



TESTIMONY
of the
CONNECTICUT CONFERENCE OF MUNICIPALITIES
to the
ENVIRONMENT COMMITTEE

March 1, 2010

CCM is Connecticut's statewide association of towns and cities and the voice of local governments - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to testify before you on issues of concern to towns and cities.

Proposed House Bill 5120 "An Act Concerning Private and Municipal Recycling, Zoning Ordinances and Solid Waste Collection Contracts."

This bill seeks to implement new requirements as a step towards increasing recycling across Connecticut.

CCM has worked with proponents of this bill and the Department of Environmental Protection (DEP) to fully understand the implications the measures included in this bill would have on local governments and has comments on the following sections of the bill:

Section 2

Would change the reporting requirements for recyclable items reducing the burden on municipalities for tracking destinations of these items. *CCM supports this proposal.*

Section 3

- Would expand the list of items mandated to be recycled. After consulting the results of the DEP survey completed in 2009, it is apparent that those few towns that are not already handling these new items are on their way to doing so. However, we are concerned that municipalities might be faced with limited or no options for in-state disposal of these items. The lack of in-state disposal options would require hauling these items to out-of-state facilities, which could outweigh any tip-fee savings achieved by eliminating them from the solid waste stream. In order to protect against this, *CCM urges the committee to have these new items be effective upon adequate and cost-effective in-state disposal options.* This could be accomplished in the same manner as is currently provided in SB 127 for composting "not later than six months after the establishment of service in the state by two or more facilities" – or – as provided in CGS 22a-256a for nickel-cadmium batteries that such items begin to be recycled "within three months of the establishment of service to such municipality by a regional processing center or local processing system." *The bill should also provide that any municipalities required to recycle new items pursuant to this section not have to do so if it would have an overall negative impact on their budgets.*

- Would require that separate collection containers are used for recyclable items. While it is apparent the intention of this language, there are some solid waste collection programs that require residents to use the same collection bin that is used for solid waste for their recyclables on a designated day other than their normal solid waste pick-up day. This language would disallow this practice and would force these solid waste programs, municipal or private, to procure and distribute additional collection containers. This would create a fiscal burden that would eventually be borne by property taxpayers and consumers. *CCM urges the Committee to delete this provision.*

Section 4

Would place certain restrictions on the authority of local governments to regulate the location of recycling containers. While CCM understands the intention of this section – to ensure that businesses have adequate access to recycling containers - CCM is concerned that the language could be too expansive and have unintended consequences. *CCM urges proponents to seek the input of local planning and zoning officials to ensure the language is accurately drafted to meet the intention without opening to door for abuse.* We offer to work with you to arrange such a discussion so we may work towards a mutually agreeable resolution.

Section 5

Would require that any municipality providing curbside solid waste collection to also provide curbside recycling collection. According to DEP's 2009 survey, it appears that this would not negatively affect any municipality – since all of those who provide curbside collection do both solid waste and recycling. However, we are aware of at least one town – Lyme – that has a unique situation that would be adversely affected by this new requirement. In Lyme, there is one company that residents can contract with to haul their solid waste. The residents pay the collection fee directly to the company but the town pays the tipping fees. Lyme has an exceptional transfer station where recyclables are collected and the town has consistently exceeded the statewide average for recycling. While the bill does provide a caveat that would exempt Lyme from this provision, *CCM is still concerned that there may be other municipal programs that could be unintentionally impacted by this language and we urge you to amend it to protect against that possibility.*

Section 7

Would require that all contracts for the collection of solid waste also make a provision for the collection of recycling. This section would have an adverse affect on at least the Town of Lyme by mandating that the company currently contracting in their town for the collection of solid waste would now also have to collect recyclables curbside. There is no exception included in this section as there is in Section 5. CCM is very concerned that there may be other situations that could be unintentionally impacted by this language. *Therefore, CCM urges this section to be deleted.*

CCM has always been supportive of measures that would encourage increased recycling in Connecticut and will work with proponents of this bill to gather need information to **ensure that no new unfunded mandates are implemented and the goals of the legislation are achieved without unintended consequences.**

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If you have any questions, please contact Kachina Walsh-Weaver, Senior Legislative Associate of
via email kweaver@ccm-ct.org or via phone (203) 498-3026.