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Environment Committee
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Testimony In Favor of

SB 832 AAC The Protection Of Inland Wetlands And Watercourses

SB 828 AA Establishing A Paint Stewardship Program

SB 58 AA Establishing A Fee For The Use Of Plastic And Paper Bags At
Grocery And Retail Establishments

SB 57 AA Expanding The Beverage Container Redemption System

SB 830 AA Prohibiting The Use Of Certain Outdoor Wood-burning Furnaces

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the volunteer Legislative Chair for the Sierra Club-Connecticut Chapter. I am also a director of Rivers Alliance and of the Quinnipiac River Watershed Association. I hold a Masters of Environmental Management degree from the Yale School of Forestry and Environmental Studies.

SB 832

Protection of a vegetated buffer along streams is an important element in preserving water quality. Science teaches us that the land immediately bordering a stream provides significant filtration of contaminants migrating along with the surface flow of water towards the stream. This concept is an important priority for the environmental community in preserving our natural resources. SB 832 contains language which is somewhat protective. The language should be strengthened.

Passage of this bill will provide a legislative vehicle to enact this important protection.

SB 828

This bill establishes a manufacturer take back program for unused paint. It is the identical bill which passed the House last year, but was not called for a vote in the Senate. Details of the bill have already been negotiated with representatives of the manufacturers.

This bill is an excellent example of extended producer responsibility(EPR), also known as product stewardship. We have become a throw-away consumer society, generating huge amounts of waste, some of it toxic. Slowly, we are beginning to take responsibility for this waste, at both the manufacturing and post-consumer stages. Perhaps the most effective strategy for reducing waste requires making the producers of the waste responsible for its disposal. This is the foundation of EPR, as it provides the most effective incentive for minimal waste production.

There is an additional benefit of EPR. Traditionally, society as a whole has been responsible for paying the costs of disposal. With EPR, the manufacturer must incorporate the disposal costs in the retail cost of the product. This makes the cost to the consumer reflect the true cost of the product. Those products with lower disposal costs will then be more attractive to the consumer. In economic terms, the disposal cost has been "internalized" to the product, rather than "externalized" to everyone.

We have become a throw-away society. Post-consumer use discards have created landfills so extensive that Hartford's is nicknamed "Mt. Trashmore". Our land is so littered that many organizations conduct cleanups. They need to be held annually because the trash mysteriously keeps re-appearing. Floatable trash reaching our waterways has created enormous rotating gyres of debris in the oceans, many miles across. Plastic takes centuries to degrade, if at all. The North Pacific Gyre contains an estimated 100 million tons of plastic debris trapped in a vortex the size of Texas. Aquatic mortality from non-degradable plastic litter has been well documented.

Jurisdictions around the world are acting to limit their use. Washington DC has imposed a fee on each bag. San Francisco has a ban. Los Angeles County bans plastic and imposes a charge on paper. Ireland imposed a steep charge. Italy is the latest, with a ban which started January 1. Bans or fees have been imposed in China, Belgium, Switzerland, Germany, Holland, Spain, Norway, the UK, Taiwan, India, South Africa, to name a few countries. The issue has become so potent that a Goggle search on "plastic bag ban" yields 2,570,000 hits.

The problem unchecked will continue to grow. But we have a solution; source reduction is the answer. We must stop making, using, then discarding material which is guaranteed to eventually foul our world.

Plastic bags constitute a significant part of the debris problem. Paper bags have their own set of environmental consequences, mostly from the manufacturing stage.

To address this problem, we can either impose mandates, or give people an incentive to take action on their own. Sierra favors the latter: impose a charge on both plastic and paper single use bags in places where a re-useable bag is a good alternative. Hopefully, the charge will inspire people to convert to re-useable bags. Those few who do have an appropriate use for the bags will find them available, put at a price. The evidence shows that this strategy has succeeded in many places. We know that people will most readily accept a fee if it goes to a related public good, so use the income for environmental purposes, such as recycling programs administered by the DEP.

The world here seems to be divided into 2 camps: those who believe that a nickel charge is not nearly large enough to change behavior, and those who think it excessive, and economically painful for lower income people. Waiving the charge for those on food stamps or supplemental nutrition assistance is an appropriate solution, which we strongly endorse.

Governance in Connecticut is fragmented and atomized through administration in 169 independent towns. Sierra finds that, in many instances, this "home rule" creates a host of environmental problems. We feel that regional governance covering the entire state, based on the COG model, would serve the state well. In general, practices which vary from town to town may not serve us well. There are those that feel that a pre-emption on municipal bag prohibition is not good policy. But setting policy town by town will certainly create confusion, as people do cross municipal boundaries to shop, and will have to keep track of where bags are banned. While Sierra dislikes such town by town governance in principle, and finds that state residents are very poorly served by such fragmentation, we feel that a town should be allowed to ban bags if they so desire. Such a ban, while potentially confusing, does advance the ultimate goal of minimizing their use.

SB 57

Curbside recycling programs have proven themselves effective in recycling household waste. Efforts to improve the rate of collection, such as single stream, have boosted their effectiveness.

However, there are two fundamental problems. First, many homeowners still do not separate their recyclables. Second, many beverages are consumed outside the home, so the containers never make it back to the home and then to the curbside bins no matter how conscientious the homeowner may be. Innovations such as single stream *only* work on containers found inside the residence. These containers often become roadside and trailside litter. The only way they will be recovered is through an economic incentive. Connecticut recognized this when we enacted the original Bottle Bill in the late 70s. To get the bill passed, a compromise limited its applicability to carbonated beverages. Recently, we expanded it to include non-carbonated water bottles. Now we must complete this 30 year old process and add containers for juices, teas, sports drinks, and other beverages not yet covered. The principle here is exactly the same as for water: get the containers out of the litter stream and into a collection program.

A study by the Container Recycling Institute in 2006 revealed that for every 100 bottles of non-carbonated water sold, there are about 71 bottles of sports drinks, fruit beverages, teas, and energy drinks sold. This means that SB 57 would have almost as much impact as the expansion of the Bottle Bill to non-carbonated water did two years ago.

We must remember that the "fee" imposed is a voluntary one. It can be recovered in full simply by returning the empty container during the next food shopping trip. The fee for a container not returned reverts to the state (as escheats) and goes to support the state's finances. Youth groups and other organizations use collection and redemption of these containers as a fund-raising opportunity.

SB 830

Sierra feels that the use of outdoor wood-burning furnaces(OWF) can pose a significant environmental health risk to neighbors. The high volume of concentrated particulates in the plume can have serious health consequences in addition to nuisance. It has become the standard of care due others in this country that activities which cause harm should not be allowed to continue. Use of OWFs certainly meet that standard. SB 830 is an appropriate legislative remedy, so Sierra recommends passage. Sierra would support use of these furnaces only if effective scrubbers were installed in the stack to completely remove the noxious contaminants in the vent stream.

Sierra has frequently supported efforts to encourage and protect farmland preservation in the state. It is a high priority for the organization, as farming contributes to our environmental quality of life in so many ways. However, we do not feel that support of farming activities requires that farmers benefit from an exemption from each and every regulation. Use of OWFs are in no way a mandatory or irreplaceable component of farming. If a farmer's OWF causes harm to a neighbor, then it should be subject to regulation. This situation may be unlikely, as neighbors in a farming community tend to be widely separated. But, unlikely as the consequences may be, Sierra opposes the language of SB 830 giving farmers a complete and total exemption from the consequences of harm they may cause to others through the use of these furnaces. The farming exemption in section (D)(b) should be stricken in its entirety.

