

SVE Associates

Engineering * Surveying * Landscape Architecture * Planning

June 6, 2014



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

RE: Walpole – Ruggiero Processing Facility, Industrial Park Drive

Dear Paul:

With this letter you should find a completed Type 1B application. Joe Ruggiero would like to bring MSW to the subject location, sort it to remove recyclables, then repackage the MSW into larger dumpsters to be hauled to Newport for disposal. Joe is well below his permitted volume and will remain below his permanent volume so there is little if any change to the Operating, Closure, and Financial plans. Joe will be meeting with the Town and the host solid waste district as required by Section IX (1) of the application.

Please call if you have any questions.

Sincerely,

SVE Associates

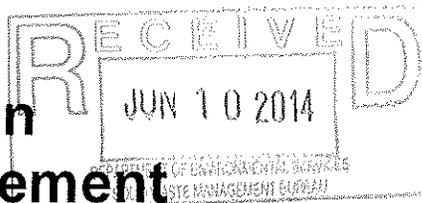
A handwritten signature in cursive script that reads "Rob Hitchcock".

Rob Hitchcock, P.E.
Project Manager

cc: Joe Ruggiero

INSTRUCTIONS
for obtaining a

**Type I Modification
To Solid Waste Management
Facility Permit**



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

Read these instructions before completing the attached form. For additional assistance contact the NH Department of Environmental Services (DES), Permitting & Design Review Section (P&DRS) at (603) 271-2925 or the below noted mailing address or TDD Access: Relay NH 1-800-735-2964.

Note: All references on this form beginning with "Env-Sw" are citations from the New Hampshire Solid Waste Rules. To obtain a copy of the Rules, contact the DES Public Information & Permitting Office at (603) 271-2975 or above noted TDD Access. The Rules are also available on the Internet at <http://www.des.nh.gov/rules>.

Complete the attached form to obtain either a "type I-A" or "type I-B" permit modification pursuant to Env-Sw 315.02(b) or (c), respectively. Before completing the form, be certain the proposed facility modification falls within the definition of either a type I-A or type I-B modification. [If unfamiliar with how to make this determination, refer to the worksheet on the reverse side of this instruction sheet and/or contact the P&DRS for assistance.]

All requested information must be provided as specified. Do NOT skip any question, unless instructed to do so. Do NOT mark any question "not applicable." If you need more room than provided on the form to answer a particular question and are using a paper copy of the form, attach additional pages as necessary; mark each page clearly to show both the applicant name and the question being answered; and indicate on the form that the additional pages are attached.

Submit THREE copies of the completed form, EACH bearing ORIGINAL signatures, to the following address:

NH Department of Environmental Services (DES)
Waste Management Division (WMD)
Permitting & Design Review Section (P&DRS)
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

Include the required fee, as determined from the following table. Make checks or money orders payable to "TREASURER, State of New Hampshire":

Type I-A Modification, without a capacity increase	\$1500
Type I-A Modification, with a capacity increase	See Env-Sw 310.07(a)(2) for formula to calculate or contact the P&DRS for assistance, at (603) 271-2925
Type I-B Modification	\$100

Your application will be processed by DES in accordance with Env-Sw 304 and Env-Sw 305. If your application is correctly filed (i.e., you submit the right number of copies, each with original signatures, and the required fee), your application will be accepted for processing. Within 60 days of receipt, and earlier whenever possible, you will be notified whether the application is complete (i.e., whether the application provides all information required to support a full technical review and determine whether the proposed modification meets all requirements of the Rules). If incomplete, you will be given instructions for correcting the deficiencies. If complete, you will be notified in writing and the agency will undertake a technical review of the application to determine whether the proposal meets all requirements of the Rules. In addition, for certain type I-A modifications, the agency must also hold a public hearing within the host municipality during the technical review process. Following the close of the technical review process and the hearing, if held, DES will make a final decision to issue or deny the requested modification. You will be notified in writing, as will the host municipality and host solid waste management district.



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: Map 1, Lot 10-2, 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 BRIEF 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 to Newport. 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 then gets trucked to Newport, thus saving on trucking costs. Simultaneously, the applicant will also remove recyclables from the MSW waste stream.		
(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 type="checkbox"/> Type I-A <input checked="" 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
			WMD LOG # (Find this number on your copy of the approval)

(5)	<p>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.)</p> <table border="1"> <tr> <td data-bbox="142 205 219 235"><input checked="" type="checkbox"/></td> <td data-bbox="219 205 1567 235">Facility design plans must be prepared in accordance with Env-Sw 1103.05.</td> </tr> <tr> <td data-bbox="142 235 219 264"><input checked="" type="checkbox"/></td> <td data-bbox="219 235 1567 264">Facility operating plans must be prepared in accordance with Env-Sw 1105.11.</td> </tr> <tr> <td data-bbox="142 264 219 294"><input checked="" type="checkbox"/></td> <td data-bbox="219 264 1567 294">Facility closure plans must be prepared in accordance with Env-Sw 1106.04.</td> </tr> <tr> <td data-bbox="142 294 219 346"><input checked="" type="checkbox"/></td> <td data-bbox="219 294 1567 346">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.</td> </tr> </table>	<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.
<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)	<p>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"/>)</p> <p>We believe, after meeting with NHDES staff to explain the proposal, that the modification to allow MSW is self evident.</p>								

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 to Newport. 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 then gets trucked to Newport, thus saving on trucking costs. Simultaneously, the applicant will also remove recyclables from the MSW waste stream.

SECTION VI. IMPACT EVALUATION

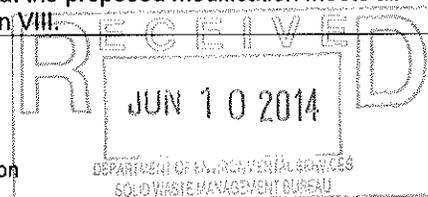
On separate paper, identify all impacts, both positive and adverse, which the proposed modification will have, including each of the below listed considerations.

- (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,(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 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 checked="" 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 6/6/14

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 6/6/14

SECTION XII. PROPERTY OWNER SIGNATURE

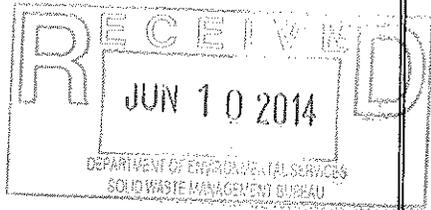
If the permittee and property owner are not the same, the property owner must also sign this form as follows. All copies of the application filed with DES must bear the property owner's ORIGINAL signature. If the property owner is not an individual, an individual duly authorized by the property owner 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 6/6/14



Type 1 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 objectivesnamely 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.

SVE Associates

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

(5) Identify the consistency with the State Solid Waste management plan and the applicable district plan:

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

SVE Associates

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



SOLID WASTE MANAGEMENT FACILITY STANDARD PERMIT

as authorized by the

NH Department of Environmental Services, Waste Management Division (Department)
pursuant to RSA 149-M and Part Env-Sw 314 of the New Hampshire Solid Waste Rules (Rules)

I. PERMIT/FACILITY IDENTIFICATION:

Permit No.: DES-SW-SP-12-001

Permittee: Ruggiero Processing Facility, LLC

Facility Name: Ruggiero Processing Facility

Facility Location: Map 1, Lot 10-2, Industrial Park Drive, Walpole, NH

Facility Type: Collection/Storage/Transfer Facility

Service Type: Commercial

II. FILE REFERENCE/RECORD OF APPLICATION:

Date(s) Received: November 4, 2010; March 28, 2011; May 23, 2011; May 27, 2011; October 10, 2011; November 2, 2011; November 8, 2011; November 9, 2011; December 20, 2011; December 29, 2011; January 18, 2011; and January 26, 2012

WMD Log #(s): 2010645, 2011629, 2011653, 201154, 2011697, 2011712, 2011713, 2011714, 2011737, 2011740, 2012011, and 2012013, respectively

III. TERMS AND CONDITIONS: Attached

IV. AUTHORIZATION: Pursuant to RSA Chapter 149-M and Part 314 of the Rules, this permit is hereby issued to the permittee identified in Section I above to operate the solid waste management facility identified in Section I above, subject to the terms and conditions in Section III above. This authorization is based on information and representations provided to the Department by the permittee in documents referenced in Section II above. If the information is false, misleading or incomplete, the permit may be revoked or suspended in accordance with Section Env-Sw 306 of the Rules.

BY EXERCISING ANY RIGHTS UNDER THIS PERMIT, THE PERMITTEE HAS AGREED TO ALL TERMS AND CONDITIONS OF THE PERMIT. Failure to comply with these terms and conditions could result in civil or criminal penalties, and suspension or revocation of the permit. No liability is incurred by the State of New Hampshire by reason of any approval of this solid waste facility. Approval by the Department is based on plans and specifications supplied by the permittee. No warranty/guarantee is intended or implied by reason of any advice given by the Department or its staff.

This permit shall not eliminate the permittee's obligation to obtain all requisite federal, state or local permits, licenses or approvals, or to comply with all other applicable federal, state, district and local permits, ordinances, laws, approvals or conditions relating to the facility.


Michael J. Wimsatt, P.G., Director
Waste Management Division


Date



TERMS AND CONDITIONS

- (1) **Basis of Approval/Supporting Documentation:** This facility is permitted on the basis of information provided by the permittee in the permit application documents identified as follows:
 - (a) Standard Permit Application for Solid Waste Collection/Storage/Transfer Facility (ref: WMD Doc Log # 2010645 received November 4, 2010); and
 - (b) Supplemental Information (ref: WMD Doc Log #s 2011629, 2011653, 2011654, 2011697, 2011712, 2011713, 2011714, 2011737, 2011740, 2012011, and 2012013, respectively).
- (2) **Citation and Definitions:** This permit has been prepared on the basis of the New Hampshire Solid Waste Rules, Env-Sw 100 through Env-Sw 2000, as adopted on October 28, 2005, (Rules). Accordingly, the meaning of specific terms in this permit conform to definitions set forth in parts Env-Sw 102 through Env-Sw 104 of the Rules.
- (3) **Regulatory Requirements:** This facility shall comply with the requirements of RSA 149-M, the Rules, as may be amended from time to time, and the terms and conditions of this permit. Further, the development and operation of this facility is expected to conform to the proposal submitted in the permit application cited by condition (1) of this permit. Where conflicts may exist between the proposal represented in the permit application and the terms and conditions of this permit, the terms and conditions of this permit shall apply.
- (4) **Facility Type:** This facility shall serve as a collection, storage, and transfer facility, in accordance with the provisions of Env-Sw 400 of the Rules, for solid waste as specified in conditions (5) & (6) below.
- (5) **Service Type and Area:** This facility is a commercial facility with an unlimited service area, subject to providing capacity for New Hampshire generators pursuant to the requirements of condition (12) of this permit.
- (6) **Authorized Wastes:** This permit authorizes the facility to accept the following types of solid waste, except if restricted in condition (7):
 - (a) Recyclable materials, including glass, aluminum, steel cans, paper, high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, and metal, as defined by Env-Sw 104.19; and
 - (b) Construction and Demolition Debris, as defined by Env-Sw 102.42.
- (7) **Unauthorized Wastes:** This permit does not authorize the facility to accept the following types of waste:
 - (a) Hazardous waste;
 - (b) Sludge or septage waste;
 - (c) Asbestos waste;
 - (d) Infectious waste;
 - (e) Contained gaseous waste;
 - (f) Universal waste batteries (except for incidental lead-acid batteries);
 - (g) 55-gallon drums or other liquid containers (except for 5-gallon-or-less empty containers incidental to the load);
 - (h) Explosives;
 - (i) Ash;



- (j) Mercury containing devices;
 - (k) Municipal solid waste;
 - (l) Liquid waste; and
 - (m) Other solid wastes not authorized by condition six (6).
- (8) **Facility Capacity:** The approved capacity of this facility shall be as specified in (a)-(c) below, and shall not exceed the quantity of waste which the facility is able to manage in a safe and environmentally protective manner:
- (a) The average weekly tonnage received at the facility during any quarter shall not exceed 200 tons;
 - (b) The maximum quantity of unprocessed recyclable materials stored at the facility shall not exceed 12 tons; and
 - (c) The maximum quantity of non-recyclable waste stored at the facility shall not exceed 45 tons.
- (9) **Pre-Operation Requirements:** The permittee shall file a "Notice of Intent to Operate," pursuant to Env-Sw 1105.02, and receive written confirmation of receipt from the Department prior to beginning operation.
- (10) **Facility Operating Requirements:** The facility shall operate in compliance with the following requirements as in effect on the issue date of this permit and as may be subsequently amended:
- (a) RSA 149-M;
 - (b) The Rules;
 - (c) The terms and conditions of this permit; and
 - (d) The Operating Plan found in Section VII of the Standard Permit Application cited in condition (1) above, and as amended ("Approved Operating Plan").
- (11) **Record Keeping and Reporting:**
- (a) The permittee shall keep records and report information in accordance with Env-Sw 1105.06, Env-Sw 1105.07, and Section 8 of the Approved Operating Plan;
 - (b) Each year by March 31, the permittee shall submit an annual facility report to the Department for the prior calendar year, pursuant to Env-Sw 1105.13;
 - (c) Pursuant to Env-Sw 1005.09, the permittee shall report to the Department all incidents or situations at the facility which involve an imminent and substantial risk to human health, safety or the environment or that violate the Rules or the facility permit; and
 - (d) The permittee shall report to the Department, in writing, complaints made by abutters or other third parties, pursuant to Env-Sw 1005.09 (d).
- (12) **Public Benefit:** It is the determination of the Department under RSA 149-M:1 that this facility can provide a substantial public benefit if the facility operations conform to the following conditions:
- (a) Irrespective of the source of the waste, the total quantity of waste transferred by the facility on an annual basis to New Hampshire landfills and New Hampshire incinerators shall not exceed the total quantity of waste received by the facility from New Hampshire generators, figured in tons;
 - (b) During each calendar year that the facility receives waste, facility operations shall involve practices which cause or support efforts to separate and divert recyclable materials to authorized facilities for reuse and avoids disposal of recyclable materials in a lined landfill with a leachate collection system; and
 - (c) During each calendar year that the facility receives waste, the permittee shall communicate with the host solid waste district as specified in Env-Sw 1105.12.



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- (13) **Closure Requirements:** The closure of this facility shall comply with the following requirements, as in effect on the issue date of this permit and as may be amended subsequent to the issue date of this permit:
- (a) RSA 149-M;
 - (b) The Rules;
 - (c) All conditions of this permit;
 - (d) The provisions of the Closure Plan found in Section VIII of Standard Permit Application cited in condition (1) above, as amended ("Approved Closure Plan").
- (14) **Financial Assurance:** Prior to obtaining authorization to operate this facility the permittee shall comply with the financial assurance requirements for closure identified in Env-Sw 1403.