HOUSE BILL        560-FN

AN ACT relative to required reporting on waste reduction.

SPONSORS:   Rep. Spang, Straf. 6; Rep. Balch, Hills. 38; Rep. Luneau, Merr. 10; Rep. Myler, Merr. 10; Sen. Watters, Dist 4; Sen. Fuller Clark, Dist 21

COMMITTEE:   Commerce and Consumer Affairs

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AMENDED ANALYSIS

This bill requires towns to report certain information to the department of environmental services relative to solid waste reduction.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
AN ACT relative to required reporting on waste reduction.

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

1 New Section; State Waste Reduction Goal; Town Annual Reporting. Amend RSA 149-M by inserting after section 23 the following new section:

149-M:23-a Minimum Plan Requirements; Town Annual Reporting.

I. In furtherance of the solid waste management planning requirements of RSA 149-M:23, all towns shall annually report to the department no later than March 31 whether and to what extent the town has met the state’s goal of achieving a 40 percent minimum weight diversion of solid waste away from landfills or incineration on a per capita basis, as set forth in RSA 149-M:2. Each annual report shall include:

(a) The weight of all solid waste collected by the town during the calendar year prior to the report.

(b) The weight of solid waste collected by the town that was diverted to recycling, composting, and reuse during the calendar year prior to the report.

(c) The weight of solid waste collected by the town for recycling that was sent to a landfill or incinerator during the calendar year prior to the report.

(d) A trend analysis comparing the data contained in subparagraphs (a) through (c) to the same data from every previous annual report.

(e) A description of programs including Pay-As-You-Throw programs that the town has implemented or is in the process of developing to achieve source reduction, recycling, reuse, and composting. In describing recycling programs in particular, towns shall specify whether:

(1) The town is implementing single-stream or multi-stream recycling;

(2) The town is paying or being paid to have materials taken to be recycled; and

(3) The town is sending materials collected for recycling to a landfill or incinerator.

II. The first annual report shall be filed no later than March 31, 2020. For the first annual report, if all data required in paragraph I is not available for any or some of the prior calendar year, towns shall provide any data that is available and make good faith estimates for the preceding calendar year.

III. Towns that are part of a solid waste management district may, at their discretion, rely on the district to provide the town’s annual report, provided such report provides the data required by paragraph I for the town.

IV. A town shall not be required to report data for waste that is not collected by the town or
received at the town's facility, or waste for which the town does not have the means to obtain
weight information. If 2 or more towns share a facility, the information required under paragraph I
may be reported on a combined basis.

2 Effective Date. This act shall take effect 60 days after its passage.
AN ACT relative to required reporting on waste reduction.

FISCAL IMPACT: [ ] State [ ] County [X] Local [ ] None

LOCAL:

<table>
<thead>
<tr>
<th>Revenue</th>
<th>$0</th>
<th>$0</th>
<th>$0</th>
<th>$0</th>
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</thead>
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<tr>
<td>Expenditures</td>
<td>Indeterminable Increase</td>
<td>Indeterminable Increase</td>
<td>Indeterminable Increase</td>
<td>Indeterminable Increase</td>
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METHODOLOGY:

This bill requires towns to report certain information to the Department of Environmental Services relative to solid waste reduction. The New Hampshire Municipal Association indicates many municipalities already report this information in order to maintain their waste disposal facility license. The bill would require some municipalities to compile and report information they do not currently have. The bill would allow a town that is part of a solid waste management district to rely on the district to provide the annual report. The Association states, though some municipalities may be required to do more work to compile and report the information, it is unlikely that this will require additional staff or result in any significant increase in expenditures. There will be no impact on municipal revenues.

The Department of Environmental indicates it currently receives this type of data only from permitted solid waste facilities and, because not all NH municipalities operate a permitted solid waste facility, the amendment would increase the number of municipalities that report solid waste management data to the Department. The increase in the aggregate amount of data the Department processes from municipalities would improve its ability to accurately assess statewide solid waste trends and management needs. The department provided the following fact and assumptions:

- 174 NH municipalities already submit annual facility reports to the Department. The current reporting requirements are similar but not identical to the reporting requirements in the bill. The differences may increase administrative costs for some municipalities as they adjust their current reporting practices to comply with the updated reporting requirements. The Department is unable to determine those costs, but does not believe they would be significant, because towns would only be required to report available information.
• The approximately 60 municipalities that do not currently report data would be required to report information under this amended bill, to the extent the information is available. Those municipalities would incur some new administrative costs to complete and submit a form supplied by the Department. The Department is unable to determine those costs, but does not believe they would be significant, since towns would only be required to report available information.

• The data reported to and processed by the Department would increase in volume and scope. There would be a need to update databases to accept the new broader information, but the cost would not be ongoing and would likely be handled using in-house resources. The cost of annually processing the additional data would be negligible and only require adjustments to existing systems as the solid waste management program is already handling this type of reporting. There may be an overall cost savings as having the additional data would reduce the need to independently conduct surveys or do research to in order obtain the additional data to meet its various statutory obligations.

• The bill does not impose any requirements on county government and would not impact state, county or local revenues.

AGENCIES CONTACTED:

New Hampshire Municipal Association and Department of Environmental Services