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FEATURED

Landfill Groundwater Bill Fails In Senate Veto Override Vote

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Supporters of a landfill groundwater bill turned out to the New Hampshire statehouse for a rally on Thursday, during veto override day. The House overrode the governor's veto of the bill, but the Senate did not, leaving the bill to fail. (Contributed photo)

Supporters of a New Hampshire House bill that sought to prevent the siting of any new landfill near any source of groundwater that moves faster than a specified measure had their hopes dashed on Thursday when it was defeated after failing in a Senate veto override vote.

In the spring, the New Hampshire House of Representatives overwhelmingly passed House Bill 1454, a bipartisan piece of legislation that was sponsored by state Rep. Edith Tucker, D- Rar

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It's a site-specific bill that uses time and units of feet per year as a measure and it sought a proscribed distance between any new landfill and any surface water body based on how fast the groundwater flows between them.

The objective is to have time to remediate a landfill leak or water pollution issue before contaminated groundwater reaches a river, lake, or other surface water.

Opponents of a proposed Casella Waste Systems landfill beside Forest Lake State Park in Dalton supported HB 1454, which, based on the groundwater speed between the proposed site and surface waters, could have prohibited the landfill from being built at that location.

In May, a week before the House vote, the New Hampshire Senate passed HB 1454 in a 16-8 vote.

Gov. Chris Sununu, however, declared that he would veto HB 1454, and soon did.

Veto override day for the New Hampshire Legislature is usually scheduled in September, and in 2022 it fell on Thursday.

Overrides need a two-thirds majority in both houses to overcome a governor's veto.

On Thursday, the House handily overrode the veto in a 256-65 vote to support HB 1454, said state Rep. Tim Egan, D-Sugar Hill, a co-sponsor of the bill with state Reps. Dennis Thompson, R-Stewartstown; Linda Massimilla, D-Littleton; Troy Merner, R-Lancaster; former state Sen. Erin Hennessey, R-Littleton; and several other lawmakers.

In the Senate, however, the override failed in a 12-11 vote.

On Thursday evening, Tucker, who is running for New Hampshire Senate District 1, said she would bring the bill back if elected to the state Senate.

"I would expect a far more informative Senate hearing in another year," she said. "The understanding of the time-of-travel concept is growing as are the dangers of PFAS."

Tucker said 80 percent of the House voted yes to override HB 1454, but it failed in the Senate because 16 votes were needed as before, although there are only 23 of 24 Senate members since Hennessey resigned to become deputy secretary of state.

In declaring his veto of the bill, Sununu said HB 1454 could increase solid waste disposal costs for communities.

Bill supporters, however, said his claim is not supported by evidence and a large landfill with truck traffic could impact tourism, a growing part of the North Country economy, and carry environmental and water pollution hazards.

As for Thursday's House vote, Egan said he told his House colleagues it's important to override the veto because water is precious and tourism is important.

"I can't understand why the governor vetoed this bill when he says that he is pro-tourism and knows tourism is the number one industry in our state," said Egan. "His veto didn't really prove it. I told House members we need to prove it to the community that we know water is valuable for all of our lives.

As for the Senate vote, Egan said, "I was very frustrated that Republicans were turned by the waste industry telling them lies and mistruths about how there won't be a negative impact from the landfill. I was disappointed that other Democrats voted against it, not respecting the impact it has on our tourism and waterways."

Water safety is an important issue in New Hampshire but seems to be ignored in the North Country, he said.

If re-elected to the House, Egan said he would support bringing the bill back.

"It's a smart bill based in science that got caught up in politics, and people talked about personalities who supported or didn't support the bill," he said. "It's not about personalities or politics. It's about science. Protecting the environment and our health and protecting the water is the most important thing we can do."

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