

HB 1622-FN - AS AMENDED BY THE HOUSE

19Feb2026... 0629h

2026 SESSION

26-2561

08/09

HOUSE BILL ***1622-FN***

AN ACT relative to the state's solid waste disposal capacity.

SPONSORS: Rep. Haskins, Rock. 11; Rep. N. Germana, Ches. 15; Rep. Potenza, Straf. 19; Rep. W. Thomas, Hills. 12; Rep. Gruber, Ches. 16; Sen. Fenton, Dist 10; Sen. Ricciardi, Dist 9

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill directs the department of environmental services to give first preference to applications for additional landfill capacity.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the state's solid waste disposal capacity.

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

1 1 Statement of Purpose. The general court hereby finds that:

2 I. New landfill capacity should be developed in expansions of existing permitted landfills
3 instead of on greenfield sites.

4 II. Existing sites have already been carefully studied before being permitted and have been
5 found suitable for landfilling by the department of environmental services.

6 III. The department of environmental services typically has decades of familiarity with
7 conditions at such sites and the expansion of an existing use is generally consistent with the overall
8 objectives of land use controls.

9 2 New Subparagraph; Solid Waste Management; Public Benefit Requirement. Amend RSA 149-
10 M:11, V by inserting after subparagraph (d) the following new subparagraphs:

11 (e) For an applicant seeking to expand an existing and fully permitted RCRA Subtitle D
12 landfill, the department shall find that the expansion shall satisfy the state's capacity need if, during
13 the years for which the permit shall be granted, the state will face a capacity shortfall for at least
14 one-half of those years.

15 (f) For an applicant seeking to develop a new landfill at a site where none currently
16 exists, the department shall find that the new project shall satisfy the state's capacity need if, during
17 the years for which the permit shall be granted, the state will face a capacity shortfall for at least
18 one-half of those years. However, the department shall not allow the new landfill to begin accepting
19 waste until the first year in which a shortfall is expected to exist.

20 3 Directive; Department of Environmental Services.

21 I. In its consideration of applications for additional landfill capacity in the state, the
22 department of environmental services shall give first preference to expansions, where appropriate, in
23 accordance with existing statutes and rules and consistent with any existing municipal agreements.

24 II. Second preference shall be given to development of brownfield sites, where appropriate,
25 in accordance with existing statutes and rules and consistent with any existing municipal
26 agreements. If a greenfield application is received, and there are no pending applications for an
27 expansion or brownfield development, the department may process the greenfield application after
28 the developer reviews and explains the choice of a greenfield site with reference to the list of sites
29 developed by the department.

30 III. Using existing data, the department shall compile a list of all existing landfills in
31 operation and all known closed landfills. The department shall use the tools at its disposal to

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1 determine, to the best of its ability, which sites would be unsuitable for future development because
2 they are too close to schools, homes, airports, surface waterbodies, or other features to align with
3 department setback regulations. A final list, excluding the sites deemed unsuitable for development,
4 shall be made public.

5 IV. For its biennial solid waste reports, in addition to existing capacity at currently
6 operating landfills in the state, the department shall report on potential future capacity for these
7 operations in the event of future expansion.

8 4 Effective Date. This act shall take effect 60 days after its passage.

LBA
26-2561
03/03/2026

HB 1622-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2026-0629h)

AN ACT requiring the state to develop additional solid waste disposal capacity.

FISCAL IMPACT:

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

AGENCIES CONTACTED:

Department of Environmental Services