



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

February 16, 2021

The Honorable Howard Pearl
Chairman, House Environment & Agriculture Committee
Legislative Office Building, Room 303
Concord, NH 03301

RE: HB 413, An Act establishing a working group on solid waste management planning and relative to compost

Dear Chairman Pearl and Members of the Committee:

Thank you for the opportunity to testify on HB 413. As introduced, this bill would establish a stakeholder workgroup for a period of four years to assist the New Hampshire Department of Environmental Services (NHDES) with planning and policy initiatives related to solid waste management. Additionally, this bill would set a deadline for NHDES to adopt revised administrative rules for composting facilities in New Hampshire. It is our understanding that the bill sponsor will provide a suggested amendment to the bill that will clarify the terms of service for working group members, adjust the dates for meetings and reporting, and set the duration of the working group at five years. NHDES supports this bill and the proposed amendment.

As members of the Committee may be aware, the Recycling & Solid Waste Management Study Committee (HB 617, Chapter 265, 2019) identified a multitude of solid waste management issues in New Hampshire that deserve attention, including the need for the state to take a more proactive role in long-range solid waste management planning. Pursuant to RSA 149-M, NHDES is responsible for solid waste planning and is required to periodically update the state's Solid Waste Management Plan. However, NHDES' solid waste program has suffered from resource deficiencies over the last two decades, which have made it challenging to fulfill this and a number of other duties. NHDES notes that this bill would not address the Department's need for additional resources to accomplish its various solid waste management responsibilities. However, NHDES believes the workgroup established by this bill could play an important role in aiding and advising the Department as it prepares an updated Solid Waste Management Plan and develops policies, priorities and goals to address the state's solid waste management challenges.

Other states' environmental agencies commonly engage with solid waste advisory groups to help guide policy development and identify priorities for action. The findings of the HB 617 Recycling & Solid Waste Management Study Committee made it clear that New Hampshire is falling behind with regard to general waste management planning and policy. While a stakeholder workgroup, by itself, would not resolve such issues, establishing such a group would certainly be an important first step.

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As noted above, this bill would also enact a deadline of September 30, 2021 for NHDES to adopt revised administrative rules for facilities that compost food waste. This task has been a priority for the Department since the passage of SB 251 (Chapter 107, 2015), which directed NHDES to clarify requirements for facilities that compost meat & dairy food waste. In 2017 and 2018, NHDES hosted meetings of a stakeholder workgroup to help inform such rule revisions. Regrettably, however, our progress in adopting the necessary revisions has been slower than we would like, owing primarily to limited resources. Nevertheless, NHDES recognizes this project as a priority and continues to advance it. Should HB 413 be enacted into law, NHDES will make every effort to meet the September 30 deadline.

Thank you again for the opportunity to comment on HB 413. Should you have questions or need additional information, please feel free to contact either Michael Nork, Solid Waste Management Bureau (michael.nork@des.nh.gov, 271-2936) 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", with a long, sweeping horizontal stroke extending to the right.

Robert R. Scott
Commissioner

cc: Sponsors of HB 413: Representatives Ebel, M. Murray, Sykes, Wolf, Merner, Suzanne Smith, Graham, Milz, Massimilla, Von Plinsky; Senators Hennessey, Whitley, Watters, Ward, Prentiss