



THE STATE OF NEW HAMPSHIRE

Solid Waste Working Group

Karen Ebel, Chair

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Contact Email: swwg@maillist2.nh.gov

Website: <https://www.des.nh.gov/about/boards-and-committees/new-hampshire-solid-waste-working-group>

Minutes of November 18, 2022
Solid Waste Working Group (SWWG)
Room 208C
29 Hazen Drive, Concord, NH 03302

Members Present: Chair Karen Ebel, Reagan Bissonnette, Sen. James Gray, Greg Leahey, Jim Malley, Freda Paris, Rep. Howard Pearl, Benjamin Piche, Steve Poggi, Eric Steinhauser, Michael Wimsatt

Members Present Remotely¹: Megan Fontes, Ben Hoy, Matt Hughes, Duncan Watson

Members Not Present: Adam Clark, Colin Kelly, Jim Malley

Call to Order:

Chair Ebel called the meeting to order at 9:07 AM.

Approval of Minutes:

Minutes from the October 28, 2022, meeting were approved without a motion.

Discussion and finalization of SWWG Initial Report – due November 30, 2022

Chair Ebel thanked Reagan Bissonnette for drafting the report and proceeded with a brief overview of the report. Members reviewed the focus areas for the upcoming years, which were identified during the previous SWWG meeting.

Chair Ebel proposed adding a focus area about toxicity in the waste stream, with an emphasis on source reduction. This aligns with Goal 2 in the 2022 Solid Waste Management Plan (SWMP). There are concerns that waste facilities are a receiver of PFAS, not the generator. The group supported this addition. Steve Poggi shared a factsheet about direct and indirect PFAS exposure from consumer products versus landfill leachate. The factsheet was created by the National Waste & Recycling Association (NWRA) and Solid Waste Association of North America (SWANA) and includes list of referenced resources.

The group discussed potential legislation initiatives that would support the SWMP:

- 1) *Request appropriation for Solid Waste Management Fund* – potentially target organics diversion infrastructure. Keep the appropriation open to municipalities and businesses to support potential public-private partnerships.
- 2) *Propose a food waste disposal ban* – require entities generating one ton of food waste or more per week (e.g., large grocers, hospitals, universities, etc.) to donate recovered food

¹ Remote attendance necessary due to logistical considerations

Solid Waste Working Group

Minutes

November 18, 2022 – Page 2 of 3

or divert food waste to an authorized processing facility within a certain mileage proximity. Many New England states have a similar ban in place.

- 3) *Propose a PFAS ban in certain products* – starting with carpet and upholstery. Vermont and Maine have enacted PFAS manufacturing bans for certain consumer products.
- 4) *Revisit rules around school share tables to reduce food waste* – not likely for the 2023 legislative session.
- 5) *Propose a mattress disposal ban* – not for the 2023 legislative session. Steve Poggi commented on the pricing and recycling challenges following Massachusetts's recent mattress ban. The group decided to wait to see how the Massachusetts program evolves.
- 6) *Suggest a tipping fee surcharge* – not likely for the 2023 legislative session. The group will discuss this approach at future meetings.

Megan Fontes indicated that NERC has developed model legislation for [minimum post-consumer recycled content requirements for glass beverage and food containers](#), as well as separate model legislation for [minimum post-consumer recycled content in plastic products/packaging](#). Megan will share more information with the group.

Rather than make specific legislative recommendations in the report itself, the group proposed to add a statement that the “SWWG encourages the adoption of legislation related to the focus areas identified [in the report] and in support of the state’s SWMP and solid waste diversion goals.”

The group finalized the edits and Chair Ebel requested a motion to approve the report as amended. Eric Steinhauser motioned to approve the report, seconded by Ben Piche. No group members opposed. Director Wimsatt abstained from the vote.

Group members confirmed their support of legislation to:

- 1) Seek appropriations for the solid waste management fund, a portion of which targets food waste diversion and reduction projects,
- 2) Institute a food waste disposal ban for entities generating one ton of food waste or more per week within specified mileage proximity, and;
- 3) Institute a ban on the sale of carpets and rugs with added PFAS.

It was confirmed that pursuant to RSA 149-M:61, III(h), the SWWG statutory charges include recommending legislation, policy, or rule changes related to solid waste. Chair Ebel stated she would introduce legislation to pursue these recommendations. Rep. Pearl and Director Wimsatt took no position. Both Chair Ebel and Director Wimsatt confirmed that the support of the SWWG was very important for the success of these legislative goals.

Confirm future meeting schedule

The group will continue meeting on the 4th Friday of the month through 2023. The group will meet for the usual 3-hour allotted time (9:00am – 12:00pm) in January and all proceeding meetings will be 2-hours (9:30am – 11:30am).

Solid Waste Working Group

Minutes

November 18, 2022 – Page 3 of 3

NHDES will reserve Room 208C for meetings through 2023 but will only post calendar notices for the January and February meetings at this time. Additional meetings will be posted in due course. The 4th Fridays in November and December 2023 will conflict with holidays; meetings during months can be scheduled for different dates as deemed necessary by the group.

Proposed topics for January 27, 2023, meeting agenda:

- Discuss SWWG responsibilities [RSA 149-M:61,III \(i\) and \(j\)](#) (specifically, bans on landfilling waste from communities/entities that do not have solid waste plans) – invite Josh Kelly with Vermont Agency of Natural Resources to present a more in-depth review of Vermont’s Solid Waste Implementation Plans.
- NHDES will present on the short-term implementation plans. (20-30 minutes)
- Review proposed legislation – a list of introduced solid waste bills will be distributed before the meeting.
- NHDES will present about 2020-2021 Biennial Solid Waste Report (10-15 minutes)

Member updates & other discussion

EPA announced their new grant programs subsidized by the Bipartisan Infrastructure Law (BIL):

- [Recycling Education and Outreach Grants](#) – \$250,000 - \$2,000,000
- [Solid Waste Infrastructure for Recycling \(SWIFR\) Grants](#) for:
 - Political Subdivisions – \$500,000 - \$4,000,000
 - States and Territories – opt in, non-competitive

Applications are due January 16, 2023. Funding will be available by October 2023. Grantees will have 3 years to spend their awarded funds. EPA has scheduled a series of webinars to provide more information. NHDES is in the process of applying to the EPA SWIFR Grant Program for States and Territories.

NRRA is receiving inquiries and concerns from municipalities about project eligibility, the application timeline, and minimum budget requirement. Grant guidelines may change as the BIL allocated funds through 2026. Director Wimsatt indicated that NHDES will continue to have conversations with EPA about changing the grant guidelines to allow states to administer smaller, sub-grants – such as through the Solid Waste Management Fund.

Reagan Bissonnette shared some results from NRRA’s Recycle Right Campaign, and information about a new project to increase diversion of construction and demolition debris in Coos County.

Adjourn

The meeting adjourned at 11:47 AM. A recording of this meeting is available at:

<https://attendee.gotowebinar.com/recording/6378976564936269583>