

February 6, 2024

The Hon. Judy Aron, Chair
House Environment and Agriculture Committee
Legislative Office Building, Room: 303
Concord, NH 03301

RE: HB 1386, relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators

Dear Chairwoman Aron and Honorable Committee Members,

Thank you for the opportunity to comment in support of House Bill 1386, relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators. Conservation Law Foundation (CLF) is a nonprofit advocacy organization working to protect public health and natural resources and build healthy communities in New Hampshire and throughout New England. Through its Zero Waste Project, CLF aims to protect communities and our environment from the harmful impacts of unsustainable waste practices and to advance waste reduction, diversion, and recycling. **CLF strongly supports HB 1386 and urges the committee to vote *ought to pass*.**

HB 1386 would keep lithium-ion batteries and certain electronics out of our waste stream. This bill would help us reach the State's statutory goal to reduce the weight of solid waste being disposed by 25% by 2030, and 45% by 2050.¹ Keeping these batteries and devices out of our waste facilities would also reduce the toxicity of the solid waste stream, advancing Goal 2 of the Solid Waste Management Plan.²

Lithium-ion batteries contain toxic heavy metals and cannot be disposed of as solid waste; thankfully, they can be recycled for free at one of the many local battery recycling programs. The uptick in fires at solid waste facilities that the disposal of lithium and lithium-ion batteries has caused is well established, including by the New Hampshire Department of Environmental Services. Such fires do not only endanger workers at the facilities themselves, but the surrounding communities as well. These accidents, like the 2022 ion-battery fire at the Lee, NH Transfer Station, can contribute to air pollution and cause respiratory issues, from the toxic smoke and ash released from the burning batteries and garbage. The EPA has declared that "most lithium-ion batteries are likely hazardous waste at end of life" due to their high ignitability and reactivity.³ If disposed of improperly, lithium-ion batteries can

¹ [Section 149-M:2 Solid Waste Disposal Reduction Goal. \(state.nh.us\)](https://www.state.nh.us/leg/2023/Section149-M-2-Solid-Waste-Disposal-Reduction-Goal/)

² [2022 NH Solid Waste Management Plan](https://www.state.nh.us/leg/2022/2022-NH-Solid-Waste-Management-Plan/)

³ U.S.EPA, Lithium-Ion Battery Recycling Frequently Asked Questions, available at <https://www.epa.gov/hw/lithium-ion-battery-recycling-frequently-asked-questions#hazwaste>



also release heavy metals like lead, mercury, and cadmium into the soil and water, posing further environmental risks. Through their work with Call2Recycle.org, the NHDES has gone lengths to keep these ultra-flammable batteries out of our trash. This bill would strengthen these efforts.

Lastly, recycling lithium-ion batteries contributes essential minerals back to the economy, preserving resources and cutting down on the energy required for manufacturing new batteries.

HB 1386 would protect our communities and the environment through ensuring proper management of an otherwise dangerous waste stream. For these reasons, CLF urges you to vote *ought to pass* on HB 1386.

Sincerely,

A handwritten signature in black ink, appearing to read "Nora Bosworth", is written over a faint, larger version of the same signature.

Nora Bosworth
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