

Amendment to HB 171

1 Amend the bill by replacing section 1 with the following:

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3 1 New Section; Moratorium; Study by the Department of Environmental Services. Amend RSA
4 149-M by inserting after section 9 the following new section:

5 149-M:9-a Moratorium on Issuance of Permits for New Landfill.

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

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

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

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20 Amend the bill by replacing section 3 with the following:

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22 3 Effective Date.

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

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