

Committee Report

CONSENT CALENDAR

February 18, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Environment and Agriculture to which was referred HB 413,

AN ACT establishing a solid waste working group on solid waste management planning and relative to compost. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Megan Murray

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Environment and Agriculture
Bill Number:	HB 413
Title:	establishing a solid waste working group on solid waste management planning and relative to compost.
Date:	February 18, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-0343h

STATEMENT OF INTENT

This bill was filed in response to findings of the study committee on recycling streams and solid waste management in New Hampshire created by the 2019 bill, HB 617. HB 413 establishes a comprehensive stakeholder working group to provide needed recommendations to the Department of Environmental Services (DES) to assist in long-range planning for waste management and to review changes to existing departmental policies, goals, and initiatives. It also takes a look at regional impacts, waste disposal bans, and disposal capacity in accordance with RSA 149-M:3 and will recommend ways to improve current solid waste hierarchy practices. The bill will provide much needed technical assistance and education to schools, municipalities, and citizens. It sets a deadline for DES to enact rules relative to composting facilities. The amendment clarifies the terms of stakeholder representatives and outlines the due dates of reports. This bill is critical to the future management of solid waste in New Hampshire.

Vote 19-0.

Rep. Megan Murray
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Environment and Agriculture

HB 413, establishing a solid waste working group on solid waste management planning and relative to compost. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Megan Murray for Environment and Agriculture. This bill was filed in response to findings of the study committee on recycling streams and solid waste management in New Hampshire created by the 2019 bill, HB 617. HB 413 establishes a comprehensive stakeholder working group to provide needed recommendations to the Department of Environmental Services (DES) to assist in long-range planning for waste management and to review changes to existing departmental policies, goals, and initiatives. It also takes a look at regional impacts, waste disposal bans, and disposal capacity in accordance with RSA 149-M:3 and will recommend ways to improve current solid waste hierarchy practices. The bill will provide much needed technical assistance and education to schools, municipalities, and citizens. It sets a deadline for DES to enact rules relative to composting facilities. The amendment clarifies the terms of stakeholder representatives and outlines the due dates of reports. This bill is critical to the future management of solid waste in New Hampshire. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 413

1 Amend RSA 149-M:61, II as inserted by section 2 of the bill by replacing it with the following:

2

3 II. Unless otherwise indicated, the members of the working group shall be appointed by the
4 commissioner. Terms for state agency and legislative members shall be the same as their terms in
5 office. All other working group members shall serve for the duration of the working group. Upon
6 term expiration, each appointed member shall hold office until a successor shall be appointed and
7 qualified.

8

9 Amend RSA 149-M:61, IV as inserted by section 2 of the bill by replacing it with the following:

10

11 IV. The working group shall hold its organizational meeting no later than November 1,
12 2021. The working group shall submit its initial report on November 30, 2022 and its final report on
13 November 1, 2026, to the speaker of the house of representatives, the president of the senate, the
14 house clerk, the senate clerk, the governor, the state library and the house and senate committees
15 responsible for solid waste oversight.

16

17 Amend the bill by replacing section 5 with the following:

18

19 5 Effective Date.

20 I. Section 4 of this act shall take effect November 1, 2026.

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

Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 413

BILL TITLE: establishing a solid waste working group on solid waste management planning and relative to compost.

DATE: February 17, 2021

LOB ROOM: Hybrid

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. M. Murray Seconded by Rep. Aron AM Vote: 19-0

Amendment # 2021-0343h

Moved by Rep. M. Murray Seconded by Rep. Aron Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Barbara Comtois, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



02/17/2021 9:57:30 AM
Roll Call Committee Registers
Report

2021 SESSION

Environment and Agriculture

Bill #: HB413 Motion: ADOPT AMENDMENT AM #: 2021-0343H Exec Session Date: February 17, 2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	X		
Aron, Judy F. Vice Chairman	X		
Comtois, Barbara Clerk	X		
Verville, Kevin G.	X		
Davis, Arnold G.	X		
Stapleton, Walter A.	X		
Homola, Susan	X		
Kennedy, Margaret Anne	X		
Mason, James L.	X		
Sanborn, Gail E.	X		
Bixby, Peter W.	X		
Sofikitis, Catherine M.	X		
Bouldin, Andrew J.	X		
Dutzy, Sherry	X		
Murray, Megan A.	X		
Von Plinsky, Sparky	X		
Caplan, Tony	X		
Hyland, Stephanie M.	X		
Perez, Maria	X		
TOTAL VOTE:	19	0	

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



02/17/2021 9:57:30 AM
Roll Call Committee Registers
Report

2021 SESSION

Environment and Agriculture

Bill #: HB413 Motion: OTPA AM #: 2021-0343H Exec Session Date: February 17, 2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearl, Howard C. Chairman	X		
Aron, Judy F. Vice Chairman	X		
Comtois, Barbara Clerk	X		
Verville, Kevin G.	X		
Davis, Arnold G.	X		
Stapleton, Walter A.	X		
Homola, Susan	X		
Kennedy, Margaret Anne	X		
Mason, James L.	X		
Sanborn, Gail E.	X		
Bixby, Peter W.	X		
Sofikitis, Catherine M.	X		
Bouldin, Andrew J.	X		
Dutzy, Sherry	X		
Murray, Megan A.	X		
Von Plinsky, Sparky	X		
Caplan, Tony	X		
Hyland, Stephanie M.	X		
Perez, Maria	X		
TOTAL VOTE:	19	0	

Public Hearing

Rep. Ebel – sponsor – written testimony – has put in amendment – top recommendation to put together a working group – composting regulations should help

Rep. Sofikitis – Q. interstate commerce clause – is there a ratio of how much out of state garbage we must accept A. short answer we cannot ban out of state waste – local control – local regulations also have an impact

Rep. Dutzy – Q. in NH a lot of work is done by volunteers, it looks like your bill is doing that once again, did you consider creating accounts for DES A. we investigated an add'l dollar amount to tipping fees to help with solid waste mgmt. – tipping fees that were paid by municipalities would be returned – please refer to study committee report

Rep. Caplan – Q. deadlines – interim report that is supposed to come out in 2021 and does it include composting regulations A. my amendment changes the date for when the interim report is due – Nov 30, 2022 Q. would you consider adding a position on commission – A. open to what committee would recommend

Rep. Bixby – Q. surcharge on tipping fees, has a similar bill been submitted this year A. no it was not reintroduced this year

Rep. Aron – Q. is the working group going to talk about landfill siting A. this bill looks at capacity and so it would probably look at siting – there is a hierarchy we are supposed to be looking at

Rep. Murray – written testimony – we really do have an opportunity to get food waste into compostable sites and out of landfills –

Rep. Suzanne Smith – co-sponsor – solid waste was and is a big issue – food waste 21% of landfill capacity – composting is very important and will help decrease what goes to the landfill

Michael Nork – DES – Solid Waste Mgmt. Bureau – supports bill and amendment – important tool in helping us address issues in updating Solid Waste Mgmt. Plan, but would not address our resource issues – this is common in other states – NH is falling far behind in long-term planning – Compositing rules – SB251 in 2015 to clarify requirements for food and dairy waste – 2017/2018 they have fallen short and have not addressed the issue at this time due to resource issues –

Rep. Bixby – Q. how many people do you have in Solid Waste Division A. 7 or 8 FT – less than ½ of what it used to be

Reagan Bissonnette, Executive Director, Northeast Resource Recovery Association – written testimony – no position – Northeast has highest cost of all other parts of the country – food scraps are heavy – modernizing composting rules has been lagging

Rep. Homola – Q. what is the afterlife of composted material A. the ideal use is that it would be used as a soil amendment – some is also used as daily cover for landfills – Q. when companies make this their business who are they supplying to A. it varies

Henry Vellieux – Waste Mgmt. – largest landfill in NH - supports

John Tuthill – Acworth, NH – former member of E & A – supports – should be looking at VT – focusing on 0 waste planning is the future going forward –

Marc Morgan – solid waste mgr. for city of Lebanon – majority of NH landfills are owned by private entities – State of MA has issued on bans and put a moratorium on expanding landfills – we have not planned for those regulatory changes in other states – we need to institute planning

Rep. Stapleton – Q. bans of certain materials in Mass - do we have any sort of bans in NH – A. NH does have its own NH bans – in MA you cannot bring unprocessed demolition debris to landfills – Q. we need to be looking at some regulation and statute by similar bans A. we need to understand what they are doing – a lot of their waste is being transported by rail to the Midwest

Kristen Cummings – Hopkinton, NH - written testimony

Katie Lajoie – Working on Waste – written testimony – supports with recommendations

House Remote Testify

Environment and Agriculture Committee Testify List for Bill HB413 on 2021-02-17

Support: 94 Oppose: 3 Neutral: 2 Total to Testify: 9

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Ebel, Karen	karen.ebel@leg.state.nh.us	An Elected Official	Merrimack District 5	Support	Yes (5m)	No	2/12/2021 2:40 PM
Morgan, Marc	marc.morgan@lebanonnh.gov	A Member of the Public	City of Lebanon, NH - Solid Waste Div	Support	Yes (5m)	No	2/16/2021 9:21 AM
Swan, Jon	SaveForestLake@yahoo.com	A Member of the Public	Save Forest Lake	Support	Yes (3m)	No	2/16/2021 5:47 AM
Nork, Michael	michael.nork@des.nh.gov	State Agency Staff	NHDES	Support	Yes (3m)	No	2/16/2021 4:34 PM
MURRAY, MEGAN	megan.murray@leg.state.nh.us	An Elected Official	Hillsborough District 22	Support	Yes (3m)	No	2/16/2021 9:53 PM
Bissonnette, Reagan	rblissonnette@nrrarecycles.org	A Member of the Public	Northeast Resource Recovery Association	Neutral	Yes (3m)	No	2/16/2021 9:12 AM
Jones, Hayley	hayley@communityactionworks.org	A Lobbyist	Community Action Works Campaigns	Support	Yes (3m)	No	2/12/2021 10:23 AM
Smith, Suzanne	zanne719@gmail.com	An Elected Official	Grafton 8	Support	Yes (2m)	No	2/16/2021 4:31 PM
Veilleux, Henry	hveilleux@sheehan.com	A Lobbyist	Waste Management, Inc	Support	Yes (2m)	No	2/16/2021 9:32 PM
KUBIT, JOSEPH	jgkubit70@gmail.com	An Elected Official	Myself	Support	No	No	2/16/2021 9:17 AM
Chase, Susan	srfchase@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 9:17 AM
Pedersen, Michael	PedersenUSA@aim.com	An Elected Official	Hillsborough 32	Support	No	No	2/16/2021 10:51 PM
Reardon, Donna	Bugs42953@aol.com	A Member of the Public	Myself	Support	No	No	2/16/2021 11:23 PM
Farnum, Ellen	Ellenlynnfarnum@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 6:10 AM
Griffin, Catherine	Ccgriffin02@yahoo.com	A Member of the Public	Myself	Support	No	No	2/17/2021 7:41 AM
Anderson, Maud	maudanderson@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 7:06 AM
Cummings, Kristen	kristenjeancummings@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 9:56 AM

Heslin, Mary	mlheslin@yahoo.com	A Member of the Public	Myself	Support	No	No	2/17/2021 7:53 AM
Greenwood, Nancy	nancgreenwood@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/17/2021 8:16 AM
McCue, Dara	daramccue@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 9:15 AM
Fedorchak, Gaye	gayevf@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 10:03 AM
Groetzinger, Tonda	groetzinger6@aol.com	A Member of the Public	Myself	Oppose	No	No	2/17/2021 12:35 PM
Lajoie, Katherine	jlje23@hotmail.com	A Member of the Public	WORKING ON WASTE	Support	No	No	2/17/2021 11:37 AM
Morrison, Wayne	Birdiequest@aol.com	A Member of the Public	Myself	Support	No	No	2/17/2021 11:51 AM
Christie, Bonnie	Hopkinton, NH Bchristie1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 1:35 PM
Taylor, Austin	Whitefield, NH Austin.Eugene.Taylor@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 3:08 PM
Correa, Lisa	Newbury, NH C.lisa7716@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 5:37 PM
Mott-Smith, Wiltrud	Loudon, NH wmottsm@worldpath.net	A Member of the Public	Myself	Support	No	No	2/17/2021 10:04 PM
Burns, Scott	scottaburns.2020@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 4:54 PM
DeMark, Richard	demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 4:58 PM
Anastasia, Patricia	patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 5:17 PM
Burdett, Mary	maryburdett@comcast.net	A Member of the Public	Myself	Support	No	No	2/16/2021 5:36 PM
Hope, Lucinda	lmhope46@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 6:08 PM
Johnston, Cordell	cjohnston@nhmunicipal.org	A Lobbyist	NH Municipal Association	Support	No	No	2/16/2021 6:21 PM
Kelley, Susan	suekelleynewburynh@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 6:45 PM
ARONSON, LAURA	laura@mlans.net	A Member of the Public	Myself	Support	No	No	2/16/2021 7:37 PM
Cockerill, Andrew	ajcockerill@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 8:00 PM
Williams, Carol	kotzheritage@tds.net	A Member of the Public	Myself	Neutral	No	No	2/16/2021 8:23 PM

Hayden, Sam	hayden.sam@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2021 7:31 AM
White, Connie	mommabird1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 7:55 AM
Martin, Joelle	Joelle4milford@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 8:50 AM
Kubit, Joy	joykubit@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 8:56 AM
Casey, Bebe	bcasey1996@comcast.net	A Member of the Public	Myself	Support	No	No	2/16/2021 9:10 AM
Watters, Senator David	david.watters@leg.state.nh.us	An Elected Official	Myself (SD 4)	Support	No	No	2/8/2021 11:22 AM
Hennessey, Erin	erin.hennessey@leg.state.nh.us	An Elected Official	SD1	Support	No	No	2/8/2021 2:39 PM
Ward, Senator Ruth	ruth.ward@leg.state.nh.us	An Elected Official	Senate District 8	Support	No	No	2/8/2021 6:14 PM
Healey, Barbara	Barbara3821@aol.com	A Member of the Public	Myself	Oppose	No	No	2/10/2021 10:27 AM
Tanner, Courtney	Courtney.Tanner@hitchcock.org	A Lobbyist	Dartmouth-Hitchcock	Support	No	No	2/10/2021 9:56 PM
bazelmans, rudy	rudy@bazelmans.org	A Member of the Public	th NH Waste Management Council	Support	No	No	2/11/2021 2:36 PM
Phillips, Betsey	bphill36@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 9:48 AM
Prohl, Maureen F.	rmprohl@comcast.net	A Member of the Public	Myself	Support	No	No	2/16/2021 10:22 AM
Kendrick, Michelle	Michelleleekendrick@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 10:44 AM
Magnusson, LaShanta	thesafetychick78@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 1:44 PM
Labranche, Tony	tony.labranche.public@gmail.com	An Elected Official	Myself	Support	No	No	2/16/2021 8:53 PM
Thompson, Brittney	brittneyt603@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 11:09 AM
Lucas, Janet	janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 11:15 AM
Hiatt, Eve	FirstLadyKY@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 11:47 AM
MELLER, elizabeth	lizmeller1@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 12:40 PM
Decourcey, Nancy	nmdecourcey@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 12:41 PM
Amato, Nancy	namato@alene.com	A Member of the Public	Myself	Support	No	No	2/16/2021 1:03 PM
Griffin, Ann	ann.griffin@yahoo.com	A Member of the Public	Myself	Support	No	No	2/16/2021 1:25 PM

Griffin, Johann	yojogriff@yahoo.com	A Member of the Public	Myself	Support	No	No	2/16/2021 1:26 PM
O'Connor, John	john.oconnor@comcast.net	A Member of the Public	Myself	Support	No	No	2/16/2021 1:29 PM
Schmidt, Adam	adam@jgstrategies.com	A Lobbyist	NH Beverage Association	Support	No	No	2/16/2021 1:53 PM
Harrington, Robert	nlhd@tds.net	State Agency Staff	Town of New London	Support	No	No	2/16/2021 2:33 PM
Wolf, Daniel	dan@hodan.com	An Elected Official	Myself	Support	No	No	2/16/2021 2:36 PM
Hallquist, Kimberly	townadmin@nl-nh.com	A Member of the Public	Town of New London	Support	No	No	2/16/2021 2:39 PM
Barr, Celeste	celestebarr@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 2:42 PM
Nowell, Joy	joy@newburynh.org	An Elected Official	Myself	Support	No	No	2/16/2021 2:49 PM
Morrison, Nancy	Weetamooc@aol.com	A Member of the Public	Myself	Support	No	No	2/16/2021 2:53 PM
Bushueff, Catherine	agawamdesigns@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 4:26 PM
Bates, David	dbates3@yahoo.com	A Member of the Public	Myself	Support	No	No	2/13/2021 11:32 AM
Fenner-Lukaitis, Elizabeth	glukaitis@mcttelecom.com	A Member of the Public	Myself	Support	No	No	2/13/2021 1:51 PM
Abruzzese, Cathleen	Catabruzzo@comcast.net	A Member of the Public	Myself	Support	No	No	2/13/2021 5:56 PM
Zboya, Patrice	pzboya654@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 10:35 AM
Fordey, Nicole	nikkif610@gmail.com	A Member of the Public	Myself	Support	No	No	2/13/2021 8:20 PM
Johnson, Sara	nhchicagocubfan@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 5:45 AM
Thompson, Laura	nicnmom@hotmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 12:19 PM
Wells, Lee	leewells.locustfarm@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 12:40 PM
Cameron, Jack	archives.jack.cameron.5427@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 3:53 PM
Clark, Lynn	rubylynn862@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 6:55 PM
Ingram, April	aandk@tds.net	A Member of the Public	Myself	Support	No	No	2/14/2021 7:45 PM
Krohn, Suzanne	suzanne.c.krohn@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 10:33 AM
Doucette, Sarah	sdoucette58@gmail.com	A Member of the	Myself	Support	No	No	2/15/2021 5:25 PM

Krohn, Matthew	makrohn@gmail.com	Public A Member of the Public	Myself	Support	No	No	2/15/2021 11:07 AM
Larson, Ruth	ruthlarson@msn.com	A Member of the Public	Myself	Support	No	No	2/15/2021 11:31 AM
Watkins, Margaret	margwatkins@juno.com	A Member of the Public	New Hampshire Audubon	Support	No	No	2/15/2021 11:53 AM
Bruce, Susan	susanb.red@mac.com	A Member of the Public	Myself	Support	No	No	2/15/2021 12:45 PM
Minnehan, Paula	pminnehan@nhha.org	A Lobbyist	NH Hospital Association	Support	No	No	2/15/2021 1:41 PM
Moulton, Candace	candaceleighm@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 2:01 PM
Frost, Sherry	sherry.frost@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/15/2021 2:39 PM
Brickett, Jane	silofarm@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 3:10 PM
Hackmann, Kent	hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No	2/15/2021 3:27 PM
Hurley, Margaret	mdaisshurley@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 3:43 PM
Ingold, Bret	bretgold@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 4:39 PM
TOWER, THOMAS	tomtower@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2021 7:13 PM
McLaughlin, Barbara	brbmclaughlin42@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 7:58 PM
Grosholz, Robert	rgrosholz@yahoo.com	A Member of the Public	Myself	Support	No	No	2/15/2021 9:31 PM
Murphy, Hon. Nancy	murphy.nancya@gmail.com	A Member of the Public	Myself	Support	No	No	2/15/2021 9:37 PM

Testimony

Archived: Wednesday, July 21, 2021 10:49:12 AM
From: [nancy morrison](#)
Sent: Tuesday, February 16, 2021 5:36:00 PM
To: ~House Environment and Agriculture Committee
Subject: HB413 support
Importance: Normal

Dear Chairman Pearl, and the rest of the Environment and Agricultural Committee Members,

Thank you for your kind attention today.

My name is Nancy Morrison and my husband and I live in Mont Vernon and Whitfield, NH. I respectfully ask that you give HB413 your full consideration and ultimately decide it warrants your vote as well as that of the full NH House.

No doubt you are aware that NH's Solid Waste Management Plan is under scrutiny, and has not been reviewed since 2003. Moving forward, a review was to be required every six years to assure that NH's waste needs were being met in the most economical, responsible and sustainable way. This has not happened, and I understand there is a suit filed by the Conservation Law Foundation against NHDES concerning this matter.


HB413 is calling for a work/study committee to be formed in order to address and solve this grave situation.

My concern is that this newly formed committee has the potential to be stacked with landfill industry members only. I encourage you to engage a vast array of specialists that will truly represent a balanced panel that has our precious NH's best interest at heart...Environmental Scientists, a professional Composting Specialist, Independent Siting Experts, concerned public figures, a PFAS Specialist, Municipal Transfer Station representation, Recycling and Recovery Experts,...people that can give us a well rounded view of what is most sustainable, responsible, economical, environmentally sound and safe for our citizens for decades to come.

Landfills are listed at the bottom of our NH preference of waste management, as they should be. They leak, they smell foul, and they pollute our waterways and air. Yes, we still need them after we have done everything we can to keep items out of them. And this would mean we would need less precious space for them. And ESPECIALLY if we stop bringing in half of the trash we bury from out of state.

Thank you for hearing me today. I urge you to pass HB413, to bring us to compliance in the right way.

Most Sincerely and Respectfully,
Nancy and Wayne Morrison
Mont Vernon, NH
603-930-8809

Archived: Wednesday, July 21, 2021 10:49:13 AM
From: John and Katie Lajoie
Sent: Wednesday, February 17, 2021 11:44:29 AM
To: ~House Environment and Agriculture Committee
Subject: HOUSE BILL 413
Importance: Normal
Attachments:
Committee.pdf 

To Members of the New Hampshire House Environment and Agriculture Committee

STATEMENT FROM WORKING ON WASTE REGARDING HOUSE BILL 413

Working on Waste (WOW) is a citizens' initiative that promotes safe alternatives to waste incineration. WOW supports HB 413 with the following recommendations:

1. The working group will focus on managing resources, not waste. WOW has worked to raise awareness about zero-waste initiatives as exemplified in the diagram below. The underlying premise is that waste is a behavior, something we do collectively and as individuals. Policy changes can incentivize less wasteful behavior.
2. The working group will include members of the public who advocate for public health and the environment. The working group will also include broader representation from organizations with the same mission.
3. The working group will accept and address oral and written input from interested parties who are not members.

The enclosed 2019 letter to Representatives Ebel, Murray, O'Connor, and Senator Watters helps set priorities for the working group.

Thank you.

Sincerely,
Katie Lajoie for Working on Waste
PO Box 641
Claremont, NH 03743

Enclosure: RE: 265 (HB 617), Letter to Reps. Ebel, Murray, O'Connor, and Sen. Watters, Committee to Study Recycling Streams and Solid Waste Management in New Hampshire, October 17, 2019

Archived: Wednesday, July 21, 2021 10:49:13 AM
From: [Maud Anderson](#)
Sent: Wednesday, February 17, 2021 7:54:57 AM
To: ~[House Environment and Agriculture Committee](#)
Cc: [Karen Ebel](#)
Subject: In support of HB 413
Importance: Normal

Dear Chairman Pearl and Members of the House Environment and Agriculture Committee,

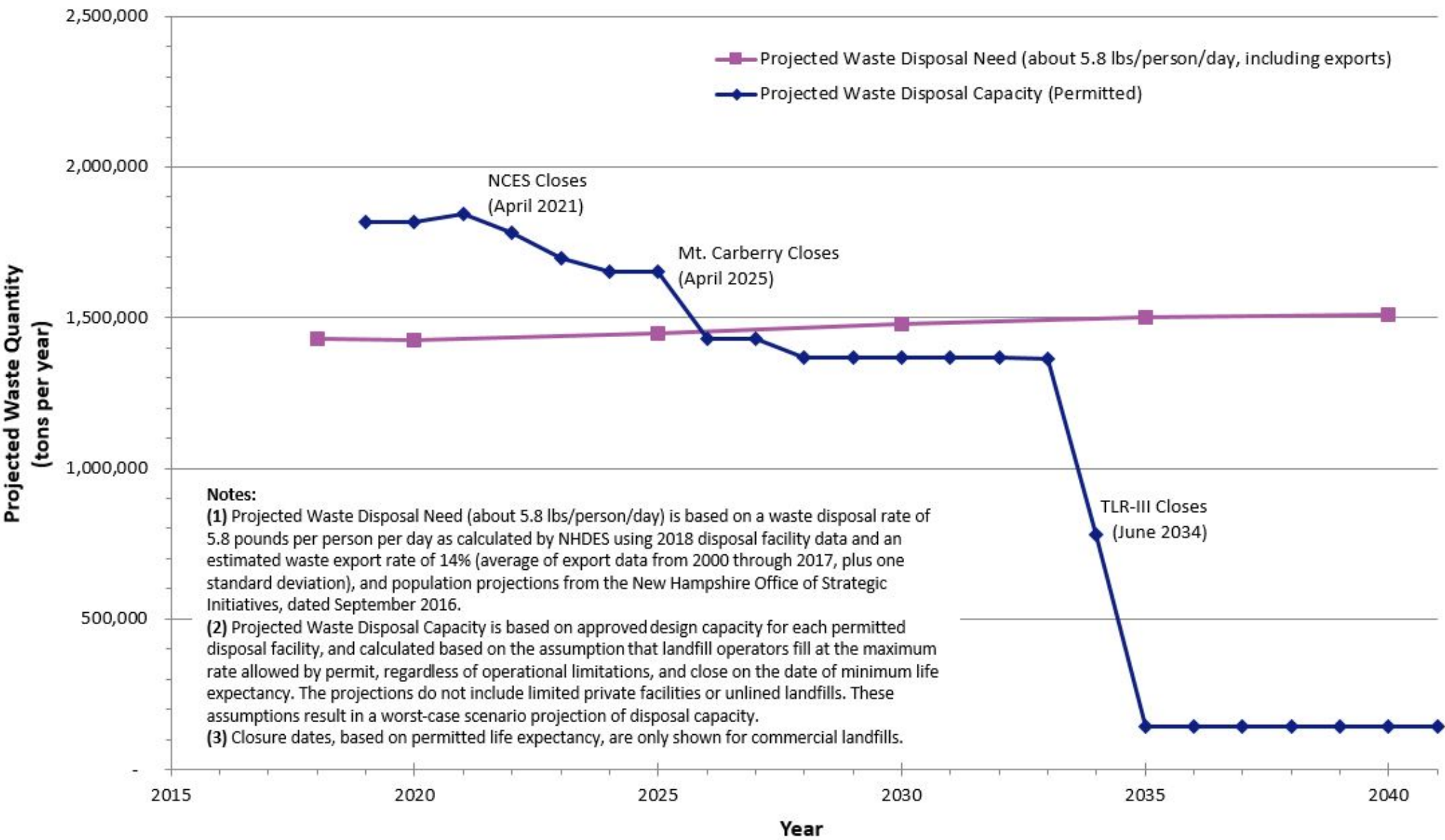
I am writing to you on behalf of the Tamworth Recycling Project urging you to support the establishment of a working group on solid waste management planning as outlined in House Bill 413.

The Tamworth Recycling Project is a group of volunteers in Tamworth, NH who came together in 2018 seeking solutions for reducing waste and increasing recycling in our town. In 2019 we conducted a survey of rural towns in our area to learn how they were managing solid waste and recycling. As we studied the survey results from the 14 responding towns, it became clear that each town was essentially going it alone, struggling to find cost effective ways to manage waste for their taxpayers at a time when hauling and tipping fees are increasing, markets for recyclables are unpredictable, and our landfills are rapidly reaching capacity. We realized there is a huge need for planning and coordination at the state level in order to meet the challenges of managing our solid waste in a manner that is both environmentally responsible and economically sound. We are excited to learn about the solid waste working group proposed in HB 413, and heartened to see the diversity of experience and perspectives that will be represented in the group's membership. We are also pleased to see that the group will be reviewing and making recommendations based on the 2019 report of the Committee to Study Recycling Streams and Solid Waste Management in New Hampshire (HB 617). Our group found that this comprehensive report provided both an excellent overview of the current state of solid waste management in our state and a series of valuable recommendations for addressing our solid waste challenges in the coming years. It's encouraging to see that this valuable report continues to be a living document and guide for action.

I hope that the Environment and Agriculture Committee will support HB 413 and that the proposed solid waste working group will become a reality.

Sincerely,

Maud Anderson
Tamworth Recycling Project, Tamworth, NH





THE STATE OF NEW HAMPSHIRE

Waste Management Council

Rudy Bazelmans, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Council Clerk/Secretary (non-appeal related): (603) 271-2905; Appeals Clerk (appeal related only): (603) 271-6072
TDD Access: Relay NH 1-800-735-2964
Council Website: <http://www.des.nh.gov/councils/>

Date: February 11, 2021
To: House Representative Karen Ebel
Re: In Support of House Bill 413, re: establishing a solid waste working group

I have been the Chair of the New Hampshire Waste Management Council since 2014. The Waste Council, discusses forthcoming legislative actions, rules changes, existing state regulations and the DES plans regarding solid waste initiatives. House Bill 413 is a request to establish a working group for solid waste planning for the state, a bill that we wholeheartedly support.

The topic of waste capacity in New Hampshire and the reduction of New Hampshire generated waste and out-of-state waste we take in, has been an issue for many years, and predates my arrival on the Council. Two expansion permit challenges have occurred in the past year (one for each of our two landfills in the state) and the risk of inadequate landfill capacity was raised in both cases.

A working group is a critical step in addressing the current issues and helping forestall the saturation of our landfills. The Waste Council supports House Bill 413.


We look forward to having the Council be a part of the working group and we hope the legislature approves this bill.

Sincerely,

A handwritten signature in cursive script that reads "Rudy Bazelmans".

Rudy Bazelmans
Chairman, Waste Management Council

cc: Director Wimsatt, Director of the Waste Management Division of DES


Archived: Wednesday, July 21, 2021 10:49:13 AM
From: [Megan Murray](#)
Sent: Tuesday, February 16, 2021 10:21:40 PM
To: [~House Environment and Agriculture Committee](#)
Subject: Testimony in support of HB 413
Importance: Normal
Attachments:
[HB413Testimony \(3\).pdf](#) 

Honorable Colleagues,

Please see my attached testimony in support of HB 413.

Megan Murray

State Representative-Amherst, NH
Environment & Agriculture Committee
Member of National Caucus on Environmental Legislators (NCEL)

Archived: Wednesday, July 21, 2021 10:49:13 AM
From: [Kristen Cummings](#)
Sent: Wednesday, February 17, 2021 10:13:47 AM
To: [~House Environment and Agriculture Committee](#)
Subject: Written Testimony in Support of HB 413
Importance: Normal
Attachments:
[Statement of Support for HB 413 - Cummings, K.pdf](#) 

Hello,

Please accept my written testimony in support of HB 413, attached here.

Thank you,
Kristen Cummings
Hopkinton, NH



NEW HAMPSHIRE
30 S. Main St., Suite 101
Concord, NH 03301
Phone: (603) 229-1331
Fax: (603) 229-3221

Community Action Works Campaigns

Wednesday, February 17th, 2021

Chairman Pearl
House Committee on Environment and Agriculture
Statehouse
Concord, NH 03301

RE: Support for HB 413. An act to create a solid waste working group in NH.

My name is Hayley Jones, and I am the Vermont and New Hampshire organizer for Community Action Works Campaigns. I support HB 413, which would create a solid waste working group to plan for our state's future.

At Community Action Works, we believe that environmental threats are big, but that the power of well-organized communities is bigger. That's why we work side-by-side with everyday people to confront those who are polluting and harming the health of our communities. Because when you and your neighbors know how to make change, you can build the power to transform our world.

Community Action Works has been around since 1987, helping over 1000 communities prevent and clean up pollution. We have been working with activists across New Hampshire to envision our zero waste future, a future where nobody has to suffer the harmful impacts of burning and burying our trash. A future where we develop creative, effective solutions for waste reduction, from organics diversion to municipal recycling programs.

We have known for decades that reduction is key to waste management. In the 1990s, the New Hampshire legislature created a hierarchy of solid waste management methods, ranking landfilling and incineration dead last.¹ It also set a

¹ "New Hampshire Solid Waste and Recycling Overview." Northeast Recycling Council, 2021.
<https://nerc.org/state-information/new-hampshire/overview>

goal of getting at least 40% of the state's waste out of landfills through source reduction, recycling and composting.²

Over twenty years later, unfortunately, New Hampshire has made little progress towards those waste reduction goals. Everyday folks are bearing the burden of this failure, breathing in polluted air and drinking polluted water.³ To deal with our ever-growing mountains of trash, we need a solid waste working group that puts people and planet first.

We call on the committee to amend the proposed group structure, increasing representation from affected community members, public health professionals, and intersectional environmentalists. This is more than a debate about landfill siting or out-of-state trash; it's a chance to save our future. Please support HB413, then amend the bill to increase representation of our most impacted communities.

Thank you.

Sincerely,

Hayley Jones
Community Action Works Campaigns
hayley@communityactionworks.org
(971) 400 5197

² Irwin, Tom. "Will New Hampshire be a Dumping Ground for the Region?" Conservation Law Foundation, 11 March 2020. <https://www.clf.org/blog/new-hampshire-waste-reduction-efforts/>

³ Ropeik, Annie. "Officials: Controversy Over PFAS from N.H. Landfill is Just Part of Bigger Problem." NHPR, 8 November 2019. <https://www.nhpr.org/post/officials-controversy-over-pfas-nh-landfill-just-part-bigger-problem>

Archived: Wednesday, July 21, 2021 10:49:12 AM
From: sarah doucette
Sent: Tuesday, February 16, 2021 10:27:15 PM
To: ~House Environment and Agriculture Committee
Subject: HB 413 — Amended Please
Importance: Normal

Greetings Chairman Pearl and Members of the Environment and Agriculture Committee,
Thank you for accepting testimony on HB 413 "establishing a solid waste working group on solid waste management planning and relative to compost." **We write to support HB 413 — if you consider a critical amendment.**

Living in Whitefield, close to the very unpopular NCES landfill in Bethlehem, we are aware of New Hampshire's **desperate need for solid waste management reform** and a contemporary, sustainable plan based on the long endorsed State hierarchy listing landfilling as the least desirable option. Given that judgement, we hope to see **HB 413 amended to broaden the membership suggested for the Solid Waste Working Group.**

It is imperative that the working group include the resources, experience and creativity of **those who represent the preferred methods** of waste management. **People specializing in fresh perspectives on resource management**, source reduction, realistic recycling, reuse and recovery opportunities, composting and similar forward-looking practices can offer critical insights for a successful **pivot away from the landfill culture** that has dominated our decisions in recent decades. If the working group is weighted toward the landfill industry, it will be seriously compromised in finding new paths **to sustainable, environmentally healthy waste management** policies.

Conservationists and environmental scientists committed to New Hampshire's land, waters, air and public health should be included in the working group alongside **members of the public**. The contemporary solutions we need must come from **a balanced working group, if the shortcomings of the past are to be ended.**

With an amendment to HB 413 addressing these concerns, we believe **you can create a solid foundation to plan our state's solid waste future** and properly guide NH DES going forward. **We appreciate your patient consideration** and look forward to hearing your thoughts tomorrow, even as we apologize for contacting you just prior to the hearing.

Sincerely,

Sarah Doucette
Roger Doucette

Whitefield, NH
603.960.4268

Testimony of Rep. Karen Ebel in Support of HB 413
Merrimack Dist. #5
House Environment and Agriculture Committee
February 17, 2021

I am the prime sponsor of HB 413 creating a solid waste working group to be convened by DES in support of its solid waste planning efforts. HB 413 would also put a deadline on the updating and promulgation of the state's composting regulation, which is long overdue. The bill is combination of two virtually identical bills were recommended unanimously for passage by this committee and passed the House on the consent calendar by voice vote. The journey was similar in the Senate, but due to COVID, they got rolled into an omnibus administrative-related bill, HB 1234, that was vetoed by the Governor. The delay in passage is unfortunate because both those bills dealt with issues of great importance to our state, municipalities, businesses and citizens. If you review the cosponsor list, you will see that this is a strongly supported, bipartisan bill.

As you will recall, in mid-2019, China decided to stop taking solid waste from the United States where it had been recycled, particularly plastics and mixed paper. This put a tremendous strain on our cities and towns and on their pocketbooks. Because of that I introduced HB 617. It created a study committee on solid waste management and recycling. Former Rep. John O'Connor was on that committee, along with Rep. Megan Murray and Senator David Watters. The committee's goal was to hear from as many stakeholder groups as possible: public and private landfill operators, municipalities, schools, recyclers, state agencies and non-profits, among them. What followed was an extraordinarily active 8-week study with 14 hearings and over 50 stakeholders participating.

This resulted in a comprehensive study committee report, which can be accessed at this link:

<http://gencourt.state.nh.us/statstudcomm/committees/1476/reports/2019%20Final%20Report.pdf>

As members of this committee, if you have not yet had a chance to review the report, I recommend it to you as it identifies many critical issues for our state and its solid waste challenges. You can access the committee webpage here to view stakeholder testimony, minutes and even the Continuing Education session we did due to the very high interest level of the members at that time.

<http://gencourt.state.nh.us/statstudcomm/committees/1476/>

In short, we have problems. COVID stalled our efforts, but the situation has only gotten worse, starting with a brewing crisis in our landfill capacity and the extraordinarily limited capacity of the DES Solid Waste Bureau to deal with more than day-to-day responsibilities due to drastic budget cuts. This makes their advance planning capabilities very limited to our detriment. Additionally, among its statutory responsibilities, the Waste Management Council, the WMC, is supposed to help with strategic planning, but given its appellate responsibilities and the volunteer nature of the board, it has little or no time to do so.

The recycling study committee made many recommendations, but two of the most important was the creation of a solid waste task force to help DES work with stakeholders to develop innovative solutions to our challenges. HB 413 would create this task force. It includes representatives of many stakeholder groups, including a member of the WMC, landfill and MRF operators, the Northeast Resource Recovery Association, that helps municipalities recycle, and others.

With the long-term solid waste plan in the offing, DES needs assistance with input and problem solving. Let me be plain. DES's solid waste bureau is general funded. It used to have a planning division, but because of consistent budget cuts, now it does not. We have not had a long-range solid waste plan, which is supposed to be produced every 6 years, since 2003. We need one. Other states are working very hard on this issue. In some cases, they are instituting specific solid waste bans. And in some cases, where refuse is banned in one state, we are the recipients. Massachusetts and Vermont are two examples. Because of the Interstate Commerce Clause, we cannot ban out-of-state waste.

With regard to our solid waste capacity issues, one important solution is to decrease the amount of trash being landfilled. One obvious example is food waste. It alone contributes up to 20% of solid waste in weight and should be composted to the extent possible. The HB 617 study committee focusing on composting, especially the desire to pursue commercial endeavors and complaints about our current regulatory structure was one of the best attended. DES has struggled to get revised composting regulations done due to staffing challenges.

This task has been pending since 2015, when the legislature required DES to adopt rules relative to "requirements and best practices for facilities that compost organics, including vegetable matter, meat, meat byproducts, dairy products, or dairy product derivatives." We need new regulations and this will help prioritize their promulgation. Streamlining the process will help new businesses to develop,

help maintain our landfill capacity, save municipalities money and reduce the methane in the atmosphere that is given off by rotting food waste.

In summary, DES has done a wonderful job given the ever-dwindling resources it has had. The HB 413 working group is one way of supporting the agency in its work, ultimately helping our state, cities and towns. Prioritizing the long-awaited composting regulations will trigger more business and cost-savings. I urge passage of this important bill.

Archived: Tuesday, May 4, 2021 1:18:08 PM
From: Henry G. Veilleux
Sent: Monday, May 3, 2021 3:59:08 PM
To: ~House Environment and Agriculture Committee
Subject: Senate amendment to HB 413
Importance: Normal

Good afternoon members of the House Environment Committee. I'm forwarding on a letter of support on the Senate amendment to HB 413 which went through your committee. Waste Management is one of our clients.

Thanks.

Henry Veilleux
Sheehan Phinney Capitol Group
2 Eagle Square
Concord, NH 03301

To: House Environment & Agriculture Committee
From: Steve Poggi, Waste Management of NH, Inc.
Date: May 3, 2021
Re: Senate amendment to HB 413

My name is Steven Poggi and I am the Area Director of Disposal Operations for Waste Management in NE. I am a registered Professional Engineer in NH with over 35 years of experience in the solid waste management field. In my role with Waste Management I am responsible for permitting, compliance, construction, and overall operation of our transfer and disposal network in NH.

Waste Management has operations in Londonderry, New Hampton, Keene, Auburn, Laconia, and Rochester. Our Rochester operation includes the Turnkey Recycling and Environmental Enterprise facility which services approximately 40% of the solid waste needs of the State and provides 80% of the energy needs of the UNH Durham Campus through the 'Eco-line' Landfill Gas Pipeline Project. We have a valuable perspective on the realities of solid waste management and complying with the laws and regulations in NH.

I'm writing to express Waste Management's support for the amendment the Senate added to HB 413 and urge your committee to concur with it.

We are in support of the solid waste reduction goal added to HB 413 and believe it will help simplify the tracking and efforts to reduce the amount of municipal solid waste being disposed. The current law has created challenges for regulators and regulated community during the more than 30 years it has been used to guide the

planning of waste management activities in the State. It should also be noted that the goals it set back in 1990 have never been met.

The Senate amendment targets solid waste streams that can be recycled or reduced prior to disposal. It also excludes those materials that are not readily recycled, such as residuals from recycling operations, asbestos, contaminated soils, sludge, incinerator ash, etc., and sets a clear goal of reducing the total amount of solid waste disposed in landfills and incinerators. (*Setting specific goals of 25% by 2030 and 45% by 2050.*) It will avoid the confusion in the current law on how to measure and track waste diversion, and instead, sets an overall limit on the disposal of municipal solid waste and construction and demolition debris.

We believe the change is improvement and will lead to reducing the amount of municipal solid waste and construction debris disposed in the State.

Again, we urge your Committee to concur with the Senate amendment.

Thank you

Steven Poggi

Market Area Director of Disposal Operations

Waste Management – New England/Upper NY Market Area

Steven Poggi

Director of Disposal Operations
New England - New York Market Area
spoggi@wm.com

Waste Management

4 Liberty Lane West
Hampton, NH 043842
Tel 603-929-5413
Cell 603-234-3196



PRIVILEGED AND CONFIDENTIAL: This electronic mail transmission is privileged and confidential and is intended only for the review of the party to whom it is addressed. If you have received this transmission in error, please notify the sender immediately by reply e-mail and delete the transmission. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 16, 2021

The Honorable Howard Pearl
Chairman, House Environment & Agriculture Committee
Legislative Office Building, Room 303
Concord, NH 03301

RE: HB 413, An Act establishing a working group on solid waste management planning and relative to compost

Dear Chairman Pearl and Members of the Committee:

Thank you for the opportunity to testify on HB 413. As introduced, this bill would establish a stakeholder workgroup for a period of four years to assist the New Hampshire Department of Environmental Services (NHDES) with planning and policy initiatives related to solid waste management. Additionally, this bill would set a deadline for NHDES to adopt revised administrative rules for composting facilities in New Hampshire. It is our understanding that the bill sponsor will provide a suggested amendment to the bill that will clarify the terms of service for working group members, adjust the dates for meetings and reporting, and set the duration of the working group at five years. NHDES supports this bill and the proposed amendment.

As members of the Committee may be aware, the Recycling & Solid Waste Management Study Committee (HB 617, Chapter 265, 2019) identified a multitude of solid waste management issues in New Hampshire that deserve attention, including the need for the state to take a more proactive role in long-range solid waste management planning. Pursuant to RSA 149-M, NHDES is responsible for solid waste planning and is required to periodically update the state's Solid Waste Management Plan. However, NHDES' solid waste program has suffered from resource deficiencies over the last two decades, which have made it challenging to fulfill this and a number of other duties. NHDES notes that this bill would not address the Department's need for additional resources to accomplish its various solid waste management responsibilities. However, NHDES believes the workgroup established by this bill could play an important role in aiding and advising the Department as it prepares an updated Solid Waste Management Plan and develops policies, priorities and goals to address the state's solid waste management challenges.

Other states' environmental agencies commonly engage with solid waste advisory groups to help guide policy development and identify priorities for action. The findings of the HB 617 Recycling & Solid Waste Management Study Committee made it clear that New Hampshire is falling behind with regard to general waste management planning and policy. While a stakeholder workgroup, by itself, would not resolve such issues, establishing such a group would certainly be an important first step.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-2867 TDD Access: Relay NH 1-800-735-2964

The Honorable Howard Pearl
Chairman, House Environment & Agriculture Committee
February 16, 2021
Page 2

As noted above, this bill would also enact a deadline of September 30, 2021 for NHDES to adopt revised administrative rules for facilities that compost food waste. This task has been a priority for the Department since the passage of SB 251 (Chapter 107, 2015), which directed NHDES to clarify requirements for facilities that compost meat & dairy food waste. In 2017 and 2018, NHDES hosted meetings of a stakeholder workgroup to help inform such rule revisions. Regrettably, however, our progress in adopting the necessary revisions has been slower than we would like, owing primarily to limited resources. Nevertheless, NHDES recognizes this project as a priority and continues to advance it. Should HB 413 be enacted into law, NHDES will make every effort to meet the September 30 deadline.

Thank you again for the opportunity to comment on HB 413. Should you have questions or need additional information, please feel free to contact either Michael Nork, Solid Waste Management Bureau (michael.nork@des.nh.gov, 271-2936) or Michael Wimsatt, Waste Management Division Director (michael.wimsatt@des.nh.gov, 271-1997).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott", with a long horizontal flourish extending to the right.

Robert R. Scott
Commissioner

cc: Sponsors of HB 413: Representatives Ebel, M. Murray, Sykes, Wolf, Merner, Suzanne Smith, Graham, Milz, Massimilla, Von Plinsky; Senators Hennessey, Whitley, Watters, Ward, Prentiss

Archived: Wednesday, July 21, 2021 10:49:12 AM
From: [Reagan Bissonnette](#)
Sent: Wednesday, February 17, 2021 11:16:49 AM
To: ~[House Environment and Agriculture Committee](#)
Subject: HB 413 Testimony - Solid Waste Working Group & Compost Rules
Importance: Normal
Attachments:
HB413 Testimony NRRA Solid Waste Working Group and Compost 2.17.2021.pdf ;

Dear Chairman Pearl and members of the House Environment and Agriculture Committee,

Attached please find my written testimony regarding HB 413. I also previously registered to provide verbal testimony at today's hearing at 2 PM, so I look forward to speaking with you then.

Please feel free to contact me with any questions.

Sincerely,
Reagan


Reagan Bissonnette

Executive Director
NORTHEAST RESOURCE RECOVERY ASSOCIATION (NRRA)
2101 Dover Road, Epsom, NH 03234
rbissonnette@nrrarecycles.org (603) 736-4401 x 116
[WEBSITE](#) | [FACEBOOK](#) | [Sign up](#) for our newsletters!



2021 VIRTUAL CONFERENCE
MAY 10 – 11, 2021

(Click the Image above for Conference Updates and News)


Archived: Wednesday, July 21, 2021 10:49:12 AM
From: [Cordell Johnston](#)
Sent: Tuesday, February 16, 2021 6:19:25 PM
To: [~House Environment and Agriculture Committee](#)
Subject: HB 413
Importance: Normal
Attachments:
[LTR-HB-413-solid-waste.pdf](#) 

Dear committee members:

Please see the attached letter in support of HB 413, which the committee is hearing on Wednesday.

Thank you.

Cordell Johnston
Government Affairs Counsel
New Hampshire Municipal Association
25 Triangle Park Drive
Concord, NH 03301
603-230-3323

Archived: Thursday, April 15, 2021 11:53:02 AM
From: [Hayley Jones](#)
Sent: Thursday, February 18, 2021 1:29:59 PM
To: ~[House Environment and Agriculture Committee](#)
Subject: HB413 testimony from Community Action Works
Importance: Normal
Attachments:
[2.17.21 HB413 testimony.pdf](#) 

Greetings all,

Due to an unexpected illness, I was unable to deliver spoken testimony on HB413 during yesterday's session. Attached you will find written testimony on behalf of Community Action Works Campaigns.


All the best,

Hayley



Hayley Jones (she/they)
Vermont and New Hampshire Organizer, Community Action Works
(802) 223-4099 (office) | (971) 400-5197 (cell)
141 Main St, Montpelier, VT 05602
hayley@communityactionworks.org | communityactionworks.org



Archived: Thursday, April 15, 2021 11:53:02 AM
From: rudym@bazelmans.org
Sent: Thursday, February 11, 2021 2:41:27 PM
To: ~House Environment and Agriculture Committee
Subject: In support of HB413 in House Environment and Agriculture
Importance: Normal
Attachments:
[Support for HB 413.pdf](#) 

Good afternoon,

I am the chair of the NH Waste Management Council. I cannot attend to give my testimony but here is my letter in support of HB413.

I hope you see the value and approve this bill.

Thank you for your time on this letter and on this issue.

Rudy

Rudy Bazelmans
Rudy@Bazelmans.org
(603) 888-2221 (Work, Find me) (603) 888-5888 (Cell)

Bill as
Introduced

HB 413 - AS AMENDED BY THE SENATE

7Apr2021... 0343h
05/06/2021 1241s

2021 SESSION

21-0605
08/06

HOUSE BILL **413**

AN ACT establishing a solid waste working group on solid waste management planning, relative to compost, and establishing a statewide solid waste disposal reduction goal.

SPONSORS: Rep. Ebel, Merr. 5; Rep. M. Murray, Hills. 22; Rep. Sykes, Graf. 13; Rep. Wolf, Merr. 5; Rep. Merner, Coos 7; Rep. Suzanne Smith, Graf. 8; Rep. Graham, Hills. 7; Rep. Milz, Rock. 6; Rep. Massimilla, Graf. 1; Rep. Von Plinsky, Ches. 7; Sen. Hennessey, Dist 1; Sen. Whitley, Dist 15; Sen. Watters, Dist 4; Sen. Ward, Dist 8; Sen. Prentiss, Dist 5

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill:

- I. Establishes a solid waste working group on solid waste management planning.
- II. Requires the department of environmental services to make certain rules regarding compost.
- III. Establishes a statewide solid waste disposal reduction goal.

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.

HB 413 - AS AMENDED BY THE SENATE

7Apr2021... 0343h
05/06/2021 1241s

21-0605
08/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT establishing a solid waste working group on solid waste management planning, relative to compost, and establishing a statewide solid waste disposal reduction goal.

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

1 1 Purpose and Findings. The general court finds that proper solid waste management protects
2 public health and the environment and preserves natural resources. To adequately prepare the
3 state for future solid waste challenges, New Hampshire must review and update its solid waste
4 management laws and policies and its solid waste management plan, engage in vigorous long-range
5 planning, and develop creative, effective solutions. Other states in the region have devoted
6 significant effort and funds to future solid waste management planning. New Hampshire lags
7 behind in updating its solid waste reduction and recycling policies, while solid waste disposal
8 capacity rapidly diminishes to the detriment and expense of the state's citizens, municipalities, and
9 businesses. This working group is being established to assist the department of environmental
10 services plan our state's solid waste future.

11 2 New Subdivision; Solid Waste Working Group. Amend RSA 149-M by inserting after section
12 60 the following new subdivision:

13 Solid Waste Working Group

14 149-M:61 Solid Waste Working Group.

15 I. The solid waste working group shall be convened by the department of environmental
16 services and shall have, at a minimum, the following members:

- 17 (a) One member of the house, appointed by the speaker of the house of representatives.
- 18 (b) One member of the senate, appointed by the president of the senate.
- 19 (c) One member of the waste management council, appointed by the chair of the council.
- 20 (d) One member representing owners of in-state landfills that also operate a major
21 materials recovery facility.
- 22 (e) One member representing publicly owned in-state landfills.
- 23 (f) One member representing in-state solid waste haulers that do not operate landfills.
- 24 (g) One member representing companies that reprocess post-consumer waste into
25 products for sale or for reuse themselves.
- 26 (h) One representative of the Northeast Resource Recovery Association, appointed by
27 that association.
- 28 (i) One member representing cities with single stream recycling, to be appointed by the
29 New Hampshire Municipal Association.

HB 413 - AS AMENDED BY THE SENATE
- Page 2 -

1 (j) One member representing rural communities using source separated recycling, to be
2 appointed by the New Hampshire Municipal Association.

3 (k) One representative of the New Hampshire healthcare industry, appointed by the
4 New Hampshire Hospital Association.

5 (l) One representative of the Northeast Recycling Council, appointed by that council.

6 (m) One member with expertise in solid waste-related sustainability issues, appointed
7 by chancellor of the university system.

8 (n) The commissioner of the department of business and economic affairs, or designee.

9 (o) The commissioner of the department of environmental services, or designee.

10 (p) Any other members the commissioner of the department of environmental services
11 deems necessary.

12 II. Unless otherwise indicated, the members of the working group shall be appointed by the
13 commissioner. Terms for state agency and legislative members shall be the same as their terms in
14 office. All other working group members shall serve for the duration of the working group. Upon
15 term expiration, each appointed member shall hold office until a successor shall be appointed and
16 qualified.

17 III. The solid waste working group shall:

18 (a) Assist the department in long-range planning for and the development of creative,
19 effective solutions to the state's solid waste management challenges.

20 (b) Review and make recommendations for changes to the state's existing solid waste
21 reduction, recycling, and management policies, programs, goals, and initiatives.

22 (c) Review and make recommendations regarding the impact of regional solid waste
23 management initiatives, including landfill waste disposal bans, on our state and our solid waste
24 disposal landfill capacity.

25 (d) Advise the department in the development of the solid waste management plan
26 required by RSA 149-M:29.

27 (e) Review and recommend methods to better provide technical assistance and
28 educational outreach to municipalities, schools, businesses, and the public regarding solid waste
29 reduction, recycling, and management policies.

30 (f) Review and recommend ways to better implement the solid waste hierarchy and solid
31 waste reduction goals, under RSA 149-M:3.

32 (g) Review and make recommendations based on the 2019, 265 (HB 617) study
33 committee report on recycling and solid waste management in New Hampshire.

34 (h) Review such other matters as the working group deems necessary and to recommend
35 any related legislation, policy, or rule changes.

36 IV. The working group shall hold its organizational meeting no later than November 1,
37 2021. The working group shall submit its initial report on November 30, 2022 and its final report on

HB 413 - AS AMENDED BY THE SENATE

- Page 3 -

1 November 1, 2026, to the speaker of the house of representatives, the president of the senate, the
2 house clerk, the senate clerk, the governor, the state library and the house and senate committees
3 responsible for solid waste oversight.

4 3 Compost; Rulemaking. The commissioner shall enact rules pursuant to RSA 149-M:7, XV by
5 September 30, 2021 relative to requirements and best practices for facilities that compost organics,
6 including vegetable matter, meat, meat byproducts, dairy products, and dairy product derivatives.

7 4 Repeal. RSA 149-M:61, relative to the solid waste working group, is repealed.

8 5 Solid Waste Disposal Reduction Goal. Amend RSA 149-M:2 to read as follows:

9 149-M:2 **Solid Waste Disposal** Reduction Goal.

10 I. The general court declares its concern that there are environmental and economic issues
11 pertaining to the disposal of solid waste in landfills and incinerators. It is important to reserve
12 landfill and incinerator capacity for solid wastes which cannot be reduced, reused, recycled or
13 composted. ~~[The general court declares that the goal of the state, by the year 2000, is to achieve a 40~~
14 ~~percent minimum weight diversion of solid waste landfilled or incinerated on a per capita basis.~~
15 ~~Diversion shall be measured with respect to changes in waste generated and subsequently landfilled~~
16 ~~or incinerated in New Hampshire. The goal of weight diversion may be achieved through source~~
17 ~~reduction, recycling, reuse, and composting, or any combination of such methods.]~~ The general court
18 discourages the disposal of recyclable materials in landfills or processing of recyclable materials in
19 incinerators.

20 II. ~~[In exercising any and all powers conferred upon the department under this chapter, the~~
21 ~~department shall use and consider criteria relevant to the waste reduction goal and disposal~~
22 ~~hierarchy established in RSA 149 M:2 and 149 M:3. The department shall not take any action~~
23 ~~relative to the 40 percent weight reduction goal which causes the municipalities organized under~~
24 ~~RSA 53 A and 1986, 139 or RSA 53 B to violate or incur penalties under legal obligations existing on~~
25 ~~June 26, 1990.]~~ **The general court further declares a goal to reduce the quantity by weight of**
26 **solid waste disposed by 25 percent by the year 2030, and by 45 percent by the year 2050. For**
27 **the purposes of this goal, disposal reduction targets shall apply, on a combined basis, to**
28 **disposal of municipal solid waste and construction and demolition debris, and shall be**
29 **measured against baseline quantities of these wastes disposed of in the year 2018. For the**
30 **purposes of this goal only, municipal solid waste means solid waste generated at**
31 **residences, commercial or industrial establishments, and institutions, but excludes**
32 **automobile scrap and other motor vehicle waste, infectious waste, asbestos waste,**
33 **contaminated soil and other absorbent media, sludge, industrial process waste, and ash**
34 **other than ash from household stoves. Disposal reduction may be achieved through source**
35 **reduction as well as diversion including but not limited to reuse, recycling, and**
36 **composting. For the purposes of this section "goal" shall not establish a mandate.**

1 **III. In exercising any and all powers conferred upon the department under this**
2 **chapter, the department shall use and consider criteria relevant to the disposal reduction**
3 **goal and solid waste management hierarchy established in this section and RSA 149-M:3.**
4 **The department shall not take any action relative to the reduction goal which causes the**
5 **municipalities organized under RSA 53-A and 1986, 139 or RSA 53-B to violate or incur**
6 **penalties under legal obligations existing on June 26, 1990.**

7 6 State Solid Waste Disposal Reduction Goal. Amend the introductory paragraph of RSA 149-
8 M:29, II to read as follows:

9 II. [~~At least every~~] **Beginning** October 1, **2023** [~~of every odd-numbered~~] **and every odd-**
10 **numbered** year **thereafter**, the department shall prepare a report on the level of achievement in
11 reaching the [~~40 percent diversion~~] goal established in RSA 149-M:2 and on proposed strategies for
12 achieving the goal and any proposed changes to the goal. The report shall contain information
13 regarding:

14 7 State Solid Waste Plan. Amend RSA 149-M:29, I to read as follows:

15 I. Beginning October 1, [~~1998~~] **2022, in accordance with the state waste planning**
16 **update schedule requirements of this section dating to October 1, 1998**, and every [~~6~~] **10** years
17 thereafter, the department shall update the state's solid waste plan, **which shall be made**
18 **available for public review and comment before final publication, and which shall**
19 **contain, at minimum, the following elements:**

20 (a) **Goals, strategies, and actions to reduce solid waste generation through**
21 **source reduction, to increase diversion through methods such as reuse, recycling and**
22 **composting, and to achieve the state's solid waste disposal reduction goal, with such efforts**
23 **incorporating the principles of the solid waste management hierarchy established in RSA**
24 **149-M:3.**

25 (b) **Discussion of opportunities to reduce solid waste generation through source**
26 **reduction and increase diversion through methods such as recycling and composting.**

27 (c) **Goals, strategies, and actions necessary to maintain and ensure adequate**
28 **disposal capacity for management of waste generated in New Hampshire.**

29 8 Effective Date.

30 I. Section 4 of this act shall take effect November 1, 2026.

31 II. Sections 5 through 7 of this act shall take effect 60 days after its passage.

32 III. The remainder of this act shall take effect upon its passage.