

THE STATE OF NEW HAMPSHIRE

Solid Waste Working Group

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Interim 2023 Report of the New Hampshire Solid Waste Working Group

December 1, 2023

The New Hampshire [Solid Waste Working Group \(SWWG\)](#) is a statutory committee formed by HB 413 (2021) to assist the New Hampshire Department of Environmental Services (NHDES) with planning and policy initiatives related to solid waste management. Established for a period of five years (until November 1, 2026), the SWWG is comprised of members representing various public and private entities involved with solid waste management. The SWWG issued its [initial report](#) on November 18, 2022. While interim reports are not required, the SWWG has issued this interim report to summarize the SWWG's activities over the past year.

MEMBERSHIP

Name	Affiliation	Representing
Karen Ebel, Chair	NH House of Representatives	HB 617 Study Committee (2019)
Judy Aron	NH House of Representatives	House Environment & Agriculture Committee
Reagan Bissonnette	Northeast Resource Recovery Association	Same
Adam Clark	City of Concord, NH	Cities with single stream recycling
Erica Douglas	City of Lebanon, NH	Publicly-Owned Landfills
Megan Fontes	Northeast Recycling Council	Same
Matt Hughes	WIN Waste Innovations	Waste-to-Energy Facilities
Colin Kelly	Schnitzer Steel Industries	Scrap Metal Recyclers
Mark Laliberte	NH Department of Business and Economic Affairs	Same
Greg Leahey	Resource Waste Services	Construction & Demolition Processing Facilities
Jim Malley	University System of NH	Expertise in Solid Waste Sustainability
Freda Paris	Elliot Hospital	NH Healthcare Industry
Howard Pearl	NH Senate	Senate Energy & Natural Resources Committee
Benjamin Piche	Coca-Cola Beverages Northeast	Companies that reprocess post-consumer waste
Steve Poggi	Waste Management, Inc.	Privately-Owned Landfills
Eric Steinhauser	NH Waste Management Council	Same

Duncan Watson	City of Keene, NH	Innovative municipal waste management
Michael Wimsatt	NHDES	Same
Josh Whipple	Town of Swanzey, NH	Rural Communities with source-separated recycling
VACANT		Solid Waste Haulers

DUTIES

As outlined in [RSA 149-M:61, III](#), the Solid Waste Working Group is charged with the following ten tasks. The majority of these responsibilities involve on-going engagement:

1. Assist the department in long-range planning for and the development of creative, effective solutions to the state’s solid waste management challenges.
2. Review and make recommendations for changes to the state’s existing solid waste reduction, recycling, and management policies, programs, goals, and initiatives.
3. Review and make recommendations regarding the impact of regional solid waste management initiatives, including landfill waste disposal bans, on our state and our solid waste disposal landfill capacity.
4. Advise the department in the development of the solid waste management plan required by [RSA 149-M:29](#). – **COMPLETED IN 2022**
5. Review and recommend methods to better provide technical assistance and educational outreach to municipalities, schools, businesses, and the public regarding solid waste reduction, recycling, and management policies.
6. Review and recommend ways to better implement the solid waste hierarchy under [RSA 149-M:3](#), and solid waste reduction goals under [RSA 149-M:2](#).
7. Review and make recommendations based on the [2019, 265 \(HB 617\) study committee report](#) on recycling and solid waste management in New Hampshire.
8. Review such other matters as the working group deems necessary and to recommend any related legislation, policy, or rule changes.
9. Review and make recommendations regarding municipal solid waste plans and implementing the prohibition of any landfill in the state from accepting waste from a municipality that does not have a solid waste management plan. – **COMPLETED IN 2023**
10. Review and make recommendations regarding the development of a solid waste disposal site evaluation committee or better defining alternative site analysis in [RSA 149-M:9](#).

MEETINGS

The SWWG held seven meetings between January and September 2023. SWWG meetings included presentations by experts—including SWWG members and NHDES staff—on a variety of topics relevant to solid waste management and planning, including: Solid Waste Implementation Plans in Vermont; NHDES 2020-2021 Biennial Report; NHDES 2022 Solid Waste Management Plan Short-Term Implementation Plan; Solid Waste-Related Legislation for 2023;

NH Municipal Solid Waste Planning and Districts; Food Waste Diversion Initiatives; Massachusetts Commercial Food Waste Disposal Ban; and Landfill Leachate, Wastewater and Sludge.

Meetings of the SWWG were livestreamed via GoTo Webinar to promote public participation. Agendas, minutes, recordings and presentations from the meetings are available on the [NHDES SWWG webpage](#).

SWWG ACTIONS

Municipal Solid Waste Plans

The SWWG completed item #9 in the list of duties, which is to “Review and make recommendations regarding municipal solid waste plans and implementing the prohibition of any landfill in the state from accepting waste from a municipality that does not have a solid waste management plan.”

In furtherance of this statutory responsibility, the SWWG researched Vermont’s statutes and program implementation regarding municipal solid waste plans (“SWIPs”). The SWWG concluded that it cannot recommend that SWIPs be required of municipalities to dispose of their solid waste in a landfill at this time, given the related town and state expense, complicated nature of such plans and the necessity for DES staff SWIP approval. However, the SWWG felt that there is a great deal of merit in facilitating the creation of better solid waste management plans for municipalities and businesses. The SWWG recommended that NHDES develop educational materials and planning guidance for municipalities, while implementing the 2022 State Solid Waste Management Plan.

Food Waste Diversion

In furtherance of its statutory responsibilities and recognizing that achievement of its tasks can require legislative action, the SWWG focused on (1) food waste diversion requirements, researching related issues through guest presentations, and (2) the funding of [the Solid Waste Management Fund](#) (SWMF) to support diversion efforts by NH municipalities and businesses.

To date, the SWWG and NHDES have worked to accomplish the following:

- Hosted guest speakers from different areas of the food system.
- Supported the introduction of HB 300 prohibiting the disposal of food waste by one-ton generators under specified circumstances, which passed in the state’s 2023-2025 budget and included an NHDES position to support food diversion efforts.
 - Part of NHDES EPA Solid Waste Infrastructure for Recycling Grant Program (“SWIFR”) will assess food waste generators in the state.
- Supported the introduction of HB 462, which passed in the state’s 2024-2025 budget, appropriating \$1 million to the SWMF and creating a NHDES position to support food diversion efforts. At least 50% of the SWMF appropriation will support food waste management projects.
 - Details of SWMF grant program must be established through rulemaking.
 - Per the budget, the new staff person cannot be hired until after January 1, 2024.

As needed, the SWWG will continue providing feedback to NHDES on its food waste diversion work and outreach and education efforts.

Reduction of Toxicity in the Waste Stream

In furtherance of its statutory responsibilities and SWMP goals, recognizing that achievement of its tasks can require legislative action, the SWWG focused on the issue of PFAS in New Hampshire, especially from the standpoint of source reduction.

- Hosted guest speakers on and researched PFAS in waste stream and in consumer products, including landfills, landfill leachate, wastewater and sludge.
- Supported the introduction of HB 465, banning the in-state sale of PFAS-added carpets and rugs and after market fabric treatments containing PFAS. HB 465 was recommended for interim study, but to date no vote has been taken by the legislature.

In recognition of the importance of this issue to public health and its burden on the waste infrastructure, the SWWG has supported the introduction of additional legislation seeking to reduce the sale of specified PFAS-added consumer products. Recognizing the hazardous nature of certain batteries, the SWWG has also supported the introduction of legislation to ban the disposal of lithium-ion batteries in solid waste facilities, as well expanding the types of electronic waste banned from disposal in solid waste facilities.

Short-Term Implementation Plans for SWMP

In furtherance of its statutory responsibilities, the SWWG discussed with and provided guidance to NHDES regarding the proposed SWMP short-term implementation plans. In particular, the SWWG provided input regarding how NHDES could track progress by external partners on implementing the actions in the 2022 SWMP as a way of measuring progress in furtherance of the plan. NHDES used that feedback to contact a list of external partners to request updates regarding their progress on SWMP actions. The SWWG will continue to work with NHDES as requested on these implementation plans.

In an effort to support further engagement by municipalities in solid waste reduction, the SWWG supported the introduction of legislation specifying that municipalities may include a section on solid waste reduction in their master plans.

Waste Characterization and Generation Study

In furtherance of its statutory responsibilities, the SWWG supported NHDES's application for SWIFR grant funding to complete waste characterization and generation studies. The EPA has awarded a SWIFR grant to NHDES for \$572,065 to conduct these studies, which are foundational to many actions in the SWMP.

Funding

In furtherance of its statutory responsibilities, through its work the SWWG has been able to spotlight the importance of adequate funding for the NHDES to perform the necessary work to enable the state to implement the SWMP and achieve that statutory solid waste diversion

goals. This has resulted in better budgetary resolutions for the department, but more work needs to be done.

Solid Waste Community Engagement

As the solid waste issue has gained increasing attention in New Hampshire, SWWG members have been increasingly engaged in a variety of policy and implementation activities around the state, such as conferences, workshops, legislative actions, educational efforts and media input. SWWG members welcome these opportunities to participate in the community discussions.

FOCUS AREAS for the UPCOMING YEAR

Most of 2023 focus areas noted in [the 2022 Initial Report](#) remain issues requiring additional attention for the SWWG in 2024. These include providing additional assistance to NHDES as requested with implementation of the SWMP, supporting the adoption of SWWG-recommended legislation in furtherance of SWWG focus areas and the SWMP, and researching and making recommendations regarding (1) funding options for the NHDES as well as the SWMF grant program, (2) infrastructure improvements, (3) education and outreach activities, (4) better food waste diversion, (4) waste disposal bans, (5) reducing out of state waste, and (6) reducing toxicity in the waste stream. The SWWG looks forward to continuing its work to help solve the solid waste challenges in the state.