CHAPTER 230
HB 1221 - FINAL VERSION

28Mar2024... 1027h
05/22/2024 1942s

2024 SESSION

24-2546
08/10

HOUSE BILL ***1221***

AN ACT relative to including solid waste landfills in the definition of development of regional impact.

SPONSORS: Rep. Grassie, Straf. 8; Rep. Germana, Ches. 1; Rep. Grote, Rock. 24; Rep. Muns, Rock. 29; Rep. Rung, Hills. 12; Rep. Bixby, Straf. 13; Rep. N. Murphy, Hills. 12; Sen. Watters, Dist 4

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill includes solid waste landfills in the definition of development of regional impact, for review by local land use boards.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to including solid waste landfills in the definition of development of regional impact.

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

230:1 Development of Regional Impact; Definition. Amend RSA 36:55, VI to read as follows:

VI.***(a)*** Shared facilities such as schools and solid waste disposal facilities***; and***

(b) Solid waste disposal facilities includes a solid waste landfill requiring a department of environmental service permit under the department of environmental services administrative rules contained in Env-Sw 800.

230:2 New Paragraph; Regional Impact. Amend RSA 36:56 by inserting after paragraph II the following new paragraph:

III. All proposed solid waste landfills shall be projects of regional impact and notice shall be made to all communities located within New Hampshire that are:

(a) Located within any watershed (as defined by the 8-digit Hydrologic Units from the National Hydrography Dataset 2011 and as may be from time to time amended) where such landfill may be proposed; and

(b) If outside the watershed, located within 10 miles of the boundaries of such proposed landfill location.

230:3 Applicability. Nothing in this act shall be construed to include 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.

230:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 19, 2024
Effective Date: September 17, 2024