



The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

EMAIL ONLY

August 22, 2022

CURTIS STAFFORD  
GEORGE C STAFFORD & SONS INC  
231 COURT ST.  
LACONIA, NH 03247

**Subject:** **Laconia**, Terry Murphy's Court St. Auto, 227 Court St.  
NHDES Site No. 199602042, UST Facility ID #0111695

**Waiver Request** dated July 25, 2022, Prepared by Glenn Worsman, Env-Or 407.04(b)(4),  
Dispensing Areas - manways, spill containment and tank pad appurtenances not allowed  
within concrete dispensing pad

Dear Curtis Stafford:

The New Hampshire Department of Environmental Services, Waste Management Division (NHDES) has received your July 25, 2022, request for a waiver of the subject requirement of the New Hampshire Code of Administrative Rules Env-Or 400, Underground Storage Tank Facilities ("the UST Rules"). Specifically, you requested that NHDES waive the "no openings in concrete dispensing pads" requirement so that you may install a replacement dispensing pad at an existing facility in which the new tanks will be installed below the dispensing area due to property constraints at the facility.

The requirement under consideration, Env-Or 405.07 (b) reads:

*Each dispensing area installed or replaced on or after the 2018 effective date of this chapter shall have a concrete pad with positive limiting barriers (PLBs) that:*

*(4) Does not contain any manways, spill containment, other such tank pad appurtenances, drains, or other avenues that could allow spilled regulated substances to seep into the ground, provided, however, that design plans may show such appurtenances as part of an island that is raised above the tank pad;*

NHDES reviewed your request for waiver in accordance with the requirements and criteria outlined in Env-Or 409. These rules provide that a waiver shall be granted if:

*(1) Granting a waiver will not result in an adverse impact on the environment, public health, or public safety that is more significant than that which would result from complying with the rule; and,*

*(2) One or more of the following conditions is satisfied:*

- a. Granting a waiver is consistent with the intent and purpose of the rule being waived; or,*
- b. Any benefit to the public or the environment is outweighed by the economic and operational consequences of strict compliance with the rule.*

[www.des.nh.gov](http://www.des.nh.gov)

PO Box 95, 29 Hazen Drive, Concord, NH 03302-0095

Telephone: (603) 271-3899 Fax: (603) 271-2181 TDD Access: Relay NH 1-800-735-2964

Waiver Approval Conditions

1. As documented in the subject waiver request dated July 25, 2022, in lieu of meeting the no openings in concrete dispensing pads requirement, you propose the following:
  - a. Install a 2" crown for the two manholes within the proposed concrete dispensing pad to direct runoff or a spill away from the manhole openings and to the PLB.
  - b. Install a diverter PLB around the two manholes within the proposed concrete dispensing pad to direct any runoff or spill to the perimeter PLB.
  - c. Install liquid tight covers on the two manholes within the concrete dispensing pad.

After reviewing the matter in accordance with the UST Rules, NHDES approves your request to waive the requirements of Env-Or 405.07(b)(4). NHDES concludes that waiver conditions per Env-Or 409.03(a)(1) and (a)(2), will be met and therefore approves the waiver request subject to the following conditions:

1. The proposed concrete dispensing pad is constructed in accordance with the UST Rules and all the alternatives listed in the July 25, 2022 waiver request including waiver approval conditions 1-a through 1-c, as noted above.
2. The UST facility is operated in accordance with the UST Rules.

Should you have any questions concerning the content of this letter, please contact Charlie Krautmann, PE, PG, in the Waste Management Division of DES at (603) 271-6058 or [Charles.S.Krautmann@des.nh.gov](mailto:Charles.S.Krautmann@des.nh.gov).

Sincerely yours,



Michael J. Wimsatt, P.G., Director  
Waste Management Division  
Tel: (603) 271-1997  
E-mail: [Michael.Wimsatt@des.nh.gov](mailto:Michael.Wimsatt@des.nh.gov)

Encl: Waiver Request, dated July 25, 2022

ecc: Glenn Worsman – [goldeagle@metrocast.net](mailto:goldeagle@metrocast.net)  
Jeff Stone, VP – [jstone@staffordoil.com](mailto:jstone@staffordoil.com)  
Matthew Jones, NHDES  
Chad Hayes, PE, NHDES

New Hampshire Department Of Environmental Services  
P.O. Box 95, Concord, New Hampshire 03301 (603) 271-3899



# DES WAIVER REQUEST FORM

When requesting a waiver from the New Hampshire Code of Administrative Services Part Env-Or 400, Underground Storage Facilities, please provide as much information as possible.

Facility Owner Name George C Stafford + Sons inc.

Address PO Box 220

City, State, Zip Laconia NH 03247-0220

1. Facility Name and Identification Number: Stafford Oil 0111695

2. Facility Address / City: 227 Court St Laconia

3. Identify system(s):

No.	gallons stored	Product stored	Tank material	Piping material
7	12000	Gas	Composit	Plastic
8	10000	Gas	Composit	Plastic
9A	7000	Diesel	Composit	Plastic
9B	3000	Diesel	Composit	plastic

4. Reference to the section of the rules in which a waiver is sought:

405.07-4 Dispensing Area/ manholes in dispensing area

5. Explanation of why the waiver is necessary:

This location has 1 of the existing tanks with 2 manholes that are within the fueling Apron. We're proposing to replace/ enlarge the fueling apron so as the hose's + Nozzles are over a Fueling apron with PLBs

6. Explanation of the alternative for which a waiver is sought, with backup calculations and data for support (if applicable):

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7. Explanation of how the alternatives are consistent with the intent of State Underground Storage Tank Law, RSA 146-C:

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Note: If items 6 and 7 are not completed waiver will not be considered

Owner Signature [Signature] Date 07/25/2022

#6 Replace existing Fueling apron, enlarging and adding PLBs. Replace the two manholes that are in the Fueling apron with water tight Manholes with approximately a 2" crown with a diverter PHB around them tying into the New PLB perimeter.

#7 By replacing the Fueling apron with one with PHBs and replacing the 2 manholes with water tight Manholes crowning them approximately 2" and adding a PLB on 3 sides tying it into the Perimeter PHBs. Keeping all fueling on the New fueling apron with PHBs were none currently exist.

See drawing.

Glenn Worsman  
Gold Eagle Contracting  
603-528-1991



