

HB 171 - AS AMENDED BY THE HOUSE

20Mar2025... 0465h

2025 SESSION

25-0149

08/06

HOUSE BILL **171**

AN ACT establishing a moratorium on the issuance of permits for new landfills.

SPONSORS: Rep. N. Germana, Ches. 15; Rep. Potenza, Straf. 19; Rep. Haskins, Rock. 11; Rep. S. King, Coos 4

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill establishes a moratorium on the issuance of permits for new landfills.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT establishing a moratorium on the issuance of permits for new landfills.

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

1 1 New Section; Moratorium; Study by the Department of Environmental Services. Amend RSA
2 149-M by inserting after section 9 the following new section:

3 149-M:9-a Moratorium on Issuance of Permits for New Landfill.

4 I. Notwithstanding RSA 149-M:9, the department shall not issue any permit to construct or
5 operate a new landfill facility in New Hampshire under RSA 149-M:9. The department may accept
6 applications, evaluate them for completeness, and request more information to make an application
7 complete, but shall not proceed to further evaluation or process any applications, notwithstanding
8 RSA 541-A:29, in order that any evaluation of need, benefit, harm, or appropriateness of the site
9 proposed will await the development of new regulations, data, technologies, and policies.

10 II. Nothing in paragraph I shall be construed to prohibit the expansion or modification of
11 any landfill facilities on any site on which, as of December 1, 2022, a Resource Conservation and
12 Recovery Act (RCRA) Subtitle D landfill exists that has been permitted in accordance with RSA 149-
13 M:9.

14 III. In this section, the term “site” means a single parcel or adjacent parcels, owned in their
15 entirety by a landfill operator or its affiliates as of December 1, 2022, including a site where one or
16 more public utility easements traverse the site.

17 2 Repeal. RSA 149-M:9-a, relative to a moratorium on the issuance of permits for new landfills
18 in New Hampshire, is repealed.

19 3 Effective Date.

20 I. Section 2 of this act shall take effect July 1, 2028.

21 II. The remainder of this act shall take effect upon its passage.