



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 5, 2024

The Honorable Judy Aron
Chair, House Environment and Agriculture Committee
Legislative Office Building, Room 301
Concord, NH 03301

RE: HB 1386-FN, AN ACT relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators.

Dear Chair Aron and Members of the Committee:

Thank you for the opportunity to testify on HB 1386. This bill would expand the scope of existing statutory bans on the disposal of certain batteries and electronic items. Specifically, this bill would add a new prohibition on disposal of lithium-ion batteries and would also broaden the list of electronic items prohibited from disposal. The New Hampshire Department of Environmental Services (NHDES) takes no position on this bill but supports its intent with respect to promoting responsible management of these items to reduce the toxicity of the waste stream and increase safety at solid waste management facilities in New Hampshire.

Lithium-ion batteries have become ubiquitous in consumer devices including laptops, mobile phones, power tools, household appliances, and toys (just to name a few examples). Disposal of such batteries in landfills and incinerators is not only a waste of precious resources, but also presents serious safety hazards. If improperly managed, these batteries can pose a major fire risk. In recent years, lithium-ion batteries in mixed loads of refuse have caused numerous fires at solid waste management facilities nationally and here in New Hampshire. Call2Recycle, a national stewardship organization for rechargeable battery recycling, promotes best practices for managing used batteries that includes separate collection so that these batteries can be properly recycled instead of ending up in the regular waste stream where they can be easily damaged and trigger fires.

With regard to language in the bill, NHDES presumes that the intent of amending the definition of “electronic devices” is to expand upon the electronic items currently banned from disposal. However, NHDES notes that the proposed definition does not reference “video display media recorder/player,” effectively repealing the existing disposal ban for such items (e.g., VCRs, DVD players, etc.). NHDES assumes that this was a drafting oversight and that the definition of “electronic devices” was intended to be inclusive of video display media recorders/players.

Thank you again for the opportunity to comment on HB 1386. Should you have questions or need additional information, please feel free to contact either Michael Nork, Solid Waste Management

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Bureau (michael.a.nork@des.nh.gov, 271-2906) or Michael Wimsatt, Waste Management Division
Director (michael.wimsatt@des.nh.gov, 271-1997).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert R. Scott". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert R. Scott
Commissioner

ec: Sponsors of HB 1386: Representatives Ebel, Simpson, M. Murray, Leishman, Rochefort, Wolf,
Rung, Germana, Aron, Grote, and Senators Pearl, Watters, Prentiss, Ricciardi, Avard