

# **There's support in NH for a landfill moratorium, but no consensus yet on how long it should be**

BY: **CLAIRE SULLIVAN** - FEBRUARY 24, 2025 5:00 AM



Gov. Kelly Ayotte called in her budget for a one-year halt to new landfills. Lawmakers in the Senate are proposing a stop until 2031, while the House's version calls for a pause until 2030. Pictured is the landfill in Bethlehem. (Photo courtesy of the N.H. Department of Environmental Services)

There are proposals emanating from the House, the Senate, and the governor's office to put a pause on new landfills in the state. Over the next few months, they'll have to reach an agreement on just how long that pause should be.

Gov. Kelly Ayotte, who took office last month, called in her budget for a one-year halt and a site evaluation committee for new landfills. In the Senate, where a committee heard a moratorium bill Tuesday, lawmakers are proposing a stop until 2031.

The House's version of the legislation calls for a pause until 2030, though lawmakers have signaled that may be amended to a shorter time frame as the House Agriculture and Environment Committee members continue work on the bill.

Regardless of competing thoughts on how long the pause should be, those in favor of pumping the brakes say it's a necessary step to buy time to reconsider the state's landfill regulations. Critics say the updated rules, adopted in December, allow a landfill virtually anywhere in the state. They want to avoid another project – like the one proposed by Casella Waste Systems near a pristine North Country lake – that they see as ill-conceived and poorly located.

Sen. Kevin Avar, the Nashua Republican who chairs the Senate Energy and Natural Resources Committee, raised concerns about the Senate bill that “this kind of legislation puts a big wet blanket on anybody who wants to do business in the state.” That point was echoed by Natch Greyes, the vice president of public policy for the Business & Industry Association, who has testified against the legislation in the House and Senate.

In a statement to the Bulletin, Greyes didn't comment directly on the BIA's stance on Ayotte's proposal for a shorter pause, but said the group had concerns about disposal costs eventually being passed down to consumers



or businesses should the state have to ship more of its waste out of state, something moratorium advocates say the state has ample capacity to avoid.

“We are looking forward to working productively with the Governor and legislature to find a path forward that stabilizes the regulatory environment for the solid waste industry and ensures public policy in this area does not weaken the state’s overall economic competitiveness,” Greyes said.

But the state isn’t in the landfill business, or at least doesn’t want to be, argued Wayne Morrison, president of North Country Alliance for Balanced Change, a citizen group that has opposed a new landfill in the northern part of state and advocated for more protective solid waste policy. State data shows that roughly half the trash dumped in New Hampshire each year comes from out of state – typically from states with more restrictive waste policies.

“We don’t want to be in the landfill business,” Morrison said at the committee hearing on the bill. “Landfilling is the last thing that we want to do. It’s the weakest — it’s the poorest use of land and it puts New Hampshire citizens, communities, and businesses at great environmental risk.”

Not all in the waste industry are against the pause, either. Henry Veilleux, a lobbyist for Waste Management, which is planning to expand the Turnkey Landfill in Rochester in a few years, said the company was not opposed to the moratorium bill when asked at the Senate panel hearing. Their expansion would not be affected by the proposals.

That exclusion of expansions from the legislation — a feature of all the proposals — is a type of “insurance policy,” Morrison said, giving the state flexibility should an unexpected capacity shortfall occur. Factoring in expansions and the state’s goals to reduce landfill disposal by 25% in weight by 2030 and 45% by 2050, New Hampshire may only need one new landfill in the next 100 years, Morrison said.

When introducing Senate Bill 226 – that chamber’s moratorium proposal, which would also establish a study committee on incinerating solid waste – Sen. David Rochefort joked about someone saying it felt like

“Groundhog Day,” the 1993 movie where Bill Murray lives the same day on repeat. After all, the Legislature has heard a host of landfill bills from Rochefort and others in recent years. But actually, the senator said, this year was different.

For one, the Littleton Republican, after winning an election this fall, is now in the upper chamber that has traditionally squashed waste bills like the ones he proposed in his previous years in the House. On the campaign trail, he said he felt his presence in the Senate as an advocate for landfill legislation would make a difference in getting it across the finish line. Now, he’s putting that to the test.

But more significant is a shift from the very top of the state Republican Party. In Ayotte, unlike her predecessor Chris Sununu, New Hampshire has a governor who is vocally against the proposed Casella landfill, and who made a point to highlight landfill issues in her inaugural and budget addresses, endorsing a moratorium from the corner office.

Combined with anxieties over what a number of residents and lawmakers feel are deficient regulations, supporters of a pause feel there’s no time like the present.

“It’s time to do it now,” Rochefort said. “This gives us six years. If you look at the capacity of our landfills in the state of New Hampshire, we have capacity. We are not going to, you know, see trash piling up on the streets if we do this.”

Michael Wimsatt, director of the solid waste division of the Department of Environmental Services, raised wording issues with the House and Senate bills. He pointed, for instance, to the fact that if the agency is in receipt of an application but takes no action within a certain time period, the permit is deemed approved by default.

He also said, when testifying to the Senate panel, that “the way this (bill) is structured currently, it could result in a delay that is well beyond the 2031 suspension date.” That’s because before the department can actually

review a permit application, it must determine that application is complete and contains all necessary information.

That back-and-forth can be time-consuming, and Wimsatt suggested possibly tweaking the bill language so that the agency could let an applicant know during the moratorium period whether they had submitted a complete application.

Most bills are still early in the legislative process. In the House Environment, and Agriculture Committee, lawmakers are planning to discuss this week the possibility of shortening the 2030 moratorium that the chamber's version of the legislation currently proposes, according to Keene Democratic Rep. Nicholas Germana, who is leading the proposal, House Bill 171.

As lawmakers continue to negotiate among themselves, industry, and environmental advocates, they may take months to reach a final compromise on the details of a landfill moratorium. But for the residents who have been involved in landfill issues for years now, the mood is hopeful, and the stakes — protecting the natural environment that nourishes the state's economy and its people — are high.

“There's too much at risk not to do the right thing here,” Morrison told lawmakers.