

HB 566-FN - AS INTRODUCED

2025 SESSION

25-0047

08/09

HOUSE BILL

566-FN

AN ACT requiring permit applications for new landfills to contain a detailed plan for leachate management.

SPONSORS: Rep. N. Germana, Ches. 15; Rep. Simpson, Rock. 33; Rep. B. Boyd, Hills. 12; Rep. Gruber, Ches. 16; Rep. Ebel, Merr. 7; Rep. Potenza, Straf. 19; Rep. Rung, Hills. 12; Rep. M. Pearson, Rock. 34; Rep. J. Aron, Sull. 4; Sen. Fenton, Dist 10

COMMITTEE: Environment and Agriculture

ANALYSIS

 This bill requires permit applications for new landfills to contain a detailed plan for leachate management.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring permit applications for new landfills to contain a detailed plan for leachate management.

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

1 1 New Paragraph; Landfill Permit; Leachate Management Plan Required. Amend RSA 149-M:9
2 by inserting after paragraph V-a the following new paragraph:

3 V-b. The department shall not issue a permit for the construction of a new landfill, excluding
4 the expansion of existing landfills, unless the department makes a positive determination that the
5 permit application includes a detailed plan for leachate management, including a narrative of how
6 leachate will be collected and stored on-site, how it will be transported off-site, and the location and
7 type of disposal processing. The permit application shall also include details of any and all
8 contractual arrangements between the applicant and any and all entities that will be engaged in the
9 transport and the processing of the leachate including demonstration that the contractual
10 arrangements are enforceable under the law. The contractual arrangements shall demonstrate, for
11 the entire operating life of the landfill, including the post-closure period, that the expected daily
12 production of leachate can and will be transported off-site in a manner that will minimize the
13 possibility of on-site contamination. The leachate management plan shall include a statement of the
14 projected frequency of leachate transports per month. The contractual arrangements shall also
15 demonstrate that there will be sufficient capacity to process the leachate, including any contingency
16 plans for capacity constraints. To respond to changing conditions, a facility permitted under this
17 section may renegotiate or terminate its contractual arrangements during the operating life of the
18 permitted landfill provided that the new contractual arrangements are filed with the department
19 and otherwise meet the conditions of this paragraph.

20 2 New Subparagraph; Leachate Management Required. Amend RSA 149-M:9, IX by inserting
21 after subparagraph (c) the following new subparagraph:

22 (d) The applicant has failed to submit a detailed plan for leachate management with the
23 application as required by paragraph V-b.

24 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 566-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring permit applications for new landfills to contain a detailed plan for leachate management.

FISCAL IMPACT: This bill does not provide funding.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires permit applications for new landfills to contain a detailed plan for leachate management.

The New Hampshire Department of Environmental Services (NHDES) states this bill would impact the Department by prohibiting the approval of permits for new landfills, excluding expansions, unless applicants submit a leachate management plan meeting the bill's requirements. It also requires long-term contractual agreements between applicants, leachate haulers, and wastewater treatment facilities, covering the landfill's entire operating life, including post-closure periods spanning decades. NHDES interprets "type of disposal processing" as referring to the technologies used by wastewater treatment facilities for leachate treatment. The bill would require rulemaking and additional administrative resources from NHDES.

The NHDES indicates the potential additional expenditures associated with this bill are indeterminable. Costs would only be incurred by the State, a county, or a municipality if such an entity decided to submit a permit application for a new landfill. In that case, the Department estimates potential additional expenditures of \$10,000-\$100,000 by the State, county, or municipality.

AGENCIES CONTACTED:

Department of Environmental Services