

Testimony in Support of HB 707

Presented to the House Environment and Agriculture Committee

Date: 2/4/2025

Good Afternoon, Chairperson, Vice Chair, and Members of the Committee,

My name is Michael Wright, and I am writing in strong support of HB 707, which establishes a site-specific setback distance for proposed new landfills in New Hampshire. As a longtime advocate for clean water and environmental sustainability in our state, I believe this bill is a necessary correction to ensure that landfill siting is based on sound science, environmental protection, and public health—not industry-driven convenience.

New Hampshire's elected representatives are responsible for safeguarding its water resources, and HB 707 addresses serious deficiencies in the state's landfill siting rules. As regulatory expert Dr. Adam Finkel outlines, the Department of Environmental Services (DES) has not only failed to adopt reasonable protections but has actively weakened landfill siting regulations, favoring industry over science and public safety. This is not just an oversight—it is a dangerous precedent that could leave New Hampshire communities vulnerable to pollution, environmental degradation, and long-term health risks.

One of the most alarming issues is that the current DES regulations allow landfill contamination to travel at rates that are unacceptable

in virtually every other jurisdiction worldwide. Where many states and countries require pollution to move no faster than 3 inches per day—or even as slow as 1 foot per year—DES has approved rules allowing pollution to migrate at 3 feet per day. Worse still, a last-minute loophole allows landfill operators to "import" just 24 inches of soil to meet minimal requirements, effectively giving communities only *eight days* of protection from leachate contamination over the *entire lifespan* of a landfill. This is not a protective standard—it is an open invitation for disaster.

HB 707 addresses these issues in a measured, scientifically sound manner. The bill moves away from arbitrary setbacks and instead adopts a site-specific approach, ensuring that landfills are sited only where groundwater conditions will allow sufficient time to detect and mitigate potential contamination before it reaches surface water. This is the standard in many other states and countries—New Hampshire is simply catching up to what responsible landfill management should already look like.

I also urge the committee to recognize that legislative intervention in rulemaking is neither unusual nor inappropriate when an agency has failed to protect the public. As demonstrated in past instances—such as when the U.S. Congress intervened in OSHA regulations, or when New Hampshire legislators had to step in on PFAS contamination limits—this is precisely the role of the Legislature when an administrative agency prioritizes industry interests over the public good. The bipartisan support behind HB 707 is clear evidence that lawmakers from both sides recognize the urgent need for reform.

Furthermore, it is crucial to understand that rejecting weak landfill regulations is not about blocking all future waste management projects. The reality is that HB 707 aligns New Hampshire with responsible landfill siting policies already in place across the country. The claim that this bill would make landfill siting "impossible" is disingenuous. We do not need excessive landfill capacity in the near future. If the need does arise, it is far more prudent to ensure that any new facility is adequately sited rather than allowing unregulated sprawl with inadequate safeguards.

Finally, I want to highlight the broader implications of maintaining the current, industry-friendly regulations. The weakening of landfill siting rules was initially aimed at permitting one deeply flawed landfill project, the proposed Granite State Landfill in Dalton/Bethlehem. With the new administration signaling that this project will not move forward, the problem now extends statewide—any community could become the next landfill site under the current rules. Without HB 707, *every town and city in New Hampshire is at risk* of becoming the next dumping ground, forced to host a landfill under substandard environmental protections.

HB 707 is a necessary correction to ensure that New Hampshire's landfill regulations reflect science, protect communities, and uphold the public interest. I urge the committee to support this bill and help safeguard our state's water resources for future generations.

Thank you for your time and consideration.

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