

New Hampshire Bulletin

Senate passes amended landfill bill that critics say thwarts local control

BY: MOLLY RAINS - JANUARY 8, 2026 4:55 AM



 Loudon Republican Sen. Howard Pearl (standing, left) discusses landfill regulation during a session of the New Hampshire Senate on Wednesday, Jan 7. The body ultimately passed a landfill regulation bill with an amendment authored by Pearl that he said would help promote the addition of waste disposal capacity in the state. Critics said the amendment challenges local control in landfill siting. (Photo by Molly Rains/New Hampshire Bulletin)

On its first day back in session, the New Hampshire Senate considered multiple bills held over from last session on waste regulation, continuing a long-running discussion on the topic and upholding the trend of Senate and House divergence on the matter.

On Wednesday, senators passed an amended version of [House Bill 707](#), legislation retained from last session that proposes a new process for landfill site evaluation.

Under the bill, landfill proposals would be considered by a seven-member committee evaluating a set list of criteria. HB 707 also calls for state regulatory and policy interests to take precedence over “local regulations and restrictions” in the landfill siting process, citing “a compelling state interest in maintaining adequate, reasonably priced disposal capacity for solid waste generated in New Hampshire.”

Those provisions are contained in a replace-all amendment authored by Sen. Howard Pearl, a Loudon Republican; with Pearl's amendment, the Senate Energy and Natural Resources Committee recommended the bill, 5-0, in October.

At the time, some representatives who had sponsored the House bill reacted negatively to the Senate's amendment, including prime sponsor Rep. Kelley Potenza, a Rochester Republican. As approved by the House, earlier versions of the bill also sought to reform the landfill siting process. [But Potenza said in October](#) the criteria in the Senate amendment were not stringent enough. The amendment sacrificed local control, she said, while giving concessions to the waste industry.

Sen. David Rochefort, a Littleton Republican, said Wednesday the amended bill was "targeted" at one project in particular: a landfill in Bethlehem owned by Vermont-based Casella Waste Systems.

The town of Bethlehem has attempted to regulate the landfill at the local level, through town votes and a legal agreement with Casella. As amended, Rochefort said, the bill could take those decisions out of residents' hands.

In a letter sent to lawmakers on Tuesday, the Bethlehem Select Board also expressed opposition to the amended bill.

"Local officials are best positioned to weigh competing interests, impose appropriate conditions, and respond to site-specific impacts. State-level preemption of these responsibilities sets a troubling precedent that extends well beyond landfill regulation," the board wrote.

On Wednesday, Rochefort introduced a floor amendment he said would strengthen local control in the siting process outlined by the bill. He also rejected the argument that increased landfill capacity would be a significant public benefit, saying the state had enough capacity to dispose of its waste in its currently operational landfills.

Senate Energy and Natural Resources Committee members David Watters, a Dover Democrat, and Cindy Rosenwald, a Nashua Democrat, spoke in favor of the floor amendment. But Pearl spoke against it, saying its financial impact was unknown.

The amendment ultimately failed, 12-12; soon after, the Senate voted in favor of the amended version of HB 707. The amended bill will return to the House for further discussion this session.

Later on Wednesday, the Senate passed another bill aimed at regulating waste: [House Bill 451](#), establishing a [drop-off paint can recycling program](#), passed 13-11.

Senators also considered two more waste-related bills held over from last year on the consent calendar: [House Bill 171](#), establishing a moratorium on new landfills, was voted inexpedient to

legislate, while [Senate Bill 226](#), which also called for a moratorium on new landfills as well as the study of incineration as a disposal method, was referred for interim study.