

Solid Waste Facility Ordinance

Governing Laws, RSA Chapter 53-B Solid Waste Management District, 149-M, & 485-A:2

Approved Date: 2018.02.19

Next Review Date

1-A Purpose

The Amherst Solid Waste facility is operated solely for the disposal of authorized solid waste generated within the geographic limits of the Town of Amherst as required by RSA 149-M as amended. Accordingly, these regulations are intended to:

- Prevent unauthorized entrance and use of the facility.
- Prohibit the deposit of illegal and unacceptable waste.
- Control the disposal of authorized solid waste to facilitate compliance with operating standards, including but not limited to facility operation, disposal and improvement of efficiency to maximize the life of the facility.
- Establish charge (fees) for the use of the facility.
- Assist residential source recycling of materials brought into the facility

1-B Definitions

- Attendants,
 - Those persons employed by the Town of Amherst at the solid waste facility who shall have authority to enforce the terms of this ordinance and require compliance with any other rules and regulations pertaining to the solid waste facility. Attendants are authorized to request police assistance as needed to assist in implementing and enforcing this ordinance.
- Bulky Waste,
 - Includes, but not by way of limitation, discarded large and small household appliances, furniture, carpets, mattresses, and white goods.
- Commercial Loads,
 - Not accepted without prior approval from the Souhegan Regional Landfill District.

- Compost
 - A humus-like substance derived from decomposed organic material. Compost usually refers to material created by people from leftover yard waste. Humus is derived from the natural decay of material such as leaves in the soil's top layer.
- Construction debris and demolition waste,
 - Non-putrescible building material and rubble waste which is solid waste resulting from construction, remodeling, repair or demolition of structures or roads.
 - Waste generated term includes but not limited to construction, renovation, or demolition activities which may contain bulky, heavy materials, including wood, roofing shingles, gypsum, and building materials such as doors, windows, or insulation.
 - The term does **not** include asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, stuffed furniture, appliances, tires, drums and containers, and fuel tanks.
- Disposal,
 - The management of solid waste that is not salvaged or recycled, in order to facilitate the final placement of the material.
- Electronic Waste
 - Includes computer monitors containing a cathode ray tube, laptop computers, liquid crystal display (LCD) computer monitors, plasma and LCD televisions, printers, cell phones, copiers, fax machines, and video display media recorder/players.
- Facility,
 - The Amherst NH solid waste facility situated in the Town of Amherst NH at 260 Horace Greeley Highway also referred to as NH Route 101.
- Hazardous Waste,
 - Waste as defined by RSA 147-A: 2, VII, as amended.
- Household Hazardous Waste,
 - Hazardous waste generated from noncommercial usage by residents in their household.
- Infectious Waste,
 - Any waste which, because of its infectious nature, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
- Municipal Solid Waste (MSW)
 - A waste type commonly known as trash or garbage consisting of everyday items that are discarded by Amherst residents.

- For the purposes of this ordinance, it does not include hazardous waste, infectious waste (as defined elsewhere in this document), asbestos, solid or dissolved materials, septage or sludge as defined in RSA 485-A:2, IX and XI-a, or municipal and industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended, or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954 as amended.
- Propane tanks,
 - A cylinder (ranging from camping stove to hundred gallon) with valve (or other means) designed to contain propane and used for cooking or heating.
- Putrescible,
 - Capable of decaying or rotting.
- Recycling,
 - The collection, storage, processing and redistribution of separated various waste so as to return material to the marketplace.
- Scrap Metal,
 - Includes but not limited to aluminum, iron, tin, copper, and brass.
- Souhegan Regional Landfill District (SRLD)
 - A solid waste district formed under RSA Section 149-M:4 to manage recyclables and MSW.
- Swap Shop
 - The Swap Shop program is staffed by volunteers and open to Amherst residents only.
 - Individuals are encouraged to participate by leaving items that are in good condition for others or by taking items for oneself.
 - Items can only be dropped off or removed when the swap shop is staffed by volunteers.
 - A list of acceptable swap shop items is posted on the building
 - The Town of Amherst, the Public Works Department, Transfer Station staff, and its volunteers, provide no guarantees or warranties (written, expressed, or implied) and disclaims any and all liability for the condition, working order and/or safety of any item left or taken from the Amherst Transfer Station Swap Shop. All items are “AS IS” and are taken at the recipient’s own risk. Recipients are responsible for determining the safety and suitability of any item for the Purpose and/or use thereof.
- Tipping fees
 - Costs associated with transportation and disposal of MSW and recyclables.
- Tires,
 - Usually a form of synthetic rubber used to assist in means of transportation.

- Transfer Station
 - A solid waste collection, storage, and transfer facility designated by the Director of Public Works within the Town of Amherst which collects, stores, and transfers solid waste, including non-recyclable waste generated within the borders of the Town and temporarily stored for transportation either by contracted vendors or SRLD contractors.
- Transfer Station Permit
 - A 3" X 3" decal issued biennially and affixed prominently in the lower right (passengers) side of the windshield.
- Video display devices
 - A visual display component of a television or a computer, whether separate or integrated with a computer central processing unit/box, and includes a cathode ray tube, liquid crystal display, gas plasma, digital light processing, or other image projection technology, greater than 4 inches when measured diagonally, and its case, interior wires, and circuitry.

1-C Use regulations

- The following shall apply to all persons using the Amherst Solid Waste facility
 - The Amherst Transfer Station is for residential use only.
 - A decal available from the Amherst Department of Public Works (22 Dodge Road) or Amherst Transfer Station Scalehouse shall be affixed and displayed conspicuously on the passenger's side lower interior windshield effective September 1, 2017.
 - To secure a decal permit, please present vehicle registration or other identification means, validating your current Amherst residency.
 - A name and address (with corresponding permit #) electronic database shall be maintained at the Amherst Department of Public Works.
 - Entrance to the facility shall be by permit, and disposal shall be only during normal operating hours.
 - Clean unpainted lumber, leaf, yard waste, and/or woody brush, six inches or less in diameter generated within the town may be deposited in designated areas at the top of the hill without charge.
 - Trees, logs and stumps exceeding six inches in diameter must be weighed across the town scale and pay the assessed fee.
 - Construction debris and demolition waste generated within town limits and transported either by permitted vehicles or with the accompaniment of a contractors permit (for work at an Amherst residency) shall twice cross the facility scale for fee assessment.
 - Bulky metals and metal scraps hauled by a commercial carrier will not be accepted at the facility. Such metals should be taken directly to commercial scrap dealers.

- The Town reserves the right to reject any material which it considers to be detrimental to the facility operation or which would require special handling for disposal procedures.
- Prohibited items include but are not limited to vehicle bodies, mounted tires, fuel tanks, fuel cylinders, drums, home heating oil tanks, liquids (except household motor oil or antifreeze) hazardous waste, nuclear waste, septage, concrete, rocks, ledge, dirt, infectious waste or sharps, pool chemicals, hot ashes or any other material capable of causing ignition or spontaneous combustion and other wastes not permitted by state regulation.
- All refuse must be deposited in the appropriate designated area, in accordance with instructions from transfer station attendants.
- Scavenging (picking) is prohibited. In addition to the town's swap shop (not withstanding) additional items may (at its discretion) be available to the general public at the facility such as lumber and wood chips.
- Composted loam is available for a fee of \$0.10 per pound across the facility scale with a \$2.00 minimum.
- Transfer Attendants may prohibit the deposit of any material or refuse which they deem to be in violation of these regulations (such as motor driven equipment still containing oils, combustible fuels, or grease). This decision may be appealed through written notice to the Amherst Director of Public Works or his designee.

1-D Fees

- Upon recommendation of the Public Works Director, fees are set by the Amherst Board of Selectmen.
 - Fees are adjusted from time to time and are therefore not identified or listed by item within this ordinance but are posted on site and at the towns Department of Public Works webpage subsection "Transfer Station".
 - The Amherst Board of Selectmen may set and adjust disposal fees for the following items:
 - Tires (different sizes, different rates)
 - Propane tanks
 - Refrigerators & freezers (doors removed)
 - Air conditioning units
 - Electronic screens
 - All fees are paid at the scalehouse with cash, check, or credit card and all financial transactions generate an electronic receipt.

1-E Board of Selectmen Authority; appeals; amendments

- The Amherst Board of Selectmen shall have the authority to set and change the operating days and hours of the Amherst solid waste facility.
- The Amherst Board of Selectmen shall have the authority (duly posted and openly discussed at Selectmen’s meeting) to amend the operational procedures and policies of the Amherst Solid Waste facility where the town is required or ordered to comply with newly promulgated regulations and laws, or court orders, issued by the state and federal government.
- The Amherst Director of Public Works shall hear all appeals concerning the interpretation and application of this ordinance.
 - Any such appeals from orders or directives issued by facility attendants shall be presented (within 10 days) in writing to the director.
 - Should the aggrieved party not find resolve in the director’s decision, an appeal shall be made to the Amherst Town Administrator within ten days of the director’s decision.

1-F Violations and penalties

- Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a violation and, upon conviction thereof, shall pay a civil fine of not more than \$500 for each offense. Any penalties assessed shall insure to such uses as the Town of Amherst may direct, pursuant to RSA 31:39-c as amended.

Dwight B — 3/5/18
Dwight Brew, Chairman

Repanasiti
Reed Panasiti, Clerk

Peter Lyon 3-5-18
Peter Lyon, Vice Chairman

+ M.P. Grella 3/10/18
Thomas Grella

Michael Akillian 3-5-18
Michael Akillian