



**TOWN OF GILFORD**

BOARD OF SELECTMEN  
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**NOTICE OF PUBLIC HEARING**

**BOARD OF SELECTMEN**

**GILFORD SOLID WASTE CENTER REGULATIONS  
& FEE SCHEDULE**

Wednesday, November 20, 2019  
7:00pm  
Gilford Town Hall – Conference Room

The Gilford Board of Selectmen will be holding a public hearing pursuant to the provisions of RSA 149-M:17 and RSA 41:9-a (as authorized by a vote on Article 30 of the 2018 Annual Town Meeting), on the adoption of proposed bylaws and fees for the new Solid Waste Center.

Some of the key provisions of the new rules are as follows:

- MANDATORY RECYCLING
- MANDATORY SEPARATION OF RECYCLABLES – NO MORE COMMINGLING
- DISPOSAL OF RESIDENTIAL TRASH
- DISPOSAL OF RESIDENTIAL DEMOLITION DEBRIS
- NO MORE TRASH SUBSIDIES FOR WASTE DELIVERED TO LACONIA TRANSFER STATION

If approved, the new regulations and fees are scheduled to take effect as of January 1, 2020.

Copies of the proposed Regulations with the fee schedule are available at the Selectmen's Office or on line at [www.gilfordnh.org](http://www.gilfordnh.org). Copies will also be made available at the public hearing.

Any interested person may attend this public hearing and/or submit testimony related thereto.



# TOWN OF GILFORD, NEW HAMPSHIRE

## SOLID WASTE CENTER REGULATIONS

(CHAPTER 10)

KNOW ALL PERSONS BY THESE PRESENTS, the Gilford Board of Selectmen hereby ordains to adopt these regulations as the bylaws and rules by which the Gilford Solid Waste Center shall henceforth be governed.

### 10.1 AUTHORITY

These regulations are adopted pursuant to the authority granted under RSA 149-M:17 as further authorized by vote on Article 30 at the 2018 Annual Town Meeting; whereby it was voted to authorize the Board of Selectmen to adopt bylaws governing the use of the Gilford Solid Waste Center, to include (1) the establishment of reasonable fees and (2) rules for the separation and collection of refuse.

### 10.2 PURPOSE

The purpose of these regulations is to promote the orderly use of the Gilford Solid Waste Center for the benefit of Gilford residents, property owners and taxpayers. In addition, these regulations are intended to provide for waste disposal options pursuant to applicable New Hampshire State laws and regulations (RSA 149-M and Chapter Env-SW) while protecting the health and safety of the citizens of Gilford and the Town employees who work at the facility. Lastly, these regulations are intended to provide the rules governing the Town's acceptance, processing, disposal, and transfer of solid waste products (household trash) with the added goals of protecting the environment and maximizing the most economic use of tax dollars by enacting a user fee system that is designed to cover the costs of disposal for waste products other than household trash.

### 10.3 REPEAL OF PREVIOUS REGULATIONS

These regulations shall supersede and replace An Ordinance Establishing a Town Dump and Providing For The Use Thereof, in accordance with the vote on Article 30 at the 2018 Annual Town Meeting.

### 10.4 GENERAL INFORMATION

- 10.4.1 The Gilford Solid Waste Center operates under a permit # DES-SW-PN-18-006 dated November 2, 2018 as issued by the New Hampshire Department of Environmental Services; attached hereto as Appendix A.
- 10.4.2 The Gilford Solid Waste Center consists of 27± acres and is located at 100 Recycle Way in the Town of Gilford, more particularly described as Map 215, Lot 25.
- 10.4.3 The term “residential” as used throughout these regulations shall be defined to mean the waste product must come from a non-commercial property situated in the Town of Gilford which is then delivered to the Gilford Solid Waste Center by the property owner or a non-commercial agent acting on the owner’s behalf.
- 10.4.4 The Selectmen hereby authorize the use of a designated portion of the property as a fire fighting training facility, under such terms and conditions as the Selectmen may deem necessary for the safety all concerned.
- 10.4.5 The Selectmen hereby authorize the use of a designated portion of the property as a law enforcement firing range, under such terms and conditions as the Selectmen may deem necessary for the safety all concerned.
- 10.4.6 The Selectmen hereby authorize the use of a designated portion of the property as a boat trailer storage facility, under such terms and conditions as the Selectmen may deem necessary for the safety all concerned.
- 10.4.7 The Town employees who work at the Solid Waste Center are responsible for enforcing the rules (as noted herein), but more importantly, their primary responsibility shall be to serve and assist Gilford residents and taxpayers with the disposal of their waste products. Anyone in need of assistance or anyone with any questions about SWC operations should contact a staff member and expect to be treated promptly and courteously with the utmost sense of professionalism.
- 10.4.8 The rear yard of the Solid Waste Center is often bustling with construction activity, including, but not limited to burning of brush, grinding of stumps and logs, crushing of concrete, asphalt, bricks, and glass and constant trucking of materials. Due caution should be exercised at all times when driving and when moving about outside of vehicles, especially concerning children and pets.

## 10.5 RULES FOR THE USE OF THE GILFORD SOLID WASTE CENTER

### 10.5.1 TOWN DECALS (STICKERS) REQUIRED

No person shall be allowed to enter the Gilford Solid Waste Center for the purpose of disposing of waste products without a valid Town decal on their vehicle or a temporary pass (See also Section 10.6).

### 10.5.2 RESIDENTIAL USE ONLY

The use of the Gilford Solid Waste Center for disposal of household trash, recyclables, construction & demolition debris, bulky wastes, and electronics shall be limited to residential purposes only. Commercial haulers, commercial businesses, contractors and anyone who is being paid to transport someone else's trash shall be required to bring their waste products to the Laconia Transfer Station where they shall be subject to the rules and fees of the City of Laconia, except where specifically noted otherwise in these regulations. The Town shall not subsidize or pay any costs associated with the disposal of any waste products delivered to the Laconia Transfer Station on behalf of Gilford residents and taxpayers.

### 10.5.3 RECYCLABLES

(a) Recycling shall be mandatory in the Town of Gilford. A person may be deemed to be in violation of this provision if the contents of any trash container consists of five percent (5%) or more of recyclable products, as determined by a staff member.

(b) All recyclables shall be separated and grouped by product materials as otherwise noted herein or in accordance with the signage on display at the Solid Waste Center. The Town will not accept co-mingled recyclable products. A person may be deemed to be in violation of this provision if they combine two or more recyclable materials and place them in the wrong bin.

(c) All recyclable containers must be clean and uncontaminated to avoid having such items or loads rejected at the processing facility. All container caps shall be removed and discarded with the trash. A person may be deemed to be in violation of this provision if the contents of any recycled container consists of a significant amount of a foreign substance, as determined by a staff member. Examples include grease stains on a pizza box or food residue in a container.

(d) The Town will accept the following recyclable waste products provided they are separated and sorted by type of material:

- Plastics (#1-#7 PETE & HDPE only)  
(not including black plastic trays or 5 gallon pails or shrink wrap)
- Metal Cans
- Aluminum Cans
- Glass Bottles
- Corrugated Cardboard (not including styrofoam or sealing tape)
- Paper (newsprint, office paper, food and beverage containers, wrapping paper, magazines, junk mail, etc.)

(e) The Town reserves the right to inspect every load of recyclables that is brought to the Gilford Solid Waste Center, and to refuse acceptance if deemed to be in violation of these regulations as determined by a staff member.

(f) The Town shall, to the greatest extent practical, market and sell the recyclable products noted above in subparagraph (d), with the exception of glass, which may be crushed and re-used as aggregate by the Town or other interested parties.

#### 10.5.4 CONSTRUCTION & DEMOLITION DEBRIS AND BULKY NON-METAL WASTE PRODUCTS

(a) The Town will accept residential C&D debris and bulky non-metal waste products consisting of plywood and particle board, pressure treated wood products, sheetrock and plaster board, roof shingles, painted or stained lumber, windows and frames, doors and frames, plumbing and electrical fixtures, mattresses and box springs, bed frames & headboards, furniture, carpets and pads, and other building materials for a fee that will reasonably cover the actual disposal costs as set forth in Appendix B.

(b) Such items must be inspected by the Town prior to disposal and placed in appropriately marked containers. The Town reserves the right to refuse acceptance if deemed to be in violation of these regulations as determined by a staff member.

(c) Any of these items that fit reasonably into a trash bag shall be disposed of with household trash as otherwise noted herein.

(d) The Town shall dispose of these items by having them transferred to a duly licensed facility that is permitted for their receipt and final disposition. Town staff shall ensure, in so much as possible, that all C&D loads being shipped are fully contained and covered to prevent inadvertent littering.

#### 10.5.5 BULKY METAL WASTES

(a) The Town will accept residential bulky metal wastes such as appliances, bicycles, automotive body parts, mufflers, tail pipes, power tools (lawnmowers, weed whackers, etc.), bicycles, portable grills, lawn furniture, playground equipment, ladders, oil and gasoline tanks (provided they are clean, empty and cut in half), duct work, I-beams, and other large items consisting primarily of metal, as determined by a staff member. The Town reserves the right to refuse acceptance of bulky metal wastes that exceed 16 square feet (4'x4').

(b) Such items must be inspected by the Town prior to disposal and placed in appropriately marked locations. The Town reserves the right to refuse acceptance if deemed to be in violation of these regulations as determined by a staff member.

(c) There shall be no charge to dispose of these items unless they contain a refrigerant, in which case there shall be a fee to recover the cost of proper disposal as otherwise set forth in Appendix B.

(d) The Town shall, to the greatest extent practical, market and sell the bulky metal waste products noted above in subparagraph (a).

#### 10.5.6 ELECTRONICS

(a) The Town will accept residential computer processors, monitors, printers, televisions, stereo equipment, laptops, copy machines, and other electronic items for a fee that will reasonably cover the actual disposal costs as set forth in Appendix B.

(b) Such items must be inspected by the Town prior to disposal and placed in appropriately marked containers. The Town reserves the right to refuse acceptance if deemed to be in violation of these regulations as determined by a staff member.

(c) The Town shall dispose of these items by having them transferred to a duly licensed facility that is permitted for their receipt and final disposition. Town staff shall ensure, in so much as possible, that all loads being shipped are fully contained and covered to prevent inadvertent littering.

#### 10.5.7 YARD WASTE

(a) The Town will accept, to the extent that space is available, commercial and residential yard waste products consisting of clean wooden boards (no nails, screws, paint or stain present), stumps, logs (no wider than 6 inches in diameter or 6 feet long), brush, leaves, mulch, concrete, asphalt, bricks, pavers, and other similar products.

(b) Such items must be inspected by the Town prior to disposal and placed in appropriately marked locations. The Town reserves the right to refuse acceptance if deemed to be in violation of these regulations as determined by a staff member.

(c) The Town shall, in so much as possible, dispose of brush and clean wood by burning and/or chipping; process logs, stumps, concrete, bricks, pavers and asphalt by grinding for re-use; and process leaves and mulch by decomposition for re-use.

(d) In the event that the Town has a surplus of processed yard waste products available for use by commercial entities that are situated in Gilford, such products may be sold for a fee equal to the cost of processing. Distribution of surplus processed yard waste products for residential purposes (for Gilford residents and taxpayers only) shall be at no charge when available. Whenever the distribution of such materials requires the use of Town equipment for loading, it must be understood the Town shall have no obligation as to the timeliness of such services, nor shall the Town be liable for any damages that may ensue.

#### 10.5.8 HOUSEHOLD TRASH

(a) The Town will accept residential household trash originating from residential properties situated in the Town of Gilford at no charge provided that such trash is fully contained in bags or barrels (to the greatest extent possible) and provided further that such bags do not contain more than five percent (5%) of recyclable products or any other items that are considered hazardous waste or non-MSW under the applicable laws, rules, and regulations of the State of New Hampshire.

(b) The Town reserves the right to inspect every load of trash that is brought to the Gilford Solid Waste Center, and to refuse acceptance if deemed to be in violation of these regulations as determined by a staff member.

(c) The Town is currently (through 12/31/2022) contractually obligated to deliver all household trash to the Wheelabrator Concord Company Waste to Energy Incinerator (owned and operated by Waste Management, Inc.), as a member of the Concord Regional Solid Waste Resource Recovery Cooperative. Town staff shall ensure, in so much as possible, that all loads being shipped to WCC are fully contained and covered to prevent inadvertent littering.

#### 10.5.9 SPECIALTY ITEMS

##### (a) HAZARDOUS WASTE

The Gilford Solid Waste Center does not accept any types of hazardous waste, defined by the State of New Hampshire under RSA 147-A:2, VII as follows:

Hazardous waste means a solid, semi-solid, liquid or contained gaseous waste, or any combination of these wastes which, because of either quantity, concentration, or physical, chemical, or infectious characteristics may cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness; or pose a present or potential threat to human health or the environment when improperly treated, stored, transported, disposed of or otherwise mismanaged; or which has been identified as a hazardous waste by the department using the criteria established under RSA 147-A:3, I or as listed under RSA 147-A:3, II. Such wastes include, but are not limited to, those which are reactive, toxic, corrosive, ignitable, irritants, strong sensitizers or which generate pressure through decomposition, heat or other means. NOTE: Oil based paints and stains are considered hazardous waste but latex paints are safe to dispose of with household trash.

(b) AUTOMOTIVE, MARINE AND INDUSTRIAL BATTERIES

These items may be accepted for a fee as otherwise set forth in Appendix B.

(c) RECHARGEABLE (NiCd/NiMH) AND LITHIUM-ION BATTERIES

These items may be accepted at no charge and should not be disposed of with household trash.

(d) TIRES (WITH AND WITHOUT RIMS)

These items may be accepted for a fee as otherwise set forth in Appendix B.

(e) FLUORESCENT BULBS

These items may be accepted at no charge provided they are fully intact. Broken bulbs should be disposed with household trash.

(f) USED MOTOR OIL

Waste oil will not be accepted at the Solid Waste Center. The Town may accept used motor oil (and filters) at no charge at the Gilford Public Works Garage, 55 Cherry Valley Road.

(g) MERCURY CONTAINING DEVICES

These items may be accepted at no charge and should not be disposed of with household trash.



(h) FOOD WASTE

Food waste is not allowed in the mulch pile. It should either be processed at the abode of homeowners or treated as household trash.

10.5.10 FREE DUMP DAYS

The Town shall annually, beginning on the third Saturday in April to coincide with Earth Day and continuing through that same weekend on the following Sunday, provide for the free disposal of bulky items from residential properties only. All applicable fees for disposal shall be waived, but all other rules shall remain in effect. There shall be a limit of one load per household per day. No commercial deliveries shall be accepted. In the event that Easter Sunday falls the day after the third Saturday in April, the free dump days shall be on the next weekend.

10.5.11 GOODY SHACK

The Town shall, in so much as possible, provide a place of exchange for gently used clothing, toys, sporting equipment, appliances, household goods, tools, and other re-usable objects that are clean, not broken or torn and fully functional. There shall be a limit of 5 items to be dropped off or taken per household per day. The Town reserves the right to reject any items and to close this facility as needed. No other forms of “dump-picking” shall be allowed, but anyone interested in acquiring other waste objects from the metal pile or C&D bin may ask for assistance. Neither the Town nor its employees shall be liable for the use or misuse of any item that has been taken from the Solid Waste Center.

10.5.12 SAFETY

(a) The safety of Town staff and the visitors of the Gilford Solid Waste Center is of the highest importance at all times. It is for safety reasons that all visitors must follow all posted rules and signs at all times. Staff shall be required to wear appropriate clothing and safety gear at all times.

(b) Due to the nature of waste disposal operations, there is a constant danger and inherent risks associated with broken glass, wood splinters, sharp objects, unstable piles, etc. Due care must be exercised at all times. No child under the age of 12 shall be allowed outside of a vehicle on the SWC grounds unless accompanied by a parent or guardian.

10.5.13 HOURS OF OPERATION

The Gilford Solid Waste Center will be open Tuesday through Saturday from 8:00am until 3:45pm. The facility will be closed on Sundays, Mondays, holidays and during severe snow storms or weather emergencies. Anyone who attempts to enter the facility when it is not open or deposits trash on the grounds when the gates are closed shall be prosecuted to the fullest extent of the law.

#### 10.5.14 GENERAL RULES

- (a) Only Town employees shall be allowed to operate Town vehicles and equipment. Entry into the interior of the Solid Waste Center Buildings and access to all waste containers or waste piles is restricted except for dropping off loads that have been inspected and approved unless otherwise invited and accompanied by a staff member.
- (b) There shall be no outside solicitation or commercial activities allowed to take place on the Solid Waste Center grounds, except for extenuating circumstances pertaining to emergencies upon written approval of the Board of Selectmen.
- (c) It is recognized that the Solid Waste Center may be a desirable location for candidates for political office and supporters or opponents of various political causes to express their viewpoints. The Town shall allow such politicking to take place in designated areas, provided that (1) all signs must be hand-held and (2) public assemblies and the distribution of literature shall not impede the free flow of traffic throughout the grounds or adversely impact public safety as determined by a staff member. There shall be no political signs or materials left unattended at the Solid Waste Center, but political signs shall be allowed outside the gates along the sides of Recycle Way as otherwise set forth in state law (RSA 664:17).
- (d) All loads entering and exiting the Gilford Solid Waste Center must be covered or tied down at all times to prevent loose items from falling out. The operator of a motor vehicle shall be held responsible for any debris that falls from that vehicle (or attached trailer) and may be barred from entry to the facility for repeated violations.
- (e) All vehicles and waste products entering the facility are subject to inspection. The Town may reject any item that is deemed to pose a safety threat or otherwise violates these regulations.
- (f) The speed limit throughout the grounds of the Solid Waste Center is 15 miles per hour. Motor vehicle operators that exceed the speed limit shall receive 1 verbal warning and may thereafter be barred from entry to the facility for repeated violations.
- (g) Anyone aggrieved by the enforcement of these regulations, or anyone who feels unfairly treated by the staff for any reason may submit a written complaint or appeal to the Board of Selectmen by mail (47 Cherry Valley Road, Gilford, NH 03249) or by email to [selectmen@gilfordnh.org](mailto:selectmen@gilfordnh.org).

- (h) Fees due must be paid at the time of entry by check or debit/credit card. The Gilford Solid Waste Center does not accept cash or coupons and the Town will not send invoices for waste disposal services.
- (i) There is no smoking at the Gilford Solid Waste Center except in personal vehicles and specifically designated areas. Lighted materials must be extinguished in a sealed container and not on the grounds of the property.
- (j) No loads will be allowed to enter the facility if there is any evidence of burning or smoldering materials.

## 10.6 EXEMPTIONS

- 10.6.1 In the event a resident or taxpayer is unable to deliver their waste products using a personal vehicle with a Town Decal and needs to rely upon a non-resident's vehicle, the resident or taxpayer must contact the Department of Public Works (603-527-4778) to obtain a temporary pass that notes the address where the waste will be coming from and the name of the motor vehicle operator along with their registration information and the date when the SWC facility will be used. There shall be no charge for a temporary pass, but they must be picked up in person (55 Cherry Valley Road).
- 10.6.2 These regulations (or any portions thereof) may be waived by the Director of Public Works for municipal and government operations as deemed to be in the best interest of the taxpayers of Gilford.
- 10.6.3 The Town authorizes the Director of Public Works and/or the Solid Waste Superintendent to temporarily suspend or amend these rules at any time for safety reasons or in order to comply with ever-changing state and federal regulations that may be applicable to the disposal of waste products as otherwise noted in these regulations.

## 10.7 VIOLATIONS

- 10.7.1 Failure to comply with any of these regulations shall be considered a violation subject to the penalties set forth herein.
- 10.7.2 Each continuation of a violation after notice or citation and each different rule infraction shall constitute a separate offense.
- 10.7.3 Failure to obey signs or instructions received by a staff member shall be considered a violation subject to the penalties set forth herein.

## 10.8 ENFORCEMENT

10.8.1 These regulations shall be administered and monitored by any and all employees of the Gilford Public Works Department who have been duly appointed by the Board of Selectmen with responsibilities for oversight and/or maintenance of the Gilford Solid Waste Center. The authority to administer and monitor shall consist of the following:

- (a) Educating users of the Gilford Solid Waste Center about these regulations and distributing copies of these regulations as may be necessary;
- (b) Issuing an order to achieve voluntary compliance under threat of expulsion from the facility;
- (c) Issuing an order to vacate the premises;
- (d) Issuing citations for violations;
- (e) Having a vehicle towed from the facility;
- (f) Prohibiting entry or use of the Gilford Solid Waste Center in the event of non-compliance, subject to a right of written appeal to the Board of Selectmen;
- (g) Issuing a summons;
- (h) Any combination of these actions at the discretion of the enforcement official based upon the severity and egregiousness of the violation(s).

10.8.2 Any person who has been ordered to vacate the premises by a duly authorized Town of Gilford enforcement official who refuses to comply with such order may be subject to arrest and prosecution for criminal trespass (by a Police Officer) in addition to any other penalties that may result from the violation(s).

10.8.3 It is recognized that occasionally a person accused of violating the rules may react in an unacceptable and/or hostile manner. The abuse or harassment of Town staff will not be tolerated. Under these circumstances, Town staff are directed to avoid any such confrontations and promptly contact the Gilford Police Department for assistance in having the offender removed from the facility.

## 10.9 FINES AND PENALTIES

10.9.1 Any person who has committed a violation of these regulations shall be subject to a fine as follows:

- First Offense: The amount due shall be one hundred dollars (\$100.00)

- Second Offense [per calendar year]: The amount due shall be five hundred dollars (\$500.00)
- Third (or subsequent) Offense [per calendar year]: The amount due shall be one thousand dollars (\$1,000.00)

10.9.2. Failure to make payment for a fine as indicated on a citation within seven (7) days of issuance shall result in prosecution in Laconia District Court. Any person found guilty in a court of law for violating these regulations who fails to pay the fine shall thereafter not be eligible for a Town Decal or entry to the Gilford Solid Waste Center for a period of .ninety (90) days.

10.10 SEVERANCE

In the event that any word, sentence or section of these regulations is found to be invalid as a result of judicial or legislative action, the remainder of these regulations shall remain in full force and effect.

10.11 FEES – SEE APPENDIX B

10.12 EFFECTIVE DATE

These regulations shall take effect as of January 1, 2020.

IN WITNESS WHEREOF, these Gilford Solid Waste Center Regulations are adopted and approved following a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Gilford Board of Selectmen. ATTEST:

\_\_\_\_\_  
Richard Grenier, Chair

\_\_\_\_\_  
Dale Channing Eddy, Vice-Chair

\_\_\_\_\_  
Gus Benavides, Clerk

UNDER SEAL OF THE TOWN, RECEIVED AND RECORDED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY:

\_\_\_\_\_  
Danielle LaFond, Town Clerk-Tax Collector



## SOLID WASTE MANAGEMENT PERMIT-BY-NOTIFICATION FOR LIMITED PUBLIC TRANSFER STATION

Issued by the NH Department of Environmental Services, Waste Management Division (NHDES)  
pursuant to RSA 149-M and the New Hampshire Solid Waste Rules, Env-Sw 100-et seq. (Rules)

### I. PERMIT/FACILITY IDENTIFICATION:

**Permit No.:** DES-SW-PN-18-006 (Replacing Permit No. DES-SW-PN-10-010)

**Permittee:** Town of Gilford

**Facility Name:** Gilford Solid Waste Center

**Facility Location:** 100 Recycle Way, Gilford, NH

**Facility Type:** Collection/Storage/Transfer Facility per Env-Sw 407.02

**Service Type:** Limited

**Service Area:** Town of Gilford

### II. FILE REFERENCE/RECORD OF APPLICATION:

**Date(s) Received:** September 24, 2018

**Activity/Application No.:** 2018-35685

**WMD Document Log #(s):** 2018-35685-01

### III. TERMS AND CONDITIONS: Eight (8) conditions are attached.

### IV. AUTHORIZATION: Pursuant to RSA 149-M and Part Env-Sw 311 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 provided to NHDES by the permittee in documents referenced in Section II above. The information is subject to audit pursuant to Env-Sw 311.06. If the information is false, misleading or incomplete, the permit may be revoked or suspended in accordance with Part Env-Sw 306 of the Rules. The meaning of specific terms in this authorization is as defined in the Rules on the effective date of this permit. The Rules and statute are available for reference on NHDES' website at [www.des.nh.gov](http://www.des.nh.gov).

This permit is effective on the date of signature, below, and is subject to modification or termination and reissuance by NHDES as necessary to assure the terms and conditions remain current with the Rules, as amended. **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 administrative, 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. No warranty/guarantee is intended or implied by reason of any advice given by NHDES or its staff.

Issuance of this permit shall not be construed in any way as authorization of any activity which occurred prior to the effective date of the permit; or authorization of any activity that does not comply with RSA 149-M, the Rules, and the permit; or a waiver of any cause of action for violation(s) of RSA 149-M or the Rules. 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.

A handwritten signature in black ink, appearing to read "Michael J. Wimsatt".

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

Environmental Services  
November 2, 2018

Date

Digitally signed by Environmental Services  
DN: cn=Environmental Services, o, ou=Waste  
Management, email=pamela.Werner@des.nh.gov, c=US  
Date: 2018.11.02 09:59:59 -04'00'



### Section III: Terms and Conditions

(1) **Authorized Waste:** Subject to the limitations specified in (2) below, this permit authorizes the facility to receive and manage the following types of solid waste only, generated within the limited service area identified in Section I of this permit:

- a. Mixed municipal solid waste;
- b. Source separated select recyclable materials (i.e., paper, cardboard, glass, plastic, ferrous and non-ferrous metal, and textile material);
- c. Bulky waste, including white goods, furniture, and stumps;
- d. Construction and demolition debris;
- e. Tires;
- f. Wood ash from household stoves; and
- g. Source separated food waste.

(2) **Unauthorized Waste:** This permit does not authorize the facility to receive any of the following types of solid wastes or materials:

- a. Asbestos waste;
- b. Explosive waste;
- c. Contained gaseous waste, unless collected for recycling;
- d. Liquid waste;
- e. Infectious waste;
- f. Animal carcasses;
- g. Contaminated soils and other absorbent media;
- h. Out-of-state waste, unless the waste is received for recycling.

(3) **Facility Capacity:** This facility shall operate within the capacity limits specified below.

- a. Waste Receipt Rate: No more than 30 tons per day on average annually, but in no case shall the rate exceed the quantity of waste the facility is able to actively manage<sup>1</sup> and properly handle and process in accordance with this permit.
- b. Waste Storage Capacity: No more than 420 tons at any one time, not including fully processed select recyclable materials that are being actively managed<sup>1</sup> and are stored in accordance with the Rules.

(4) **Location Restrictions:** The location of the facility shall comply with siting requirements provided in Env-Sw 1203.

(5) **Operating Requirements:**

- a. The Permittee shall operate the facility in compliance with RSA 149-M, applicable Rules specifically including Env-Sw 407.02<sup>2</sup>, and a written up-to-date Operating Plan prepared by the Permittee in conformance with Env-Sw 1105.11<sup>3</sup>. A copy of the Operating Plan shall be kept at the facility for reference by facility operators and, upon request, inspection by NHDES, and shall be updated as needed to assure that it stays current.
- b. Facility operations shall be protective of the environment, public health and safety;
- c. All waste shall be actively managed<sup>1</sup>;
- d. Facility operators shall be trained and certified as required by the Rules; and
- e. Annual facility reports shall be filed with NHDES in accordance with the Rules.

(6) **Closure Requirements:** The Permittee shall close the facility in compliance with RSA 149-M, applicable Rules as amended, and a written up-to-date Closure Plan prepared by the Permittee in conformance with Env-Sw 1106.04<sup>4</sup>. A copy of the Closure Plan shall be kept at the facility for reference by facility operators and, upon request, inspection by NHDES, and shall be updated as needed to assure that it stays current.

(7) **Permit Transfer and Modification Limitations:** This permit is non-transferable. Modification of this permit shall be limited to the scope of operations allowed by the Rules for this type of facility and permit.

(8) **Verification of Permit Information:** NHDES may audit this facility pursuant to Env-Sw 311.06 to verify compliance.

<sup>1</sup> Pursuant to Env-Sw 102.04 effective July 1, 2014, the term "actively manage" means to handle a waste or material, including waste-derived products and recyclable materials, in a controlled manner without causing: (a) a nuisance; (b) an adverse effect to the environment, public health and safety; (c) accumulations which have no identifiable destination or value; and (d) a loss of material value in the market place due to material damage, degradation and/or contamination.

<sup>2</sup> See Appendix A, attached hereto. See page 3.

<sup>3</sup> See Appendix B, attached hereto. See pages 4-5.

<sup>4</sup> See Appendix C, attached hereto. See pages 6-7.



### Appendix A

*Reprinted below for convenience is a copy Env-Sw 407.02 in effect on the issue date of this permit. A complete and current certified copy of the Solid Waste Rules, Env-Sw 100 – Env-Sw 2000, is available at [www.des.nh.gov](http://www.des.nh.gov).*

Env-Sw 407.02 Limited Public Transfer Stations. A C/S/T facility shall be eligible for a permit-by-notification pursuant to Env-Sw 311, provided that the facility meets each of the following requirements:

- (a) The facility shall be a limited public facility;
- (b) The facility shall comply with the requirements of Env-Sw 1200;
- (c) The facility shall receive the following types of waste only:
  - (1) Mixed municipal solid waste comprised principally of mixed refuse;
  - (2) Source separated select recyclable materials;
  - (3) Bulky waste, including white goods, furniture, and stumps;
  - (4) Construction and demolition debris;
  - (5) Tires;
  - (6) Wood ash from household stoves; and
  - (7) Source separated food waste;
- (d) The capacity of the facility shall be restricted as follows:
  - (1) The facility shall receive no more than 30 tons of waste per day on average:
    - a. Annually, for facilities operating longer than one year; and
    - b. Over the life expectancy of the facility, for facilities operating less than one year;
  - (2) The facility shall store no more than 14 times the maximum quantity of waste the facility shall be authorized in the permit to receive on average daily; and
  - (3) The storage limit specified by (2) above shall not include storage of select recyclable materials, provided that:
    - a. The materials are fully processed as specified by Env-Sw 104.12;
    - b. The materials are actively managed by the facility; and
    - c. Storage of the materials complies with the universal facility requirements in Env-Sw 1000 and, at facilities having an active life of longer than 90 days, the additional facility requirements in Env-Sw 1100; and
- (e) A limited public facility operating under a permit-by-notification in accordance with this part may compost and manage source separated food waste if the limited public facility:
  - (1) Complies with the requirements of Env-Sw 607.02,
  - (2) Provides notice to the department prior to composting and managing source separated food waste; and
  - (3) Has an operating plan that includes provisions for composting and managing source separated food waste.

Source. #5172, eff 7-1-91; amd by #5297, eff 12-24-91; ss by #6535, INTERIM, eff 7-1-97, EXPIRES: 10-29-97; ss by #6619-B, eff 10-29-97; amd by #6894-B, eff 12-1-98; (See Revision Note at chapter heading for Env-Sw 400); ss by #8459, eff 10-28-05 (formerly Env-Wm 2107.02); ss by #10596, eff 7-1-14





### Appendix B

*Reprinted below for convenience is a copy Env-Sw 1105.11 in effect on the issue date of this permit. A complete certified and current copy of the Solid Waste Rules, Env-Sw 100 – Env-Sw 2000, is available at [www.des.nh.gov](http://www.des.nh.gov).*

#### Env-Sw 1105.11 Operating Plan Content and Format.

- (a) A facility operating plan shall provide sufficient detail to allow the certified operator and other trained facility personnel to operate the facility in compliance with RSA 149-M, the permit and the solid waste rules without further explanation or guidance.
- (b) The operating plan shall be prepared as a loose leaf document to facilitate amendment as specified in Env-Sw 315.
- (c) Each page of the operating plan shall bear the date of preparation or last revision, as applicable, and the facility name, location and permit number, if a permit is issued for the facility at the time that the operating plan or a modification thereto is prepared.
- (d) The content and organizational format of the operating plan shall be as follows:
- (1) Section 1, titled "facility identification," shall identify:
    - a. The facility name, mailing address, location by street address and municipality, and permit number;
    - b. The type of the facility;
    - c. The capacity of the facility;
    - d. The facility service type;
    - e. The facility service area; and
    - f. The name, address and telephone number of the permittee, property owner, and operator;
  - (2) Section 2, titled "authorized and prohibited waste," shall provide a list of:
    - a. The specific waste types the facility which shall be authorized to receive; and
    - b. The specific waste types the facility shall not be authorized to receive;
  - (3) Section 3, titled "routine operations plan," shall provide a detailed description of how the daily operations of the facility will be conducted to assure that the facility will be operated in accordance with the solid waste rules, including a description of:
    - a. Hours of operations;
    - b. Facility access control and on-site traffic patterns;
    - c. Waste acceptance and rejection procedures, including unloading, sorting and inspection procedures;
    - d. The procedure by which the quantity and source(s) of all wastes received by the facility shall be determined and recorded;
    - e. The procedure by which the quantity and destination of all outgoing waste and certified waste-derived products shall be determined and recorded;
    - f. The storage time and capacity limits for all wastes received by the facility and the procedures by which the limits shall be monitored to assure compliance therewith;
    - g. All collection, storage, transfer, processing, treatment and disposal methods and procedures employed by the facility for managing waste following receipt; and



h. For facilities that process or treat waste, the methods or procedures for managing bypass waste and the quality assurance/quality control procedures relating to the management of processed or treated waste;

(4) Section 4, titled "residual waste management plan," shall provide a detailed description of how all residual waste, if any, shall be managed by the facility, including the information specified in a. through d. below, or if the facility will not generate any residual waste, a statement so indicating:

- a. The type and estimated quantity of all residual wastes to be generated by the facility;
- b. How such wastes shall be managed at the facility prior to removal;
- c. Information to demonstrate how the provisions of Env-Sw 1105.10 shall be met; and
- d. Quality assurance/quality control provisions, to assure that the wastes to be transferred shall be acceptable to the receiving facility;

(5) Section 5, titled "facility maintenance, inspection and monitoring plan," shall identify all routine maintenance, inspection and monitoring requirements necessary to assure the integrity of facility operations, including a description of the measures to be undertaken to monitor and inhibit the following:

- a. Spontaneous combustion;
- b. Other fire hazards;
- c. Vector production;
- d. Generation of methane, hazardous, or explosive gases;
- e. Odors;
- f. Dust;
- g. Windblown litter;
- h. Leachate; and
- i. Spills;

(6) Section 6, titled "contingency plan," shall:

- a. Identify all reasonably foreseeable emergencies, such as fire, explosion, operator injury, and the like, based on the type of facility and wastes being handled;
- b. Describe the appropriate response of facility personnel for each emergency identified in a. above; and
- c. Include identification of and telephone numbers for all local and state officials to be notified in the event of an emergency;

(7) Section 7, titled "employee training program," shall provide a description of employee training program(s); and

(8) Section 8, titled "recordkeeping and reporting," shall provide a description of record keeping procedures as necessary to comply with Env-Sw 1105.06 and Env-Sw 1105.07.

Source. #6619-B, eff 10-29-97; (See Revision Note at chapter heading for Env-Sw 1100); ss by #8459, eff 10-28-05 (formerly Env-Wm 2805.11); ss by #10598, eff 7-1-14



### Appendix C

*Reprinted below for convenience is a copy Env-Sw 1106.04 in effect on the issue date of this permit. A complete and current certified copy of the Solid Waste Rules, Env-Sw 100 – Env-Sw 2000, is available at [www.des.nh.gov](http://www.des.nh.gov).*

#### Env-Sw 1106.04 Closure Plan, Content and Format.

- (a) A facility closure plan shall provide sufficient detail to allow a third party to implement and complete all required facility closure tasks in compliance with RSA 149-M, the permit and the solid waste rules without further explanation or guidance or as provided by (b) below.
- (b) For a landfill closure plan prepared before the facility reaches final grades, the design plans and specifications for the capping system and related appurtenances shall be considered preliminary and need not provide final design detail sufficient to allow third party implementation without further explanation or guidance. However, any closure plan approved on the basis of preliminary plans shall include, in the list of closure tasks, provisions for preparing final design plans and specifications for the capping system and related appurtenances, as specified in Env-Sw 807.
- (c) The closure plan shall be prepared as a loose leaf document to facilitate amendment as specified in Env-Sw 315.
- (d) Each page of the closure plan shall bear the date of preparation or revision, as applicable, and the facility name and permit number.
- (e) The closure plan shall be organized and prepared as follows:
- (1) Section 1, titled "facility identification," shall provide the facility name, mailing address, location and permit number;
  - (2) Section 2, titled "closure schedule," shall provide the anticipated date of closure and a closure schedule that sets forth each discrete activity that will be undertaken to complete facility closure, the order in which the activities will be undertaken and the estimated length of time the activity will take;
  - (3) Section 3, titled "waste identification," shall identify all types of waste received or intended to be received by the facility during its active life;
  - (4) Section 4, titled "notifications," shall provide a description of how notice shall be given to facility users prior to terminating receipt of waste;
  - (5) Section 5, titled "closure requirements," shall provide:
    - a. A list of each major closure work task required to implement and complete closure of the facility;
    - b. A description of the procedures for completing all required closure work tasks; and
    - c. Design plans and specifications for construction of required closure systems;
  - (6) Section 6, titled "post-closure requirements," shall identify and describe all required post-closure testing, inspection, maintenance or monitoring that will be performed at the facility pursuant to the provisions of the solid waste rules and the permit;



- (7) Section 7, titled "recordkeeping and reporting," shall identify and describe:
- a. All recordkeeping and reporting obligations required of the facility following completion of the closure work identified in section 5 of the closure plan; and
  - b. Locations and provisions for storing facility records, including the operating records, following facility closure;
- (8) Section 8, titled "other permits," shall:
- a. Identify all other local, state and federal permits and approvals required to implement facility closure, including the implementation of all post-closure monitoring and maintenance requirements;
  - b. Identify the status of each permit and approval identified pursuant to a. above; and
  - c. For a landfill located on property not owned by the permittee, include a copy of the written executed access agreement required by Env-Sw 1003.03; and
- (9) Section 9, titled "closure cost estimate," shall provide a closure cost estimate prepared in accordance with the criteria in Env-Sw 1403.02.

Source. #6619-B, eff 10-29-97; (See Revision Note at chapter heading for Env-Sw 1100); ss by #8459, eff 10-28-05 (formerly Env-Wm 2806.04); ss by #10598, eff 7-1-14

**GILFORD SOLID WASTE CENTER**  
**APPENDIX B**  
**FEE SCHEDULE**  
**EFFECTIVE JANUARY 1, 2020**

**CONSTRUCTION DEMOLITION & DEBRIS**

- ROOF SHINGLES \$50.00 PER SQ YARD
- FURNITURE \$10.00 PER UNIT
- DEMO \$25.00 PER SQ YARD
- CARPETS & PADS \$25.00 PER SQ YARD
- MATTRESSES & BOX SPRINGS \$10.00 PER UNIT
- OTHER BULKY ITEMS \$25.00 PER SQ YARD OR \$10.00 PER UNIT

**TIRES**

- SMALL (UNDER 20" WITH OR WITHOUT RIM) \$5.00 EACH
- LARGE (20" OR MORE WITH OR WITHOUT RIM) \$10.00 EACH
- RIMS (ALL SIZES) NO CHARGE

**ELECTRONICS**

- SMALL (UNDER 30" MEASURED ON LONGEST SURFACE) \$5.00 EACH
- LARGE (30" OR MORE) \$10.00 EACH

**METAL PRODUCTS**

- APPLIANCES WITH REFRIGERANT \$10.00 PER UNIT
- APPLIANCES WITHOUT REFRIGERANT NO CHARGE
- OTHER BULKY METALS NO CHARGE
- PROPANE TANKS (WITH OR WITHOUT VALVE) NO CHARGE

**YARD WASTE**

- STUMPS \$10.00 PER UNIT or \$120 PER LOAD
- CONCRETE W/REBAR \$25.00 PER SQ YARD
- CONCRETE WITHOUT REBAR NO CHARGE
- LOGS (MUST BE UNDER 6" DIAMETER AND 6' LENGTH) NO CHARGE
- ASPHALT NO CHARGE
- BRUSH, LEAVES, GRASS CLIPPINGS NO CHARGE

**SPECIAL PRODUCTS**

- FLORESCENT LIGHT BULBS NO CHARGE
- THERMOSTATS WITH MERCURY NO CHARGE
- BATTERIES NO CHARGE
- WASTE OIL (BRING TO DPW GARAGE) NO CHARGE

**HOUSEHOLD TRASH – RESIDENTIAL ONLY**

- MUST BE IN BAGS/BARRELS WITHOUT RECYCLABLES NO CHARGE

**RECYCLABLES**

- CLEAN, NO CAPS, SEPARATED BY TYPE NO CHARGE
- PLASTICS #1-#7 PETE & HDPE ONLY, NO BLACK PLASTIC TRAYS OR 5 GALLON BUCKETS
- METAL CANS, ALUMINUM CANS, GLASS BOTTLES, CORRUGATED CARDBOARD
- PAPER – NEWSPRINT, OFFICE PAPER, FOOD & BEVERAGE CONTAINERS, MAGAZINES, ETC.

TOWN STAFF IS HERE TO ASSIST AND TO HELP ANSWER ANY QUESTIONS  
ALL LOADS SUBJECT TO INSPECTION