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## NH House panel to tackle bills on landfills, waste reduction

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CONCORD — Waste management will be front and center at the New Hampshire Legislature this week, with public hearings on extended producer responsibility and siting new landfills on Tuesday.

### Landfill siting

Jan. 18 will be a marathon of public hearings on landfills at the House Environment and Agriculture Committee. At 10:45 a.m., there will be a public hearing on HB 1420. The bill would block any new landfill permits — including for Casella’s proposed landfill in the North Country town of Dalton, N.H. — until the state updates its solid waste plan, which is almost 20 years old. The New Hampshire Department of Environmental Services is concerned that, as written, the bill would stymie permits for all waste facilities, including transfer stations and composting processors, said Michael Wimsatt, the waste management division director at the agency.

At 11:15 a.m., the discussion will turn to HB 1049, which would establish a committee to study siting criteria for landfills as well as ways to reduce waste streams, and by extension, the pressure to build and expand landfills. Finally, at 1 p.m., there will be a public hearing on HB 1454 to prohibit the siting of a landfill at a site to protect groundwater as well as nearby lakes and rivers. The bill would prohibit landfills from being built within five years’ groundwater travel distance from surface water. NHDES identified several problems that might arise when implementing the bill.

“Because of the complexity of the hydrology, it’s not an easy matter to figure out what that is,” Wimsatt said. And calculating it might require access to private property.

Interest in solid waste escalated after Casella Waste Systems proposed a new landfill near Forest Lake State Park in Dalton, sparking protests and controversy. NHDES, which licenses new landfills, requested more information by June after it received Casella’s first application. Landfill capacity in New Hampshire will not be a problem so long as landfills continue to be expanded or built, Wimsatt said.

“To site a new landfill is really difficult,” said Marc Morgan, the solid waste manager at the Lebanon landfill. “Politically, with the community, there are just a whole host of issues.”

Meanwhile, New Hampshire is due to have a new solid waste plan by Oct. 1.

“Other states are going to the mat to reduce their waste and shut down landfills, and we haven’t done an update of our solid waste plan since 2003, so we have a lot of work to do,” said Karen Ebel, D-New London, during a hearing on Dec. 13, as InDepthNH reported. She chairs the Solid Waste Working Group, a new body that’s working with the NHDES on the new plan.

Other states' regulations affect New Hampshire. Massachusetts, for example, has dwindling landfill capacity. Massachusetts customers then have to look out-of-state for landfill space, which crowds any private landfills in New Hampshire that have an unlimited service area.

“What happens in that situation is Massachusetts waste is competing with New Hampshire waste for that landfill space,” said Morgan, who also sits on the Solid Waste Working Group. “It’s not just that disposal capacity is shortening,” he added.

If out-of-staters are willing to pay high prices to dispose of their waste, that can drive up costs for New Hampshire customers, which include municipalities, waste holders and anyone else who generates waste, Morgan explained.

But the Lebanon landfill is a public facility with a limited service area, so the [22 Upper Valley \(https://lebanonnh.gov/484/Authorized-Communities\)](https://lebanonnh.gov/484/Authorized-Communities) towns in its limited service are buffered from the rising costs of disposal, Morgan said. And he added that the landfill has space for 60 to 80 more years of waste.

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## Reducing waste

Other bills on the agenda look at reducing the amount of waste that ends up in landfills. Rep. Lee Oxenham, D-Plainfield, is one of three Democratic representatives who sponsored a bill, HB 1111 that would establish a commission to look into extended producer responsibility in New Hampshire.

Under extended producer responsibility framework, companies that produce and sell plastic and other waste provide financial or physical support to dispose of it. The model could take pressure off of municipalities struggling with the cost of waste management, the bill’s sponsors argue.

“The whole point of the extended producer responsibility bill is to keep things out of the landfill. You start at the other side of the process,” Rep. Oxenham said. The commission would bring experts into the Statehouse and raise awareness about a novel concept, she added.

At 9 a.m., the House Environment and Agriculture Committee will hold a public hearing on HB 1111.

Another bill up this session, HB 1337, would establish a committee to look into a tax on manufacturers based on the cost of disposing of their products. But Rep. Oxenham favors HB 1111. “If you just start with a tax, you already have a real headwind to work against,” she said.”

Another public hearing at 2:30 p.m. Jan. 18 will address a “bottle bill,” HB 1652, to incentivize the recycling of beverage containers. Customers would pay a 10-cent deposit on each beverage container, and they could redeem their 10 cents at retailers or recycling centers. In past legislative sessions, bottle bills have failed.

“A lot more people are aware that we are filling up our landfills and there are costs of not creating a circular economy,” Rep. Oxenham said.

But NHDES, the agency that would implement the bill, has some concerns, although it does not have a position on the bill.

“The resources we have now are not adequate to implement the responsibilities that bill requires,” explained Michael Nork, an NHDES environmental analyst. The bill would require significant rule-making and staff time at NHDES, and the bill does not provide the agency with the resources to execute it.

The hearings on Tuesday will be held in the Legislative Office Building Room 301-303. They will also be streamed on the “NH House of Representatives Committee Streaming” YouTube channel.

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