CONSENT CALENDAR

May 9, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Environment and Agriculture to which was referred SB 159-FN-LOCAL,

AN ACT (New Title) establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Megan Murray

FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Environment and Agriculture**
Bill Number:	**SB 159-FN-LOCAL**
Title:	**(New Title) establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.**
Date:	**May 9, 2023**
Consent Calendar:	**CONSENT**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

The committee unanimously agrees that this bill, relative to the study of unlimited service area permits for landfills and out of state waste coming into New Hampshire, is timely and necessary to complement the work being done within the Solid Waste Working Group. The Solid Waste Working Group does not currently cover this topic, but this committee shall undertake the study. Recent data shows a large portion of solid waste going to NH landfills comes from out of state. This committee will examine how much solid waste is coming from out of state *and* the relationship to unlimited service area permits for landfills.

Vote 19-0.

Rep. Megan Murray
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Environment and Agriculture

SB 159-FN-LOCAL, (New Title) establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire. **OUGHT TO PASS.**

Rep. Megan Murray for Environment and Agriculture. The committee unanimously agrees that this bill, relative to the study of unlimited service area permits for landfills and out of state waste coming into New Hampshire, is timely and necessary to complement the work being done within the Solid Waste Working Group. The Solid Waste Working Group does not currently cover this topic, but this committee shall undertake the study. Recent data shows a large portion of solid waste going to NH landfills comes from out of state. This committee will examine how much solid waste is coming from out of state *and* the relationship to unlimited service area permits for landfills. **Vote 19-0.**

Original: House Clerk
Cc: Committee Bill File

SB 159-FN-LOCAL - AS AMENDED BY THE SENATE

03/16/2023 0837s

2023 SESSION

23-0784
08/05

SENATE BILL ***159-FN-LOCAL***

AN ACT establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

SPONSORS: Sen. Fenton, Dist 10; Sen. Altschiller, Dist 24; Sen. Watters, Dist 4; Rep. N. Murphy, Hills. 12; Rep. Read, Rock. 10; Rep. Bouldin, Hills. 25; Rep. Fedolfi, Hills. 30

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill establishes a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 159-FN-LOCAL - AS AMENDED BY THE SENATE

03/16/2023 0837s

23-0784
08/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Committee Established. There is established a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) One member of the senate, appointed by the president of the senate.

(b) Three members of the house of representatives, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2023.

6 Effective Date. This act shall take effect upon its passage.

LBA
23-0784
Amended 3/20/23

SB 159-FN-LOCAL- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2023-0837s)

AN ACT establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill, as amended, has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

None

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # SB 159 Date 4/25/23

Committee Environment + Agriculture

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Senator Debra Altschiller			Dist. 24	✓	
NH Sierra Club Catherine Corkery				X	

House Remote Testify

Environment and Agriculture Committee Testify List for Bill SB159 on 2023-04-25

Support: 72 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Swan, Jon	Dalton, NH saveforestlake@yahoo.com	A Member of the Public	Save Forest Lake	Support	No	No	4/10/2023 11:24 AM
Watters, David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	4/11/2023 3:11 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	4/23/2023 8:50 PM
Liscord, Barbara	Mont Vernon, NH barbmcklis@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 5:26 AM
Ellerman, Maureen	Concord, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	No	4/24/2023 6:38 AM
Wessels, Susan	RINDGE, NH slwessels2010@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 8:28 AM
Spielman, Kathy Sue	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 8:54 AM
Walker, Deborah Klein	Meredith, NH deb.publichealth@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 9:05 AM
Hatcher, Phil	Dover, NH phil.hatcher@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 9:42 AM
Foss, Lily	Manchester, NH lilymfoss@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 10:44 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	4/24/2023 11:10 AM
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No	4/24/2023 11:13 AM
FEDER, Robert	HOLLIS, NH robertfeder1@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 11:19 AM

Insolia, Janet	Dover, NH jinsolia@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 11:21 AM
Nguyen, Elizabeth	Somersworth, NH elizmnguyen@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 11:59 AM
Till, Mary	Concord, NH maryforderry@yahoo.com	A Member of the Public	Myself	Support	No	No	4/24/2023 1:00 PM
Davidson, Geri	Nashua, NH geridavidson15@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 1:07 PM
Blanchard, Sandra	Loudon, NH sandyblanchard3@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 1:25 PM
Jones, Gisela	Lebanon, NH Gisela1142@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 1:39 PM
Willing, Maura	Concord, NH Maura.Willing@Comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 1:46 PM
Schnell, Robin	Portsmouth, NH r.hary.schnell@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 2:03 PM
Merlone, Lynn	Rindge, NH prulone@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 3:16 PM
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 3:16 PM
Martin, Patricia	Rindge, NH pmartin2894@yahoo.com	A Member of the Public	Myself	Support	No	No	4/24/2023 3:16 PM
Thomas, A	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 3:16 PM
Vecchiotti, Dorothea	Peterborough, NH div@ocs-oe.com	A Member of the Public	Myself	Support	No	No	4/24/2023 3:24 PM
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 4:05 PM
Dowey, Nancy	Bristol, NH nancydowey@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 4:43 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 4:57 PM
Spencer, Rob	Concord, NH rfspencer@aol.com	A Member of the Public	Myself	Support	No	No	4/24/2023 4:58 PM
Holt, David	Somersworth, NH davholt@aol.com	A Member of the Public	Myself	Support	No	No	4/24/2023 5:28 PM

Broshek, Mary Anne	Andovr, NH mabandsadie@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 5:34 PM
jakubowski, dennis	Loudon, NH dendeb146@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 7:35 PM
Jakubowski, Deborah	Loudon, NH dendeb146@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 7:36 PM
Campbell, Jessica	Concord, NH campbell.jes@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 7:48 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 8:14 PM
Lane, Betty	Dover, NH bquality@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 8:21 PM
Rettew, Ann	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	4/24/2023 8:40 PM
Keegan, John	BOscawen, NH peoresnada@tds.net	A Member of the Public	Myself	Support	No	No	4/24/2023 8:56 PM
Davis, Gregory	Salem, NH glospreys@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 9:02 PM
Almy, Susan	Lebanon, NH susan.almy@comcast.net	An Elected Official	Myself	Support	No	No	4/24/2023 9:10 PM
Billingham, Carla	Salem, NH billingham2@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 9:19 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	4/24/2023 10:59 PM
Bishop, Nancy	Plaistow, NH nanbis71@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 12:11 AM
perencevich, ruth	concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	4/25/2023 6:40 AM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 6:48 AM
Racusin, Sharon	Hanover, NH sdracusin@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 7:51 AM
Cote, Lois	Manchester, NH lcote06@outlook.com	A Member of the Public	Myself	Support	No	No	4/25/2023 8:10 AM
Deupree, Jean	Hanover, NH jennydeupree@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 8:54 AM

Robison, Dennis	Hanover, NH robisode@yahoo.com	A Member of the Public	Myself	Support	No	No	4/25/2023 8:59 AM
Tuthill, John	Acworth, NH johng.tuthill@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 9:19 AM
Bartlett, Peter	Concord, NH peter.christybartlett@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 9:29 AM
Bartlett, Christy	Concord, NH peter.christybartlett@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 9:29 AM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 9:51 AM
DeMark, Harriet	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 9:51 AM
Chapman, Jan	Hanover, NH jan.chapman@me.com	An Elected Official	Myself	Support	No	No	4/25/2023 10:10 AM
Nelson, Barbara Scott	Hanover, NH Barbarascottnelson@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 10:18 AM
Vining, Joseph	Hanover, NH jvining@umich.edu	A Member of the Public	Myself	Support	No	No	4/25/2023 10:41 AM
morgan, meredith	hanover, NH meredithm@kahres.org	A Member of the Public	Myself	Support	No	No	4/25/2023 10:52 AM
Rand, Cindy	Hanover, NH cynthiarand@comcast.net	A Member of the Public	Myself	Support	No	No	4/25/2023 10:58 AM
Chase, Karen	Hanover, NH kpchase@verizon.net	A Member of the Public	Myself	Support	No	No	4/25/2023 11:18 AM
Caudill Slosberg, Margaret	Hanover, NH margaretcs08@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 11:45 AM
Parks, Sharon	Hanover, NH sharondalozparks@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 12:23 PM
Eaton, Sharon	Pembroke, NH sharon.eaton@unh.edu	A Member of the Public	Myself	Oppose	No	No	4/25/2023 12:46 PM
HOUGHTON, BEVERLY	HANOVER, NH BRANTA213@AOL.COM	A Member of the Public	Myself	Support	No	No	4/25/2023 1:18 PM
Mile, Nancy	Hanover, NH nmiles3342@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 1:54 PM
Thayer, Bee	Dalton, NH thayerbee9@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 3:57 PM

Mallary, Jean	Hanover, NH jeanmallary@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 4:59 PM
Little, Katherine	Lyme, NH katielittleywca@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 7:28 PM
Drysdale, Robert	Hanover, NH scotdrysdale47@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 8:14 PM
Foss, Carol R	Penacook, NH cfoss@nhaudubon.org	A Lobbyist	NH Audubon	Support	No	No	4/25/2023 8:59 PM
boudman, roberta	wolfeboro, NH boudwoman2@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 11:08 PM
Garland, Leane	Hanover, NH leanepage@gmail.com	A Member of the Public	Myself	Support	No	No	4/25/2023 11:46 PM

To: Chairperson Aron and Members of the House Committee on Environment and Agriculture

Re: In support of SB159, establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire

April 23, 2023

Dear Chairperson Aron and Members of the House Committee on Environment and Agriculture,

As New Hampshire now has a Solid Waste Working Group, chaired by Representative Ebel, they have the expertise to apply their standards to determine the merits of proposed new landfills or landfill extensions.

The landfill servicing my region, TurnKey in Rochester, will reach capacity in a decade. Landfill space is not infinite. And as we see with the current local dissent at the possibility of a new Casella landfill near Dalton Lake, NH communities do not readily welcome new landfills. SB159 will provide one remedy in our effort systematically to find workable solutions for treatment or disposal of solid waste. It seems time for NH to insist that other states handle disposal of their own waste.

Please amend SB 159, should it be necessary that there be a law explicitly giving the Solid Waste Committee the power to determine a landfill's plan, or expansion plan, and further giving the Solid Waste Committee the power to grant or withhold a permit.

Thank you for your consideration,

Susan Richman
16 Cowell Drive, Durham 03824
603 868-2758 susan7richman@gmail.com

Jon Swan

I would encourage the House E&A Committee to amend SB159 for referral to the NH Solid Waste Working Group, chaired by Rep. Karen Ebel, so they can better evaluate the impact the prohibition of the issuance of future "unlimited service area" landfill permits would have on NH's out-of-state trash problem. By prohibiting the issuance of "unlimited service area" landfill permits by NHDES, for any new, future landfill, or even future expansions at existing facilities like Waste Management's Turkey Landfill, landfill operators will be required to specifically identify which towns and municipalities would utilize their landfill, thus eliminating the "blank check" represented by "unrestricted service area" landfill permits, allowing for wast to come into NH from anywhere. This would also assist NHDES and the operators in collecting better data to assist with waste reduction efforts. SWIPs, or Solid Waste Implementation Plans", should also be required of those municipalities utilizing the services of the landfill being permitted, which would also help to further align and track waste reduction measures. This is required in Vermont, which has assisted that state in curbing out-of-state waste. Defining the service area, as the "limited service area" Lebanon, NH Landfill does, with 11 NH towns and 13 from VT, does not infringe upon the Interstate Commerce Clause. The furthest distance waste is hauled to that landfill is just 30 miles, with out-of-state waste representing just 28% of intake, as opposed to the nearly 62% intake at Turnkey in Rochester and 54% for NH as a whole, due to the "unlimited service area" permitted landfills. Waste to the unlimited service area landfills in NH is often hauled hundreds of miles, each way. Please refer this important bill to the NH Solid Waste Working Group for further study and evaluation, as it could serve as a means to curbing the influx of out-of-state waste which plagues New Hampshire.

Thank you,
Jon Swan

Email: SaveForestLake@yahoo.com

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on SB 159-FN-LOCAL

BILL TITLE: (New Title) establishing a committee to study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

DATE: May 9, 2023

LOB ROOM: 301-303

MOTIONS: OUGHT TO PASS

Moved by Rep. M. Murray Seconded by Rep. Potenza Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Barbara Comtois, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:02:26 PM
Roll Call Committee Registers Report

2023 SESSION

Environment and Agriculture

Bill #: SB159-FN Motion: OTP AM #: _____ Exec Session Date: 5-9-23

Members	YEAS	Nays	NV
Aron, Judy F. Chairman	✓		
Creighton, Jim L. Vice Chairman	✓		
Comtois, Barbara Clerk	✓		
Verville, Kevin G.	✓		
Davis, Arnold G.	✓		
~~Brouillard, Jacob~~ Reid, Karen	✓		
Coulon, Matthew	✓		
Kenny, Catherine M	✓		
Potenza, Kelley L	✓		
Smart, Lisa A	✓		
Bixby, Peter W.	✓		
Sofikitis, Catherine M.			
Dutzy, Sherry	✓		
Murray, Megan A.	✓		
Germana, Nicholas A	✓		
Haskins, Linda J	✓		
Howard, Molly C	✓		
Knab, Allison	✓		
Morse, Corinne	✓		
Vogt, Robin	✓		
TOTAL VOTE:	19	0	