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Bigger Landfill Bills Likely Dead For 2024

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Rep. David Rochefort, R-Littleton, presents House Bill 1235 to the House Education Committee. The bill would ease requirements for student representatives to school boards to promote participation in school districts with low enrollment. (Youtube)

During a marathon New Hampshire House of Representatives session on Thursday, a bill seeking a 4-year moratorium on the granting of new landfill permits, which last week was killed by the Senate, was tacked onto another bill, giving it new life, at least for the moment.

Next week, it goes to another vote by the Legislature, where its sponsor, state Rep. David Rochefort, R-Littleton, expects it to die.

Still, while 2024 saw that and other solid waste legislation cut short, Rochefort is not giving up hope.

On Friday, he said his bills and other landfill-related legislation — which have had overwhelming and bipartisan support in the New Hampshire House of Representatives — will return, and next session they could go before a more agreeable Senate and new governor.

He spoke of the frustration experienced among House members, many of whom have been unified on the landfill issue and other issues, after House bills go to the Senate, only to die.

“We send good stuff over, and have people who have put a lot of time, a lot of research into it,” said Rochefort. “They really became subject matter experts and we send it over to the Senate and it unceremoniously gets killed. I’ve only been there two years, but I can empathize with everyone who has been working on this a lot longer. It’s very frustrating. We get what we think are good solid pieces legislation, not extremist stuff — the moratorium is just a temporary pause on issuing new landfill permits — and it’s painted as some type of extreme measure. But then you look and the Senate is totally willing to put a moratorium on certain types of gambling. To say that they don’t do moratoriums in New Hampshire is just not the case.”

In the House, one of his closest allies on the issue of landfills is state Rep. Nicholas Germana, D-Keene.

“Politically, we’re probably on different sides of the spectrum, but we work well together, and we’re united on this issue,” said Rochefort. “Quite frankly, it makes better legislation. At the end of the day, I have a perspective, he has a perspective, but we’re both working toward the common goal of working for our constituents.”

Rochefort is the prime sponsor of House Bill 1620, which seeks to place a moratorium on the permitting of new landfills through 2028. In its original iteration, the bill sought to extend the pause through 2031 until it was amended in the House.

HB 1620 proponents say a new landfill is not needed in New Hampshire until 2034, at the earliest, and the pause would give the state time to catch up on updating its siting rules and other solid waste rules, with a focus on more waste diversion and less waste burial.

“1620 [on Thursday] was stuck onto another bill, and as soon as the Senate found out, that bill was stuck onto Senate Bill 134,” he said. “The Senate then redid Senate Bill 134 and stuck it onto something else to send it back over to us next week. That’s telling me they’re going to quickly kill that 1620 and put it to bed, which is very frustrating. We have subject matter experts in the House, we spent a lot of time and effort trying to be sensitive to all aspects of this. Something like 500 people signed in in support of that bill [online, during a House public hearing] and seven in opposition. 1,400 calls were made to the Senate.”

During last week’s Senate vote, several senators, in arguing for the defeat of bills seeking the moratorium and reducing out-of-state trash, voiced concerns about economic impacts to communities and capacity in the state.

In the silver lining going forward is a Senate that is up for a major change in composition from members retiring or seeking higher office, he said.

“I’m not giving up hope,” said Rochefort. “The issue matters and it’s going to continue to matter. I’m not throwing in the towel here. I’m kind of a glass half full guy. The House is solid, the House solidly supports this, bipartisan.”

Among the bigger landfill bills in 2024, HB 1170, which seeks to require the state to conduct a public benefit and community impact assessment when considering any permit or project, was sent to interim study, likely taking it off the table for 2024.

HB 1145, which seeks to prohibit the private ownership of newly permitted landfills, was also sent to interim study.

HB 1221, which seeks to include solid waste landfills in the definition of development of regional impact for review by local land use boards, passed the House and Senate. After a Senate amendment, it now goes back to the House for a vote.

Killed last week in the Senate was HB 1632, also sponsored by Rochefort, which sought to limit to no more than 15 percent the amount of out-of-state waste taken in by newly permitted landfills.

Currently, nearly 50 percent of waste land-filled annually in New Hampshire comes from other states, a figure that has drawn citizen and lawmaker concerns in the North Country and beyond.

“I see all those trucks headed north every day when I go to Concord, and all the liquid headed south, the leachate,” said Rochefort. “We really are becoming the dumping ground of New England. Even if we don’t like change, we have to because we’re getting the worst of the worst in New Hampshire.”

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