

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

TABLE OF CONTENTS

CHAPTER Env-Sw 2000 INSPECTIONS

PART Env-Sw 2001 APPLICABILITY

Env-Sw 2001.01 Applicability

PART Env-Sw 2002 INSPECTION PROCEDURES

Env-Sw 2002.01 Right of Inspection

Env-Sw 2002.02 Credential Presentation

Env-Sw 2002.03 Inspection Reports

CHAPTER Env-Sw 2000 INSPECTIONS

Statutory Authority: RSA 149-M:7

REVISION NOTE:

Document #8459, effective 10-28-05, readopted with amendments, renumbered, and redesignated former Chapter Env-Wm 3700 as Env-Sw 2000, pursuant to a rules reorganization plan for Department rules approved by the Director of the Office of Legislative Services on 9-7-05. The source notes for each section of Env-Sw 2000 identify the former subtitle Env-Wm and number for the respective rule prior to Document #8459.

PART Env-Sw 2001 APPLICABILITY

Env-Sw 2001.01 Applicability. All facilities, including permit-exempt facilities, shall be subject to the inspection provisions of this chapter.

Source. #6619-B, eff 10-29-97; (See Revision Note at chapter heading for Env-Sw 2000); ss by #8459, eff 10-28-05 (formerly Env-Wm 3701.01); ss by #10601, eff 7-1-14

PART Env-Sw 2002 INSPECTION PROCEDURES

Env-Sw 2002.01 Right of Inspection. In order to investigate either actual or suspected sources of potential harm to human health or the environment and to ascertain compliance or non-compliance with the solid waste rules, the department shall:

- (a) Inspect any public or private property or premises as authorized by RSA 149-M:6, IV, including collection, storage, transfer, processing, treatment, and disposal facilities;
- (b) Gather evidence on existing conditions and procedures;
- (c) Obtain representative samples of containers, materials and wastes;
- (d) Conduct tests, analyses, and evaluations;
- (e) Photograph containers, tanks, labels, processes or conditions related to waste collection, storage, transfer, processing, treatment, and disposal;
- (f) Inspect or be provided copies of, or both, any pertinent records, reports of information and test results relating to the requirements of the solid waste rules upon request; and

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

(g) Obtain any other information as authorized by law.

Source. #6619-B, eff 10-29-97; (See Revision Note at chapter heading for Env-Sw 2000); ss by #8459, eff 10-28-05 (formerly Env-Wm 3702.01); ss by #10601, eff 7-1-14

Env-Sw 2002.02 Credential Presentation. In conducting an inspection of a facility, department personnel shall, subject to privileges provided for by law, present his/her identification to, in order of preference, the owner or operator or their representative or to the senior company representative present, if any.

Source. #6619-B, eff 10-29-97; (See Revision Note at chapter heading for Env-Sw 2000); ss by #8459, eff 10-28-05 (formerly Env-Wm 3702.02); ss by #10601, eff 7-1-14

Env-Sw 2002.03 Inspection Reports. Upon conducting an inspection of a facility, the department shall, subject to RSA 91-A:

- (a) Make a written report listing the conditions found during the inspection;
- (b) Keep the report on file at the department; and
- (c) Provide a copy of the report to the owner or operator or his agent, if requested.

Source. #6619-B, eff 10-29-97; (See Revision Note at chapter heading for Env-Sw 2000); ss by #8459, eff 10-28-05 (formerly Env-Wm 3702.03); ss by #10601, eff 7-1-14

APPENDIX

Rule Sections	State Statute(s) Implemented
Env-Sw 2000	RSA 149-M:6, I, IV; RSA 149-M:7, XV