

HB 1632-FN - AS INTRODUCED

2024 SESSION

24-3141
08/05

HOUSE BILL ***1632-FN***

AN ACT relative to out-of-state solid waste.

SPONSORS: Rep. Rochefort, Graf. 1; Rep. Germana, Ches. 1; Rep. Fedolfi, Hills. 30; Rep. Simpson, Rock. 33; Rep. Massimilla, Graf. 1; Sen. Avard, Dist 12

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill prohibits newly permitted solid waste facilities from accepting more than 15 percent of solid waste transported from out-of-state.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~in brackets and struckthrough.~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to out-of-state solid waste.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Limit on Out-of-State Solid Waste. Amend RSA 149-M:9 by inserting after
2 paragraph XV the following new paragraph:

3 XVI. Any solid waste facility that receives a permit on or after the effective date of this
4 paragraph shall not accept any more than 15 percent of solid waste transported from out-of-state.
5 This paragraph shall not apply to any solid waste facility fully permitted under this section prior to
6 the effective date of this paragraph or any application for expansion of such permitted solid waste
7 facility.

8 2 Effective Date. This act shall take effect upon its passage.

HB 1632-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to out-of-state solid waste.

FISCAL IMPACT: ☐ State ☒ County ☒ Local ☐ None

| Estimated State Impact - Increase / (Decrease) | | | | |
|--|--------------------------|-------------------------|-------------------------|-------------------------|
| | FY 2024 | FY 2025 | FY 2026 | FY 2027 |
| Revenue | \$0 | \$0 | \$0 | \$0 |
| <i>Revenue Fund(s)</i> | None | | | |
| Expenditures | \$0 | Indeterminable Increase | Indeterminable Increase | Indeterminable Increase |
| <i>Funding Source(s)</i> | Various Government Funds | | | |
| Appropriations | \$0 | \$0 | \$0 | \$0 |
| <i>Funding Source(s)</i> | None | | | |

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ No
- Does this bill authorize new positions to implement this bill? ☒ No

| Estimated Political Subdivision Impact - Increase / (Decrease) | | | | |
|--|---------|-------------------------|-------------------------|-------------------------|
| | FY 2024 | FY 2025 | FY 2026 | FY 2027 |
| County Revenue | \$0 | \$0 | \$0 | \$0 |
| County Expenditures | \$0 | Indeterminable Increase | Indeterminable Increase | Indeterminable Increase |
| Local Revenue | \$0 | \$0 | \$0 | \$0 |
| Local Expenditures | \$0 | Indeterminable Increase | Indeterminable Increase | Indeterminable Increase |

METHODOLOGY:

This bill prohibits newly permitted solid waste facilities from accepting more than 15 percent of solid waste transported from out-of-state.

The Department of Environmental Services assumes existing staff would absorb any additional work to update and enforce regulations to reflect the revised statute. There would be no additional expenditures for administration of RSA 149-M and the NH Solid Waste Rules.

The Department is unsure what impact this bill would have on solid waste tipping fees at transfer stations, landfills, and waste-to-energy facilities. It is anticipated that the bill could result in an increase in such fees because it would limit new facilities' ability to accept waste

from any source. Limiting the waste that a facility may accept could prevent a facility from operating at full permitted capacity, thereby increasing unit operational costs. In that case, the Department would expect an increase in expenditures for state, county and local governments that generate and pay for the management and disposal of solid waste. Because the Department cannot estimate the potential increases in tipping fees, it is unable to estimate the potential increase in state, county and local expenditures.

It is assumed that any fiscal impact would occur after FY 2024.

AGENCIES CONTACTED:

Department of Environmental Services