



March 8, 2011

Representative Taborsak, Senator Doyle, and members of the General Law Committee
Room 3500
210 Capitol Ave
Hartford, CT 01606

Dear Representative Taborsak, Senator Doyle and members of the Committee on General Law,

Thank you for the opportunity to speak to you today regarding the House Bill 1131, **AN ACT CONCERNING CONSUMER PROTECTION**: specifically, the addition to Section 1. Section 21-11a "The person who delivered such metal shall certify the origin of such metal in writing."

I am the Traffic and Scale Manager of Connecticut Operations for Sims Metal Management, which has metal recycling operations in Stamford, North Haven and New Haven.

I believe that amending the current law to include a provision requiring "the person who delivered such metal shall certify the origin of such metal in writing" would not help stop metal theft and instead add yet one more hardship to the honest recycler that we can ill afford. I believe the only solution to stopping metal theft is to allocate resources to assist local law enforcement to pursue criminals committing these crimes and to enforce the law already in place – specifically by bringing all recyclers in compliance with the current regulations. Additionally, educating the public on safe guarding materials and encouraging vigilance in the general public would stop the matter where it begins – the time and place when the theft occurs.

The major issue we find with this amendment is the fact that the seller of the material could simply lie about the origin of the material. Our scale operators and inspectors are not officers of the law and we do not have the ability or the resources to make every transaction an affidavit. Just as an aside, just our facilities in North Haven and New Haven process more than 400 transactions, totalling more than 1,000 gross tons, daily. Very often we are receiving material by the semi-truck load from other dealers and suppliers, making it impossible to determine the origin of every piece of metal in such a load. One piece of copper pipe is indistinguishable from another, there are no metal fingerprints to discover or metal DNA to test.

At this time, there is uneven application of the current law, Public Act 07-121, that has led to a "push down, pop up effect" on honest recyclers like Sims Metal Management that have fully implemented the law and, as a result, are losing business from honest sellers that are concerned about civil liberties and the onerous amount of documentation involved with transactions.

As many in law enforcement and other agencies can attest, real results can only be achieved through cooperation between recyclers, law enforcement and the affected parties and only with vigilance on part of the public and property owners. We routinely conduct meetings with local trade and business organizations, law enforcement and utilities to further collaborative efforts. Additionally, we would be happy to meet with the members of the Committee and give them a tour of one of our facilities so that they may see firsthand the challenges of enacting this amendment. We have no other objections to the bill except for the provision in Section 1. Section 21-11a.

We continue to work with the law enforcement community and affected industries to make sure scrap metal recyclers across the state are in compliance with Public Act 07-121.
Thank you for your time, I look forward to working with you more on this issue.

Sincerely,

William Rosato
Traffic and Scale Manager - Connecticut
Sims Metal Management