HB 1620-FN - AS AMENDED BY THE HOUSE

7Mar2024... 0738h

2024 SESSION

24-2490
10/05

HOUSE BILL ***1620-FN***

AN ACT relative to suspending the issuance of new landfill permits until 2031.

SPONSORS: Rep. Rochefort, Graf. 1; Rep. Germana, Ches. 1; Rep. Fedolfi, Hills. 30; Rep. Grote, Rock. 24; Rep. Massimilla, Graf. 1

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill requires the suspension of approval of new landfill permits by the department of environmental services until 2028.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1620-FN - AS AMENDED BY THE HOUSE

7Mar2024... 0738h

24-2490
10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to suspending the issuance of new landfill permits until 2031.

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

1 Solid Waste Management; Department of Environmental Services; Applications for New Landfills Suspended. In order to ensure that any new landfills are sited properly, meet the need of public benefit, and are aligned with New Hampshire's solid waste goals, the statutory process for issuing permits for the construction of a new landfill under RSA 149-M:9 are hereby suspended until July 1, 2028. The department shall continue to accept and investigate applications, provided that any time frames for required action by the department under RSA 149-M are also suspended.

2 Application of Suspension; Expansion or Modification of Landfill Facilities. Nothing in section one of this act shall be construed to prohibit the expansion or modification of any landfill facilities on any site on which, as of December 1, 2022, a RCRA Subtitle D landfill exists that has been fully permitted. For the purposes of this section, the term "site" shall mean a single parcel or adjacent parcels, owned in its entirety by a landfill operator or its affiliates as of December 1, 2022, including a site where one or more public utility easements traverse the site; perennial water bodies traversing a footprint shall still be monitored in accordance with or exceeding United States Environmental Protection Agency regulations and guidelines.

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

LBA
24-2490
Amended 3/11/24

HB 1620-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENT #2024-0738h)

AN ACT relative to suspending the issuance of new landfill permits until 2031.

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

Estimated State Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Revenue	$0	$0	$0	$0
Revenue Fund(s)	None			
Expenditures	$0	$0	Indeterminable Increase	Indeterminable Increase
Funding Source(s)	Various Government Funds			
Appropriations	$0	$0	$0	$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? [X] No
- Does this bill authorize new positions to implement this bill? [X] No

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
County Revenue	$0	$0	$0	$0
County Expenditures	$0	$0	Indeterminable Increase	Indeterminable Increase
Local Revenue	$0	$0	$0	$0
Local Expenditures	$0	$0	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill requires suspension of the approval of new landfill permits by the Department of Environmental Services until 2028. The Department of Environmental Services indicates the bill would not increase expenditures for administration of RSA 149-M and the NH Solid Waste Rules because existing staff would absorb any work required to update and enforce the revised statute. For fiscal years 2024 and 2025 the Department does not anticipate an impact on state, county or local expenditures. The Department notes that waste transportation and disposal costs are subject to the availability of local disposal capacity and fluctuations in other market conditions. Assuming no changes in market conditions, the Department assumes that, under this bill, local disposal capacity will decrease in 2026-2027. A decrease in local disposal capacity

typically results in an increase in transportation and waste disposal costs, and these costs will be passed on to waste generators. Higher costs will increase expenditures for entities that generate waste, including state, counties and local governments beginning in FY 2026. as local waste disposal capacity decreases.

AGENCIES CONTACTED:

Department of Environmental Services