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FEATURED

New Hampshire House Passes Landfill-Groundwater Siting Bill

Robert Blechl rblechl@caledonian-record.com Staff Writer

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State Rep. Linda Massimilla, D-Littleton.

After a split committee vote with no recommendation, the full New Hampshire House of Representatives on Wednesday cleared a landfill-groundwater siting bill, which now moves to the New Hampshire Senate.

House Bill 56, whose sponsors include state Rep. Linda Massimilla, D-Littleton, passed in a 224-155 House vote.

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It seeks to establish a formula for determining the distance for which a new landfill can be sited from a perennial lake, river, or coastal water.

On March 7, the House Environment and Agriculture Committee voted 10-10 on the bill, which meant it would go to the House floor without a recommendation.

If made law, HB 56 would provide a 5-year setback or distance of travel (or fewer years if improvements are made to a landfill) based on maximum seepage velocity measured in units of feet per year that determine how fast the groundwater flows between a landfill and a surface water.

The aim is to provide enough time to detect contaminated groundwater from a leak, spill or other landfill failure from reaching the water body before remedial action can be taken, with five years being a period of time that bill sponsors say should be sufficient to detect and map a failure and began a course of action.

HB 56 supporter Adam Finkel, a Dalton resident who helped draft the language on House Bill 1454, a similar bill, but one that failed last year, highlighted the amendment to HB 56.

“It was to rewrite the section, which is paragraph C, that exempts existing landfills from the bill,” said Finkel. “In other words, you can expand where you are without having to pass the test.”

During a House committee hearing on HB 56 in February, a representative for Waste Management, which owns the existing Turnkey landfill in Rochester and which last year opposed HB 1454, testified in support of HB 56.

Along with HB 56, other landfill-related bills were also put forth in the 2023 New Hampshire legislative session.

HB 602, sponsored by state Rep Matt Simon, R-Littleton, co-sponsored by state Rep. David Rochefort, R-Littleton, and similar to HB 56, has been retained in the House Environment and Agriculture Committee.

Senate Bill 61, which seeks to require the New Hampshire Department of Environmental Services to adopt rules relative to surface water setbacks for landfills and sets a time-frame for the adoption of new rules, passed the Senate with an amendment and now moves to the House Environment and Agriculture Committee.

SB 159, which seeks to establish a committee to study unlimited service area permits for landfills and the amount of out-of-state waste coming into New Hampshire, was passed by the Senate with an amendment and goes before the House Environment and Agriculture Committee.

HB 226, which sought to allow municipalities to regulate the distribution and disposal of certain solid waste within landfills, was found inexpedient to legislate by the House Municipal and County Government Committee.

Robert Blechl