CHAPTER Env-Sw 2000 INSPECTIONS

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

**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.

**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.

**APPENDIX**

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