

Gov. Sununu vetoes bill that would have created new rules for siting landfills

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PFAS is found in many products that can end up in landfill.

Gov. Chris Sununu vetoes a bill Friday that would have created a new method for determining how far landfills should be from bodies of water.

The proposal would have required companies to site landfills far enough away from water bodies so that contaminated groundwater would take more than five years to seep into them.

In his veto message, Sununu said the state's regulations are already "rigorous and robust." Current rules say landfills need to be 200 feet away from bodies of water.

Tom Tower, with the North Country Alliance for Balanced Change, supported the bill. He disagreed that the current regulations are adequate.

"We're talking about protecting precious groundwater. This bill was about protecting the Merrimack River, Lake Winnepesaukee, the Atlantic Ocean," he said.

The bill had bipartisan support in the House and Senate, with those in favor saying it would help protect New Hampshire's water from pollutants that can leach out of landfills.

But it also faced bitter debate. Senate Republican Kevin Avard said the effort was targeted at one landfill in particular, proposed by Casella near Forest Lake in Dalton.

Adam Finkel, who owns a home in Dalton, said the regulations would have forced the proposed landfill to move to a different location.

"But that's an indictment of Casella Waste Systems. That's because they have deliberately chosen one of the worst possible locations in the state," he said.

It's a relatively common practice to use the time that contaminated water will take to travel to measure how far away a potential source of pollution should be located from a body of water. Other states, like Maine, use it for landfill siting.

Casella has withdrawn their permit applications for that site, but the company says they plan to reapply. The Vermont-based company says it's proposing the Dalton landfill because more capacity for solid waste disposal is needed in New Hampshire, projecting that New Hampshire wouldn't have enough capacity to meet the industry's demand for space over the next two decades.

That's something Sununu pointed to in his veto message, saying had these proposed requirements been in place previously, that would have prevented construction of some of the landfills already operating in the state and could threaten future waste management.

At present, about half of the waste in New Hampshire landfills is from outside of the state. And, at the moment, New Hampshire has adequate disposal capacity, according to the Department of Environmental Services.

The governor also said the bill was a "solution in search of a problem," noting an absence of data showing the state's landfills are polluting waterways right now.

Tom Irwin, director of the Conservation Law Foundation in New Hampshire, said that was short-sighted.

"These landfills, once they're built, they're there to stay. No one's going to pick them up and move them," he said. "Legislation like this is important for the long term...Perhaps today we don't have any landfills currently polluting surface waters. But what's

happening today is not what will be happening 20, 50, 100 years from now.”

Advocates said they hoped to see New Hampshire lawmakers override the Governor’s veto.