



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 Program Review and Investigations Committee
March 8, 2010

Raised Bill No. 5301

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM
REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING MUNICIPAL
SOLID WASTE MANAGEMENT SERVICES IN CONNECTICUT

Berlin
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Burlington
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Meriden
Morris
New Britain
Plainville
Plymouth
Prospect
Seymour
Southington
Warren
Washington
Wolcott

Good afternoon Senator Kissel, Representative Mushinsky and Members of the Program Review and Investigations 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 acknowledge the hard work of the Program Review and Investigations Committee staff over the past few years in studying municipal solid waste management services in CT. A number of recommendations from the study have been included in the proposed bill and are positive. Please find brief comments on several sections of the proposed bill. We are always available to meet with you and work on specific language at your convenience.

Specific Comments :

Adding New Materials

We agree that the solid waste management plan and the list of mandated items should be reviewed and updated regularly. We object, however, to the provisions of the proposed legislation that requires DEP to designate a new item for recycling when *one* IPC has the capacity and ability to accept such item *or* 30 or more municipalities are collecting the item. Both of these triggers are problematic and could result in significant additional costs and expenses for municipalities.

Further, if a new item is designated, the proposed bill allows for a three month phase-in period. In many circumstances, the three months will be adequate but we request the language be revised to provide for a six month phase in period. The additional three months will allow for vendor and hauler negotiations, public education efforts and budget adjustments (if necessary).

Flexible Incentive Programs

We support the concept and look forward to working on specific language. The incentives program should be expanded to the commercial and industrial waste disposal sectors, including the establishment of incentives for small business. 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.

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 report on 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 the proposed bill 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.

State Purchase and Hold Study

This is an interesting new concept that deserves further consideration, especially given the recent trend in the state towards private ownership of key disposal facilities.

Reporting Requirement of Greater than 1 Ton

The Program Review and Investigations Committee report indicates that it may be difficult for residential transfer stations or municipal convenience centers to comply with this requirement. In particular, it could impose an unfunded mandate on certain municipalities, especially when dealing with deliveries of brush and tree limbs after a major storm.

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

