STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Public Hearing – March 8, 2010
Program Review and Investigations Committee

Testimony Submitted by Commissioner Amey W. Marrella
Department of Environment Protection

Raised House Bill No. 5301 - AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING MUNICIPAL SOLID WASTE MANAGEMENT SERVICES IN CONNECTICUT

Thank you for the opportunity to present testimony regarding House Bill No. 5301 - AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING MUNICIPAL SOLID WASTE MANAGEMENT SERVICES IN CONNECTICUT. The Department of Environmental Protection (Department) is supportive of many of the proposal's components to encourage and promote implementation of the State Solid Waste Management Plan. However, given the Department's current funding levels any new assignments could not be completed without new resources.

First, let us note that the Department appreciates the Program Review and Investigations Committee staff members' excellent efforts in researching this topic thoroughly and assembling a thoughtful set of findings and recommendations.

We offer the following comments on the proposed bill:

Section 1 requires the commissioner to amend the regulations designating items that are required to be recycled when facility capacity exists and thirty or more municipalities are recycling such item. Based on our preliminary review of available information, the current immediate effect of this requirement would be that the commissioner would be required to revise the list of items to include plastics #1 (PETE) and plastic #2 (HDPE), boxboard, and additional paper types. This result is consistent with the State Solid Waste Management Plan.

The goals of section 2 are consistent with the Department's efforts to develop programs that achieve the goals of the State's Solid Waste Management Plan although we are not certain that formal reviews and reports are necessarily warranted, particular without additional resources to complete the review of the state's policies and development of programs. We note that the Program Review and Investigations Committee staff report initially recommended a funding mechanism of 50 cents per ton on solid wastes delivered to resource recovery facilities for the next five years as a means of providing such resources. This funding mechanism would be used to fund incentive programs developed by the Department; however this mechanism was not accepted by the Committee.

Section 3 seeks a report from the Department on the costs and benefits to the state, municipalities, and waste generators of different methods of removing food waste from the wastestream, as well as potential incentives and guidance to develop the requisite infrastructure to manage such food wastes. The Department's resources would not be adequate to perform this kind of cost-benefit analysis without funding for technical assistance. We support food waste recycling as a key component to reaching the state's source reduction and recycling objectives as reflected in the proposal contained in Raised Senate Bill 127.

The Department is support of the improvements proposed in section 4 to the existing requirements for solid waste collectors to register in the municipalities in which they provide services. The additional information provided to municipalities will assist both the municipalities and the Department with both planning and reporting obligations.

Section 5 seeks a report from the Department on a study of the economic feasibility of the state purchase and ownership of solid waste disposal areas. While we are supportive of the reasoning for this study, but the Department's resources would not be adequate to perform this kind of study without funding for technical assistance.

The Department supports the concepts in Section 6 to improve reporting practices, including requiring the Department to provide for electronic submittal of data to the Department. While this is a goal toward which we are working, we are constrained both financially and technically to carry through with such a requirement and would recommend that this be identified as a goal rather than a requirement.

Sections 7 and 8 are consistent with ongoing efforts at the Department to improve our oversight of programs, however we feel that, unless resources are provided to carry out the reviews specified in these sections that it is not appropriate to place deadlines on such activities. If such deadlines remain it will require reallocation of resources that are currently being directed at implementing the programs which are the target of these program reviews.

We note that various sections of this bill are consistent with various sections of Raised House Bill 5120 - *An Act Concerning Private and Municipal Recycling, Zoning Ordinances and Solid Waste Collection Contracts*, Raised House Bill House Bill No. 5319 - *An Act Concerning Recycling, Certain Solid Waste Management Reforms and Requirements for Solid Waste and Ash Residue Facilities* and the Department's proposal, Raised Senate Bill 127 - *An Act Concerning Recycling and Solid Waste Management*. The Department would be happy to work with the Committee to help to improve this bill and to attempt to harmonize this bill with the others noted above.

Thank you for the opportunity to present the Department's views on this proposal. If you should require any additional information, please contact the Department's legislative liaison, Robert LaFrance, at (860) 424-3401 or Robert.LaFrance@CT.gov.