



WM of NH
4 Liberty Lane West
Hampton, NH 03842

February 24, 2026

Honorable Representative Judy Aron
House Environment and Agriculture Committee
New Hampshire State House
107 North Main Street
Concord, NH 03301

RE: HB 1478 – NH Landfill Siting Bill

Dear Representative Aron and Members of the House Environment and Agriculture Committee:

WM (formerly Waste Management) is the leading provider of waste management services in North America. In New Hampshire, WM of NH, Inc. operates the Turnkey Recycling and Environmental Enterprise facility, four solid waste transfer stations, a recycling facility, and over two hundred waste and recycling collection trucks. We manage approximately one-third of the solid waste generated in NH in some manner. This gives us a valuable perspective on the practical realities of managing solid waste and complying with laws and regulatory requirements in the State.

We support the Legislature in their efforts to improve solid waste recycling and disposal practices and ways to increase waste diversion. The Solid Waste Working Group (SWWG) formed by the Legislature has been a valuable resource in helping to identify ways to improve solid waste management in New Hampshire. The SWWG, which we are a participating member, have identified various issues facing the State relative to management of difficult to handle waste streams, waste composition, and the status of disposal capacity.

HB 1478 proposes to establish a formula for determining the distance for which a new landfill shall be located from water bodies in the State. The bill contains various restrictions that go beyond setback criteria to water bodies and includes various limitations that will make it difficult, if not impossible, for existing waste management facilities to continue to operate in the State. This letter contains some of the concerns we have with this bill as introduced. Below are selected sections of the bill along with an overview of our concerns as they relate to the proposed changes.

Paragraph XVI Potable water aquifer is not defined and may exclude a vast majority of the State. A hydrogeologist would define this as any formation that can provide water to a user. This needs to be more clearly defined otherwise no landfill could be sited or expanded in the State.

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Paragraph XVII(a)(1) Contracting with a hydrogeologist who has never worked at a site is ill-advised as experience with both regional and local hydrogeology near a landfill site is needed to understand the groundwater flow direction and gradients. The approach proposed does not improve the decision making of the professional as years of local and site experience are needed to understand the complexity of groundwater interconnection with overburden and bedrock conditions and the understanding of fate and transport at a subject property.

NH geology is highly complex and variable, with significant interplay between bedrock and overburden systems, even at the site scale, that are most accurately evaluated by a NH-licensed professional geologist with direct experience and understanding of site-specific conditions and history.

Paragraph XIX Having an employee or contractor on site 24/7 does not guarantee a problem in the middle of the night or on holidays would be identified. Options should be allowed such as SCADA or call out systems that monitor critical components at a site.

Paragraphs XX and XXI Requiring 20 ft of in situ 1×10^{-4} cm/sec soil is arbitrary and would limit the ability of many otherwise suitable sites to be developed or expanded. This requirement would not be met at the Turnkey site.

Soil replacement, if done with established engineered controls, provides an increase in soil density and decrease in hydraulic conductivity in comparison to native soil deposits and should be considered a suitable alternative.

Paragraph XXIII The NHDES permit application and Solid Waste Rules currently refers to the federal airport siting and notification criteria and adding this to State statute is redundant.

Permit Denial (4) Not allowing a permit to be issued for the operation of a landfill to an entity who has been found in violation of a federal, state, or local environmental laws, regulations, or permits would shut down all solid waste facilities the next time they are required to obtain a permit from the NHDES. As this bill is currently worded in the case of Turnkey, due to a previously closed compliance issue when WMNH requests to construct the next cell requiring the site to close in 2026-27.

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Ultimately, the management of solid waste generated in NH would come to an abrupt halt in the event a minor infraction of a regulatory requirement was issued.

WM of NH, Inc.

A handwritten signature in black ink, appearing to read "Garrett Trierweiler". The signature is fluid and cursive, with a large initial "G" and a long, sweeping tail.

Garrett Trierweiler
Director, Public Affairs