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Rochefort's Landfill Local Control Amendment Fails To Pass Senate

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Before the full Senate on Thursday, state Sen. Dave Rocheport, R-Littleton, standing, offered a floor amendment to the state's budget that would remove current language allowing the state to override local control when it comes to siting major landfills. The Senate did not adopt his amendment.

On Monday, a Senate committee voted for an amendment to the state budget that would strip local control from communities regarding the siting of major landfills, specifically for expansions on land adjacent to already existing and permitted landfills.

On Thursday, before the full Senate, state Sen. David Rocheport, R-Littleton, offered a floor amendment to reverse it and remove that section from the budget, or HB 2, which would allow the state to override local zoning, local control, and contractual and legal agreements.

Rocheport's amendment failed after the Senate turned it down.



“While I am disappointed that the Senate chose not to adopt the amendment that I put forward today, I think that it is important to look at and recognize that the creation of a Site Evaluation Committee in HB 2 is a big step forward for the North Country and for the movement to protect Forest Lake,” said Rocheport. “This is a first of its kind committee that will look at solid waste in New Hampshire and give a forum and a voice for the people of Dalton.”

There is still much hard work that needs to be done, and many unanswered questions about the potential impact of some provisions of HB2 on other communities, he said.

"I will continue to work tirelessly for our small towns like Bethlehem and ensure we protect our environment and have clean water for our future," said Rochefort.

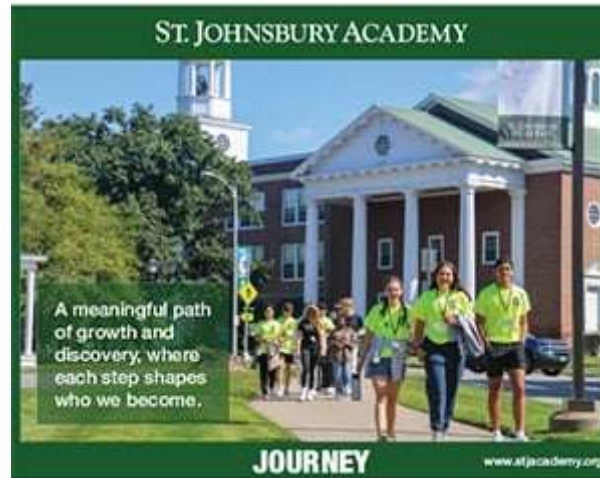
Announcing their opposition to the Senate Finance Committee's amendment on Monday to remove local control were the North Country Alliance for Balanced Change and state Rep. Kelley Potenza, R-Rochester.

"The Senate proposal overrides local control, giving the state the power to impose landfills on unwilling communities," said Wayne Morrison, a Whitefield Forest Lake resident and president of NCABC. "The governor and House have led on solid waste reform while a select few in the Senate continue to be a roadblock. We will not stand by and watch as the Senate and Casella substitute a bad landfill in Dalton for a bad landfill expansion six miles down the road in Bethlehem."

The amendment currently in place seeks to remove local control and establishes a preference for siting new landfill capacity on land adjacent to existing, permitted landfills, granting the New Hampshire Department of Environmental Services exclusive authority to approve such siting.

It leaves unchanged the current law regarding the siting of new landfills on land not adjacent to existing landfills. Such land is referred to as a greenfield site.

The NCES landfill in Bethlehem would be considered a zone with land adjacent to an already existing landfill.



In 2012, Casella entered into a settlement agreement with the town of Bethlehem in which it promised not to buy new land for expansion. Despite that agreement, the company a few years later bought new adjacent land and proposed a 100-acre expansion that it put forward for the town meeting ballot votes in 2017 and 2018.

Both times, Bethlehem voters rejected it.

Casella's proposed commercial landfill in Dalton could be considered a greenfield site.

"We are disappointed, but not surprised, that the entire state Senate has once again tipped the scales in favor of the waste industry," said Potenza. "The Senate's legal counsel currently represents Casella in an active lawsuit against the state, and their political action committee fundraiser is a registered lobbyist for Casella. These clear conflicts of interest make it unsurprising that, once again, the only voices at the table are those of industry — pushing new ways to bring in more out-of-state waste."

The amendment removing local control was adopted Monday by the Senate Finance Committee after being presented by state Sen. Howard Pearl, R-Loudon.