

# New Hampshire

## Contact Information

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## State Policy Snapshot

New Hampshire's solid waste and recycling policy framework includes statutory product bans for toxics in packaging and certain mercury- and PFAS-containing products, a producer-funded mercury thermostat collection program, limited minimum post-consumer recycled content procurement requirements, statutory disposal bans for specific materials that effectively require recycling, and a statutory disposal reduction goal.

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## Product Bans

**Overview:** New Hampshire bans toxics in packaging, certain mercury-containing products, and certain PFAS-containing products under statutory provisions.

| <b><i>Product / Material</i></b>           | <b>Description of Ban</b>                                         | <b>Statute / Program Link</b>                                                                                                 |
|--------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <i>Certain mercury-containing products</i> | Statutory ban on the sale of certain mercury-containing products. | RSA 149-M:53<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-53.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-53.htm</a> |
| <i>Certain PFAS-containing products</i>    | Statutory ban on the sale of certain PFAS-containing products.    | RSA 149-M:64<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-64.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-64.htm</a> |
| <i>Toxics in packaging</i>                 | Statutory ban on toxics in packaging.                             | RSA 149-M:32–40                                                                                                               |

| <i><b>Product / Material</b></i> | <i><b>Description of Ban</b></i> | <i><b>Statute / Program Link</b></i>                                                                                |
|----------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------|
|                                  |                                  | <a href="https://gc.nh.gov/rsa/html/nhtoc/NHTOC-X-149-m.htm">https://gc.nh.gov/rsa/html/nhtoc/NHTOC-X-149-m.htm</a> |

## Product Stewardship

**Overview:** New Hampshire's only active producer-funded stewardship program requires manufacturers of mercury-added thermostats to operate a thermostat collection and recycling program; no other EPR or consumer-fee programs are in place.

| <i><b>Material Category</b></i>   | <i><b>Producer-Funded</b></i> | <i><b>Consumer / Eco Fee</b></i> | <i><b>Both</b></i> | <i><b>Other</b></i> | <i><b>None</b></i> |
|-----------------------------------|-------------------------------|----------------------------------|--------------------|---------------------|--------------------|
| <i>Beverage Containers</i>        |                               |                                  |                    |                     | ✓                  |
| <i>Boat Wrap</i>                  |                               |                                  |                    |                     | ✓                  |
| <i>Carpet</i>                     |                               |                                  |                    |                     | ✓                  |
| <i>Cell Phones</i>                |                               |                                  |                    |                     | ✓                  |
| <i>Electric Vehicle Batteries</i> |                               |                                  |                    |                     | ✓                  |
| <i>Electronics</i>                |                               |                                  |                    |                     | ✓                  |
| <i>Fluorescent Lighting</i>       |                               |                                  |                    |                     | ✓                  |
| <i>Gas Cylinders</i>              |                               |                                  |                    |                     | ✓                  |
| <i>Household Hazardous Waste</i>  |                               |                                  |                    |                     | ✓                  |
| <i>Mattresses</i>                 |                               |                                  |                    |                     | ✓                  |
| <i>Mercury Switches</i>           |                               |                                  |                    |                     | ✓                  |
| <i>Mercury Thermostats</i>        | ✓                             |                                  |                    |                     |                    |
| <i>Packaging</i>                  |                               |                                  |                    |                     | ✓                  |
| <i>Paint</i>                      |                               |                                  |                    |                     | ✓                  |
| <i>Pesticide Containers</i>       |                               |                                  |                    |                     | ✓                  |
| <i>Pharma</i>                     |                               |                                  |                    |                     | ✓                  |

| <b>Material Category</b>                           | <b>Producer-Funded</b> | <b>Consumer / Eco Fee</b> | <b>Both</b> | <b>Other</b> | <b>None</b> |
|----------------------------------------------------|------------------------|---------------------------|-------------|--------------|-------------|
| <i>Rechargeable Batteries (including alkaline)</i> |                        |                           |             |              | ✓           |
| <i>Sharps</i>                                      |                        |                           |             |              | ✓           |
| <i>Solar Panels</i>                                |                        |                           |             |              | ✓           |
| <i>Textiles</i>                                    |                        |                           |             |              | ✓           |
| <i>Tires</i>                                       |                        |                           |             |              | ✓           |

*Producer-Funded: Program in which manufacturers or producers are responsible for financing and/or operating collection, recycling, or disposal of the product or material. Consumer / Eco Fee: Program funded in whole or in part through fees paid by consumers at the point of sale or disposal, such as advance recycling fees, eco-fees, or deposits. Both: Program that includes a combination of producer funding and consumer or eco-fees. Other: Any other active program or regulatory approach not captured in the categories above (e.g., take-back requirements, labeling, disclosure, recyclability standards). None: No statewide producer responsibility, consumer fee, or comparable program in place for the product or material.*

#### **Program Details:**

| <b>Product / Material</b>  | <b>Description</b>                                                                                                        | <b>Program</b>  | <b>Statute / Program Link</b>                                                                                                       |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <i>Mercury thermostats</i> | Manufacturers of mercury-added thermostats are required to operate a mercury thermostat collection and recycling program. | Producer-Funded | RSA 149-M:58-a<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-58-a.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-58-a.htm</a> |

#### **Minimum Post-Consumer Recycled Content**

**Overview:** New Hampshire requires state agencies to procure printing paper with recycled content, though the statute does not specify whether the content must be post-consumer, post-industrial, or a combination of both.

| <b>Product / Material</b>                 | <b>Requirement</b>                                                                                                                                                                                  | <b>Statute / Program Link</b>                                                                                    |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <i>Printing paper (state procurement)</i> | State agencies required to procure printing paper with recycled content but the law does not specify whether the recycled content must be post-consumer, post-industrial, or a combination of both. | RSA 9-C:9<br><a href="https://gc.nh.gov/rsa/html/I/9-C/9-C-9.htm">https://gc.nh.gov/rsa/html/I/9-C/9-C-9.htm</a> |

## Mandatory Recycling Requirements

**Overview:** New Hampshire does not have laws that explicitly mandate recycling. The state has statutory disposal bans for a limited number of waste items, which effectively require recycling but are not defined as mandatory recycling laws.

## Disposal Bans

**Overview:** New Hampshire prohibits disposal of wet-cell and lithium-ion batteries, electronic devices, leaf and yard waste, food waste from generators of one or more tons per week, and mercury-added products.

| <b>Material</b>                                      | <b>Disposal Restriction</b>               | <b>Statute / Program Link</b>                                                                                                      |
|------------------------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <i>Electronic devices</i>                            | Disposal prohibited. Defined terms apply. | RSA 149-M:27, II<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm</a>  |
| <i>Food waste from generators of 1+ ton per week</i> | Disposal prohibited. Defined terms apply. | RSA 149-M:27, V<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm</a>   |
| <i>Leaf or yard waste</i>                            | Disposal prohibited.                      | RSA 149-M:27, III<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm</a> |
| <i>Lithium-ion batteries</i>                         | Disposal prohibited.                      | RSA 149-M:27, II                                                                                                                   |

| <b>Material</b>                       | <b>Disposal Restriction</b> | <b>Statute / Program Link</b>                                                                                                     |
|---------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
|                                       |                             | <a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm</a>                     |
| <i>Mercury-added products</i>         | Disposal prohibited.        | RSA 149-M:58<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-58.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-58.htm</a>     |
| <i>Wet-cell (lead-acid) batteries</i> | Disposal prohibited.        | RSA 149-M:27, II<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-27.htm</a> |

Some of the items listed above (like electronic devices, food waste) are defined terms in the law - see definitions in RSA 149-M:4 (<https://gc.nh.gov/rsa/html/X/149-M/149-M-4.htm>).

## Other Relevant Policies

**Overview:** New Hampshire has a statutory goal to reduce disposal of municipal solid waste and construction and demolition debris by 25% by 2030 and 45% by 2050, measured against a 2018 baseline.

| <b>Policy / Program</b>                  | <b>Description</b>                                                                                                                                                                                                                                                                                                                               | <b>Statute or Program Link</b>                                                                                             |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <i>Statutory disposal reduction goal</i> | Reduce disposal of municipal solid waste and construction and demolition debris by 25% by the year 2030, and by 45% by the year 2050. Reductions are to be measured on a combined basis for both waste categories, and compared against baseline disposal from 2018. Although the goal is contained in statute, it does not establish a mandate. | RSA 149-M:2<br><a href="https://gc.nh.gov/rsa/html/X/149-M/149-M-2.htm">https://gc.nh.gov/rsa/html/X/149-M/149-M-2.htm</a> |

