AN ACT CONCERNING RECYCLING AND SOLID WASTE MANAGEMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22a-207 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

For the purposes of this chapter, [and] chapter 103b and section 8 of this act:

(1) "Commissioner" means the Commissioner of Environmental Protection or his authorized agent;

(2) "Department" means the Department of Environmental Protection;

(3) "Solid waste" means unwanted or discarded solid, liquid, semisolid or contained gaseous material, including, but not limited to, demolition debris, material burned or otherwise processed at a resources recovery facility or incinerator, material processed at a recycling facility and sludges or other residue from a water pollution abatement facility, water supply treatment plant or air pollution
control facility;

(4) "Solid waste facility" means any solid waste disposal area, volume reduction plant, transfer station, wood-burning facility or biomedical waste treatment facility;

(5) "Volume reduction plant" means any location or structure, whether located on land or water, where more than two thousand pounds per hour of solid waste generated elsewhere may be reduced in volume, including but not limited to, resources recovery facilities and other incinerators, recycling facilities, pulverizers, compactors, shredders, balers and composting facilities;

(6) "Solid waste disposal area" means any location, including a landfill or other land disposal site, used for the disposal of more than ten cubic yards of solid waste. For purposes of this subdivision, "disposal" means the placement of material at a location with the intent to leave it at such location indefinitely, or to fail to remove material from a location within forty-five days, but does not mean the placement of material required to be recycled under section 22a-241b, as amended by this act, in a location on the premises of a recycling facility, provided such facility is in compliance with all requirements of state or federal law and any permits required thereunder;

(7) "Recycling" means the processing of solid waste to reclaim material therefrom;

(8) "Recycling facility" or "recycling center" means land and appurtenances thereon and structures where recycling is conducted, including but not limited to, an intermediate processing center as defined in section 22a-260, as amended by this act;

(9) "Resources recovery facility" means a facility utilizing processes to reclaim energy from municipal solid waste;

(10) "Transfer station" means any location or structure, whether located on land or water, where more than ten cubic yards of solid
waste, generated elsewhere, may be stored for transfer or transferred from transportation units and placed in other transportation units for movement to another location, whether or not such waste is stored at the location prior to transfer;

(11) "Municipality" means any town, city or borough within the state;

(12) "Municipal authority" means the local governing body having legal jurisdiction over solid waste management within its corporate limits which shall be, in the case of any municipality which adopts a charter provision or ordinance pursuant to section 7-273aa, the municipal resource recovery authority;

(13) "Regional authority" means the administrative body delegated the responsibility of solid waste management for two or more municipalities which have joined together by creating a district or signing an interlocal agreement or signing a mutual contract for a definitive period of time;

(14) "Region" means two or more municipalities which have joined together by creating a district or signing an interlocal agreement or signing a mutual contract for a definite period of time concerning solid waste management within such municipalities;

(15) "Solid waste management plan" means an administrative and financial plan for an area which considers solid waste storage, collection, transportation, volume reduction, recycling, reclamation and disposal practices for a twenty-year period, or extensions thereof;

(16) "Municipal collection" means solid waste collection from all residents thereof by a municipal authority;

(17) "Contract collection" means collection by a private collector under a formal agreement with a municipal authority in which the rights and duties of the respective parties are set forth;
(18) "Solid waste planning region" means those municipalities within the defined boundaries of regional planning agencies or as prescribed in the state solid waste management plan;

(19) "Biomedical waste" means infectious waste, pathological waste and chemotherapy waste generated during the administration of medical care or the performance of medical research involving humans or animals and which, because of its quantity, character or composition, has been determined by the commissioner to require special handling but excluding any solid waste which has been classified by the department as a hazardous waste pursuant to section 22a-115 or is a radioactive material regulated pursuant to section 22a-148;

(20) "Generator of biomedical waste" means any person who owns or operates a facility that produces biomedical waste in any quantity, including, but not limited to the following: General hospitals, skilled nursing facilities or convalescent hospitals, intermediate care facilities, chronic dialysis clinics, free clinics, health maintenance organizations, surgical clinics, acute psychiatric hospitals, laboratories, medical buildings, physicians' offices, veterinarians, dental offices and funeral homes. Where more than one generator is located in the same building, each individual business entity shall be considered a separate generator;

(21) "Biomedical waste treatment facility" means a solid waste facility capable of storing, treating or disposing of any amount of biomedical waste, excluding any facility where the only biomedical waste treated, stored or disposed of is biomedical waste generated at the site and any licensed acute care facility or licensed regional household hazardous waste collection facility accepting untreated solid waste generated during the administration of medical care in a single or multiple family household by a resident of such household;

(22) "Throughput" means the amount of municipal solid waste processed by a resources recovery facility determined by dividing the
average annual tonnage of municipal solid waste by three hundred sixty-five days;

(23) "Municipal solid waste" means solid waste from residential, commercial and industrial sources, excluding solid waste consisting of significant quantities of hazardous waste as defined in section 22a-115, land-clearing debris, demolition debris, biomedical waste, sewage sludge and scrap metal;

(24) "Wood-burning facility" means a facility, as defined in section 16-50i, whose principal function is energy recovery from wood for commercial purposes. "Wood-burning facility" does not mean a biomass gasification plant that utilizes land clearing debris, tree stumps or other biomass that regenerates, or the use of which will not result in a depletion of resources;

(25) "Person" has the same meaning as in subsection (c) of section 22a-2;

(26) "Closure plan" means a comprehensive written plan, including maps, prepared by a professional engineer licensed by the state that details the closure of a solid waste disposal area and that addresses final cover design, stormwater controls, landfill gas controls, water quality monitoring, leachate controls, postclosure maintenance and monitoring, financial assurance for closure and postclosure activities, postclosure use and any other information that the commissioner determines is necessary to protect human health and the environment from the effects of the solid waste disposal areas;

(27) "Composting facility" means land, appurtenances and structures where materials from another process or location are recovered using a process of accelerated biological decomposition of organic material under controlled conditions to produce a marketable product.

Sec. 2. Subsection (c) of section 22a-208e of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(c) The owner or operator of any recycling facility which receives for processing or sale the following items generated from within the boundaries of a Connecticut municipality: (1) Cardboard, (2) glass, food and beverage containers, (3) leaves, (4) metal food and beverage containers, (5) newspapers, (6) storage batteries, (7) waste oil, (8) plastic food and beverage containers, and (9) office paper, shall report for each such item the information specified in subsection (a) of this section in the manner set forth in said subsection. If a municipality or collector of recyclable items delivers any of the items listed in this subsection to a recycling facility which is not located in this state, such [municipality or] collector shall notify the commissioner of the name and address of the owner or operator of such facility and shall [ensure, by contract, that such facility has notice of and complies with the reporting requirements of this section] report for each such item the information required pursuant to subsection (a) of this section in the manner prescribed by said subsection. As used in this section, "office paper" means used or discarded white or manila paper including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing and photocopying, which paper is suitable for recycling, but does not mean office paper generated by households.

Sec. 3. Subsection (h) of section 22a-220 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2010):

(h) On or before [August 31, 1991] September 30, 2010, and annually thereafter, each municipality, or its designated regional agent, shall provide a report to the Commissioner of Environmental Protection describing the measures taken during the preceding year to meet its obligations under this section. The commissioner shall provide each municipality with a form for such report by June 1, 1991. Such form may be amended from time to time. Such report shall include, but not
be limited to, (1) a description of the efforts made by the municipality
to promote recycling, (2) a description of its efforts to ensure
compliance with separation requirements, (3) the [amount of each
recyclable item contained in its solid waste stream which has been
delivered to a recycling facility as reported to the municipality or its
designated regional agent by the owner or operator of a recycling
facility pursuant to section 22a-208e or by a scrap metal processor
pursuant to section 22a-208f, and (4) the amount of solid waste
generated within its boundaries which has been delivered to a
resources recovery facility or solid waste facility for disposal as
reported to the municipality or its designated regional agent by the
owner or operator of the resources recovery facility or solid waste
facility pursuant to section 22a-208e] name and address of the first
destination of each type of recyclable material generated within its
borders and collected for recycling and the name and address of the
first destination of municipal solid waste generated within its borders
and collected for disposal, as reported to the municipality or its
designated regional agent by the owner or operator of the receiving
facility pursuant to section 22a-208e, as amended by this act, or by the
collector delivering the material to such destination pursuant to
subsection (j) of section 22a-220a, as amended by this act, (4) the actual
or estimated amount of each type of recyclable material generated
within its borders and collected for recycling that has been delivered
directly to each first destination other than a solid waste facility that
has obtained a permit under section 22a-208a, and (5) the actual or
estimated amount of disposed municipal solid waste generated within
its borders that has been delivered directly to each destination other
than a solid waste facility that has obtained a permit under section 22a-
208a, as reported to the municipality or its designated regional agent
by the collector delivering the material to that facility pursuant to
subsection (j) of section 22a-220a, as amended by this act. If such
amounts of recyclable material or solid waste are unknown to the
municipality, the municipality shall provide the commissioner with
the contact information of the hauler who transported such recyclable
material or municipal solid waste. In the event that the first destination
is a municipal transfer station then the first destination shall be
considered the destination after such municipal transfer station. For
the purposes of this subsection, "collector" has the same meaning as
provided in subsection (g) of section 22a-220a.

Sec. 4. Subsection (d) of section 22a-220a of the general statutes is
repealed and the following is substituted in lieu thereof (Effective July
1, 2010):

(d) (1) Any collector hauling any type of solid waste generated by
residential, business, commercial or other establishments, including, but not limited to, recyclables generated within the borders
of a municipality, shall register in such municipality and disclose the
name of any other municipality in which such collector hauls such
solid waste.

(2) On or before July 31, 2011, any such collector shall report to the
municipality (A) the types of solid waste, including recyclables, as
listed in subsection (c) of section 22a-208e, as amended by this act,
generated within the borders of a municipality and collected by such
collector, and (B) the name, location and contact information for the
solid waste facilities or end-users where such solid waste was
delivered by the collector during the previous fiscal year. Such reports
shall be submitted to the municipality annually, on or before July
thirty-first, and shall provide the information specified in this
subdivision for the prior state fiscal year. Such reports shall be on a
form prescribed by the Commissioner of Environmental Protection
and shall include any other additional information the commissioner
deems necessary.

Sec. 5. Section 22a-220a of the general statutes is amended by adding
subsections (j) and (k) as follows (Effective July 1, 2010):

(NEW) (j) If a collector hauls solid waste generated in this state,
including recyclables as listed in subsection (c) of section 22a-208e, as
amended by this act, from an entity located in the state other than a facility that has obtained a permit or authorization pursuant to this chapter and delivers such solid waste or recyclables to a destination that is an entity other than a facility that has obtained a permit or authorization pursuant to this chapter, then on or before July 31, 2011, and annually thereafter, such collector shall submit a report regarding such solid waste, including recyclables, to the Commissioner of Environmental Protection. Such report shall be on a form prescribed by the commissioner and shall provide such information regarding such solid waste as the commissioner deems necessary, including, but not limited to: (1) The types of solid waste, including recyclables, collected, (2) for municipal solid waste, the municipality of origin of such municipal solid waste including recyclables, (3) the amount by weight, volume or other method acceptable to the commissioner of such solid waste, including recyclables delivered to such destination, and (4) the name, address and contact information of the entity receiving such solid waste or recyclables.

(NEW) (k) If a collector hauls municipal solid waste generated in the state, including recyclables, and delivers such municipal solid waste, including recyclables, to a facility that has obtained a permit or authorization pursuant to this chapter, then upon delivery such collector shall identify to the receiving facility for each load of municipal solid waste or recyclables, as applicable: (1) The originating regional facility, (2) the originating municipality if such waste did not pass through a regional facility, or (3) the originating regional facility or state if such waste originated outside of the state. If such municipal solid waste load comes from more than one municipality, the collector shall estimate the amount of waste from each municipality.

Sec. 6. Subsection (a) of section 22a-241b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2010):

(a) On or before February 1, 1988, the Commissioner of
Environmental Protection shall adopt regulations in accordance with the provisions of chapter 54 designating items that are required to be recycled. The commissioner may designate other items as suitable for recycling and amend said regulations accordingly. On or before October 1, 2011, the commissioner shall amend such regulations to expand the list of designated recyclable items to include: (1) Containers of three gallons or less made of polyethylene terephthalate plastic and high-density polyethylene plastic, (2) boxboard, and (3) additional types of paper, including, but not limited to, magazines, residential high-grade white paper and colored ledger.

Sec. 7. Section 22a-260 of the general statutes is amended by adding subdivision (26) as follows (Effective October 1, 2010):

(NEW) (26) "Composting facility" means land, appurtenances and structures where materials from another process or location are recovered using a process of accelerated biological decomposition of organic material under controlled conditions to produce a marketable product.

Sec. 8. (NEW) (Effective October 1, 2010) Not later than six months after the establishment of service in the state by two or more permitted composting facilities, as defined in section 22a-207 of the general statutes, as amended by this act, that have a combined capacity to service the discarded food residual needs of commercial food wholesalers or distributors, industrial food manufacturers or processors, supermarkets, or resorts or conference centers that each generate an average volume of not less than one hundred four tons per year of discarded food residuals, each wholesaler or distributor, industrial food manufacturer or processor, supermarket, or resort or conference center that generates an average volume of not less than one hundred four tons per year of discarded food residuals shall: (1) Separate such materials from other solid waste, and (2) ensure that such discarded food residuals are recycled at a permitted composting facility that is not more than thirty miles from such wholesaler,
distributor, industrial food manufacturer or processor, supermarket, or resort or conference center, as applicable. Any such wholesaler, distributor, industrial food manufacturer or processor, supermarket, or resort or conference center that establishes an on-site composting facility shall be deemed in compliance with the provisions of this section.

This act shall take effect as follows and shall amend the following sections:

<table>
<thead>
<tr>
<th>Section</th>
<th>Effective Date</th>
<th>Section</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>October 1, 2010</td>
<td>22a-207</td>
</tr>
<tr>
<td>Sec. 2</td>
<td>July 1, 2010</td>
<td>22a-208e(c)</td>
</tr>
<tr>
<td>Sec. 3</td>
<td>July 1, 2010</td>
<td>22a-220(h)</td>
</tr>
<tr>
<td>Sec. 4</td>
<td>July 1, 2010</td>
<td>22a-220a(d)</td>
</tr>
<tr>
<td>Sec. 5</td>
<td>July 1, 2010</td>
<td>22a-220a</td>
</tr>
<tr>
<td>Sec. 6</td>
<td>October 1, 2010</td>
<td>22a-241b(a)</td>
</tr>
<tr>
<td>Sec. 7</td>
<td>October 1, 2010</td>
<td>22a-260</td>
</tr>
<tr>
<td>Sec. 8</td>
<td>October 1, 2010</td>
<td>New section</td>
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**Statement of Purpose:**
To expand certain solid waste management practices and reporting, including recycling and composting.

*Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.*