



BRISTOL RESOURCE RECOVERY FACILITY OPERATING COMMITTEE



TUNXIS RECYCLING OPERATING COMMITTEE

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Testimony of the
Bristol Resource Recovery Facility Operating Committee
And the Tunxis Recycling Operating Committee
to the Environment Committee
March 8, 2010

Raised Bill No. 5319

AN ACT CONCERNING RECYCLING, CERTAIN SOLID WASTE
MANAGEMENT REFORMS AND REQUIREMENTS FOR SOLID WASTE
AND ASH RESIDUE FACILITIES

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Warren

Washington

Wolcott

Good morning Senator Meyer, Representative Roy and Members of the Environment Committee. My name is Jonathan S. Bilmes and I am the Executive Director of the Bristol Resource Recovery Facility Operating Committee and the Tunxis Recycling Operating Committee. These two organizations are made up of 16 towns and cities in Connecticut representing over 10% of the state's population. 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 fully recognize that the state of the economy will be front and center during the 2010 session of the General Assembly. But it is important that we remain steadfast in our efforts to ensure that the state's municipal solid waste stream is managed in the safest – and most cost-effective – manner for years to come.

General Comments:

We applaud the Environment Committee for continuing to work to promote recycling related legislation. It is sorely needed. Based on DSM Environmental Services' recent waste characterization study on behalf of DEP, the commercial, institutional and industrial waste stream comprises about 40% of the solid waste generated in Connecticut. We need to recognize that one of the principle methods to significantly increase recycling/diversion rates would be through policies and programs related to commercial, institutional and industrial waste.

We look forward to working with you to address the economics of waste disposal practices to better establish financial incentives to achieve the state-wide solid waste objectives, including the establishment of incentives for small businesses to recycle and

reviewing (and changing, if necessary) state statutes to facilitate municipal oversight and control of commercial and industrial waste services if financial incentives fail or don't materialize. Increased enforcement and education for this sector should also be considered.

Consistent with the above are our recommendations regarding the \$1.50/ton solid waste tax. Presently, this tax is assessed only on MSW delivered to the state's six waste to energy facilities, contributing \$3,300,000 to the DEP. MSW delivered to CT landfills and transfer stations that export out of state¹ (approximately 580,000 tons) is not taxed. In addition, the tax is now assessed on metals recovered for recycling at the waste-to-energy facilities (approximately 50,000 tons). The tax is not assessed on other types of waste (C&D, medical waste, etc).

Recommendations:

1. Support increased stable state funding to assist local governments, regions and the business community to support efforts to increase recycling/diversion rates. Focus on commercial recycling efforts.
2. A significant percentage (>50%) of any new funding should be directed to assist local governments to increase recycling/diversion rates.
3. Tax Equity: Apply the \$1.50/ton uniformly on all MSW generated in the state, regardless of final disposal location *and* remove the tax on metals recovered for recycling.
4. Use the additional net revenue generated (approximately \$795,000) by the uniform application of the tax to fund local and regional recycling efforts.

Specific Comments on Raised Bill 5319:

Adding New Materials

We recommend that a six month window be provided for adding new materials after establishment of service by the regional or local processing center. The proposed legislation has a three month phase-in period. In many circumstances, the three months will be adequate but the additional three months will allow for vendor negotiations, public education efforts and budget adjustments (if necessary).

¹ A small amount of MSW is driven directly out of state and is also not assessed the fee.

Municipal registration and reporting requirements

We should be looking for ways to reduce municipal reporting requirements, not increase them. The proposed bill greatly expands the municipal responsibilities for hauler registration and reporting. This could be considered an unfunded mandate for many towns and cities. Further, the only enforcement mechanism in the proposed bill is a penalty on municipalities if they fail to provide this data.

Program Review and Investigations Committee staff, in their study of municipal solid waste management services in CT, feels this hauler information would be more effectively and efficiently gathered by a state agency such as DEP. The recommendation to impose this burden on towns and cities is an ill-advised fallback position.

Further, it is unclear if all the data that is supposed to be gathered will, in fact, determine if non-competitive practices exist. The Program Review and Investigations Committee report acknowledges downsides to the proposed approach, including:

“Mandate on local governments; significant opposition from some municipalities could be expected; and “Possible additional costs for DEP to administer and report.”

The entire data reporting system for solid waste and recycling should be revamped in a comprehensive manner. Sections 5(d) and 5(e) of Raised Bill 5301, the subject of a public hearing in Program Review and Investigations Committee today, are important recommendations and should be adopted prior to requiring additional efforts my municipalities.

In addition, we believe that a significant administrative burden on municipalities and DEP can be reduced by changing the recycling/diversion performance metric by focusing on MSW generation rates which are much easier to obtain and measure as opposed to today's system, which requires everyone to count leaves, bottles, and cans. We are pleased that DEP has recently acknowledged the value of the per capita disposal rate as a performance measure.

Thank you. I will be happy to answer any questions.

