



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 1, 2024

The Honorable Kevin Avard
Chair, Senate Energy & Natural Resources Committee
State House, Room 103
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 Avard 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). Because of their growing use in products, improper disposal of lithium-ion batteries in landfills and incinerators, or even in mixed recycling streams, has become a growing concern. When these batteries are mixed in loads with other wastes, they can easily become damaged and pose a major fire hazard. In recent years, lithium-ion batteries have been linked to numerous fires at landfills, transfer stations and recycling facilities across the U.S. and here in New Hampshire.

NHDES recognizes that lithium-ion batteries are most safely handled via separate collection and recycling programs. Call2Recycle, a national stewardship organization for rechargeable battery recycling, promotes best practices for managing used batteries that includes a dedicated collection program so that these batteries can be properly recycled instead of ending up in mixed waste streams where they can be easily damaged and trigger fires.

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

Sincerely,

Robert R. Scott, Commissioner

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