

# THE STATE OF NEW HAMPSHIRE

## Solid Waste Working Group

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### Interim 2024 Report of the New Hampshire Solid Waste Working Group

November 1, 2024

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 and its first [interim report](#) on December 1, 2023. While interim reports are not required, the SWWG has issued this second 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 (NRRRA)	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 Waste Processors
Jim Malley	University of New Hampshire	Expertise in solid waste sustainability
Howard Pearl	NH Senate	Senate Energy & Natural Resources Committee
Freda Paris	Elliot Hospital	NH healthcare industry
Benjamin Piche	Coca-Cola Beverages Northeast	Companies that reprocess post-consumer waste

Steve Poggi	Waste Management, Inc.	Privately owned landfills and Material Recovery Facilities (MRFs)
Eric Steinhauser	NH Waste Management Council	same
Duncan Watson	City of Keene, NH	Innovative municipal waste management
Mike Wimsatt	NHDES	same
Josh Whipple	Town of Swanzey, NH	Rural communities with source separated recycling
VACANT		<i>Solid waste haulers</i>

## DUTIES

As outlined in [RSA 149-M:61, III](#), the Solid Waste Working Group is charged with the following ten tasks. Most 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. – **ONGOING**
2. Review and make recommendations for changes to the state's existing solid waste reduction, recycling, and management policies, programs, goals, and initiatives. – **ONGOING**
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. – **ONGOING**
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. – **ONGOING**
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](#). – **ONGOING**
7. Review and make recommendations based on the [2019, 265 \(HB 617\) study committee report](#) on recycling and solid waste management in New Hampshire. – **ONGOING**
8. Review such other matters as the working group deems necessary and to recommend any related legislation, policy, or rule changes. – **ONGOING**
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](#). – **NOT STARTED**

## MEETINGS

The SWWG held seven meetings between January and October 2024. SWWG meetings included presentations by experts on a variety of topics relevant to solid waste management and planning. The topics were about:

1. Recycling at Advanced Material Recovery Facilities.
2. Extended Producer Responsibility (EPR) 101.
3. Connecticut EPR Programs for Mattresses, Tires, Paint, etc.
4. Vermont EPR Programs for Batteries and Electronics (E-Waste).
5. Implementing EPR Policy – Mattresses and Batteries.
6. Paint Recycling and EPR.
7. EPR Legislation for Batteries *and* NH Hazardous Waste Regulations related to Managing Paint and Lithium-ion Batteries.

Meetings of the SWWG were livestreamed via GoTo Webinar to promote public participation. Agendas, minutes, recordings and presentations from the SWWG meetings are available at [www.des.nh.gov/about/boards-and-committees/new-hampshire-solid-waste-working-group](http://www.des.nh.gov/about/boards-and-committees/new-hampshire-solid-waste-working-group).

## SWWG ACTIONS

### Extended Producer Responsibility (EPR)

In furtherance of its statutory responsibilities and recognizing that achievement of its tasks can require legislative action, the SWWG focused on researching extended producer responsibility laws through guest presentations by a range of experts. This included learning about EPR for mattresses, tires, paint, batteries and e-waste from state agencies and national organizations. At its September 2024 meeting, the SWWG recommended that New Hampshire pursue EPR legislation for paint recycling as a practical and cost-effective solution to a common problem for New Hampshire residents and businesses. The SWWG may recommend introducing a battery EPR bill in the future, based on related state and federal developments over the next year.

### Reduction of Toxicity in the Waste Stream

*PFAS:* In furtherance of its statutory responsibilities and Solid Waste Management Plan (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. The SWWG supported the introduction and passage of [HB 1649](#), banning intentionally added PFAS to specified consumer products sold in New Hampshire. The product ban becomes effective on January 1, 2027.

*Batteries:* Recognizing the hazardous nature of certain batteries, the SWWG also supported the introduction and passage of [HB 1386](#), banning 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. The bill also requires towns, solid waste districts and owners/operators of landfills and incinerators to make educational materials available on the prohibition. The ban becomes effective July 1, 2025.

As needed, the SWWG will continue providing feedback to NHDES on its work to reduce the toxicity in the waste stream and related outreach and education efforts.

### **Reducing the Municipal Waste Stream**

In an effort to support engagement by municipalities in solid waste reduction, the SWWG supported the introduction and passage of [HB 1371](#), allowing municipalities to include a section on solid waste reduction goals in their master plans. Such a waste reduction section may include goals for increasing reuse, recycling, composting, or hazardous waste and electronic waste management. The bill became effective September 24, 2024.

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

### **Food Waste Reduction and Diversion**

In 2023, the SWWG supported the introduction and passage of two bills to advance food waste diversion, both of which were incorporated into and passed with the state budget. HB 300 prohibited the disposal of food waste by one-ton generators under specified circumstances, and HB 462 appropriated \$1 million to the [Solid Waste Management Fund \(SWMF\)](#), at least 50% of which will support food waste management projects. Pursuant to HB 300, as adopted in the budget, NHDES hired a Food Waste Diversion Specialist in August 2024 to oversee the establishment and administration the SWMF grant program, as well as the food waste disposal ban. The funding for that position currently is paid for by the SWMF.

The State of New Hampshire Comprehensive Climate Action Plan (CCAP) is an added tool that will be used to address food waste diversion. Food waste was identified as a significant contributor to greenhouse gas emissions (GHG) in the [State of New Hampshire Priority Climate Action Plan \(PCAP\)](#). While NHDES did not receive a U.S EPA [Climate Pollution Reduction Grant](#), to implement GHG reduction measures in the PCAP, the SWWG will support NHDES as they move forward with incorporating food waste into the state's CCAP due December 2025.

### **Statewide Waste Characterization and Generation Study**

In 2023, the SWWG supported NHDES's application for SWIFR grant funding to complete waste characterization and generation studies. The EPA awarded a SWIFR grant to NHDES for \$572,065 to conduct these studies, which are foundational to many actions in the SWMP. Work on the waste characterization study—New Hampshire's first—began in 2024.

### **Solid Waste Community Engagement**

As solid waste issues have gained increasing attention in New Hampshire, SWWG members have been 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 community discussions.

### **Focus Areas for the Upcoming Year**

As the SWWG enters its fourth year, it looks forward to continuing its efforts to meet its ongoing statutory responsibilities. This includes supporting NHDES in its implementation of the recently passed solid waste legislation banning intentionally-added PFAS (HB 1649), banning the disposal of lithium-ion batteries (HB 1386), and allowing towns to include waste reduction goals in their master plans (HB 1371), as well as its work relating to the food waste. The SWWG also looks forward to working with NHDES re planning based on the results of the Statewide Waste Generation Study.

The group will continue to focus on promoting source reduction, reuse and recycling working with NHDES and the legislature in an effort to limit waste disposal. Given its broad stakeholder membership, the collective expertise makes the group uniquely qualified to assist state leadership with progressing the SWMP goals. In light of the extensive legislative activity on challenging landfill issues, the SWWG believes it has a special role to play focusing on other work to be done to achieve the state waste diversion goals.

This year that SWWG supports the introduction of a bill to pass PaintCare to increase paint recycling opportunities and decrease related costs for residents and businesses. Recognizing that its continued activities are of value, as New Hampshire moves forward on its SWMP, the SWWG also supports introduction of legislation to extend its existence through November 2031, which is five years beyond the current expiration date of November 1, 2026.

Many of the issues noted in [the 2022 Initial Report](#) require on-going work by the SWWG. 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) extended producer responsibility, (5) reducing out of state waste, and (6) reducing toxicity in the waste stream. Among other things, Item #10 on the statutory list of SWWG duties, regarding study of the development of a solid waste site evaluation committee, still requires attention. The SWWG anticipates reviewing the issue in the coming year. The item was added to its list of duties after the SWWG formed, as a result of legislative activity focused on landfills.

The SWWG looks forward to continuing its work to help solve the solid waste challenges in the state.