

If the disposal site is a recycling facility (material will be reused), only the lines and boxes denoted with asterisks (*) in the following form need to be completed. In the first box a drawing of the site along with the area impacted will not be required. Conditions numbered (3) and (4) will also not be required as long as the facility has a NHDES Site Specific Permit.

Rev. 5/07	STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION DISPOSAL AGREEMENT (This does not apply to disposal areas operated by a public agency)
Source: *NHDOT Project Name: _____ *Project Number: _____	
Disposal Site: *Property Owner(s): _____	
*Site Address: _____ *Town: _____ * State: _____	
*Type of Site: <input type="checkbox"/> Private Residential <input type="checkbox"/> Private Commercial <input type="checkbox"/> Under Commercial Development <input type="checkbox"/> Materials Handling Facility (pit, quarry, landfill, recycling facility, etc.)	
*Volume of material to be disposed of (c.y.): _____ Area of disposal site (sq. ft., acres): _____ (May require payment of excavation tax per 107.02)	
Attach a drawing of the site that shows: property lines, roads, driveways, buildings, and disposal area limits.	
This form sets forth the conditions under which the Department will approve the disposal of surplus or waste material by a Contractor who, under contract as an agent of the Department, seeks to open and operate a disposal site on the referenced property in accordance with Section 106, 201 and 203 of the New Hampshire Department of Transportation Standard Specifications for Road and Bridge Construction applicable to the referenced project.	
By signature herein, the Contractor (agent) and the property owner(s) acknowledge and agree to the following conditions and specifications subject to Departmental approval:	
(1) Prior to the start of disposal operations, this agreement shall be executed by the Contractor, the property owner(s), and the Department's Contract Administrator, with written approval received from the Department.	
(2) The Contractor shall not dispose of material considered to be hazardous or injurious to public welfare, including contaminated soils and asbestos, except as permitted by federal, state, and local regulations. Solid waste shall be disposed of according to all federal, state, and local regulations.	
(3) Prior to the start of disposal operations, the Contractor shall complete a Historic and Archaeological Resources certification in accordance with the Contract, for areas affected by the disposal or by any haul road constructed for access to the disposal area.	
(4) Prior to the start of disposal operations, the Contractor shall investigate impacts on existing wetlands by arranging for a qualified person recognized by the Department of Environmental Services (NHDES) capable of performing such an investigation. The Contractor shall apply for, and receive from the NH Wetlands Bureau, any wetlands permit(s) required prior to the start of disposal operations.	
(5) Pursuant to Executive Order 11988, dated May 24, 1977, the Contractor shall not dispose of materials within the boundaries of any floodway, or within the limits of any 100 year floodplain, or within any area that violates Executive Order 11988 without the expressed written permission of appropriate federal, state, and local agencies. It shall be the responsibility of the Contractor to ascertain and mark the boundaries of such floodway and floodplain using available information from federal, state, and local resources.	
(6) Approval by the Department to open and operate the disposal area will expire at the specified or extended completion date of the project. Access roads to the area adjacent to highways shall be obliterated unless permission is given by the Department to preserve such access roads. If the Contractor has removed screening trees and brush between the highway and the disposal area, the area shall be replanted to provide a similar screen in a zone along the edge of the disposal area as directed by the Department.	
(7) Disposal or transportation of material by the Contractor shall not be exempt from local zoning or other applicable	

