

House lawmakers settle for a 3-year landfill moratorium in hopes to secure Senate and governor's support



Casella Waste System's Bethlehem landfill had hundreds of violations within a year. DEPARTMENT OF ENVIRONMENTAL SERVICES

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House lawmakers hoping to enact a temporary moratorium on new landfills in New Hampshire, lowered their aim to a three-year pause in an attempt to strike the right balance to negotiate with their counterparts in the Senate and Governor Kelly Ayotte.

But State Rep. Jonah Wheeler, a Peterborough Democrat, said the House should hold firm on its original position of a five-year halt on new landfill permits, especially after hearing from several residents across the state who want stronger protections for the environment and public health.

“I’m having a hard time using the people of the state of New Hampshire as a bargaining chip, especially if we're going to do it in such a low way,” said Wheeler. “For us to cave to the Senate or the Governor on our position falls into a tradition that I think is really sad for the House of Representatives as of late where we don't respect our power as the legislative body closest to the people.”

On Tuesday, the House Environment and Agriculture Committee voted 13-1 in favor of the amended [House Bill 171](#).

This bill would block the Department of Environmental Services from issuing new landfill permits in the state until 2028. The original proposal called for a freeze until 2030.

Meanwhile, the Senate has its own version of the bill, [Senate Bill 226](#), which proposes a six-year moratorium.

In February, [Ayotte endorsed a one-year moratorium on new landfills](#) in the state, which will be included in the policy section of the budget, known as HB2. That’s not final either, meaning the moratorium could go through many revisions if it becomes law.

State Rep. Kevin Scully, a Republican who voted against the House bill, agrees a moratorium is necessary, but he’s not in favor of a three-year pause.

“I honestly believe that there would be almost zero chance that a three-year moratorium would pass the Senate,” said Scully. “I think it’s a much easier sell with the other body if we make that one year and I think the tea leaves are that the governor will also be in favor of that.”

State representatives are moving carefully to shape the bill in a way that ensures a landfill moratorium passes this year. They have seen what happened last year when the full House of Representatives approved a similar legislation, only for it to fail in the Senate and they want to avoid the same outcome.

This time around, [lawmakers from both chambers and Ayotte seem to be aligned in their push to pause new landfill permits](#) to take a hard look at the state’s landfill regulations and strengthen protections for both the environment and the people living near the dumping sites.

Environmental advocates have criticized the state’s newly updated solid waste rules, which took effect in December, arguing that the changes are too weak and allow landfills to be built in unsuitable locations like sandpits.

The ongoing controversy over Casella Waste Systems’ proposed landfill near Forest Lake in Dalton has kept the issue front and center in nearly every legislative hearing on landfills.

Opponents of the bill warn that a pause on new landfills could lead to a capacity crisis in New Hampshire. Others argue that New Hampshire has become an importer of trash from out of state to the profit of companies like Casella. The Department of Environmental Services estimates that nearly half of the trash dumped in the state comes from out-of-state sources like Massachusetts.

Rochester Republican Kelley Potenza argued the state needs time to get its solid waste systems in order, from fixing the landfill permitting process to improving waste reduction strategies.

“We do not have a problem with capacity. We have a policy problem. We have a process problem,” said Potenza. “There’s a lot of work that needs to be done and the only way to do that is a pause.”

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