



Bristol Resource Recovery Facility Operating Committee

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Berlin -
Denise McNair
Town Manager

Branford -
Anthony DaRos
First Selectman
(Treasurer)

Bristol -
Arthur Ward
Mayor
(Vice President)

Burlington -
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First Selectman

Hartland -
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First Selectman

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Mayor

Plainville -
Robert Lee
Town Manager
(President)

Plymouth -
Vincent Festa
Mayor

Prospect -
Robert Chatfield
Mayor

Seymour -
Robert Koskelowski, Sr.
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Town Manager

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First Selectman

Wolcott -
Thomas Dunn
Mayor
(Secretary)

Testimony of the
Bristol Resource Recovery Facility Operating Committee
to the Environment Committee
March 16, 2009

Raised Bill No. 6550, LCO No. 3909

AN ACT ALLOWING THE DEPARTMENT OF ENVIRONMENTAL
PROTECTION TO INSPECT SOLID WASTE FACILITIES AND
INTERMEDIATE PROCESSING FACILITIES

Good morning Senator Meyer, Representative Roy and Members of the Environment Committee. My name is Unk DaRos, the First Selectman of Branford and also currently the Treasurer of the Bristol Resource Recovery Facility Operating Committee (BRRFOC). On behalf of the Bristol Resource Recovery Facility Operating Committee, made up of 14 towns and cities in Connecticut representing over 10% of the state's population, I am presenting testimony on Raised Bill No. 6550, AN ACT ALLOWING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO INSPECT SOLID WASTE FACILITIES AND INTERMEDIATE PROCESSING FACILITIES. We are concerned with the safe, environmental and cost-effective disposal of municipal solid waste and recyclables. In addition, since our Board is comprised of Mayors, Selectmen and Town Managers, we also represent the direct interests of our taxpayers, both residential and commercial.

We oppose this bill because DEP already has all the access rights it needs to insure that these facilities are complying with environmental permits and statutes. Raised Bill No. 6550 would allow for unnecessary and intrusive interference in contractual arrangements that are fundamentally necessary to the continued successful operation of our waste-to-energy facility.

The Bristol Resource Recovery Facility Operating Committee (BRRFOC) was formed in 1985 to facilitate and administer an integrated solid waste program amongst the Contracting Communities. Branford joined in 1991. A number of long-term contracts were entered into at that time, including an Inter-Community Agreement and a Service Agreement with a company currently known as Covanta Bristol to design, own and operate the waste-to-energy facility.

Since 1985, the BRRFOC has served as the agent for the Contracting Communities in matters related to the above contracts. Pursuant to this contract structure, tipping fees paid by the Contracting Communities have remained competitive and reasonable, averaging annual increases of only 1.2% over the past 16 years. Furthermore, the

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Inter-Community Agreement provides that the Chief Elected Official or Town Manager is the municipality's representative to the BRRFOC, resulting in an organization that is responsive to local government's needs.

The BRRFOC believes the state statutes presently authorize the Commissioner of Environmental Protection to enter upon the grounds of any solid waste facility to determine if the facility is in compliance with any and all permits issued by the Department. This bill is superfluous and not necessary. Further, the parties to contract should determine if they are complying with the terms of the contract, and if need be, can seek relief or enforcement in the Courts. This is not an area where the Department needs to be involved, i.e. policing contracts.

Thank you for your consideration. I will be happy to answer any questions you have.