

ARTICLE 16
WASTE MATTER DISPOSAL and STORAGE ORDINANCE

- 16.1. This ordinance shall be known as the Waste Matter Disposal and Storage Ordinance.
- 16.2. The purpose of this ordinance is to protect the public health and safety, the health of living organisms, and the environment from the effect of the improper, inadequate, or unsound management of waste matter.
- 16.3. **DEFINITIONS:**
- 16.3.1. **“Disposal”** means the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste material into or on to any land or water so that such waste matter or any constituent thereof may enter the environment or be emitted into the air or be discharged into any waste including groundwaters.
- 16.3.2. **“Person”** means any individual, entity, or organization of any kind.
- 16.3.3. **“Storage”** means the containment of waste matters either on a permanent basis or on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such waste matter.
- 16.3.4. **“Waste Matter”** means garbage, refuse, solid or liquid waste, ashes, rubbish, commercial or industrial waste, and all other refuse of every description, whether loose, in containers, compacted, baled, bundled, or otherwise.
- 16.3.5. **“Waste Facility”** means sanitary landfill, chemical facility, waste-to-energy conversion facility, waste processing facility, or any combination of these whose operation includes the storage or disposal of waste matter as defined herein.
- 16.4. No person shall deposit, store, or permit the storage of, any waste matter in any structure or on any land within the Town of Epping, except as follows:
- 16.4.1. The Town of Epping pursuant to the operation of any duly authorized municipal waste facility.
- 16.4.2. Household waste originating on, or for use on the property on which it is deposited or stored.
- 16.4.3. Agricultural waste originating on, or for use on the property on which it is deposited or stored.
- 16.4.4. Any person operating a waste facility that has been duly authorized by a ballot vote of the governing body of the Town of Epping at any annual or special Town Meeting and having an affirmative vote of the majority of total number of votes cast.
- 16.5. Any waste facility authorized in Section 16.4.4. of this ordinance that engages in the storage or disposal of waste matter, classified as (hazardous) by the New Hampshire Department of Health and Welfare, Division of Public Health Services, Bureau of Solid Waste Management, or by the United States Environmental Protection Agency shall be operated in full compliance with all applicable regulations of these agencies, and until such regulations are adopted, shall be operated in full compliance with the proposed regulations of the United States Environmental Protection Agency as published in the Federal Register, Part IV, dated Monday, December 18, 1978.

- 16.6. Any waste facility whose existence pre-dates the adoption of this ordinance shall be operated in full compliance with Section 16.5. of this ordinance.
- 16.7. No radioactive waste matter of any type may be stored or disposed of within the Town of Epping.
- 16.8. Any person who shall violate this ordinance shall be guilty of a violation punishable by a fine of not more than \$100.00 per day.
- 16.8.1. Each day that the violation continues shall be deemed a separate offense and is therefore punishable by a separate fine of \$100.00.
- 16.9. The administration of this ordinance shall be the responsibility of the Town of Epping Health Officer under the direction of the Town of Epping Board of Health.
- 16.10. **EFFECTIVE DATES:**

16.10.1. This ordinance, except Section 16.6. shall take effect upon passage.

16.10.2. Section 16.6. of this ordinance shall take effect sixty (60) days after its adoption.

16.11 **PETITION AMENDMENT - 3/10/98**

The stockpiling and landspreading of Class B sewage sludge containing heavy metals, pathogens, parasites, radioactivity and hazardous organic compounds; and the stockpiling and landspreading of industrial paper mill sludge containing cyanide, dioxins, furans, and other toxic chemicals, is not allowed in the Town of Epping. This shall not apply to any facility owned and/or operated by the Town of Epping for the disposal of sewage/septage generated within the Town of Epping, NH.