

Bill as Introduced

HB 413 - AS AMENDED BY THE HOUSE

7Apr2021... 0343h

2021 SESSION

21-0605
08/06

HOUSE BILL

413

AN ACT establishing a solid waste working group on solid waste management planning and relative to compost.

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

ANALYSIS

This bill establishes a solid waste working group on solid waste management planning.

This bill also requires the department of environmental services to make certain rules regarding compost.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing a solid waste working group on solid waste management planning and relative to compost.

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:

Solid Waste Working Group

13
 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.

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

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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 Effective Date.

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

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

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.

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STATE OF NEW HAMPSHIRE

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2 public health and the environment and preserves natural resources. To adequately prepare the
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5 planning, and develop creative, effective solutions. Other states in the region have devoted
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11 2 New Subdivision; Solid Waste Working Group. Amend RSA 149-M by inserting after section
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29 New Hampshire Municipal Association.

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2 appointed by the New Hampshire Municipal Association.

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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.

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10 (p) Any other members the commissioner of the department of environmental services
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13 commissioner. Terms for state agency and legislative members shall be the same as their terms in
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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

1 November 1, 2026, to the speaker of the house of representatives, the president of the senate, the
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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.

CHAPTER 188
HB 413 - FINAL VERSION

7Apr2021... 0343h
05/06/2021 1241s
24Jun2021... 2060EBA

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2 protects public health and the environment and preserves natural resources. To adequately prepare
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4 management laws and policies and its solid waste management plan, engage in vigorous long-range
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HB 413 - FINAL VERSION
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1 (i) One member representing cities with single stream recycling, to be appointed by the
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6 New Hampshire Hospital Association.

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

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

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

12 (p) Any other members the commissioner of the department of environmental services
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15 commissioner. Terms for state agency and legislative members shall be the same as their terms in
16 office. All other working group members shall serve for the duration of the working group. Upon
17 term expiration, each appointed member shall hold office until a successor shall be appointed and
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23 reduction, recycling, and management policies, programs, goals, and initiatives.

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

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

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

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

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

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

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1 IV. The working group shall hold its organizational meeting no later than November 1,
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3 November 1, 2026, to the speaker of the house of representatives, the president of the senate, the
4 house clerk, the senate clerk, the governor, the state library and the house and senate committees
5 responsible for solid waste oversight.

6 188:3 Compost; Rulemaking. The commissioner shall enact rules pursuant to RSA 149-M:7, XV
7 by September 30, 2021 relative to requirements and best practices for facilities that compost
8 organics, including vegetable matter, meat, meat byproducts, dairy products, and dairy product
9 derivatives.

10 188:4 Repeal. RSA 149-M:61, relative to the solid waste working group, is repealed.

11 188:5 Solid Waste Disposal Reduction Goal. Amend RSA 149-M:2 to read as follows:

12 149-M:2 *Solid Waste Disposal* Reduction Goal.

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

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

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1 *reduction as well as diversion including but not limited to reuse, recycling, and*
2 *composting. For the purposes of this section "goal" shall not establish a mandate.*

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

9 188:6 State Solid Waste Disposal Reduction Goal. Amend the introductory paragraph of RSA
10 149-M:29, II to read as follows:

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

16 188:7 State Solid Waste Plan. Amend RSA 149-M:29, I to read as follows:

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

22 (a) *Goals, strategies, and actions to reduce solid waste generation through*
23 *source reduction, to increase diversion through methods such as reuse, recycling and*
24 *composting, and to achieve the state's solid waste disposal reduction goal, with such efforts*
25 *incorporating the principles of the solid waste management hierarchy established in RSA*
26 *149-M:3.*

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

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

31 188:8 Effective Date.

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

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

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

CHAPTER 188
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- Page 5 -

Approved: August 10, 2021

Effective Date:

- I. Section 4 shall take effect November 1, 2026.
- II. Sections 5-7 shall take effect October 9, 2021.
- III. Remainder shall take effect August 10, 2021.

Amendments

Amendment to HB 413

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a solid waste working group on solid waste management planning,
4 relative to compost, and establishing a statewide solid waste disposal reduction
5 goal.
6

7 Amend the bill by replacing all after section 4 with the following:

8

9 5 Solid Waste Disposal Reduction Goal. Amend RSA 149-M:2 to read as follows:

10 149-M:2 **Solid Waste Disposal** Reduction Goal.

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

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

1 *contaminated soil and other absorbent media, sludge, industrial process waste, and ash*
2 *other than ash from household stoves. Disposal reduction may be achieved through source*
3 *reduction as well as diversion including but not limited to reuse, recycling, and*
4 *composting. For the purposes of this section "goal" shall not establish a mandate.*

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

11 6 State Solid Waste Disposal Reduction Goal. Amend the introductory paragraph of RSA 149-
12 M:29, II to read as follows:

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

18 7 State Solid Waste Plan. Amend RSA 149-M:29, I to read as follows:

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

24 (a) *Goals, strategies, and actions to reduce solid waste generation through*
25 *source reduction, to increase diversion through methods such as reuse, recycling and*
26 *composting, and to achieve the state's solid waste disposal reduction goal, with such efforts*
27 *incorporating the principles of the solid waste management hierarchy established in RSA*
28 *149-M:3.*

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

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

33 8 Effective Date.

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

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

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

2021-1150s

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.

UNAPPROVED

Amendment to HB 413

1 Amend the title of the bill by replacing it with the following:

2

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

5

6 Amend the bill by replacing all after section 4 with the following:

7

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,**

1 *contaminated soil and other absorbent media, sludge, industrial process waste, and ash*
2 *other than ash from household stoves. Disposal reduction may be achieved through source*
3 *reduction as well as diversion including but not limited to reuse, recycling, and*
4 *composting. For the purposes of this section "goal" shall not establish a mandate.*

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

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

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

18 7 State Solid Waste Plan. Amend RSA 149-M:29, I to read as follows:

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

24 (a) *Goals, strategies, and actions to reduce solid waste generation through*
25 *source reduction, to increase diversion through methods such as reuse, recycling and*
26 *composting, and to achieve the state's solid waste disposal reduction goal, with such efforts*
27 *incorporating the principles of the solid waste management hierarchy established in RSA*
28 *149-M:3.*

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

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

33 8 Effective Date.

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

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

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

2021-1241s

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.

Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Bob Giuda, Vice Chair
Sen James Gray, Member
Sen David Watters, Member
Sen Rebecca Perkins Kwoka, Member

Date: April 7, 2021

HEARINGS

Monday	04/12/2021	
(Day)	(Date)	
Energy and Natural Resources	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. HB 309	relative to the computation of renewable energy credits.	
1:20 p.m. HB 289	relative to including electrical storage facilities in the definition of energy facility.	
1:30 p.m. HB 184	relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.	
1:45 p.m. HB 397	relative to permitting fees under the shoreland protection act.	
2:00 p.m. HB 413	establishing a solid waste working group on solid waste management planning and relative to compost.	
2:15 p.m. HB 437	establishing a committee to study the shortage of animal slaughter and meat processing facilities in New Hampshire and the implementation of the meat inspection program.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94523761333>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +19292056099,,94523761333# or +13017158592,,94523761333#
4. Webinar ID: [945 2376 1333](https://www.zoom.us/j/94523761333)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 309

Rep. Harrington

HB 289

Rep. Harrington

HB 184

Rep. K. Murray

HB 397

Rep. Pearl

Sen. Gannon

HB 413

Rep. Ebel

Rep. Merner

Rep. Massimilla

Sen. Watters

HB 437

Rep. Comtois

Rep. Lang

Rep. M. Murray

Rep. Suzanne Smith

Rep. Von Plinsky

Sen. Ward

Sen. Gray

Rep. Baldasaro

Rep. Sykes

Rep. Graham

Sen. Hennessey

Sen. Prentiss

Sen. French

Rep. Wolf

Rep. Milz

Sen. Whitley

Griffin Roberge 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 413, establishing a solid waste working group on solid waste management planning and relative to compost.

Hearing Date: April 12, 2021.

Time Opened: 2:00 p.m.

Time Closed: 2:36 p.m.

Members of the Committee Present: Senators Avard, Gray, Watters and Perkins Kwoka.

Members of the Committee Absent: Senator Giuda.

Bill Analysis: This bill establishes a solid waste working group on solid waste management planning.

This bill also requires the department of environmental services to make certain rules regarding compost.

Sponsors:

Rep. Ebel	Rep. M. Murray	Rep. Sykes
Rep. Wolf	Rep. Merner	Rep. Suzanne Smith
Rep. Graham	Rep. Milz	Rep. Massimilla
Rep. Von Plinsky	Sen. Hennessey	Sen. Whitley
Sen. Watters	Sen. Ward	Sen. Prentiss

Who supports the bill: Patricia Anastasia, Londonderry, NH; Representative Judy Aron, Sullivan - District 7; David Bates; Rudy Bazelmans, NH Waste Management Council; Kathleen Bigford; Representative Peter Bixby, Strafford - District 17; Sandra Bravo; Susan Bruce; Susan Chase; Representative Karen Ebel, Merrimack - District 5; Elizabeth Fenner-Lukaitis; Kimberly Hallquist; Sarah Hansen; Robert Harrington, Town of New London, NH; Senator Erin Hennessey, NH Senate District 1; Edward Hoyt; Robert Johnson, NH Farm Bureau Federation; Cordell Johnston, NH Municipal Association; Joseph Kubit, Town of New London, NH; Joy Kubit; Matt Leahy, Society for the Protection of NH Forests; Paula Minnehan, NH Hospital Association; Russell Moore; Representative Megan Murray, Hillsborough - District 22; Samuel Nicolai, Casella Waste Systems; Michael Nork, NH Department of Environmental Services; Nicholas Ourusoff; Eric Pauer; Representative Howard Pearl, Merrimack - District 26; Steven Poggi, Waste Management, Inc.; Maureen Prohl; John Raby; Representative Suzanne Smith, Grafton - District 8; Senator Ruth Ward, NH Senate District 8; Senator David Watters, NH Senate District 4.

Who opposes the bill: None.

Who is neutral on the bill: Reagan Bissonnette, Northeast Resource Recovery Association.

Summary of testimony presented in support:

- HB 413 creates a solid waste working group to be convened by the NH Department of Environmental Services (NHDES) in support of its solid waste planning efforts. The bill also requires NHDES to enact administrative rules by September 30, 2021 relative to requirements and best practices for facilities that compost organics.
- The House Environment and Agriculture Committee recommended HB 413 “ought to pass with amendment” by a vote of 19-0 and was placed on the House consent calendar. The bill passed the full House on a voice vote.
- 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 municipalities. HB 617 (2019) created a study committee on solid waste management and recycling. 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 active eight-week study with fourteen hearings and over fifty stakeholders participating.
- NH faces many solid waste challenges, such as its limited landfill capacity and the limited capacity of NHDES’s Solid Waste Management Bureau (SWMB) to deal with more than its day-to-day responsibilities due to drastic budget cuts. The lack of resources at the SWMB made advance planning difficult to accomplish. The SWMB is funded through the state’s General Fund. Through consistent budget cuts, the SWMB has lost its planning division and failed to produce a long-range solid waste plan.
- The Waste Management Council is supposed to help with strategic planning but given its appellate responsibilities and the volunteer nature of the Council, it has little or no time to do so. Representative Ebel noted the letter of support for HB 413 from Rudy Bazelmans, the chair of the Waste Management Council.
- Surrounding states like Vermont and Massachusetts are instituting specific solid waste plans. When these states ban certain refuse, NH becomes the recipient of that waste. Due to the Interstate Commerce Clause in the US Constitution, NH cannot ban out-of-state waste.
- NH has solid waste capacity issues. One obvious example is to decrease the amount of trash being landfilled. One obvious example is food waste. Food waste alone accounts for nearly 20% of solid waste in weight and should be composted to the extent possible. NHDES has struggled to get revised composting regulations done due to staffing shortages. This task has been pending since 2015. NH needs new regulations. Streamlining this process will help new businesses to develop, help maintain our landfill capacity, save municipalities money, and reduce methane in our atmosphere.
- The HB 617 Study Committee made many recommendations, but one of the most important recommendations was the creation of a solid waste task force to help NHDES work with stakeholders to develop innovative solutions to NH’s challenges. HB 413 creates that task force.
- Senator Watters asked if it would be fair to say that HB 413 and SB 146’s Part II were written in close consultation with the waste management industry as there is a shared sense to address NH’s solid waste challenges.
 - Representative Ebel agreed with Senator Watters. The HB 617 Study Committee gathered input from a wide variety of stakeholders and sought to build consensus on the committee’s final recommendations. HB 413 and SB 146’s Part II seek to involve as many stakeholders as possible to advance the interests of the state.
- Senator Watters noted the bipartisan support for HB 413 and SB 146’s Part II. He asked if it was fair to say that HB 413 and SB 146’s Part II are meant to work in tandem as HB 413’s working group would help NHDES develop the long-term solid waste plans as outlined in SB 146’s Part II.
 - Representative Ebel said the two bills are very closely connected. As NHDES develops the state’s solid waste plan under SB 146, it is important to have stakeholder participation and input through HB 413’s working group.
- Senator Watters noted HB 413’s Section 3, which requires NHDES to adopt administrative rules relative to composting. He asked if it would be fair to assume that some business development could come out of composting.
 - Representative Ebel agreed with Senator Watters. There are business opportunities available in composting, especially in NH’s agricultural community. Farmers could compost on a commercial scale if NH’s composting regulations were in effect.
- Senator Watters noted that local school districts could benefit from composting regulations instead of paying to dispose of their waste.
 - Representative Ebel agreed with Senator Watters. There are commercial businesses in NH that collect food waste in NH and ship that waste out-of-state due to NH’s lack of composting regulations.

- Senator Avard asked if Representative Ebel could expand on the amount of food waste that is landfilled in NH.
 - Representative Ebel said the HB 617 Study Committee found that food waste alone accounts for 20% of the solid waste in weight going into NH's landfills. NH has a dwindling landfill capacity and composting could lessen the amount going into NH's landfills.

*Representative Peter Bixby
Strafford – District 17*

- Representative Bixby was involved with SB 251 (2015), which required NHDES to develop composting regulations. At the time, there were no technical issues with composting. The issue was having the regulations in place. Representative Bixby was shocked to find that the HB 617 Study Committee concluded that NHDES was stalled in finalizing these composting regulations for nearly six years. Putting composting regulations in place is important.

*Cordell Johnston
Government Affairs Counsel, NH Municipal Association*

- NH has limited landfill capacity that will become a greater issue. Overtime, solid waste facilities have limited the kinds of waste they can recycle due to the nature of the recycling market. These are issues municipalities are facing and they cannot address them on their own. HB 413 will help bring interested parties together to find ways to address NH's solid waste problems.

*Samuel Nicolai
Vice President of Engineering and Compliance, Casella Waste Systems (CWS)*

- People have very little understanding of the operations, facilities, and programs that are utilized to provide solid waste services. Given that lack of understanding, people do not understand how solid waste issues evolve and change.
- HB 413's proposed working group will be important to help keep the state abreast of the needs and changes in the solid waste industry. The bill will allow different parties to work together to confront solid waste challenges into the future.
- HB 413 will allow the solid waste industry to work closely with regulators and public policymakers so that appropriate regulations and opportunities can be created for NH businesses to manage solid waste.

*Steven Poggi
Area Director of Disposal Operations, Waste Management, Inc. (WM)*

- HB 413 will help address the state's challenges in recycling and solid waste disposal. WM looks forward to working collaboratively with stakeholders to help the state find ways to confront its solid waste challenges.

*John O'Connor
Former Representative, Derry, NH*

- Representative O'Connor served on the HB 617 Study Committee. In his ten years in the House of Representatives, the HB 617 Study Committee was one of the most comprehensive studies he had ever been involved with. The study generated a wealth of information.
- NH has limited landfill capacity. Waste to energy should be reviewed by the working group under HB 413. Representative O'Connor noted that Japan converts nearly 98% of their solid waste into energy.
- Reiterated the testimony made by Representative Bixby. Composting represents an important business opportunity for agricultural interests.

*Michael Nork – provided written testimony
Environmental Analyst, Solid Waste Management Bureau, NHDES*

- NHDES's SWMB has suffered from resource deficiencies over the last two decades, which have made it challenging to fulfill many duties. HB 413 will not address NHDES's need for additional resources to accomplish various solid waste management responsibilities. However, HB 413's working group could play an important role in advising and aiding NHDES as it prepares an updated Solid Waste Management Plan and develops policies, priorities, and goals to address NH's solid waste challenges.
- NH is clearly falling behind other states in regard to general waste management planning and policy. HB 413's working group would not resolve these issues but would be an important first step to do so.
- HB 413 would require NHDES to adopt revised administrative rules for facilities that compost food waste. The task has been a priority for NHDES since passage of SB 251 (2015), which directed NHDES to clarify

requirements for facilities that compost meat and dairy food waste. NHDES's progress in adopting rules has been significantly slower due to limited resources. NHDES will make every effort to meet the September 30, 2021 deadline to finalize the compost administrative rules.

- Mr. Nork clarified earlier testimony regarding the amount of food waste going into NH's landfills. The EPA estimates that food waste accounts for 24% of municipal solid waste going into landfill nationwide. Municipal solid waste is not the only type of waste landfilled in NH. Other waste like construction and demolition debris, asbestos waste, contaminated soils, and sludge also go into NH's landfills. Municipal solid waste accounts for roughly 60% of the waste going into NH's landfills. Using the EPA's food waste figure, food waste accounts for roughly 15% of the total amount of waste deposited in NH's landfills.

Summary of testimony presented in opposition: None.

Neutral Information Presented:

Reagan Bissonnette – provided written testimony

Executive Director, Northeast Resource Recovery Association (NRRA)

- The NRRA, a recycling nonprofit, has enabled both small rural and large urban communities to manage their own recycling programs and reduce their waste for forty years. NRRA is one of only a handful of nonprofits in the country that offers a recyclables marketing cooperative model, directly connecting municipalities selling recyclable material to companies that wish to acquire those materials. NRRA has over 400 members throughout New England, and most members are municipalities in New Hampshire (NH). Over 80% of NH's towns and cities are members of NRRA.
- Improved solid waste planning in NH, including for recycling and composting, could help municipalities save money and conserve environmental resources.
 - NH has the highest cost of disposal for municipal solid waste in the country due to the state having the least amount of available space for new or expanded landfills. The cost to landfill trash is expected to increase overtime.
 - NH has a waste management source reduction hierarchy in order of preference from most to least preferred, of source reduction, recycling and reuse, composting, waste-to-energy technologies, incineration (no recovery), and landfilling.
 - Due to staffing and budgetary constraints, as well as statutory requirements, NHDES staff spend the majority of their time focused on the three least preferred methods of waste management. On the other hand, NHDES' peer agencies in neighboring states have committed significantly more resources to plan for the future of solid waste management. A solid waste planning group could help NH improve its focus on the top three preferred management methods.
- Updated food scrap composting regulations in NH, including for meat and dairy, could help municipalities save money and conserve environmental resources.
 - According to 2018 estimates from the Environmental Protection Agency (EPA), food scraps accounted for the largest component of landfilled waste by weight in the US at 24%.
 - Landfilling or incinerating food scraps is problematic for a variety of reasons, including negative environmental and financial impacts. Landfilling food scraps produces methane gas, a powerful greenhouse gas. Landfilling food scraps is also expensive because food scraps are heavy, and the disposal of waste is paid by weight.
 - In NH, a municipality or business that wants to compost meat and dairy along with other food scraps must complete an extensive and expensive permit process with NHDES. NHDES was directed by law in 2015 to establish rules for composting meat and dairy that would not require such an expensive permit process. However, NHDES has not yet issued those updated rules. Other neighboring states have already modernized their composting rules accordingly.
 - While many of NRRA's municipal members have expressed an interest in establishing food scraps composting programs, relatively few have done so to date. This is in part because asking residents to take the additional step of separating meat and dairy from other food scraps before composting is cumbersome. The delay in modernizing NH's composting rules to provide best practices for composting meat and dairy discourages municipalities from composting food scraps, which could result in financial savings by not landfilling that material.

Speakers

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill HB413 on 2021-04-12

Support: 35 Oppose: 0 Neutral: 1 Total to Testify: 7

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Nork, Michael	michael.nork@des.nh.gov	603.271.2936	State Agency Staff	NHDES	Support	Yes	4/9/2021 4:31 PM
Nicolai, Samuel	Samuel.Nicolai@casella.com	Not Given	A Member of the Public	Casella Waste Systems	Support	Yes	4/9/2021 2:44 PM
Ebel, Karen	karen.ebel@leg.state.nh.us	603.748.3876	An Elected Official	Merrimack District 5	Support	Yes	4/9/2021 2:08 PM
Poggi, Steve	Spoggi@wm.com	603.234.3196	A Member of the Public	Waste Management Inc	Support	Yes	4/9/2021 8:27 PM
Bissonnette, Reagan	Not Given	Not Given	A Member of the Public	Northeast Resource Recovery Association	Neutral	Yes	4/12/2021 6:05 AM
Johnston, Cordell	cjohnston@nhmunicipal.org	603-230-3323	A Lobbyist	NH Municipal Association	Support	Yes	4/12/2021 6:31 AM
Bixby, Peter	peter.bixby@leg.state.nh.us	603.749.5659	An Elected Official	Myself	Support	Yes	4/12/2021 8:10 AM
Leahy, Matt	mleahy@forestsociety.org	603-224-9945	A Lobbyist	Society for the Protection of NH Forests	Support	No	4/12/2021 1:46 PM
Murray, Megan	megan.murray@leg.state.nh.us	Not Given	An Elected Official	Hillsborough District 22	Support	No	4/11/2021 6:51 PM
Johnson, Robert	robj@nhfarmbureau.org	Not Given	A Lobbyist	NH Farm Bureau Federation	Support	No	4/12/2021 2:16 PM
Hansen, Sarah	sarahsarahhansen@gmail.com	503.803.4964	A Member of the Public	Myself	Support	No	4/12/2021 4:18 PM
Smith, Suzanne	zanne719@gmail.com	603-715-0086	An Elected Official	grifton 8 co-sponsor	Support	No	4/12/2021 7:19 AM
Pearl, Howard	howard.pearl@leg.state.nh.us	603.231.1482	An Elected Official	E&A Chair	Support	No	4/12/2021 7:37 AM
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Support	No	4/12/2021 7:43 AM
Minnehan, Paula	pminnehan@nhha.org	603.496.1047	A Lobbyist	NH Hospital Association	Support	No	4/12/2021 6:43 AM
Prohl, Maureen F.	rmprohl@comcast.net	603.526.2143	A Member of the Public	Myself	Support	No	4/11/2021 9:50 AM
Ourusoff, Nicholas	nourusoff1@gmail.com	603-707-2636	A Member of the Public	Myself	Support	No	4/11/2021 11:22 PM
Anastasia, Patricia	patti@pattianastasia.com	Not Given	A Member of the Public	Myself	Support	No	4/10/2021 3:23 PM
Bates, David	dbates3@yahoo.com	603.748.2668	A Member of the Public	Myself	Support	No	4/11/2021 1:39 PM
Fenner-Lukaitis, Elizabeth	glukaitis@mettelecom.com	Not Given.	A Member of the Public	Myself	Support	No	4/11/2021 3:00 PM
Kubit, Joy	Not Given	603-526-6677	A Member of the Public	Myself	Support	No	4/9/2021 6:06 PM
Bravo, Sandra	sandra.bravo@verizon.net	508.560.0191	A Member of the Public	Myself	Support	No	4/9/2021 7:24 PM
Aron, Judy	Judy.aron@leg.state.nh.us	8435908	An Elected Official	Myself	Support	No	4/12/2021 1:18 AM
Ward, Senator Ruth	Not Given	Not Given	An Elected Official	Senate District 8	Support	No	4/9/2021 6:26 PM
Moore, Russell	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/9/2021 8:11 PM

Hallquist, Kimberly	townadmin@nl-nh.com	603-526-1240	A Member of the Public	Town of New London	Support	No	4/9/2021 2:28 PM
Harrington, Robert	nlhd@tds.net	603-526-6337	A Member of the Public	Town of New London	Support	No	4/9/2021 3:57 PM
Hennessey, Erin	erin.hennessey@leg.state.nh.us	603.271.4151	An Elected Official	SD1	Support	No	4/8/2021 2:37 PM
Watters, Senator David	david.watters@leg.state.nh.us	603-271-2104	An Elected Official	Myself (SD 4)	Support	No	4/9/2021 8:31 AM
Chase, Susan	srfchase@gmail.com	603.735.5135	A Member of the Public	Myself	Support	No	4/9/2021 6:40 PM
Hoyt, Edward	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/9/2021 8:56 PM
Bigford, Kathleen	kathleen.bigford@gmail.com	603.938.5104	A Member of the Public	Myself	Support	No	4/9/2021 11:17 PM
Bruce, Susan	susanb.red@mac.com	603.730.7078	A Member of the Public	Myself	Support	No	4/10/2021 10:24 AM
Bazelmans, Rudy	rudy@bazelmans.org	603 888-2221	A Member of the Public	The NH Waste Council	Support	No	4/10/2021 10:27 AM
Raby, John	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/10/2021 10:45 AM
Kubit, Joseph	jgkubit70@gmail.com	16037484404	An Elected Official	Myself	Support	No	4/10/2021 1:39 PM

Testimony

Griffin Roberge

From: Beauchesne, Suzanne <Suzanne.E.Beauchesne@des.nh.gov>
Sent: Friday, April 09, 2021 2:06 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Cc: Erin Hennessey; Becky Whitley; Ruth Ward; Suzanne Prentiss; Karen Ebel; Megan Murray; George Sykes; Dan Wolf; Troy Merner; Suzanne Smith; John Graham; David Milz; Linda Massimilla; Sparky Von Plinsky; Wimsatt, Mike; Nork, Michael
Subject: HB 413 Letter of Testimony
Attachments: HB 413 LOT - -Solid Waste Management 040921.pdf

Dear Chairman Avard and Members of the Committee:

Attached is a letter of testimony from the NH Department of Environmental Services on HB 413 establishing a working group on solid waste management planning and composting. Should you have questions about this testimony 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). Thank you. Suzanne

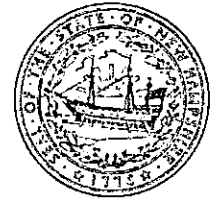
Stay Safe! Be Well!

Suzanne Beauchesne
Office of the Commissioner
NH Department of Environmental Services
29 Hazen Drive, PO Box 95
Concord, NH 03301
Phone: (603) 271-3449
Suzanne.Beauchesne@des.nh.gov

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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 9, 2021

The Honorable Kevin Avard
Chairman, Senate Energy & Natural Resources Committee
State House, Room 103
Concord, NH 03301

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

Dear Chairman Avard and Members of the Committee:

Thank you for the opportunity to testify on HB 413. This bill would establish a stakeholder workgroup for a period of five years to assist the New Hampshire Department of Environmental Services (NHDES) with planning and policy initiatives related to solid waste management. Additionally, the bill would set a deadline for NHDES to adopt revised administrative rules for composting facilities in New Hampshire. NHDES supports this bill.

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.

Environmental agencies in other states 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.

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 Honorable Kevin Avard
Chairman, Senate Energy & Natural Resources Committee
April 9, 2021
Page 2

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 Plinksy; Senators Hennessey, Whitley, Watters, Ward, Prentiss

Griffin Roberge

From: Patti Anastasia <patti@pattianastasia.com>
Sent: Saturday, April 10, 2021 7:11 PM
To: Griffin Roberge; Sharon Carson
Subject: Re: Testimony for 4/12 Senate Energy and Natural Resources Committee Hearings

Dear Committee Members, I have registered my support for these bills and I am submitting this testimony for your committee to consider while you discuss and vote on these bills

Regards.
Patti Anastasia
50 Holstein Avenue
Londonderry, NH

HB 437 -- committee to study the shortage of slaughter houses and meat processing facilities and the implementation of meat inspection program.

I support HB 437 and encourage you to vote in favor of this bill. Our NH farmers who raise livestock for meat are faced with limited choices for slaughtering and meat processing facilities. In NH we are very fortunate that small farmers want to raise livestock for meat. Many farmers have to transport their livestock long distances to very busy meat processing facilities. This adds to the farmers' costs, so they must pass this cost on to consumers. Adding to the infrastructure of the local meat processing and inspection program is good for NH farmers and consumers.

HB 413 - Establishing a solid waste working group

I support HB 413 and encourage you to vote in favor of this bill. NH is long overdue for updating its solid waste management, recycling, and composting policies. I am directly affected by restrictions on composting facilities from accepting meat and dairy products. I am currently using a curbside composting service that is based in MA. NH discourages community-scale composting businesses because it prohibits composting facilities from accepting meat and dairy. The only curbside composting company that provides service to Londonderry is based in MA. They can provide full-service composting because their composting facility is in MA. Mr. Fox Composting, based in Maine, provides a similar service to Seacoast residents. The composting services that are based in NH service very small areas and are limited to vegetable scraps only. Since I started using a curbside composting service, the amount of trash that I put out each week has been cut in half. This is a big win. It is imperative that NH study the latest practices in solid waste and composting facilities and adopt policies that match with today's needs.

Griffin Roberge

From: Reagan Bissonnette <rbissonnette@nrrarecycles.org>
Sent: Monday, April 12, 2021 10:42 AM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: NRRA HB 413 Testimony - Solid Waste Working Group & Compost Regulations
Attachments: HB413 Testimony NRRA Solid Waste Working Group and Compost 4.12.2021.pdf

Dear Chair Avard and members of the Senate Energy & Natural Resources Committee,

Attached please find my written testimony regarding HB 413. I also previously registered to provide verbal testimony at today's hearing, 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 newsletter!



 Northeast Resource Recovery Association

2021 VIRTUAL CONFERENCE
MAY 10 – 11, 2021

(Click the image above for Conference Updates and News)



Northeast Resource Recovery Association

"Partnering to make recycling strong through economic and environmentally sound solutions"

HB 413: Solid waste working group and compost rules

Senate Energy and Natural Resources Committee

April 12, 2021 Hearing

Testimony by Reagan Bissonnette, Executive Director, Northeast Resource Recovery Association

About the Northeast Resource Recovery Association

The Northeast Resource Recovery Association (NRRA), a recycling nonprofit, has enabled both small rural and large urban communities to manage their own recycling programs and reduce their waste for forty years. NRRA is one of only a handful of nonprofits in the country that offers a recyclables marketing cooperative model, which means that we directly connect municipalities selling recyclable material to companies that wish to acquire those materials. In 2020 NRRA returned over \$1.8 million to our members from the sale of their recyclables. NRRA has a deep expertise in the recycling markets, and we share that information through education and technical assistance.

NRRA has over 400 members throughout New England, and the majority of our members are municipalities in New Hampshire (NH). Over 80% of NH's towns and cities are members of NRRA.

NRRA Takes No Position on HB 413

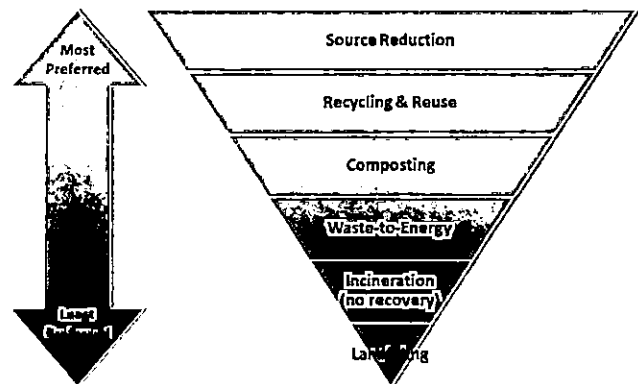
NRRA does not take a position on HB 413. This testimony will share with the Committee NRRA's experience supporting municipalities with their recycling and waste reduction efforts in NH as it relates to the bill. As written, HB 413 would include one representative from NRRA as a member of the solid waste working group, and we would welcome the opportunity to participate.

Improved solid waste planning in New Hampshire, including for recycling and composting, could help municipalities save money and conserve environmental resources.

The Northeast has the highest cost of disposal for municipal solid waste in the country, in large part because we have the least amount of available space for new or expanded landfills. The cost of landfilling trash is expected to increase more over time.

As shown in the figure at right, NH previously adopted a waste management source reduction hierarchy, in order of preference from most to least preferred, of source reduction, recycling and reuse, composting, waste-to-energy technologies, incineration (no recovery), and landfilling.

Due to staffing and budgetary constraints, as well as statutory requirements, NH Department of Environmental Services (NHDES) staff spend the majority of their time focused on the three least



preferred methods of waste management. On the other hand, NHDES' peer agencies in neighboring states have committed significantly more resources to plan for the future of solid waste management. A solid waste planning group could help NH improve its focus on the top three preferred management methods.

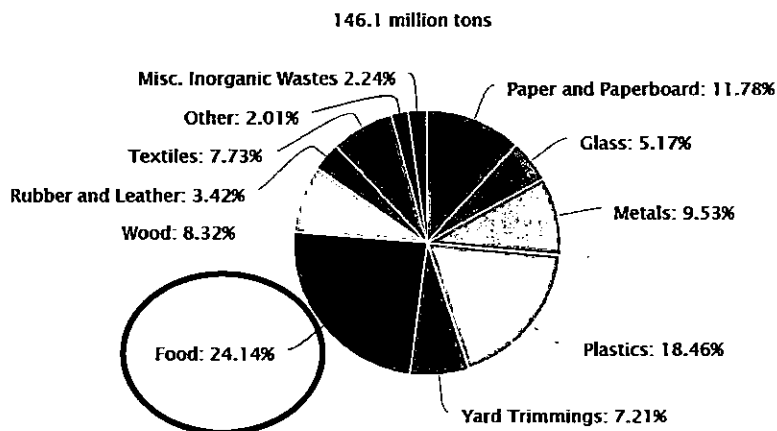
Updated food scrap composting regulations in New Hampshire, including for meat and dairy, could help municipalities save money and conserve environmental resources.

According to estimates by the Environmental Protection Agency and as shown in the figure below, food scraps in 2018 accounted for the largest component of landfilled waste by weight in the United States at 24%.

Landfilling or incinerating food scraps is problematic for a variety of reasons, including negative environmental and financial impacts. It is a myth that food scraps compost and eventually disappear in landfills. Landfilling food scraps produces methane gas, a powerful greenhouse gas. Landfilling food scraps is also expensive because food scraps are heavy, and the disposal of waste is paid by weight.

In NH, a municipality or business that wants to compost meat and dairy along with other food scraps must complete an extensive and expensive permit process with NHDES. NHDES was directed by law in 2015 to establish rules for composting meat and dairy that would not require such an expensive permit process. However, NHDES has not yet issued those updated rules. Other neighboring states have already modernized their composting rules accordingly.

Total MSW Landfill by Material, 2018



While many of NRRRA's municipal members have expressed an interest in establishing food scraps composting programs, relatively few have done so to date. This is in part because asking residents to take the additional step of separating meat and dairy from other food scraps before composting is cumbersome. The delay in modernizing NH's composting rules to provide best practices for composting meat and dairy discourages municipalities from composting food scraps, which could result in financial savings by not landfilling that material.

Griffin Roberge

From: Karen Ebel
Sent: Saturday, April 10, 2021 12:46 PM
To: ~Senate Energy and Natural Resources Committee
Cc: Griffin Roberge
Subject: Testimony in support of HB 413
Attachments: HB 413 NH Projected Waste Disposal Need and Capacity (2020-2040) (1) (1).pdf; HB 413 Ebel ENR Testimony.pdf

Dear Chairman Avard and committee members,

Please find attached my testimony in support of HB 413, a bill to create a working group on solid waste management planning and requiring the promulgation of revised composting regulations. For your convenience, this is a link to the bill: http://gencourt.state.nh.us/bill_Status/billText.aspx?sy=2021&id=636&txtFormat=pdf&v=current The bill passed on the House Consent Calendar on April 7th with the unanimous OTP recommendation of the House Environment and Agriculture Committee.

This bill is one of the many recommendations of the unanimous report of the bipartisan HB 617 Recycling Streams and Solid Waste Management Study Committee. The study committee webpage page can be found here, including the final report: <http://gencourt.state.nh.us/statstudcomm/committees/1476/> Attached is a page from the study committee report that clearly outlines the need for solid waste solutions, based on currently permitted landfill capacity. It is a clear example of why something needs to be done to reduce our waste streams. Per NH RSA 149-M:3, our state's solid waste management goals are source reduction, recycling and reuse, composting, waste-to-energy technologies, incineration without resource recovery and, last, landfilling.

I look forward to presenting this bill to the committee on Monday and thank you for your consideration.

Best regards,
Karen

Rep. Karen Ebel
Democratic Leader Pro Tempore
NH House of Representatives
Member, NH House Public Works and Highways Committee
Merrimack District #5 (New London/Newbury)
PH: 603 748 3876

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Testimony of Rep. Karen Ebel in Support of HB 413
Merrimack Dist. #5
Senate Committee on Energy and Natural Resources

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. HB 413 passed out of the House Environmental and Agriculture Committee with a unanimous Ought to Pass recommendation. On April 7, it passed the House on the consent calendar.

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.

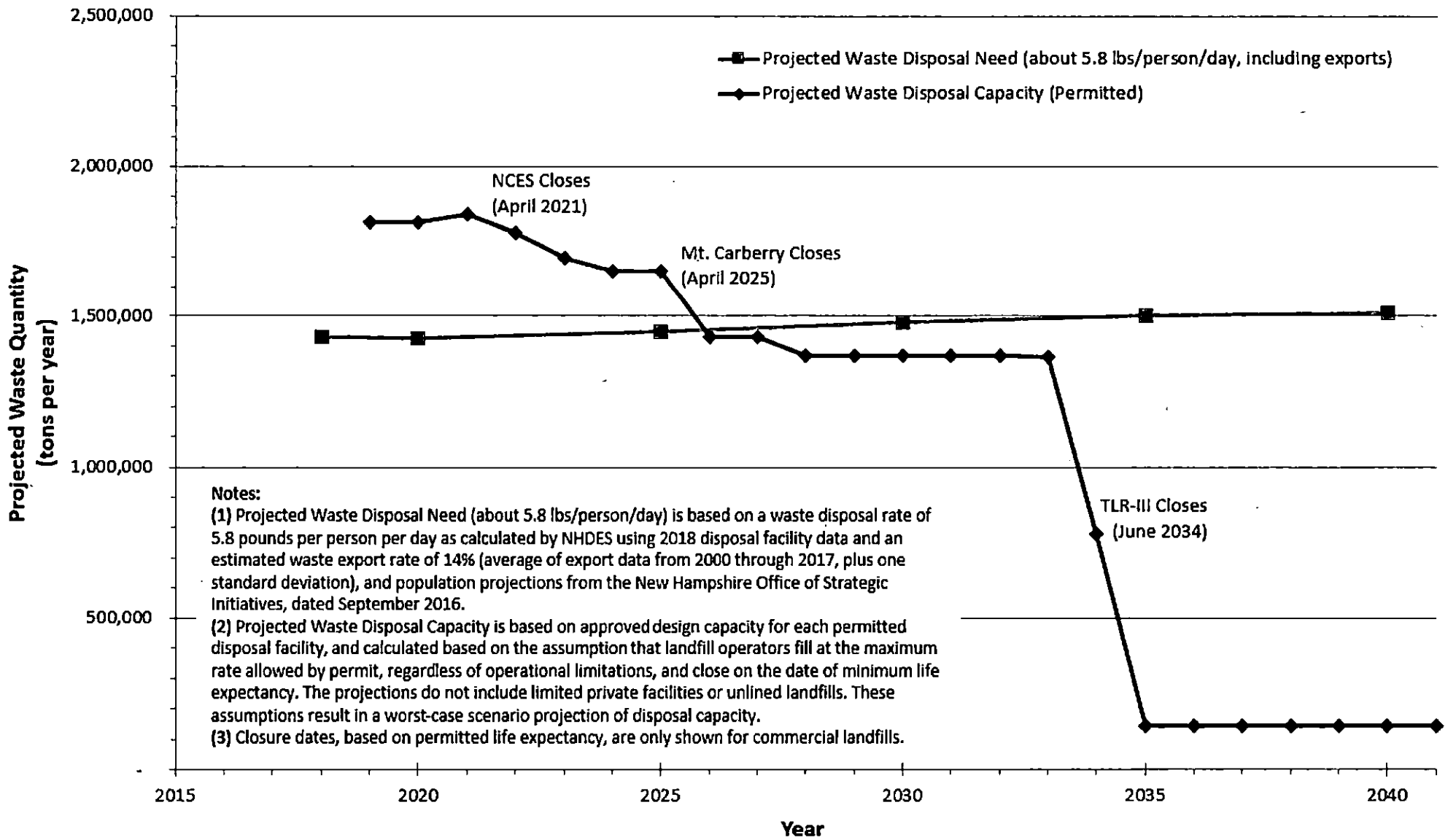
With the long-term solid waste plan in the offing, DES needs assistance with input and problem solving. Let me be plain. DES's solid waste bureau is general funded. It used to have a planning division, but because of consistent budget cuts, now it does not. We have not had a long-range solid waste plan, 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.



Griffin Roberge

From: Megan Murray
Sent: Monday, April 12, 2021 1:19 AM
To: ~Senate Energy and Natural Resources Committee
Subject: Support Testimony HB 413
Attachments: HB413 Rep.M.Murray Senate Support Testimony (2).pdf

Honorable Colleagues in the Senate Energy and Natural Resources Committee,

Please accept my submission as testimony in support for House Bill 413 for which I am a cosponsor.

Thank you for your time,

Megan Murray

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

Honorable Members of the Senate Energy and Natural Resources Committee,

Below is my testimony regarding supporting the passage of HB413 of 2021: Megan Murray:
Hillsborough 22: State Representative

As a member appointed to a previous Study Committee on Solid Waste and Recycling, HB617, I sit before you in support of this bipartisan piece of legislation that seeks to address some critical needs within the state around our waste streams. I had the honor of serving alongside of the former ranking republican member of this committee, Representative John O'Connor and the prime sponsor of this piece of legislation HB413 2021, Representative Karen Ebel and Senator David Watters where we heard the complex testimony of over 50 stakeholder members who spoke on issues related to solid waste and recycling around the State of New Hampshire.

We heard the struggles of municipalities, citizen frustrations, haulers, recyclers and so many more more who are seeking to address the quagmire we find ourselves in where we lack clarity around how we deal with our solid waste. Through the course of HB617's study, it became clear that our state is at an intersection, where several highly critical issues and needs were brought to light around how we deal with our waste, our management of it, a lack of funding for oversight infrastructure, education and management. With the passage of this bill, it will establish a Solid Waste Working group on solid waste management planning and will also require the N.H. Department of Environmental Services to make certain rules regarding compost.

The inability to get compostable food wastes out of our landfill streams and diverted into a compostable solution, rather than its heavy mass being hauled at municipality expense and encapsulated into landfills, forever, is proving to be one of the many large problems in our decreasing ability to deal with our own refuse. As found in HB617, a large portion of the waste that we do dispose of into landfills within New Hampshire, is heavy compostable food waste, in addition to a portion of out of state waste too. As noted within HB617's report, it states that:

Composting is an excellent method of diverting organic materials from the waste stream and being landfilled or incinerators. Organics are the feedstock for the creation of methane in landfills, an energy source when captured but a potent greenhouse gas when released to the atmosphere. New Hampshire has already banned the disposal of leaf or yard waste in landfills and incinerators which has resulted in the materials being composted on-site or else collected and composted relatively inexpensively elsewhere. However, very little unused food, which constitutes 22% of discarded solid waste according to EPA, is diverted for composting or other use. This constitutes a huge opportunity for additional diversion by various means. Municipalities could also save money in tipping fees by doing more composting.[1]

The creation of a comprehensive commission like this would allow the State to move forward with critically needed planning, oversight, and recommendations to relative departments to help address the growing number of concerns being brought forth by citizens, municipalities, and other stakeholders and address composting regulations. If we intend to continue to attract and retain people within the Granite State, we must be fully committed to responsibly addressing our waste streams in ways

that allow us to promote growth, while simultaneously making it possible for us to achieve goals, provide oversight, effectuate waste diversion, and allow environmental stewardship to guide us as we grow.

Respectfully Submitted,

Rep. Megan Murray

State Representative

Amherst, NH 03031

Electronic Submission

[1] Final Committee Report from HB 617 <http://gencourt.state.nh.us/statstudcomm/committees/1476/reports/2019%20Final%20Report.pdf>

Griffin Roberge

From: rudy@bazelmans.org
Sent: Saturday, April 10, 2021 10:34 AM
To: Griffin Roberge
Subject: Letter from the NH Waste Council in support of HB 413
Attachments: NH Waste Council Support for HB 413.pdf

Dear Senator Roberge,

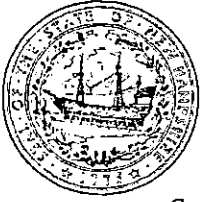
There is a meeting Monday about HB-413, regarding the establishment of a working group for solid waste planning in NH. The NH Waste Council is in support on this bill.

Although I have a conflict at the time of the hearing, I would like to submit our letter of support for HB-413.

Thank you

Rudy

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



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: April 9, 2021

To: NH Senate, Energy and Natural Resources Committee

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 Senate approves HB-413.

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

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 413

Hearing Date: 04/12/2021

Executive Session Date: 04/26/2021

Motion of: Amendment 1150s w/change Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avar, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avar, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avar, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avar, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Watters

Notes: Grammatical correction on page 1, line 27 of amendment 1150s.

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Monday, April 26, 2021

THE COMMITTEE ON Energy and Natural Resources

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, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1241s

Senator David Watters
For the Committee

This bill creates a solid waste working group to be convened by the NH Department of Environmental Services to support its solid waste planning efforts. NH faces many solid waste challenges, such as drastic changes in the global recycling market and limited landfill capacity. This solid waste working group will help the Department's Solid Waste Management Bureau conduct long-range strategic planning that will be beneficial to municipalities, businesses, residents, and our solid waste industry. The bill also requires the Department to enact administrative rules relative to requirements and best practices for facilities that compost organics by September 30, 2021. The committee amendment attaches a part of SB 146-FN that establishes a statewide solid waste disposal reduction goal. This part is meant to work in tandem with the solid waste working group established under HB 413. This amendment reframes our current goal to make it easier to measure progress, helps the state better identify our solid waste challenges, and outlines strategies and opportunities to manage our solid waste. The decision to attach this amendment to HB 413 was made in consultation with the chairs of the House Resources, Recreation, and Development Committee and the House Environment and Agriculture Committee.

Griffin Roberge 271-3042

FOR THE CONSENT CALENDAR

ENERGY AND NATURAL RESOURCES

HB 413, establishing a solid waste working group on solid waste management planning and relative to compost.

Ought to Pass with Amendment, Vote 5-0.

Senator David Watters for the committee.

This bill creates a solid waste working group to be convened by the NH Department of Environmental Services to support its solid waste planning efforts. NH faces many solid waste challenges, such as drastic changes in the global recycling market and limited landfill capacity. This solid waste working group will help the Department's Solid Waste Management Bureau conduct long-range strategic planning that will be beneficial to municipalities, businesses, residents, and our solid waste industry. The bill also requires the Department to enact administrative rules relative to requirements and best practices for facilities that compost organics by September 30, 2021. The committee amendment attaches a part of SB 146-FN that establishes a statewide solid waste disposal reduction goal. This part is meant to work in tandem with the solid waste working group established under HB 413. This amendment reframes our current goal to make it easier to measure progress, helps the state better identify our solid waste challenges, and outlines strategies and opportunities to manage our solid waste. The decision to attach this amendment to HB 413 was made in consultation with the chairs of the House Resources, Recreation, and Development Committee and the House Environment and Agriculture Committee.

Docket of HB413

Bill Title: (New Title) establishing a solid waste working group on solid waste management planning, relative to compost, and establishing a statewide solid waste disposal reduction goal.

Official Docket of HB413.:

Date	Body	Description
1/10/2021	H	Introduced (in recess of) 01/06/2021 and referred to Environment and Agriculture HJ 2 P. 47
2/8/2021	H	Public Hearing: 02/17/2021 02:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/97165419816 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/18/2021	H	Committee Report: Ought to Pass with Amendment #2021-0343h (Vote 19-0; CC) HC 18 P. 11
4/7/2021	H	Amendment #2021-0343h : AA VV 04/07/2021 HJ 5 P. 20
4/7/2021	H	Ought to Pass with Amendment 2021-0343h: MA VV 04/07/2021 HJ 5 P. 20
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Energy and Natural Resources; SJ 11
4/7/2021	S	Remote Hearing : 04/12/2021, 02:00 pm; Links to join the hearing can be found in the Senate Calendar; SC 19
4/28/2021	S	Committee Report: Ought to Pass with Amendment #2021-1241s , 05/06/2021; Vote 5-0; CC; SC 22
5/6/2021	S	Committee Amendment #2021-1241s , RC 23Y-0N, AA; 05/06/2021; SJ 14
5/6/2021	S	Ought to Pass with Amendment 2021-1241s, RC 23Y-0N, MA; OT3rdg; 05/06/2021; SJ 14
6/10/2021	H	House Concurs with Senate Amendment 2021-1241s (Rep. Pearl): MA VV 06/10/2021 HJ 10 P. 10
7/8/2021	S	Enrolled Bill Amendment #2021-2060e Adopted, VV, (In recess of 06/24/2021); SJ 20
7/12/2021	H	Enrolled Bill Amendment #2021-2060e : AA VV (in recess of) 06/24/2021
7/21/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/23/2021	H	Enrolled (in recess of) 06/24/2021
8/16/2021	H	Signed by Governor Sununu 08/10/2021; Chapter 188; I. Sec. 4 Eff: 11/01/2026 II. Sec. 5-7 Eff: 10/09/2021 III. Rem. Eff: 08/10/2021

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 413

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

- amendment # 11503 _____ - amendment # _____

- amendment # 12415 _____ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

_____ - amendment # _____ _____ - amendment # _____

_____ - amendment # _____ _____ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

_____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

_____ Enrolled Bill Amendment(s)

_____ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

as amended by the senate _____ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office AK

July 7, 2021
2021-2060-EBA
12/11

Enrolled Bill Amendment to HB 413

The Committee on Enrolled Bills to which was referred HB 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.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 413

This enrolled bill amendment makes a grammatical change.

Enrolled Bill Amendment to HB 413

Amend RSA 149-M:61, I(m) as inserted by section 2 of the bill by replacing line 2 with the following:

by the chancellor of the university system.