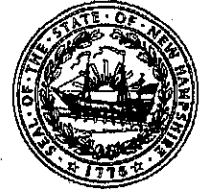




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 27, 2009

Representative Robert Williams, Chair
Transportation Committee
Legislative Office Building, Room 203
Concord, NH 03301

SUBJECT: HB-162 - AN ACT relative to recycled and rebuilt vehicles

Dear Chairman Williams and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 162. This legislation requires owners of facilities that crush, shred, shear or bale end-of-life motor vehicles to provide information to the Department of Safety (DOS) needed to verify that contaminants such as gasoline, oil, chlorofluorocarbons (CFCs), and lead acid batteries were properly removed from a motor vehicle prior to the vehicle being scrapped. The mechanism for reporting the information is an existing mechanism in RSA 261 that requires DOS to be notified when a motor vehicle is destroyed. Through this legislation, the existing notification requirements are being modified to also include contaminant removal information. The Department of Environmental Services (Department) supports this legislation because it enables us to work more efficiently in partnership with DOS to assure that motor vehicles are properly recycled in an environmentally protective manner.

The motor vehicle recycling industry is the leading recycling industry in the United States. Nationwide, millions of motor vehicles reach the end of their useful service lives each year and are sent to motor vehicle salvage yards (MVSYS) where they are dismantled for reuse of parts, subsequently crushed and eventually sent to shredders that recycle them for scrap metal. MVSYS typically recycle between 75% and 85% of the material content of end-of-life vehicles (ELVs), by weight. This contributes significantly toward conserving natural resources and reducing the demand for landfill space.

However, poorly operated MVSYS and crushers can have a serious adverse impact on environmental quality. MVSYS and crushers handle many types of fluids, including gasoline, diesel fuel, motor oil and other oils, lubricants, brake fluids, anti-freeze, and solvents. Each of these has the potential to contaminate groundwater, surface water, and soils if not properly drained, contained, stored, and disposed of or recycled. In addition, motor vehicles contain other hazardous materials, including: mercury in light switches, ABS brake systems, and head lights; lead in wheel weights and lead acid batteries; and CFCs in air conditioning systems. MVSYS and crushers are ultimately responsible for properly removing fluids and other contaminants prior to destruction of the vehicle. The quality of their work is critical to protecting our environment, public health, and safety.

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In New Hampshire, there are over 150 known MVSYS and many other unidentified facilities handling tens of thousands of vehicles annually. Additionally, there are a number of crushers, both stationary and mobile, operating throughout the state. While many MVSYSs are doing a good job complying with environmental protection requirements, over 25% of the known MVSYSs in this state have at one time or another caused groundwater contamination and an even larger percentage has other environmental compliance issues. Poorly operated crushers further contribute to this problem.

This legislation, which is consistent with recommendations recently made by the 2007 legislative Commission to Study Auto Recycling Issues, will improve the Department's ability to implement compliance assurance efforts at MVSYSs. The Department and DOS have discussed ways to share the information that will be gathered by this legislation, and the Department is pleased to report that this new partnership will bring new efficiencies to state government with very little effort. We commend the work of the Commission in this regard and its DOS representatives.

Thank you again for this opportunity to testify in favor of this legislation. If you have any questions, please do not hesitate to contact me or the Director of the Department's Waste Management Division, Michael Wimsatt at 271-2905.

Sincerely,

A handwritten signature in black ink that reads "Thomas Burack". The signature is written in a cursive style.

Thomas Burack
Commissioner

cc: Bill Sponsors: Rep. Knox, Rep. Carr, Rep. Schmidt
Michael J. Wimsatt, P.G., Director, Waste Management Division
Pamela Hoyt-Denison, P.E., Waste Management Division