



THE STATE OF NEW HAMPSHIRE

Solid Waste Working Group

Karen Ebel, Chair

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Minutes of October 28, 2022

Solid Waste Working Group (SWWG)

Room 208C

29 Hazen Drive, Concord, NH 03302

Members Present: Reagan Bissonnette, Adam Clark, Benjamin Hoy, Greg Leahey, Jim Malley, Freda Paris, Rep. Howard Pearl, Benjamin Piche, Steve Poggi, Eric Steinhauser, Michael Wimsatt, Sen. James Gray, Duncan Watson

Members Present Remotely¹: Matt Hughes

Members Not Present: Chair Karen Ebel, Colin Kelly, Marc Morgan, Megan Fontes

Call to Order:

In Chair Ebel's absence, Reagan Bissonnette facilitated the meeting and called the meeting to order at 9:02 AM.

Approval of Minutes:

Minutes from the July 26, 2022, meeting were approved with a motion by Adam Clark and a second by Duncan Watson.

Changes in SWWG Membership

- Marc Morgan (City of Lebanon) has accepted a new position out of state. NHDES has not yet filled his role of representing publicly owned landfills.
- Brian Patnoe (Town of Lancaster) accepted a new position at NRRA. Benjamin Hoy (Towns of Walpole and Alstead) was appointment by the NH Municipal Association as Brian's replacement to represent rural communities with source separated recycling.
- Lynn Rubinstein (Northeast Recycling Council) has retired, and Megan Fontes was hired as NERC's new Executive Director and will represent NERC on the SWWG.
- Depending on the outcome of the November 2022 elections, Senator Gray and Rep. Pearl may or may not be involved with the SWWG in the future. The election results do not impact Chair Ebel's involvement because she was appointed as an individual by NHDES.

Overview of 2022 New Hampshire Solid Waste Management Plan (SWMP)

Director Michael Wimsatt provided an overview of public comments received on the 2022 SWMP. NHDES staff read all the comments and grouped them by topic/reoccurring themes. Some comments were not appropriate to act on in the 10-year plan but may be addressed in the

¹ Remote attendance necessary due to logistical considerations

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short-term implementation plans (STIPs). Based on public comments, NHDES made several changes to the SWMP:

- Added comments to the introduction to highlight why the plan is important but kept to the point that the SWMP is a statutory document.
- Clarified that the statewide disposal reduction goal, established in RSA 149-M:2, applies to all waste disposed in NH regardless of the state of origin. The 8 SWMP goals are intended to help reach that master goal.
- Referenced the impact of the Interstate Commerce Clause on our work to regulate out-of-state waste.
- Highlighted the importance of completing a waste characterization study early on, to help focus efforts on specific waste streams.
- Expanded on the need for more infrastructure.
- Clarified that specific metrics, timelines, and actions will be outlined in STIPs based on available resources.

Director Wimsatt noted that part of Commissioner Robert Scott's SWMP cover letter addressed public concerns about NHDES' involvement in advancing specific legislation. NHDES will continue to participate, but legislation is a multi-party game and requires participation from everyone.

Adam Clark asked if the STIPs will be issued around a certain time each year. Director Wimsatt noted that NHDES does not yet have a timeline set, but the SWWG will likely have a role in the STIPs. NHDES anticipates applying for as much EPA Bipartisan Infrastructure funding as possible to support the SWMP, including a waste characterization study to focus NHDES efforts. A waste generation study may be completed simultaneously. Once EPA publishes more details, NHDES will reach out to public and private partners and report back to the SWWG.

Review SWWG duties in [RSA 149-M:61, III](#) and [SB 380](#) – How are duties interrelated with actions in the SWMP?

Reagan read the list of duties established for the SWWG aloud. She asked whether NHDES has identified any priorities that the group can help with. Director Wimsatt shared that all of NHDES' rules are due to expire in 2024. The Solid Waste Management Bureau is working on the rule updates in pieces and the SWWG can be a source of stakeholder input. Other priorities have not yet been identified.

Senator Gray and Rep. Pearl shared that they hear public concerns on the campaign trail related to handling out-of-state waste. There are questions about the trickledown impacts of imposing additional tipping fees on out-of-state waste to reduce intake. Steve Poggi responded that less material intake could increase operation costs and prices for all communities, but the degree of change is unknown. There are opportunities to send waste by rail, though several members stressed that shipping waste to the mid-west is not a fallback solution simply because it makes economic sense. Waste reduction is a priority.

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The group discussed potential upstream solutions, Extended Producer Responsibility (EPR), and the importance of consumer choices and public education. Rep. Pearl reported that the Solid Waste Subcommittee of the House Environment & Agriculture Committee recommended HB1111 for future legislation (the bill sought to establish a study commission to look into the topic of EPR in New Hampshire). The full Environment and Agriculture committee voted in favor of this recommendation.

Discussion of SWWW initial report due November 30, 2022 – What topics should be included? Which SWMP goals and actions should the SWWG prioritize?

Based on group conversations, Reagan summarized the themes to include in the draft SWWG interim report that overlap with topics in the SWMP:

1. *Address out-of-state waste* – explore a version of Vermont’s SWIP model with the goal of raising the standards for communities to reduce and divert before disposal.
2. *EPR* – bring in industry experts to learn how EPR has been implemented in other states and the lessons learned.
3. *Need for more local infrastructure* – help reduce the costs of shipping materials away.
4. *Continuing public education* – how can we improve?
5. *Organics diversion and composting* – a large portion of the waste stream.
6. *Waste characterization study* – will help to identify the type of infrastructure that is needed for the largest portion(s) of our waste stream.
7. *Reliable funding* – needed to support all the efforts discussed by the group and outlined in the SWMP. Request an appropriation of money from the state’s General Fund for local infrastructure.
8. *Timing* – fits into all efforts.

The report will provide an update of what the SWWG has completed to date (e.g., number of meetings, presentations, subcommittee meetings, etc.) and flow into how the accomplishments are leading to the recommendations.

Reagan shared that Rep. Ebel suggested the SWWG propose \$1 million be allocated from the General Fund to the newly-established Solid Waste Management Fund (RSA 149-R). Group members stated that a specific dollar amount be supported with statistics and evidence to back it up. This appropriation would be in addition to NHDES’ regular operating budget. Rep. Pearl advised the group to target the funding request to support grants for 2-5 specific waste projects, verses a broad topic of “solid waste projects.” A specific request may receive more bipartisan support. Director Wimsatt strongly agreed. Two initial focus topics were:

- Composting/organics diversion
- Local infrastructure (e.g., balers, equipment to improve municipal recycling programs)

There was question about whether any issues would arise if monies placed into the SW Management Fund were restricted to only serve municipalities when the SW Management Fund was established to serve municipalities, private entities and businesses. Director Wimsatt assured

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that, mechanically and administratively, it should not be a problem. NHDES administers other funds where separate pots of money are allocated for specific uses. Future dollars could be allocated to businesses.

Future meetings and scheduling

The next meeting will be November 18th to review a draft of the group's interim report. There will be no meeting in December. The SWWG will reconvene in January 2023 and will tentatively meet the 4th Friday of each month for the remainder of the year (to be confirmed at November 18 meeting).

Updates from Members

Reagan shared that pricing for recyclables has decreased considerably. This is because the Federal Reserve is raising interest rates to reduce inflation. That, in turn, reduces recycling market pricing during a slower economy. For more information, see NRRA's article: www.nrrarecycles.org/news/recycling-markets-are-down-heres-why

Director Wimsatt shared that the Biennial Report will be published before the next meeting and will cover activity from 2020-2021. The next Biennial Report is due October 2023.

Adjourn

The meeting adjourned at 11:25 AM. A recording of this meeting is available at: <https://attendee.gotowebinar.com/recording/491442377738271240>