject facility and transfer it to a larger dumpster which thus saves on trucking costs. Simultaneously, the applicant will remove recyclables from the MSW waste stream. Ruggiero would also like to increase the permitted average capacity from 200 T/wk to 400 T/wk.		
(2)	Identify whether the proposed modification is a "type I-A" or "type I-B" modification. (If uncertain, use the worksheet provided with the instructions for this form): <input checked="" type="checkbox"/> Type I-A <input type="checkbox"/> Type I-B		
(3)	Identify, either below or on separate paper, each written permit condition that will require amendment to effect the proposed modification and provide draft language for the same. [Check box if response is provided on separate paper <input type="checkbox"/> Permit Condition #6 and #7		
(4)	Identify, below, each "last approved plan of record" identified in the permit which will be affected by the proposed modification and will therefore require amendment/revision:		
	Check here if affected	TYPE OF PLAN	DES APPROVAL DATE
	<input type="checkbox"/>	Facility design plans/specifications	2-22-2012
	<input checked="" type="checkbox"/>	Facility operating plan	2-22-2012
	<input checked="" type="checkbox"/>	Facility closure plan	2-22-2012
	<input checked="" type="checkbox"/>	Facility financial assurance plan	2-22-2012
			<b>WMD LOG #</b> (Find this number on your copy of the approval)

(5)	Submit, on separate paper, the proposed amendments/revisions for each document identified pursuant to (4) above, based on the below listed instructions. (Note: The revisions may be presented in the form of replacement pages ready for substitution into the last approved plan of record, each page being clearly marked to show the date of revision. In the event there is no last approved plan of record for any of the following, you must prepare and submit a full plan, including the proposed modification(s), in accordance with the applicable cited Rules.)
	<input checked="" type="checkbox"/> Facility design plans must be prepared in accordance with Env-Sw 1103.05.
	<input checked="" type="checkbox"/> Facility operating plans must be prepared in accordance with Env-Sw 1105.11.
	<input checked="" type="checkbox"/> Facility closure plans must be prepared in accordance with Env-Sw 1106.04.
<input checked="" type="checkbox"/> Financial assurance plans must be prepared as specified in Env-Sw 1400 and must include all related draft financial assurance documents required to effect the proposed modification.	
(6)	In order for DES to approve the proposed modification, the agency must be able to conclude from the information provided in this application that the proposed modification meets all applicable requirements of the Rules. Therefore, for any aspect of the proposed modification where it may not be self-evident that the proposed change meets all applicable requirements of the Rules, you should explicitly provide such information. Provide your response below and/or use separate paper as necessary. (Check box if response is attached on separate paper <input type="checkbox"/> )
	We believe, after discussing with NHDES staff, that the modification to allow MSW and expand the capacity is self evident.

## SECTION IV. SCHEDULE

Provide a proposed schedule for implementing the modification. Use separate paper if necessary. (Check box if response is attached on separate paper )

As soon as NHDES approval can be obtained.
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## SECTION V. STATEMENT OF NEED

Provide a statement of need describing why the proposed change is necessary or desirable. Use separate paper if necessary. (Check box if response is attached on separate paper )

Due to the closure of Wheelabrator in Claremont, all MSW collected by Ruggiero Trash Removal now gets trucked a greater distance. In an effort to reduce trucking costs, the applicant wants to receive MSW at the subject facility and transfer it to a larger dumpster, thus saving on trucking costs. Simultaneously, the applicant will also remove recyclables from the MSW waste stream. Ruggiero would also like to increase the permitted average capacity from 200 T/wk to 400T/wk.
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## SECTION VI. IMPACT EVALUATION

On separate paper, identify all impacts, both positive and adverse, which the proposed modification will have, including each of the below listed considerations.

- (1) The effect the modification will have on facility function, capacity, life expectancy, service type and service area.
- (2) The effect the modification will have on the environment, public health and safety.
- (3) The effect the modification will have on the state's ability to achieve the goals and objectives specified in RSA 149-M:2, namely achieving a 40% minimum weight reduction in the solid waste stream on a per capita basis by the year 2000 and avoiding the disposal of recyclable materials in a lined landfill with a leachate collection system.
- (4) The effect the modification will have on establishing and maintaining integrated waste management systems consistent with the hierarchy of waste management methods in RSA 149-M:3 [the methods, in descending order of preference as specified in RSA 149-M:3, are: source reduction; recycling and reusing; composting; waste-to-energy technologies (including incineration), incineration without resource recovery; and landfilling].
- (5) Consistency with the state solid waste management plan and the applicable district plan, pursuant to RSA 149-M:12,I(b). If necessary, contact the P&DRS at (603) 271-2925 for plan information.

## SECTION VII. PUBLIC BENEFIT DEMONSTRATION

Provide a "demonstration of public benefit" based on the below listed instructions. Check which one of the listed instructions applies to your particular application.

<input checked="" type="checkbox"/>	For a type I-A modification of a standard permit, provide a "demonstration of public benefit" in accordance with RSA 149-M:11 and in conformance with the provisions of Env-Sw 1005.05. Prepare and submit the demonstration on separate paper.
<input type="checkbox"/>	For a type I-A modification of an emergency permit or a research and development permit, or a permit-by-notification, there is a presumption of public benefit, provided that the proposed modification meets all requirements of the Rules. Therefore, you may skip this section and go to Section VIII.
<input type="checkbox"/>	For a type I-B modification, there is a presumption of public benefit, provided that the proposed modification meets all requirements of the Rules. Therefore, you may skip this section and go to Section VIII.

## SECTION VIII. OTHER PERMITS

Complete the following table to identify and provide the status of all other permits or approvals necessary to effect the proposed modification.

Type of Permit/Approval Required	Date the Application was/will be Submitted	Status/Comments
none		

## SECTION IX. LEGAL NOTICES

Submit proof of having provided certain legal notifications and filings, as follows:

- (1) You must send by certified mail, or deliver in hand, a complete copy of this application to the host municipality, host solid waste management district and other affected entities, with a "notice of filing," as specified by Env-Sw 303.
- (2) For a type I-A modification, you must send by certified mail, or deliver in hand, a "notice of filing" to each owner of property abutting the facility site, as specified by Env-Sw 303. If the applicant/permittee or the owner of the facility site owns any abutting parcel of land, the "notice of filing" must be sent to the owner(s) of the next parcel(s) not owned by the permittee/applicant or facility site owner.
- (3) You must also provide a "notice of filing" to the New Hampshire Department of Justice/Office of the Attorney General (NH DoJ/AGO) if, pursuant to Section X(2) of this form, you are required to submit business and personal disclosure information.
- (4) You must attach to this application "proof" that notification has been provided as required by (1) through (3) above. Therefore, attach a copy of the notice(s) of filing and the signature(s) of all required recipients, acknowledging receipt.

## SECTION X. CERTIFICATION OF COMPLIANCE/COMPLIANCE REPORT

All applications for permit modification must be submitted with either certification of compliance or a compliance report, as follows:

- (1) If you are ABLE to certify that each of the statements numbered (1) - (8) below are true, do so by your signature.
- (2) If you are UNABLE to certify that each of the statements numbered (1) - (8) below are true, you must:
  - Prepare and submit a separate Compliance Report as specified by Env-Sw 303.15; and
  - If the proposed modification involves a change in organizational structure, or a change in individuals/entities holding 10% or more of the permittee's debt or equity, or a change in officers, directors, partners or key employees, none of which constitutes a change in operational control of the facility or a change in ownership per Env-Sw 315.02(f), also submit completed "business and personal disclosure forms" for each non-compliant individual and entity involved in the change. Obtain the required forms from the P&DRS at (603) 271-2925. Submit the completed forms, with the notice of filing referenced by Section IX(3) of this form and a copy of the Compliance Report, direct to the New Hampshire Department of Justice/Office of Attorney General, Environmental Protection Bureau, 33 Capitol Street, Concord, NH 03301-6397. [Note: Copies of the completed disclosure forms should NOT be attached to this application when it is submitted to DES or to the host municipality, host solid waste management district and other effected entities, pursuant to Section IX(1) above. Only the NH DoJ/AGO should receive copies of the disclosure forms].

### COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- The applicant, and
- The facility owner, and
- The facility operator, and
- All individuals and entities holding 10% or more of the applicant's debt or equity, and
- All of the applicant's officers, directors, and partners, and
- All individuals and entities having managerial, supervisory or substantial decision making authority and responsibility for the management of the facility operations or the activity(s) for which approval is being sought.

- (1) No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application.
- (2) No individual or entity listed above has been convicted of or plead guilty or no contest to a misdemeanor for a violation of environmental statutes or rules in any state or federal court during the 5 years before the date of the application.
- (3) No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application.

- (4) No individual or entity listed above has been the subject of any administrative or judicial enforcement action for a violation of environmental statutes and rules during the 5 years before the date of the application;
- (5) All hazardous and solid waste facilities owned or operated in New Hampshire by any individual or entity listed above are in compliance with either.
  - (a) All applicable environmental statutes, rules, and DES permit requirements; or
  - (b) A DES approved schedule for achieving compliance therewith.
- (6) All individuals and entities listed above are in compliance with all civil and criminal penalty provisions of any outstanding consent agreement, settlement, or court order to which DES is a party.
- (7) All individuals and entities listed above have paid, or are in compliance with the payment schedule for any administrative fine assessed by DES.
- (8) All individuals and entities listed above are in compliance with all terms and conditions under every administrative order, court order or settlement agreement relating to programs implemented by DES.

**Signature of the permittee/applicant certifying the above statements are true:**

Permittee/Applicant Name (Print Clearly or Type) Joseph Ruggiero

Permittee/Applicant Signature *Joseph Ruggiero*

Date 12/3/14

**SECTION XI. PERMITTEE/APPLICANT SIGNATURE REQUIREMENTS**

The permittee/applicant must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the permittee's/applicant's ORIGINAL signature. If the permittee/applicant is not an individual, an individual duly authorized by the permittee/applicant shall sign the application.

To the best of my knowledge and belief, the information and material submitted herewith is correct and complete. I understand that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply. I certify that this application is submitted on a complete and accurate form, as provided by DES, without alteration of the text.

Permittee/Applicant Name (Print Clearly or Type) Joseph Ruggiero

Permittee/Applicant Signature *Joseph Ruggiero*

Date 12/3/14

**SECTION XII. PROPERTY OWNER SIGNATURE**

If the permittee and property owner are not the same, the property owner must also sign this form as follows. All copies of the application filed with DES must bear the property owner's ORIGINAL signature. If the property owner is not an individual, an individual duly authorized by the property owner shall sign the application.

- (1) I hereby affirm that the permittee/applicant has the legal right to occupy and use the property on which the subject facility is or will be located for the purposes specified in this application.
- (2) I hereby affirm that I shall grant access to the property for closure and post-closure monitoring of the subject facility and site as required by RSA 149-M and the New Hampshire Solid Waste Rules (Env-Sw 100 - 300 and Env-Sw 400 - 2000), as amended.

Property Owner Name (Print Clearly or Type) same

Property Owner Signature *Joseph Ruggiero*

Date 12/3/14





## **Type 1A Modification to Solid Waste Management Facility Permit**

### **Section VI - Impact Evaluation Responses**

- (1) Identify the effect the modification will have on facility function, capacity, life expectancy, service type and service area;

The facility function changes only in that MSW would be accepted in addition to recyclables and C&D. The MSW, as with the recyclables and C&D, will be "repackaged" and transported off-site. The modification will allow the facility to be better utilized without exceeding permitted capacity. The life expectancy and service area remains the same.

The service type changes only as a result of introducing MSW to the site.

- (2) Identify the effect the modification will have on the environment, public health, and safety;

There is no anticipated negative effect on the environment, public health, or safety. The MSW would be repackaged into larger dumpsters and shipped as soon as possible so odor does not become an issue. MSW will not stay on-site any longer than necessary. The repackaging into larger dumpsters will reduce the number of truck trips and miles driven so there is a benefit to the public in terms of reduced traffic and fuel consumed.

- (3) Identify the effect the modification will have on the State's ability to achieve the goals and objectives .....namely achieving a 40% minimum weight reduction in the solid waste stream on a per capita basis by the year 2000 and avoiding the disposal of recyclable materials in a lined landfill with a leachate collection system;

There will be a reduction in the waste stream volume as recyclables will be removed as the MSW is being transferred from the small trucks/dumpsters to the large dumpsters.

- (4) ) Identify the effect the modification will have on establishing and maintaining integrated waste management systems consistent with the hierarchy of waste management methods, such as source reduction, recycling and reusing, composting, waste to energy technologies, incineration without resource recovery, and landfilling:

There will be a reduction in the waste stream volume as recyclables will be removed as the MSW is being transferred from the small trucks/dumpsters to the large dumpsters. There will also be fewer trucks on the road to Newport each day, thus reducing in small part the environmental impact of waste management.

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#### **SVE Associates**

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Engineering \* Surveying \* Landscape Architecture \* Planning  
47 Marlboro St., Keene, NH 03431 Phone: (603) 355-1532 Fax (603) 355-2969 E-mail [svek@sveassoc.com](mailto:svek@sveassoc.com)

**Type 1A Modification to Solid Waste Management Facility Permit  
Ruggiero Processing Facility, LLC**

**Section VII – Public Benefit Demonstration Responses**

*Per RSA 149-M:11.III the department shall determine whether a proposed solid waste facility provides a substantial public benefit based upon (b) and (c) below:*

*(b) The ability of the proposed facility to assist the State in achieving the implementation of the hierarchy and goals under RSA 149-M:2 and RSA 149-M:3.*

There will be a reduction in the waste stream volume as recyclables will be removed as the MSW is being transferred from the small trucks/dumpsters to the large dumpsters. There will also be fewer trucks on the road each day thus reducing, in small part, the environmental impact of waste management.

*(c) The ability of the proposed facility to assist in achieving the goals of the State solid waste management plan, and one or more solid waste management plans submitted to and approved by the department under RSA 149-M:24 and RSA 149-M:25*

The proposed modification does not in any way contradict the State's nor the districts Solid Waste Management plan.

**ZONING: INDUSTRIAL DISTRICT**

1. AN INDUSTRY SHALL BE LOCATED AT LEAST 85' FROM THE CENTER LINE OF ANY RIGHT-OF-WAY AND NOT LESS THAN TWENTY FEET FROM EACH SIDE ON REAR BOUNDARY.
2. AN INDUSTRY MUST PROVIDE ADEQUATE OFF-STREET PARKING AND LOADING FACILITIES FOR FREIGHT TRUCKS, EMPLOYEES AND CUSTOMER'S PARKING.
3. AN INDUSTRY MUST OBTAIN A PERMIT FOR ITS ESTABLISHMENT FROM THE BOARD OF HEALTH AND SANITATION. THE BOARD SHALL MAKE A RECOMMENDATION FROM THE PLANNING BOARD AND IS SATISFIED THAT THE INDUSTRY SHALL NOT OFFEND AT THE LOCATION SELECTED BY REASON OF EMISSION OF SMOKE, DUST, NOISE, ODOR, FUMES OR WATER POLLUTION.

**PROJECT SPECIFIC NOTES:**

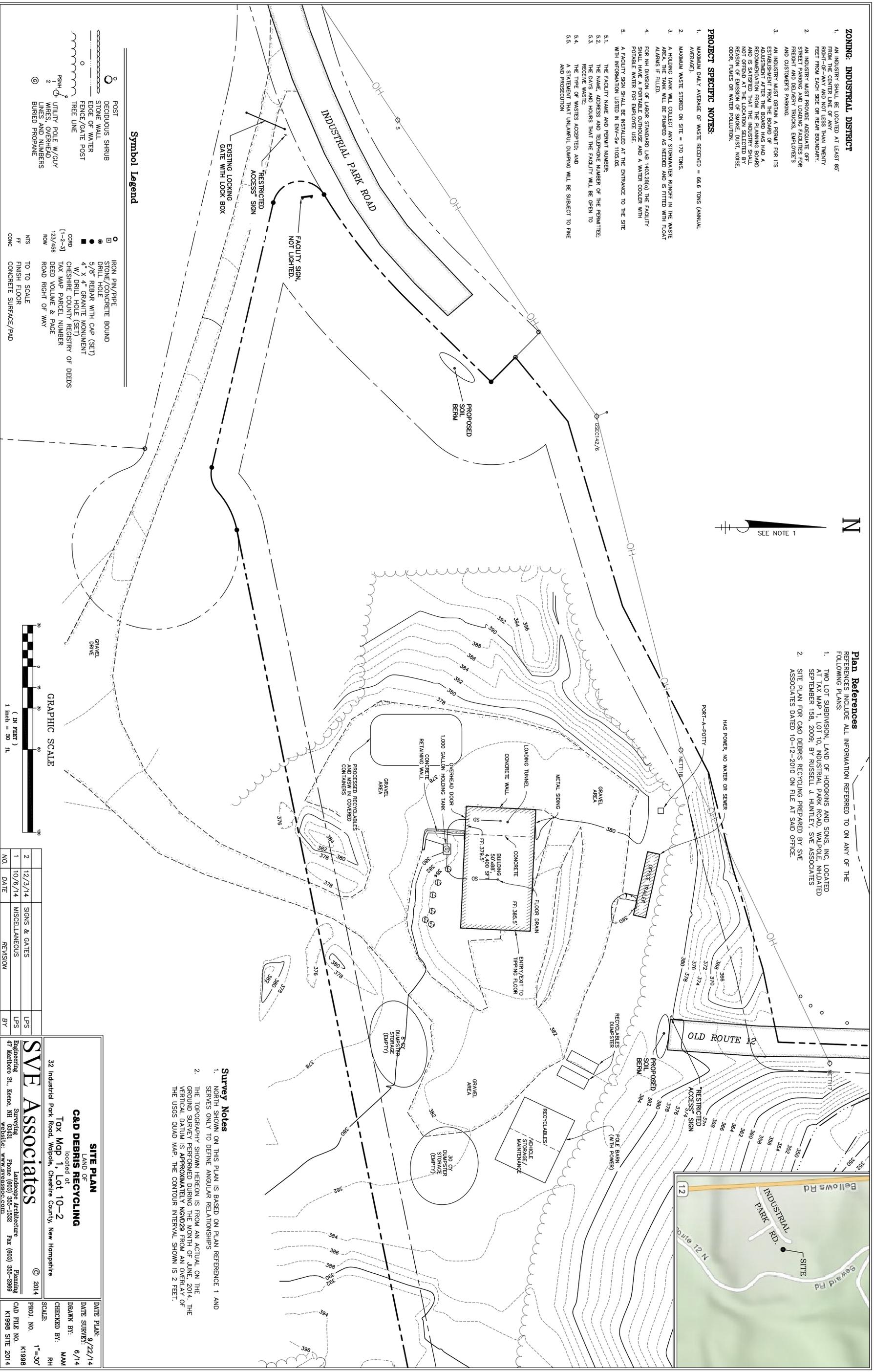
1. MAXIMUM DAILY AVERAGE OF WASTE RECEIVED = 66.6 TONS (ANNUAL AVERAGE).
2. MAXIMUM WASTE STORED ON SITE = 170 TONS.
3. A HOLDING TANK WILL COLLECT ANY STORMWATER RUNOFF IN THE WASTE AREA. THE TANK WILL BE PUMPED AS NEEDED AND IS FITTED WITH FLOAT ALARMS IF FILLED.
4. FOR NH DIVISION OF LABOR STANDARD LAB 1403.28(2) THE FACILITY SHALL HAVE A PORTABLE OUTHOUSE AND A WATER COOLER WITH POTABLE WATER FOR EMPLOYEE USE.
5. A FACILITY SIGN SHALL BE INSTALLED AT THE ENTRANCE TO THE SITE WITH INFORMATION LISTED IN ENV-SW 1105.05.
  - 5.1. THE FACILITY NAME AND PERMIT NUMBER.
  - 5.2. THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE PERMITTEE.
  - 5.3. THE TYPE OF WASTES RECEIVED AND THE HOURS THAT THE FACILITY WILL BE OPEN TO RECEIVE WASTE.
  - 5.4. THE TYPE OF WASTES ACCEPTED, AND
  - 5.5. A STATEMENT THAT UNLAWFUL DUMPING WILL BE SUBJECT TO FINE AND PROSECUTION.



SEE NOTE 1

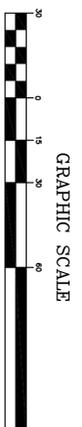
**Plan References**

- REFERENCES INCLUDE ALL INFORMATION REFERRED TO ON ANY OF THE FOLLOWING PLANS:
1. TWO LOT SUBDIVISION, LAND OF HODGKINS AND SONS, INC. LOCATED AT TAX MAP 1, LOT 10, INDUSTRIAL PARK ROAD, WALPOLE, NH, DATED SEPTEMBER 15th, 2009, BY RUSSELL J. HUNTLEY, SVE ASSOCIATES
  2. SITE PLAN FOR C&D DEBRIS RECYCLING PREPARED BY SVE ASSOCIATES DATED 10-12-2010 ON FILE AT SAID OFFICE.



**Symbol Legend**

- |  |                                   |  |                                   |
|--|-----------------------------------|--|-----------------------------------|
|  | POST                              |  | IRON PIPE/PIPE                    |
|  | DECIDUOUS SHRUB                   |  | DRILLED HOLE                      |
|  | STONE WALL                        |  | 5/8" REBAR WITH CAP (SET)         |
|  | EDGE OF WATER                     |  | 4" GRANITE MONUMENT               |
|  | FENCE/GATE POST                   |  | CHESHIRE COUNTY REGISTRY OF DEEDS |
|  | TREE LINE                         |  | TAX MAP PARCEL NUMBER             |
|  | UTILITY POLE W/GUY WIRES OVERHEAD |  | DEED VOLUME & PAGE                |
|  | BURIED PROPANE                    |  | ROAD RIGHT OF WAY                 |
|  | CONC                              |  | TO TO SCALE                       |
|  |                                   |  | FINISH FLOOR                      |
|  |                                   |  | CONCRETE SURFACE/ROAD             |



GRAPHIC SCALE

NO.	DATE	REVISION	BY
1	10/6/14	MISCELLANEOUS	LPS
2	12/3/14	SIGNS & GATES	LPS

- Survey Notes**
1. NORTH SHOWN ON THIS PLAN IS BASED ON PLAN REFERENCE 1 AND SERVES ONLY TO DEFINE ANGULAR RELATIONSHIPS
  2. THE TOPOGRAPHY SHOWN HEREON IS FROM AN ACTUAL ON THE GROUND SURVEY PERFORMED DURING THE MONTH OF JUNE, 2014. THE VERTICAL DATUM IS APPROXIMATELY NGVD29 FROM AN OVERLAY OF THE USGS QUAD MAP. THE CONTOUR INTERVAL SHOWN IS 2 FEET.

**SITE PLAN**  
LAND OF  
**C&D DEBRIS RECYCLING**  
located at  
**Tax Map 1, Lot 10-2**  
32 Industrial Park Road, Walpole, Cheshire County, New Hampshire

**SVE Associates** © 2014  
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DATE PLAN:	9/22/14
DATE SURVEY:	6/14
DRAWN BY:	MAM
CHECKED BY:	RH
SCALE:	1"=30'
PROJ. NO.:	K1998
CAD FILE NO.:	K1998 SITE 2014

