

DES against landfill moratorium bill



A refuse truck backs up to dump trash at the Nashua landfill. GEOFF FORESTER/Monitor staff file

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As testimony on bills targeting landfill safety in New Hampshire continues in both chambers of the legislature, the state Department of Environmental Services maintains its stance against proposed legislation advocating for a four-year moratorium of landfill permits.

“It suspends the solid waste permitting processes that are important to maintaining a stable solid waste market in the state and it could result in impacts to capacity within the state and it could have economic impacts,” said Sarah Yuhas Kirn, assistant director of the department’s solid waste division at last week’s Senate hearing.

If [House Bill 1620](#) passes, it will impose a moratorium on the issuance of new landfill permits in the state until 2028. Initially suggesting a freeze until 2031, the bill underwent an amendment and

gained approval from the full House of Representatives.

“Let’s pump the brakes,” said Rep. David Rochefort from Concord, the bill’s prime sponsor. “We don’t need another landfill for at least 10 years.”

Pausing landfill permitting does not stop the ongoing revision of outdated solid waste regulations by the state agency. Also, the bill does not apply to existing landfills, so they can continue to seek expansions.

But Kirn said that even if landfill expansions are allowed in the bill, it will still cause limitations to disposal capacity.

“Existing landfills may not be positioned or inclined to seek permits for additional disposal capacity prior to 2028 so we can’t rely solely upon potential landfill expansions to solve a possible problem of reduced capacity,” said Kirn.

Environmental advocates and others in support of the bill emphasized that New Hampshire does not need a new landfill for a decade, if not longer, by reducing out-of-state waste. The state currently has two commercial landfills, which accept both in-state and out-of-state waste. According to the state department’s report assessment, [more than half of the waste](#) at these landfills comes from neighboring states, including Massachusetts, Connecticut, Rhode Island, Maine and Vermont.

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Rep. Rochefort further emphasized that it makes sense to halt landfill permits, citing the incomplete operational capacity of Waste Management Council—an advisory body responsible for guiding the director of the Waste Management division on solid and hazardous waste management policies, programs, goals, and operations.

According to the state statute, the council shall be made up of 13 members, including representatives from industry, conservation commissions, public health, and academia.

However, the commission currently has only eight members, two of whom are from the private trash industry. There are vacancies for a health expert, a member of public health and a municipal official, among others.

During the hearing, Rep. Kelly Potenza said the bill just hits the pause button on new landfill permitting, not stop, and it's a chance to change direction.

Moreover, as the state rewrites its solid waste standards, it is considering Casella Waste System's landfill application near Forest Lake in Dalton at the same time, which Rep. Potenza referred to as reverse engineering.

“I was elected to protect the health and well-being and balance industry at the same time and we're not doing that. We're very distracted,” said Rep. Potenza. “This bill is sensible, it's four years. We don't need another landfill if we do things right in our solid waste pyramid.”