

Senate passes landfill buffer zone legislation

By: [Amanda Gokee](#) - May 5, 2022 3:01 pm



Casella Waste Systems is in the process of applying for permits to site a landfill in Dalton near Forest Lake. (Amanda Gokee | New Hampshire Bulletin)

After a two-year fight over landfill buffer zones, the Senate passed a bill aimed at protecting drinking water from contamination in a 16-8 vote following a heated debate on the Senate floor.

[House Bill 1454](#) establishes a buffer between landfills and bodies of water, requiring landfills to be sited far enough away so contaminated groundwater would take at least five years to reach nearby bodies of water.

An [amendment](#) introduced by Sen. Erin Hennessey, a Littleton Republican, included additional allowances so projects could be sited closer to a body of water if they took extra precautions to ensure contaminants would not pollute water bodies. Precautions could include “additional control technology, monitoring programs, or funding guarantees.”

Sen. Hennessey argued on the Senate floor in favor of this “site-specific” approach, and said the speed of groundwater can vary greatly: moving as slowly as one foot per year when there’s clay or gravel or as fast as 20 feet per day through sand or gravel.

She pointed to PFAS contamination in Merrimack. “Imagine if we had the opportunity years ago to put in place safeguards necessary to prevent these contaminants from entering our groundwater before they happened,” she said. “That is what is at stake today.”

But the compromise did not convince all lawmakers to support the measure, and the amendment was hotly debated.

Sen. Kevin Avard, a Nashua Republican, opposed Hennessey’s amendment, saying it would dissuade businesses from coming to the state in the future. “We pulled the rug out from somebody that wants to do business in the state of New Hampshire because we don’t want it in our backyard,” he said. Casella Waste Systems is in the process of applying for permits to site a landfill in Dalton, a proposal that led to legislation last session and this session.

Others took issue with the process, pointing to bullying, threats, and insults. “I have to say the process surrounding this bill and its predecessor are the worst I’ve ever seen, the worst I’ve ever experienced in this Legislature,” said Sen. Donna Soucy, a Manchester Democrat.

Save Forest Lake, one of the groups advocating in support of the legislation, posted an image of [Soucy stabbing a bloody roll call](#) in March, the Keene Sentinel [reported](#). Soucy had been part of the majority voting against the landfill buffer bill, HB 177, last session. But this session, she ultimately voted in favor of HB 1454.

Sen. Kevin Cavanaugh was the sole Democrat to vote against the measure. The amended bill will now go back to the House.

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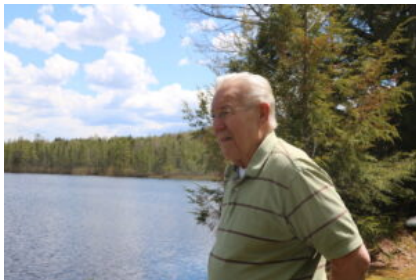
Amanda Gokee is the New Hampshire Bulletin's energy and environment reporter. She previously reported on these issues at VTDigger. Amanda grew up in Vermont and is a graduate of Harvard University. She received her master's degree in liberal studies, with a concentration in creative writing, from Dartmouth College. Her work has also appeared in the LA Review of Books and the Valley News.

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