

BY: **ADAM JACKSON** - JULY 18, 2025 5:00 AM



While the state already requires operators to create leachate management plans, [House Bill 566](#) adds additional permit application requisites for prospective new landfills and expansions for existing dumps, including on-site treatment of that “trash juice” as well as its transportation to off-site treatment facilities.

The bill was a priority for lawmakers amid [years-long](#) squabbles between towns and waste companies over the environmental and health hazards of landfills new and old, especially after the Department of Environmental Services [issued](#) letters to operators last year outlining issues found at four active landfills in the state.

That included hundreds of leachate-related violations since 2023 by Vermont-based Casella Waste Systems' Bethlehem facility, which is nearing the end of its operational life. One of two major private landfills in New Hampshire, that facility was also the site of a 154,000-gallon leachate spill in 2021 — likely the largest in state history.

But despite the leachate legislation making it across both chambers and now the governor's desk, it remains the only major landfill bill to survive the legislative process.

The rest stalled during this year's session despite bipartisan support on the issue: [House Bill 171](#), establishing a moratorium on new landfill permits until 2030; [House Bill 707](#), establishing stricter setback requirements; and [House Bill 215](#), requiring comprehensive harm-benefit assessments.

Ayotte, who earlier this year [came out against](#) Casella's contentious landfill proposal next to Forest Lake in Dalton, proposed a one-year moratorium on new landfills and the creation of a site evaluation committee to give communities more input in future siting decisions. But those proposals were stripped from budget negotiations after lawmakers couldn't agree on the length of any moratorium.

State Rep. Nicholas Germana, HB 566's sponsor and deputy ranking member of the House Environment and Agriculture Committee, had "high hopes" for progress at the start of the session.

But if the Keene State College professor had to grade the results, "I'd give it a D-plus," he said.

"The governor just went radio silent," Germana told the Bulletin. "She said this was a huge priority for her ... and despite our reaching out to the governor's office, there was never any effort by the governor or anyone in her office to sit people down and try to come to an agreement."

## For the sake of waste

Aside from the standalone bills, the House had approved several landfill measures for budget inclusion, but the Senate made changes that House lawmakers and advocates felt would've benefited Casella's interests.

An amendment from Loudon Republican Sen. Howard Pearl contained provisions that would have allowed companies to override local zoning

ordinances and void existing legal agreements with towns. The House ultimately rejected the proposal.

That, for example, would have forced the city of Bethlehem “to accept an expansion of a landfill that has literally hundreds and hundreds of problems in its operation, particularly with leachate,” Germana said.

Germana saw the move as “unquestionably heavily influenced by industry,” saying it took legislation meant to address future landfill siting and “turned it primarily into a big gift bag for current operators to expand, in particular Casella in Bethlehem.”

The Senate was “completely unwilling” to work with House lawmakers on trying to “find some middle path,” Germana said, adding that their definition of compromise was “we take exactly what they were giving us — that it was a take it or leave it situation.”

NHDES has previously reported that nearly half of disposed waste in New Hampshire comes from other states, primarily Massachusetts, which has its own statewide landfill moratorium. New Hampshire’s largest landfill, located in Rochester and operated by Waste Management, has enough capacity to handle all of New Hampshire’s annual solid waste — but instead takes large amounts from out of state.

“We don’t need the capacity,” said Wayne Morrison, president of citizen group North Country Alliance for Balanced Change. “Casella needs it because they’re acquiring a lot of smaller companies and they

have a problem where they've got a lot of routes and customers in places like Massachusetts, and they need more places to put it.”

The proposed site in Dalton sits within half a mile of Forest Lake, the Ammonoosuc River, and Weeks State Park — pristine outdoor recreation areas in a region dependent on tourism. The controversy divided the small town of 900 residents, creating what Morrison describes as “friends of the landfill and foes of the landfill” in a classic small-town dynamic where neighbors stop speaking to each other.

“I think this is what typically happens,” Morrison said of the divisive nature of landfill siting. “You go to a poor town and you tell the people, ‘I’m going to pay you so you’re not going to have to pay property taxes.’ Some element of the town is going to say, ‘Great.’ And another section is going to say, ‘Well, there’s a huge price to be paid for that.’”

Casella would pay millions annually to the town, creating relief avenues for its small tax base — but Morrison says the environmental and health risks far outweigh any economic benefits, especially for other surrounding communities outside of Dalton that would bear the impacts without receiving compensation.

“You don’t get anything for free,” he said.

Casella is now [fighting the state](#) in Merrimack County Superior Court after NHDES in April denied the company’s Dalton landfill bid.

The new requirements in HB 566 are also [tied to concerns](#) about PFAS — per- and polyfluoroalkyl substances — contamination in the state’s

waste stream. Landfills often receive PFAS-laden waste that can seep into groundwater, creating a cycle where contaminated leachate returns to facilities such as Manchester's wastewater treatment plant, which incinerates sewage sludge containing PFAS and discharges treated wastewater back into the Merrimack River.

For the most part, "we've been spoiled in the U.S. because we haven't had to think about" water quality, Morrison said, referencing concerns about contamination in the North Country, where many live on well water. "It's a big problem. And it's not just landfills ... the state is not that big, and it's highly connected. The groundwater, the aquifers, and the rivers and lakes are connected, and it's kind of like, if you have a problem, you have a big problem."

Advocates frame the situation as an environmental justice issue — small North Country communities bearing the burden of regional disposal while generating little of the waste themselves. Many have long argued that the state should focus on reducing [waste generation](#) rather than building more disposal capacity, such as improved composting programs and extended producer responsibility (EPR) policies implemented in neighboring states.

Maine has moved in that direction, passing EPR legislation for packaging that creates economic incentives for manufacturers to reduce waste, taking financial pressure off municipalities.

New Hampshire [came close](#) to passing similar legislation for paint waste this year, which had broad bipartisan support from both

environmental groups and business interests, but the effort died in the Senate after opponents called it a tax, frustrating House lawmakers who said it had unanimous support from stakeholders.

### **'Help us pass something'**

The only significant accomplishment beyond the leachate bill was a provision in the budget establishing a \$3.50 per ton charge on solid waste going into landfills, which will return revenue to municipalities and help fund waste management programs.

Despite the setbacks, Germana said lawmakers plan to continue pushing landfill laws in the next session.

“The senators keep telling us that they’re weary, that they’re tired of having to deal with landfill legislation,” Germana said. “And my response to that is, well, then help us pass something. If we’re going to turn the page, we’re going to do it by prioritizing public health and the environment rather than corporate profits.”

The governor told lawmakers after the session ended that she remained committed to working on her proposal for a moratorium and site evaluation committee. Germana said the key to progress would be having someone with actual influence in the governor’s office coordinate the effort next time around.

House lawmakers also plan to revive efforts to limit out-of-state waste coming into New Hampshire’s landfills, with Germana saying he would



continue to work with Republican Sen. David Rochefort on potential legislation.

“I think that Gov. Ayotte is a lot more open to that approach than Gov. Sununu was,” he said. He noted that legal challenges to interstate commerce can be defended if states can demonstrate the regulations are in their vital interest.

Other priorities for the next session include another stab at single-use plastic bag legislation and food waste reduction measures, including standardized expiration date labeling to reduce avoidable food disposal.

But Germana said the landfill siting issue is top of the list going forward.

“We need to get this straight first,” he said. “We need to have an agreement on a site evaluation process so that going forward, when we do have to start talking about the possibility of a landfill, we have a process with integrity in place.”