

March 16, 2009

Environment Committee  
Legislative Office Building, Room 3201  
Hartford, CT

Raised Bill No. 995

Senator Meyer, Representative Roy and members of the committee.  
My name is Ray Graczyk and I am President of NLR Inc. which is located at 250 Main Street, East Windsor CT.

I am here today to speak in favor of Raised Bill No. 995

NLR was incorporated in the State of CT in 1994 for the purpose of safely managing spent mercury-containing lamps such as fluorescent, HID and specialty lamps such as U-Bends and compacts. Like all lamp processing facilities throughout the country, NLR generates large quantities of residual glass. Our challenge has been finding markets to recycle this glass. At the beginning of NLR's operation, we were sending our glass to a fiberglass plant in Albany, NY. In 2001, the plant relined its furnaces in order to accommodate bottle glass and they were no longer able to use our glass. Subsequently, the Windsor landfill agreed to accept our residual glass for daily cover as well as aggregate for road construction, a use of which the DEP approved as a special waste authorization.

In May of 2008, NLR was notified that its glass was of no further use to Windsor, as the landfill was preparing to close. I then approached the Manchester landfill to inquire whether they would be interested in using the glass for the same purpose as Windsor, but was turned down because they already received an abundance of material for cover. This left NLR without an outlet for its glass. There were out of state options in New Hampshire and Maine but the cost of transportation was so great that NLR was forced to landfill the material.

I then sought a local solution and found two construction contractors in close proximity that said they would welcome the glass and would use it to supplement material they were using as sub base for roads, driveway and parking lot construction. The only thing I had to do was receive a beneficial use approval from the DEP and my problem was solved. Only then did I discover that the DEP could not issue a beneficial use because they currently have no authority to issue Beneficial Use permits. They did tell me that as of October 1<sup>st</sup> of 2008 they would be able to authorize use of the glass under the authority they received last year to issue permits for demonstration projects for reclaimed materials.

I then proceeded to complete the testing required by the DEP and on December 31<sup>st</sup> of last year was issued a permit for a Beneficial Use Demonstration Project using my glass as aggregate in sub base for pavement. Although this will help in the short term it is not a solution to the problem because the permit is only good for 2 years. This means that if the Department is not granted the authority to issue Beneficial Use Permits by then my company will be right back to where we were in May of 2008.

The cost to NLR for the DEP not having the authority to issue a Beneficial Use Permit when I first approached them in May was great. My company spent \$70,000 between May and December to landfill our glass. Unfortunately this loss of money also resulted in NLR having to lay off two employees.

In closing I would again ask that this bill be passed. It is essential to any industry that produces a product that is not a waste to be able to have markets for its use. It is also in keeping with the goals set forth in the DEP's solid waste plan under the provisions for recycling not to even mention the benefits to the environment for using reclaimed materials. The other benefit would be that CT would now be on equal footing with the surrounding states when it comes to being able to issue these permits and may make a difference when companies look to locate plants that produce byproducts.

Thank you for allowing me to testify today. I would be happy to answer any questions any members might have.