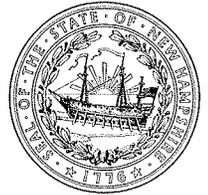




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 25, 2011

The Honorable Robert Haefner, Chairman
House Environment and Agriculture Committee
Legislative Office Building, Room 308
Concord, NH 03301

SUBJECT: HB 84, an act establishing a statutory commission on motor vehicle recycling issues.

Dear Chairman Haefner and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 84. This legislation seeks to re-establish and continue the good work of a motor vehicle recycling study commission that the legislature established in 2007, and which terminated in 2010. The 2007 Motor Vehicle Recycling Study Commission brought together a broad range of stakeholders to study auto recycling issues and make recommendations for changes needed to protect the environment and the economic well-being of the industry. Through the work of the 2007 Commission, industry and government stakeholders formed open lines of communication and initiated positive changes in the way local and state government work together with the auto recycling industry. When its authority ended in 2010, all members of the 2007 Commission, including the Department of Environmental Services (Department), expressed a desire and need to continue working together. Therefore, the Department favors passage of this legislation, which provides a structured forum for stakeholders to continue working together to assure the adequacy of the state's infrastructure for recycling tens of thousands of wrecked and worn out motor vehicles generated in New Hampshire annually, without contaminating our air, water, and land.

The motor vehicle recycling industry is the leading recycling industry in the United States. Nationwide, millions of motor vehicles reach the end of their useful service lives each year and are sent to motor vehicle salvage yards ("MVSYS") to be dismantled for reuse of parts and recycling of scrap material. MVSYS typically recycle between 75% and 85% of the material content of end-of-life vehicles. This contributes significantly toward conserving natural resources and reducing the demand for landfill space.

However, a poorly operated MVSYS can have a serious adverse impact on environmental quality. MVSYS handle many types of fluids, including gasoline, diesel fuel, motor oil and other oils, lubricants, brake fluids, anti-freeze, and solvents. Each has the potential to contaminate groundwater, surface water, and soils if not properly drained, contained, stored, and disposed of or recycled. In addition, there are other hazardous materials in motor vehicles, including mercury in light switches, ABS brake systems, and head lights;



acutely toxic sodium azide in air bag cartridges; lead in wheel weights and lead acid batteries; and chlorofluorocarbons (CFCs) in air conditioning systems. MVSYs are ultimately responsible for properly managing each of these materials. The quality of their work is critical to protecting our environment, public health, and safety.

In New Hampshire, there are over 150 MVSYs handling tens of thousands of vehicles annually. Many of those facilities are marginally profitable "Mom and Pop" scale operations, where fewer than 200 vehicles are processed yearly on less than 2 acres of land with fewer than 2 employees. However, big and small, past practices at over 25% of the MVSYs in this state have caused groundwater contamination and a larger percentage of the facilities have other environmental compliance issues to address.

Concerned by these numbers, the Department is actively working in cooperation with the Auto & Truck Recyclers Association of New Hampshire, other industry representatives, the Department of Safety, the Department of Transportation and municipal officials, to improve environmental practices at both large and small MVSYs throughout the state. The program, referred to as the "N.H. Green Yards Program," was initiated in 2002 and is a fine example of the good work that can be accomplished when the Department partners with industry to solve environmental problems. The Department is pleased with the progress being made to date. However, we also believe that continued progress depends on continuing the collaborative working relationships that the proposed commission will maintain. We need to continue looking for ways to eliminate barriers and build support systems to assure we have adequate capacity for recycling vehicles at facilities that implement best management practices for protecting environmental quality in their communities.

The Department encourages passage of HB 84 and looks forward to again working with the study commission to complete this important work. If you have any questions regarding this letter of testimony, please do not hesitate to call me or Pamela Hoyt-Denison. at 271-2945.

Sincerely,

Michael Wals, Ass't. Comm.
for Thomas Burack
Commissioner

cc: Michael J. Wimsatt, P.G., Director, Waste Management Division
Pamela Hoyt-Denison, P.E., Waste Management Division
Jeff Kantor, President, Auto & Truck Recyclers Association of NH