

MAJOR POINTS of the GROUNDWATER PROTECTION ORDINANCE
January 27, 2010

AUTHORITY: RSA 674:16, in particular RSA 674:16-II Innovative Land Use

APPLIES TO: Commercial and municipal facilities; cottage industries using regulated substances

PURPOSE

The purpose of this ordinance is, in the interest of public health, safety, and general welfare, to preserve, maintain, and protect from contamination existing and potential groundwater supply areas.

GROUNDWATER PROTECTION DISTRICT

Identified as the Stratified-drift Aquifers and Wellhead Protection Areas for Community Wells within the six towns.

PERMITTED USES

All uses permitted by right or allowed by special exception in the underlying district unless they are prohibited under this Ordinance.

PROHIBITED USES

The following uses are prohibited (per NHDES model ordinance):

- hazardous waste disposal facility as defined under RSA 147-A
- solid waste landfill
- outdoor storage of road salt or other deicing chemicals in bulk
- junkyard
- snow dump
- wastewater or septage lagoon
- petroleum bulk plant or terminal
- gasoline stations

The following uses may also be prohibited (per regional discussion and ordinance development):

- sludge monofills
- Storage of animal manure (unless follow Agricultural Best Management Practices)
- Facilities that generate, treat, store, or dispose of hazardous waste (except for HHW events)
- Non-sanitary treatment works which discharge to the ground
- Storage of regulated substances in greater than household quantities (> 5 gallons)
- Storage of fertilizers (unless stored in container designed to prevent leachate)
- Excavation or Mining within four feet of Seasonal High Water Table

PERFORMANCE STANDARDS

The following Performance Standards apply to all uses

- Applicable Best Management Practices (BMP's)
- Regulated Substance rules and BMPs, including a spill control and countermeasure (SPCC) plan
- Inactive or abandoned wells on the property must be sealed
- Stormwater management and pollution prevention plan

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EXEMPTIONS

The following uses are exempt (provided they comply with all other applicable requirements):

- ❑ private residences (cottage industries or home businesses using regulated substances are not exempt)
- ❑ mobile fuel tanks
- ❑ Storage of heating or motor fuels or office supplies
- ❑ Temporary storage of construction materials
- ❑ Use of pesticides
- ❑ Household hazardous waste collection projects
- ❑ Underground and aboveground storage tanks in compliance with applicable state rules

MAINTENANCE AND INSPECTION

- ❑ maintenance requirements shall be recorded with the town
- ❑ Inspections may be required to verify compliance with Performance Standards