



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 8, 2010

Representative Naida Kaen, Chairman
Science, Technology and Energy Committee
Legislative Office Building, Room 304
Concord, NH 03301

SUBJECT: SB 301, An act relative to combustion of untreated wood at municipal transfer stations

Dear Chairman Kaen:

Thank you for the opportunity to provide testimony on SB 301. As amended, this bill would provide a three year extension to an existing exemption for the incidental combustion of untreated wood at municipal transfer stations from the general ban on the combustion of construction and demolition debris. The New Hampshire Department of Environmental Services (Department) supports the bill.

During the 2007 session, the NH Legislature passed HB 428, which prohibited the combustion of the wood component of construction and demolition debris (hereinafter, "C&D wood"), based upon a number of concerns about potential impacts to air quality. The law prohibited the combustion of C&D wood by any person. The law also provided an exemption until January 1, 2011, for incidental combustion, under the supervision of a solid waste facility operator, of untreated wood at any municipal transfer station subject to regulation under RSA 149-M.

The temporary exemption was included in order to address the concerns of municipal officials, who feared that their solid waste facility operators would be violating the law if they presided over the burning of brush piles that included small amounts of untreated C&D wood. (Untreated wood is bare wood that has not had any paints, coatings, or preservatives applied to it.) Municipal officials were also concerned that there would not be adequate access to recycling outlets for such wood, particularly for small volumes of wood that are commonly delivered to transfer stations by the residents of small towns.

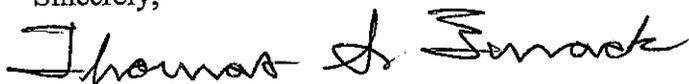
Since passage of the combustion ban in 2007, progress has been made in the development of markets for C&D wood. Currently, a significant portion of C&D wood delivered to commercial C&D processing facilities in New Hampshire is shipped to a facility in Canada that recycles the wood to produce medium-density fiberboard for use in furniture and cabinetry. The majority of C&D wood handled by processors is processed into an industrial wood chip fuel and shipped out of state (mostly to Maine). The Department believes that additional markets will develop over time.

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By extending the exemption repeal date for an additional three years, to 2014, SB 301 would provide additional time for markets to develop, and for municipalities to identify cost-effective outlets for C&D wood received at their transfer stations. The Department finds this to be a reasonable proposal and supports passage of this bill

Thank you for the opportunity to comment on this legislation. If you have any questions or need additional information, please contact Mike Wimsatt, Director of the Waste Management Division, at 271-2905.

Sincerely,



Thomas Burack
Commissioner

cc: Sen. Bob Odell
Rep. Tara Sad
Rep. Burton Williams
Rep. Leigh Webb
Members of the Science, Technology and Energy Committee
Michael Wimsatt, Director, Waste Management Division