

TOWN OF BELMONT, NEW HAMPSHIRE REGULATIONS FOR THE CONTROL OF JUNK YARDS

SECTION I:

A. AUTHORITY

Under the authority vested in the Board of Selectmen and in accordance with the provisions of the New Hampshire Revised Statutes Annotated, Chapter 236, Sections 111 through 129, inclusive, as amended, and every other authority thereto enabling, the Board of Selectmen adopts the following regulations governing junk yards within the Town of Belmont, New Hampshire.

B. TITLE

These regulations shall be known as the Town of Belmont Regulations for the Control of Junk Yards.

C. PURPOSE

It is the intent and purpose of these regulations to protect the public interest and welfare of the Residents, Business Owners and Visitors of the Town of Belmont through the proper Administration and strict enforcement of these regulations so as to protect public safety and welfare in a sound economic, safe, aesthetically pleasing and environmentally acceptable manner.

SECTION II:

A. DEFINITIONS

- a) **"Junk Yard"** means junkyard as defined in RSA 236:112 (I), as that statute may be amended. As of the adoption of these regulations, that definition is " a place used for storing and keeping, or storing or selling, trading or otherwise transferring old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled, or wrecked motor vehicles, or parts thereof, iron, steel, or other old or scrap ferrous and nonferrous materials." As used in this regulation, the term includes but is not limited to, the following types of Junk Yards:
- b) **"Automotive Recycling Yards"**, means a motor vehicle junk yard, as identified in subparagraph (c), the primary purpose of which is to salvage multiple motor vehicle parts and materials for recycling and reuse
- c) **"Machinery Junk Yards"**, means any yard or field used as a place of storage in which there is displayed to the public view, junk machinery or scrap metal that occupies an area of 500 square feet or more.
- d) **"Motor Vehicle Junk Yard"** means any place, not including the principal place of business of any motor vehicle dealer registered with the Director of Motor Vehicles under RSA 261:104 and controlled under RSA 236:126, where the following are stored or deposited in a quantity equal in bulk to two (2) or more motor vehicles:

- e) Motor vehicles which are no longer intended or in condition for legal use according to their original purpose including motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap; and/or
 - 1. Used parts of motor vehicles or old iron, metal, glass, paper, cordage, or other waste or discarded or second hand material(s) which has been a part, or intended to be a part, of any motor vehicle.
- f) **"Person"** shall mean any person, association, company, corporation, partnership, or any natural or unnatural person.
- g) **"Motor Vehicle"** means "motor vehicle" as defined by RSA 259:60, I, as that statute may be amended. At the time of the adoption of these regulations, that definition is any self-propelled vehicle not operated exclusively upon stationary tracks, originally intended for use on public highways.
- h) **"Trailer"** shall mean any towed attachment to a motor vehicle and as otherwise defined in RSA 259 as that statute may be amended.
- i) **"Motor Vehicle Dealer"** shall be as defined in RSA 236:112,V(a), as that statute may be amended.
- j) **"Used Motor Vehicle Dealer"** shall be as defined in RSA 236:112,V,(b), as that statute may be amended.
- k) **"Junk Motor Vehicle Dealer"** shall be as defined in RSA 236:112,V,(c), as that statute may be amended.

SECTION III:

A. REQUIREMENTS FOR LICENSURE TO ESTABLISH, OPERATE AND MAINTAIN

No person shall establish, operate or maintain a motor vehicle junk yard or machinery junk yard until he/she has (1) applied to the Zoning Board of Adjustment to determine if the use is permitted in the proposed location in accordance with Town of Belmont Zoning Regulations; and obtained from said Zoning Board of Adjustment a Special Exception if applicable (2) applied to the Planning Board for Site Plan Approval if such approval is required; and (3) obtained a license to operate or maintain a motor vehicle junk or machinery junk yard business from the Board of Selectmen-

B. APPLICATION FOR LICENSE

Before any person shall establish, maintain or operate a junk or machinery junk yard he/she shall make application for licensure in writing to the Board of Selectmen. The written application shall be on the form provided by the Board of Selectmen and shall be accompanied by all of the information required by these regulations, as well as copies of all approvals obtained from the Zoning Board of Adjustment and Planning Board. In the first year of operation the applicant shall submit his application before he begins the operation of the junk or machinery junk yard. Permit renewal applications shall be submitted prior to April 1st of each year.

C. CERTIFICATE OF APPROVAL

No application for a new site permit shall be accepted for public hearing without both a certificate of approval from the Zoning Board of Adjustment certifying that the proposed location of the junk or machinery junk yard is not within an established zoning district restricted against such uses or otherwise contrary to the prohibitions of the Zoning Ordinance, and conditional or final site plan approval from the Belmont Planning Board.

D. HEARING

Prior to the issuance of an initial license, the Board of Selectmen shall hold a public hearing on a completed application. All hearings shall be held within the Town of Belmont not less than two nor more than four weeks from the date of receipt of the completed application by the Board of Selectmen. Notice of the hearing shall be given to the applicant and the notice shall be published once in a newspaper of general circulation within the Town. Publication shall be not less than seven days before the date of the hearing. At the time and place set for the hearing, the Board of Selectmen shall hear the applicant and all other persons wishing to be heard on the application for a license to operate, establish or maintain a motor vehicle junkyard or machinery junk yard.

E. LICENSE REQUIREMENTS

In passing on the application, the Board shall take into account the suitability of the applicant with reference to his ability to comply with the fencing requirements or other reasonable regulations concerning the proposed motor vehicle junk yard or machinery junk yard, to any record of convictions for any type of larceny or receiving stolen property or goods, and to any matter within the purpose of RSA 236 or these regulations.

1. The applicant shall provide to the Board all of the materials and information contained in Appendix A as a part of the license application.
2. All established junk yards shall comply with the provisions of these regulations for the purpose of license renewal.

F. LOCATION REQUIREMENTS

In passing upon the application, after receiving proof of legal ownership or right to the use of the property by the applicant for the license period, the Board of Selectmen shall take into account the nature and development of the surrounding properties, such as the proximity of churches, schools, hospitals, public buildings or other places of- public gatherings; and whether or not the use of the proposed location can be reasonably prevented from affecting the public health, safety, or morals by reason of offensive or unhealthy odors or smoke, or of other causes. In no case may a license be granted for a new junk yard located less than 660 feet from the right-of-way lines of a Class I, Class II, and Class III highways or located less than 300 feet from the right-of-way lines of Class IV, Class V and Class VI highways.

G. AESTHETIC CONSIDERATIONS

At the hearing regarding location, the Board of Selectmen may also take into account the clean, wholesome, and attractive environment which has been declared to be of vital importance to the continued stability and development of the tourist and recreational industry of the state and the general welfare of its citizens by considering whether or not the use of the proposed locations can be reasonably prevented from having an unfavorable effect thereon. The Board of Selectmen may consider collectively: **(1)** The type of road servicing the junk yard or from which the junk yard may be seen, **(2)** the natural or artificial barriers protecting the junk yard from view, **(3)** the proximity of the proposed junk yard to established tourist and recreational areas or main access routes thereto, as well as **(4)** the reasonable availability of other suitable sites for the junk yard.

H. NUISANCE

Any facility located or maintained in violation of the provisions of these rules and regulations is hereby declared a nuisance, and the same shall be abated by complaint to appropriate authority.

I. GRANT OR DENIAL OF APPLICATION; APPEAL

After the hearing the Board of Selectman shall, within two weeks, make a finding as to whether or not the application should be granted, giving notice of their findings to the applicant by mail, postage prepaid, to the address given on the application. If approved, the license, including the certificate of approved location, shall be forthwith issued to remain in effect until the following April 1. Approval is personal to the applicant and is not assignable. Licenses shall be renewed thereafter upon payment of the annual license fee and the filing of a completed application together with all of the required materials under these regulations by the applicant, without a hearing, if all provisions of these regulations and all other applicable regulations and Ordinances are complied with during the license period, if the junk yard does not become a public nuisance under the common law or is a nuisance under RSA 236:119, and if the applicant is not convicted of any type of larceny or of receiving stolen goods.

J. FENCING

Before use, a junk yard shall be completely surrounded with a solidly constructed fence at least 6 feet in height which substantially screens the area and with a suitable gate which shall be closed and locked except during working hours of the junk yard or when the applicant or his agent is within. All motor vehicles and parts stored or deposited by the applicant shall be kept within the enclosure of the junk yard except as removal is necessary for its transportation in the reasonable course of the business. All wrecking or other work on such motor vehicles and parts shall be accomplished within the enclosure.

Where the topography, natural growth of timber, a natural barrier, or other considerations accomplish the purposes of this section in whole or in part, the fencing requirements hereunder may be reduced by the Board of Selectmen, upon the granting of the license.

K. ENFORCEMENT

In addition to the penalty in RSA 236:127 and the Town of Belmont Zoning Ordinance, the Board of Selectmen may obtain a mandatory injunction to end the violation of these regulations.

L. ENFORCEMENT, PRIVATE PERSONS

Any person owning real property whose property is directly affected by the sitting of a junk yard maintained in violation of the provisions of RSA 236 may in writing, addressed to the Board of Selectmen, request that Board of Selectmen take appropriate action under said statutes. A copy of the written communication to the Board shall be mailed to the person complained of. If the Board shall not, within 30 days thereafter, make a determination that a junk yard does exist and issue appropriate order, such person may, in his own name and in his own right, seek appropriate injunctive relief for the enforcement of this subdivision in the superior court.

M. PROHIBITED MATERIALS

No materials shall be allowed in any licensed junk yard that would be in violation of any State, Local or Federal Law.

N. SUSPENSION, REVOCATION OR MODIFICATION OF PERMITS

The Board may suspend, revoke or modify permits issued hereunder at any time for cause. Cancellation of any of the contracts required hereunder from outside contractors is automatic cause and therefore automatically cancels licenses.

O. FAILURE TO OBEY ORDERS

The Board may give orders to enforce these rules and regulations during the course of the year. Any license holder who fails to obey such orders shall be subject to suspension, revocation or modification of his/her license to operate.

P. HEARINGS

The Board may hold such hearings as it may deem proper to enforce these regulations. Hearings shall be required to suspend, revoke or modify issued permits but the Board may temporarily suspend the right to operate when it considers it for serious violation of the ordinance to do so before the date of the hearing but for not more than 45 days.

Q. AMENDMENTS

These rules and regulations may be amended at any regular or special meeting of the Board if properly posted.

APPENDIX A

The following items shall be required to accompany any filing under these regulations. Applications received without the individual items specified hereunder shall be considered to be incomplete and will be rejected by the Board.

1. FENCING & SCREENING

- a. Each applicant shall certify that all fencing and screening complies with the Town of Belmont Site Plan Regulations, Section G, Part 2, Screens, Links and Buffers and Section H, Waste Storage and Collection. When this definition is in conflict with other regulations, the fencing requirements in RSA 236 will take precedence.

2. MAINTENANCE OF FENCING

- a. The applicant must guarantee in writing that he/she will maintain all fencing or screening approved by the Board for the full term of the permit issued hereunder. The applicant may be ordered to replace or maintain fencing that fails to meet the requirements of the Board after a permit has been issued and in violation thereof the Board may revoke, suspend or modify a permit and may include in any order the requirement that the permit holder post a bond sufficient to meet the requirements to maintain such fencing or screening.
- b. The removal of fencing or screening required as a condition of a permit issued hereunder, except with the written permission of the Board and only then for replacement purposes, shall be cause for the Board to revoke an issued permit. The removal of natural screening by any means shall be sufficient grounds for the Board to suspend an issued permit.

3. SITE PLAN

- a. Each applicant shall provide an approved site plan of the property on which the proposed facility is to be located or is located. If site plan approval is not required from the planning board, the applicant shall submit a plan of the property which complies with the Town of Belmont Site Plan Regulations.

4. DISPOSAL OF WASTE GENERATED FROM MOTOR VEHICLE JUNK AND MACHINERY YARD OPERATIONS

a. Liquid Wastes

i. Recovered Fuel

1. The applicant must demonstrate to the Board that all fuel and recovered fuel is managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Recovered Fuel, and provide documentation of an approved contract for the disposal of recovered fuel that is generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose of recovered fuel wastes generated.
2. The applicant shall dispose of Recovered Fuel as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the

licensee shall be inspected and demonstrate compliance with all requirements regarding the use, removal and storage of Recovered Fuel.

3. The applicant is responsible to ensure that no liquid wastes are spilled or allowed to enter the ground from any point within the facility. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

ii. Used Oil & Used Oil Filters

1. The applicant must demonstrate to the Board that Used Oil and Used Oil Filters are managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Used Oil & Used Oil Filters and provide documentation of an approved contract for the disposal of Used Oil & Used Oil Filters that are generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose of used oil and used oil filters generated.
2. The applicant shall dispose of Used Oil & Used Oil Filters as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the use, removal, storage and shipment off site of Used Oil & Used Oil Filters.
3. The applicant is responsible to ensure that no used oil or used oil filters are deposited, spilled or allowed to enter the ground from any point within the facility. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

iii. Antifreeze

1. The applicant must demonstrate to the Board that Antifreeze is being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Antifreeze and provide documentation of an approved contract for the disposal or recycling on-site of antifreeze that is generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose of or recycle antifreeze generated.
2. The applicant shall dispose of antifreeze as needed, at a minimum once per calendar year, to a licensed facility or recycler. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the use, removal, storage and/or recycling of antifreeze.
3. The applicant is responsible to ensure that no antifreeze is spilled or allowed to enter the ground from any point within the facility. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

iv. Solvents & Parts Washers

1. The applicant must demonstrate to the Board that Solvents & Parts Washers are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Solvents & Parts

Washers and provide documentation of an approved contract for the disposal or recycling on-site of solvents & parts washers generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose of or recycle solvents & parts washers generated.

2. The applicant shall dispose of solvents & parts washer waste as needed, at a minimum once per calendar year, to a licensed facility or recycler. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the use, removal, storage and/or recycling of solvents & parts washers.
3. The applicant is responsible to ensure that no solvents or parts washers are spilled or allowed to enter the ground from any point within the facility. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

5. Airborne Waste

i. Vehicle Refrigerants

1. The applicant must demonstrate to the Board that Vehicle Refrigerants are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Vehicle Refrigerants and provide documentation of an approved contract for the disposal or recycling on-site of vehicle refrigerants that are generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose or recycle of vehicle refrigerants generated.
2. The applicant shall dispose of vehicle refrigerants as needed, at a minimum once per calendar year, to a licensed facility or recycler. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the use, removal, storage and/or recycling of vehicle refrigerants.
3. The applicant is responsible to ensure that no vehicle refrigerants are vented or released to the atmosphere. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

6. Solid Waste

i. Tires

1. The applicant must demonstrate to the Board that Waste Tires are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Waste Tires and the applicant ~~he~~ has an approved contract for the disposal of tires removed from junk vehicles and trailers. The contract must be before the period of the license hereunder and must be with a facility that has approval to accept tires.

2. The applicant shall at least two (2) times during the year dispose of tires in excess of 100 piled (junk tires) through a licensed facility. Before a license is renewed hereunder the license holder shall be inspected and must comply with all requirements regarding the storage and removal of junk tires.

ii. Mercury Switches

1. The applicant must demonstrate to the Board that Mercury Switches are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Mercury Switches and provide documentation of an approved contract for the disposal or recycling on-site of mercury switches that are generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose or recycle of mercury switches generated.
2. The applicant shall dispose of mercury switches as needed, at a minimum once per calendar year, to a licensed facility or recycler. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the use, removal, storage and/or recycling of mercury switches.
3. The applicant is responsible to ensure that no mercury containing switches are spilled or allowed to enter the ground from any point within the facility.. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

iii. Vehicle Fuel Tanks & Filters

1. The applicant must demonstrate to the Board that Vehicle Fuel Tanks & Filters are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Vehicle Fuel Tanks & Filters and provide documentation of an approved contract for the disposal or recycling on-site of Vehicle Fuel Tanks & Filters that are generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose of vehicle fuel tanks & filters generated.
2. The applicant shall dispose of fuel tanks & filters as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the removal and storage of vehicle fuel tanks & filters.
3. The applicant is responsible to ensure that no fuel tank or filter are spilled or allowed to enter the ground from any point within the facility.. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

iv. Lead Acid Batteries

1. The applicant must demonstrate to the Board that Lead Acid Batteries are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Lead Acid Batteries and provide documentation of an approved contract for the disposal of Lead

Acid Batteries that are generated in the course of the licensed facility's operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to dispose of Lead Acid Batteries.

2. The applicant shall dispose of lead acid batteries as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the removal, storage and disposal of lead acid batteries.
3. The applicant is responsible to ensure that no lead acid batteries are spilled or allowed to enter the ground from any point within the facility. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

7. End-of-Life Vehicle Management

i. Dismantling End-of-Life Vehicles

1. The applicant must demonstrate to the Board that End-of-Life Vehicle Dismantling is being performed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Dismantling End-of-Life Vehicles and provide written documentation of an internal process for the dismantling of end-of-life vehicles.
2. The applicant shall dispose of End-of-Life Vehicles as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the dismantling, storage and crushing of End-of-Life Vehicles.
3. The applicant is responsible to ensure that all end-of-life vehicles are dismantled properly to protect the environmental integrity of soils and ground water. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

ii. Storing End-of-Life Vehicles

1. The applicant must demonstrate to the Board that Storing End-of-Life Vehicles is being performed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Storing End-of-Life Vehicles and provide written documentation of an internal process for the storing of end-of-life vehicles.
2. The applicant shall dispose of End-of-Life Vehicles as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the dismantling, storage and crushing of End-of-Life Vehicles.
3. The applicant is responsible to ensure that all end-of-life vehicles are stored properly to protect the environmental integrity of soils and ground water. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

iii. Vehicle Crushing

1. The applicant must demonstrate to the Board that Vehicle Crushing is being performed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Vehicle Crushing and provide documentation of an approved contract for the crushing and disposal of End of Life Vehicles that are generated in the course of the licensed facilities operation. The contract must be for the term of the license hereunder and must be with a State or Federally licensed facility possessing a license to crush and dispose of End-of Life Vehicles.
2. The applicant shall dispose of End-of-Life Vehicles as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding the dismantling, storage and crushing of End-of-Life Vehicles.
3. The applicant is responsible to ensure that all end-of-life vehicles are crushed properly to protect the environmental integrity of soils and ground water. Failure to ensure the same may be grounds for the Board to revoke the license issued hereunder.

8. Other Management Controls

i. Above Ground Storage Tanks

1. The applicant must demonstrate to the Board that all Above Ground Storage Tanks are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Above Ground Storage Tanks.
2. The applicant shall dispose of the contents of above ground storage tanks as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding Aboveground Storage Tanks.

ii. Underground Storage Tanks

1. The applicant must demonstrate to the Board that all Underground Storage Tanks are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Underground Storage Tanks.
2. The applicant shall dispose of the contents of underground storage tanks as needed, at a minimum once per calendar year, to a licensed facility. Before a license is renewed hereunder the licensee shall be inspected and shall demonstrate compliance with all requirements regarding Underground Storage Tanks.

iii. Floor Drains

1. The applicant must demonstrate to the Board that Floor Drains are being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Underground Storage Tanks.

iv. **Storm Water Management**

1. The applicant must demonstrate to the Board that Storm Water is being managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Storm Water Management.

v. **Spills-Prevention & Response**

1. The applicant must demonstrate to the Board that Spills-Prevention & Response are managed in accordance with State of New Hampshire, Department of Environmental Services, Best Management Practices for Motor Vehicle Recyclers, Spills-Prevention & Response.

9. TESTING

b. **Standing Water**

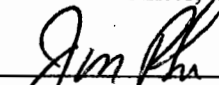
- i. The license holder shall be required to test any standing water on the site at least once annually using the EPA approved Method 418, 601 and 602 tests to demonstrate that no unwanted chemicals have moved to the groundwater during licensed operations.

c. **Environmental Site Assessment**

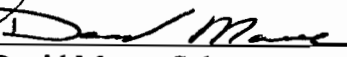
- i. The Board of Selectmen may order a site assessment at the license holder's expense.



Ronald Cormier, Chairman



Jon Pike, Vice Chairman



David Morse, Selectman

| Date: September 21, 2009