

Amendment to HB 1221

1 Amend the bill by replacing all after the enacting clause with the following:

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3 1 Development of Regional Impact; Definition. Amend RSA 36:55, VI to read as follows:

4 VI.(a) Shared facilities such as schools and solid waste disposal facilities; **and**
5 **(b) Solid waste disposal facilities includes a solid waste landfill requiring a**
6 **department of environmental service permit under the department of environmental**
7 **services administrative rules contained in Env-Sw 800.**

8 2 New Paragraph; Regional Impact. Amend RSA 36:56 by inserting after paragraph II the
9 following new paragraph:

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

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

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

17 3 Procedure; Regional Planning Commissions. Amend RSA 36:57, II to read as follows:

18 II. Not more than 5 business days after reaching a decision regarding a development of
19 regional impact, the local land use board having jurisdiction shall, by certified mail, furnish the
20 regional planning commission and the affected municipalities with copies of the minutes of the
21 meeting at which the decision was made. The local land use board shall, at the same time, submit
22 an initial set of plans to the regional planning commission, the cost of which shall be borne by the
23 applicant. **When a solid waste facility as defined in RSA 36:55, VI(b) is found to affect a**
24 **watershed area outside the boundaries of the state of New Hampshire, notification of a**
25 **development of regional impact shall be mailed to the secretary of state of that state.**

26 4 Applicability. Nothing in this act shall be construed to include landfill facilities on any site on
27 which, as of December 1, 2022, a RCRA Subtitle D landfill exists that has been fully permitted. For
28 the purposes of this section, the term "site" shall mean a single parcel or adjacent parcels, owned in
29 its entirety by a landfill operator or its affiliates as of December 1, 2022, including a site where one
30 or more public utility easements traverse the site; perennial water bodies traversing a footprint shall

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- Page 2 -

1 still be monitored in accordance with or exceeding United States Environmental Protection Agency
2 regulations and guidelines.

3 5 Effective Date. This act shall take effect 60 days after its passage.