

**STATEMENT REGARDING HOUSE BILL 617, IN SUPPORT
OF INCREASING RECYCLING AND REUSE IN NEW HAMPSHIRE**

Dear Committee Members:

Please accept these comments as suggestions for you to consider in making recommendations to increase recycling and reuse in New Hampshire. While New England has limited and dwindling landfill capacityⁱ, most of what is landfilled is probably recyclableⁱⁱ or easily avoided through prudent purchasing and reuse. New Hampshire recycles approximately 35% of its solid wasteⁱⁱⁱ, which is about average for the U.S. However, the U.S. has one of the lowest recycling rates among developed nations^{iv}. Furthermore, New Hampshire has failed to achieve the recycling goal of 40% by the year 2000, which was set by the New Hampshire legislature in 1990^v.

While I am still a Connecticut resident, I have a house in Bethlehem NH, where I hope to retire. A copy of my resume is included in an endnote^{vi}. Although I am a member of the Bethlehem Transfer Station Committee, all of my comments herein are solely in my individual capacity, as a person with 45 years of experience in relevant areas. As Connecticut's Consumer Counsel I supported utility rates that encourage waste-to-energy projects. As a private attorney I represented the Connecticut Resources Recovery Authority in a number of contract disputes, involving private waste companies, landfills, and recycling mandates. I have never represented any private landfill or waste companies.

In 2017, the New Hampshire Section of the American Society of Civil Engineers graded New Hampshire's Solid Waste efforts as a C+^{vii}. Among the shortcomings leading to this grade is the lack of a single stream processing facility which can encourage cost-efficient recycling. While there are a number of New Hampshire towns which participate in zero-sort recycling, these collected recyclables have to be transported to other states for processing, which increases transportation costs. A single stream processing facility, located in New Hampshire, would decrease town recycling expenses, result in New Hampshire jobs, likely increase recycling, protect the environment, and extend the life of our limited landfills.

Here are some possible ways to encourage the location of a single stream processing facility in New Hampshire:

1) The State could authorize state agencies to offer surplus highway land, or other surplus state land that is not part of state parks or used for recreational purposes, for such a facility at low or no cost. Such property would then be returned to the tax base of the town in which it is located.

2) Towns could be authorized to provide tax abatements for such a facility, which would phase in the full property tax rate over a ten year period.

3) The State could offer to be a guarantor of loans for such a facility, if the State Comptroller finds that the owners of a specific proposal have sufficient financial backing and integrity.

4) A small amount of State funds should be authorized for the purpose of advertising the potential availability of the above benefits in journals/newspapers of applicable circulation.

Another way to dispose of solid waste that could substantially reduce the amount of waste that is landfilled is through the diversion of food waste. You have almost certainly received a number of suggestions about encouraging composting. The report of the New Hampshire Section of the American Society of Civil Engineers notes that neighboring states have adopted regulations to encourage composting, and that there is a growing demand among New Hampshire municipalities and restaurants to engage in composting. However, Connecticut has the only facility^{viii} on the east coast that converts food waste into methane gas, which can then be used to produce electricity. The same four, possible incentives for encouraging a single source processing plant above, could be used to encourage the building of a food processing facility in New Hampshire.

A third way to dispose of solid waste that could substantially reduce the amount of waste that is landfilled is by producing electricity through burning, such as the Wheelabrator Concord facility in Penacook, the only such facility in New Hampshire. While this facility claims to be producing such electricity in an environmentally safe manner^{ix}, any incentives to

encourage further such plants should require specific standards to protect the environment. With such protections, the same four possible incentives for encouraging a single source processing plant above, could be used to encourage the building of such a waste-to-energy plant.

When I participated in an annual roadside clean-up campaign, conducted by the Bethlehem Conservation Commission, some of the most common items that litter our roads are metal, glass, and plastic beverage containers; yet New Hampshire is surrounded by neighboring states with bottle deposit laws which have substantially mitigated this litter problem, along with preserving valuable landfill space. New Hampshire should certainly adopt such legislation.

Another common item that is found during annual roadside clean-ups is single use plastic bags, which can take years, if not centuries to decompose in a landfill. Connecticut, however, has just implemented a law that should reduce this source of solid waste, through a 10 cent, per plastic bag fee at check-out, with the ultimate goal of phasing out such bags in two years^x. New Hampshire should consider a similar law.

New Hampshire can do better when it comes to recycling and source reduction. As previously noted, the New Hampshire legislature established a recycling goal of 40% for the year 2000. This goal, however, was not backed by sufficient programs. Since there are at least 10 countries which have achieved recycling rates of more than 50% for municipal solid waste^{xi}, this Committee should consider recommending a 50% recycling goal. However, there should also be a goal for eliminating waste before it is created, through reduction and reuse. It is respectfully requested that the Committee consider recommending specific programs for legislative review that would achieve a reduction of municipal solid waste by 10% and a recycling rate of 50% by the year 2040. The Committee's report should also set forth the benefits and costs of each program. Many of the benefits of recycling and reduced use are not fully considered, such as the benefits to our air, land and water, as well as public health.

Thank you for your consideration.

Barry Zitser

Email: zit123cap@gmail.com

Cell phone (860) 604-3204

ⁱ There are only three large landfills in New Hampshire which take in most of the State's solid waste - the North Country Environmental Services, Inc. landfill off of Trudeau Road, the Turnkey landfill, and the Mt. Carberry landfill See New Hampshire Section of the American Society of Civil Engineers. 2017 Report Card for New Hampshire's Infrastructure, P. 29, which can be accessed here at <https://www.infrastructurereportcard.org/wp-content/uploads/2016/10/2017-NH-Report-Card-hq-with-cover.pdf> . There is only one operating landfill in the entire state of Vermont – the Coventry landfill. Massachusetts has seen a steady closing of landfills, with its largest landfill in Southbridge scheduled to close by the end of this year. Massachusetts is running out of landfill space. The state used to have more than 300 landfills in the 1980s, but this is now down to "slightly more than a handful". See Lee B. As state landfills shut down, disposal dilemma mounts. *Telegram.com* October 22, 2016, which can be accessed here at <https://www.telegram.com/news/20161022/as-states-landfills-shut-down-disposal-dilemma-mounts>.

ⁱⁱ One estimate is that "...roughly 80% of the items buried in landfills could be recycled. See Brucker D. 50 Recycling & Trash Statistics That Will Make You Think Twice About Your Trash, Statistic No. 2. *Rubicon* November 14, 2018, which can be accessed here at <https://www.rubiconglobal.com/blog-statistics-trash-recycling/>.

ⁱⁱⁱ See New Hampshire Section of the American Society of Civil Engineers. 2017 Report Card for New Hampshire's Infrastructure, P. 29, which can be accessed here at <https://www.infrastructurereportcard.org/wp-content/uploads/2016/10/2017-NH-Report-Card-hq-with-cover.pdf> .

^{iv} Gray A. Germany recycles more than any other country. *World Economic Forum*. December 18, 2017, which can be accessed here at <https://www.weforum.org/agenda/2017/12/germany-recycles-more-than-any-other-country/>

^v See New Hampshire Section of the American Society of Civil Engineers. 2017 Report Card for New Hampshire's Infrastructure, P. 30, which can be accessed here at <https://www.infrastructurereportcard.org/wp-content/uploads/2016/10/2017-NH-Report-Card-hq-with-cover.pdf> .

^{vi}

Education: 1997: Master of Public Health degree, University of Connecticut Health Center Graduate School at Farmington, CT
Certified in 2008 by the National Board of Public Health Examiners

1973: J.D. degree, with honors, University of Connecticut School of Law, West Hartford, CT

1970: B.A. in International Relations, Clark University, Worcester, Mass.

Courts Admitted: 1973: Connecticut State Courts.

1974: Connecticut District Court

1980: U.S. Supreme Court

1992: Court of Appeals for the Second Circuit

2014-2019: Appointed as an Attorney Trial Referee for the Judicial District of Hartford, CT

Employment: 1985-2015: Founder of Perakos & Zitser, P.C., and involved in the general practice of law with the firm and its predecessor firm.

2002-Present: Adjunct Faculty Positions:

Adjunct Professor in the Master of Public Health Program of the University of Connecticut Health Center Graduate School at Farmington, Connecticut

Visiting Assistant Professor in the Trinity College Public Policy Graduate Studies Program at Hartford, CT

1985-87: Corporation Counsel, Town of East Hartford. Involved in all aspects of municipal law.

1977-85: Consumer Counsel of the State of Connecticut. As head of this independent state agency, advocate for the interests of Connecticut utility consumers before state and federal agencies and courts.

1973-77: Assistant Corporation Counsel, City of Hartford. Assisted in a number of lawsuits concerning the problems affecting the inner cities. Drafted numerous ordinances, including affirmative action plans. Served as Vice President of the City's Alcohol and Drug Abuse Commission.

State Appointment: 1987-1995: Member of Connecticut Energy Advisory Board

Honor Society: Member Omicron Delta Epsilon (Economics) 1968

Social Interests: Devotes time to a number of social causes involving civil rights (i.e., LGBT, feminist, immigration issues), civil liberties, and health issues. Member of the Bethlehem, New Hampshire Transfer Station Committee, concerning solid waste and recycling options: 2017 to present.

Other Interests: Hiking, cross-country skiing, racquetball, and bridge.
Donor of more than 200 pints of blood and platelets.

^{vii} See New Hampshire Section of the American Society of Civil Engineers. 2017 Report Card for New Hampshire's Infrastructure, Pp. 29-31, which can be accessed here at <https://www.infrastructurereportcard.org/wp-content/uploads/2016/10/2017-NH-Report-Card-hq-with-cover.pdf> .

^{viii} Some articles describing this plant can be found at <https://www.courant.com/breaking-news/hc-news-southington-quantum-biopower-20190617-oklgydhrdfdzyfo42ecmpnjq-story.html> and <http://www.myrecordjournal.com/Archive/2016/11/SutQuantumGroundbreak-RJ-111616>

^{ix} See <https://www.wtienergy.com/plant-locations/energy-from-waste/wheelabrator-concord> .

^x Brisset K. Connecticut Food Assoc. Pleased With Single-Use Plastic Bag Rule. *The Shelby Report*. June 13, 2019, which can be accessed here at <https://www.theshelbyreport.com/2019/06/13/connecticut-single-use-plastic-bag-rule/>

^{xi} Gray A. Germany recycles more than any other country. *World Economic Forum*. December 18, 2017, which can be accessed here at <https://www.theshelbyreport.com/2019/06/13/connecticut-single-use-plastic-bag-rule/>