

SB 227-FN-A - AS INTRODUCED

2023 SESSION

23-0966

08/04

SENATE BILL **227-FN-A**

AN ACT relative to an assessment of solid waste facility setback requirements and making an appropriation therefor.

SPONSORS: Sen. Watters, Dist 4; Sen. Perkins Kwoka, Dist 21; Sen. Rosenwald, Dist 13; Sen. Avard, Dist 12; Sen. Chandley, Dist 11; Sen. Carson, Dist 14; Sen. Ricciardi, Dist 9; Sen. Soucy, Dist 18; Sen. Altschiller, Dist 24; Sen. D'Allesandro, Dist 20; Sen. Fenton, Dist 10; Sen. Prentiss, Dist 5; Rep. Ebel, Merr. 7; Rep. J. Sullivan, Graf. 2

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill requires the department of environmental services to contract for an assessment of solid waste facility setback requirements and makes an appropriation therefor.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Three

AN ACT relative to an assessment of solid waste facility setback requirements and making an appropriation therefor.

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

1 1 Solid Waste Facility Setback Requirements Assessment. The department of environmental
2 services shall contract for an assessment of the current set-back requirements that are applicable to
3 the permitting of new solid waste facilities. The department shall prepare by October 1, 2023 a draft
4 request for proposals seeking qualified firms or individuals to conduct the assessment. The
5 department shall accept public comment on the draft for a period of no less than 30 days, and shall
6 issue the final request for proposals by December 1, 2023, with a submission deadline of January 31,
7 2024. The scope of the proposals shall include an assessment of the environmental, safety, and
8 technical aspects of set-back requirements and related protections in current state law and
9 administrative rules that are applicable to the permitting of new solid waste facilities, and any
10 recommendations for changes if determined to be needed. The selected contractor shall complete the
11 assessment and submit a final report to the department within 180 days after contract approval.
12 The department shall make the final report available to the public and accept public comment on the
13 report for no less than 45 days.

14 2 Appropriation; Department of Environmental Services. The sum of \$150,000 for the fiscal
15 year ending June 30, 2023 is hereby appropriated to the department of environmental services to
16 fund a contract for assessment of solid waste facility setback requirements. Such appropriation shall
17 be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the
18 treasury not otherwise appropriated.

19 3 Effective Date.

20 I. Section 2 of this act shall take effect June 30, 2023.

21 II. The remainder of this act shall take effect upon its passage.

**SB 227-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to an assessment of solid waste facility setback requirements and making an appropriation therefor.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$150,000	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	\$50,000	\$100,000	\$0
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill requires the Department of Environmental Services to contract for an assessment of solid waste facility setback requirements and makes an appropriation therefor.

The Department of Environmental Services assumes that existing staff would coordinate preparation of the contract documents, oversee the contract, and coordinate public comment periods. Additional staff time would be required, however existing staff would be temporarily redirected from their regular work to address the requirements of the bill. The Department estimates that the final report would be submitted in August or September 2024, and the final report public comment period would close in October or November 2024.

The Department assumes the bill would not generate additional revenues for the State. The Department further assumes that this bill would not impact county and local expenditures or revenues.

AGENCIES CONTACTED:

Department of Environmental Services