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Local Reps' Landfill Bills Pass House, Move To Senate

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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)

Three landfill-related bills sponsored by local state representatives are on their way to the New Hampshire Senate after passing handily in the New Hampshire House of Representatives.

This year, as opposed to past years, supportive lawmakers hope they gain traction in the Senate.

After concerns about the amount of trash being imported into New Hampshire, House Bill 1632, sponsored by state Rep. David Rochefort, R-Littleton, and co-sponsored by state Rep. Linda Massimilla, D-Littleton, seeks to prohibit newly permitted landfills from accepting more than 15 percent of out-of-state waste.

“It came out of committee unanimously, which was phenomenal,” Rochefort said Friday.

On average, about half of all waste land-filled in New Hampshire is from out of state.

On Thursday, HB 1145, co-sponsored by Rochefort, which seeks to prohibit the private ownership of new landfills and instead put ownership under the state or a political subdivision, passed in a 208-162 vote.

HB 1620, another bill sponsored by Rochefort and co-sponsored by Massimilla, seeks to place a moratorium on permitting landfills through the year 2028. It goes to a Senate committee hearing on Tuesday.

“I see a lot of support, a lot of interest,” said Rochefort. “I think it’s just a testament to the fact that the New Hampshire House of Representatives really is concerned about clean water and they really understand the issue and they understand it’s a pressing issue. We’ve got three trash-related bills headed to the Senate. In the past, we’ve only had one.”

In recent years, landfill-related legislation has passed the House, only to die in the Senate.

Rochefort, citing the momentum that he said is not only in the House but across the citizenry of New Hampshire, hopes that will change.

“It’s clearly the position of the House and the vast bipartisan support for this,” he said. “It puts the spotlight on the Senate to start listening to the people and really doing some work. The good thing this year versus years past is we’ve got several bills going to them and they’re all dealing with different approaches to take care of the situation.”

The House has worked together in a bipartisan way to give the Senate a variety of options, said Rochefort.

“The House, really, is the most in touch with the people of New Hampshire,” he said. “There’s 400 of us and we’re hearing from our constituents. With only 24 senators, I can see how that message can sometimes be lost. But we have a direct connection with our constituents. This is what the constituents are saying. It’s not a partisan issue, so it’s incumbent upon the Senate to really roll up their sleeves and take this seriously.”

While the catalyst for the early iteration of bills several years ago was the proposed Casella Waste Systems commercial landfill in Dalton, some of the biggest support today comes from the Keene and Rochester areas, said Rochefort.

“It’s not just a North Country issue,” he said. “It’s not a NIMBY issue, although I know some people are trying to paint it that way. A lot of support comes from communities that don’t have good drinking water anymore because there’s been leaks and there’s been pollution, in Merrimack for instance. We got a lot of good bipartisan support out of Merrimack, where there’s hundreds of wells that been polluted from PFAS. When people realize that it’s really about clean water, that’s where we as a bipartisan group can get behind all of this.”

With state Rep. Nicholas Germana, D-Keene, Rochefort took his message regarding out-of-state trash to WMUR, where he will appear on Fred Coker’s business review in a segment that will run twice on Sunday and again on Tuesday.

“It’s not if, but when, these things leak that will have a huge impact on the residents and the economy and the region,” said Rochefort. “And it’s something the state will be on the hook to clean up. In October, the state spent money to replace drinking wells in schools in Canterbury and Cornish because of PFAS contamination.”

Along with ensuring that landfill capacity is reserved more for New Hampshire waste, the state’s solid waste management statute requires a public benefit for landfills to be permitted, said Rochefort.

“The reality is we’re going to need only one landfill in New Hampshire in the next century,” he said. “Let’s make sure we get it right when we site this thing.”

On Friday, state Sen. Carrie Gendreau, R-Littleton, said she doesn’t yet know how she will vote on the bills and will need to do her due diligence to get up to speed on them.

Several constituents have contacted her, and she will meet them next week.

"I have a call into Dave to talk with him and I've reached out to Casella to see what their thoughts are," said Gendreau.

At the moment, she said it's hard to say where the Senate will stand on the bills.

"All of us want clean water and want to keep a check on PFAS," said Gendreau. "I'm definitely pro-business and I feel if we started meddling in enterprises or ventures, we may be crossing the line, but I have to see how close to the line we're getting on that. It's a touchy one, for sure."

As for the Dalton proposal, Casella has submitted permit applications, but the review of those applications has been suspended after the New Hampshire Department of Environmental Services determined that information is missing and Casella first needs to provide it before review can recommence.

If the bills pass the Senate and are signed into law, it's still undetermined if they would have a degree of retroactivity to impact the Casella proposal, said Rochefort.

"It remains to be seen," he said. "That's where you get all the agencies and attorneys working together. But you have to have something to start with and this gives them a legal basis to go forward."

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