



**Testimony of Connecticut Fund for the Environment
Before the Environment Committee**

Submitted by Jessica Morowitz, Legal Fellow
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Regarding:

S.B. 87, AN ACT CONCERNING WATER QUALITY CERTIFICATION APPLICATIONS
S.B. 89, AN ACT ESTABLISHING A MATTRESS STEWARDSHIP PROGRAM

Connecticut Fund for the Environment ("CFE") is Connecticut's non-profit environmental advocate with over 5,400 members statewide. For over thirty years, CFE has fought to protect and preserve Connecticut's health and environment.

S.B. 87:

CFE opposes S.B. 87, An Act Concerning Water Quality Certification Applications, because it does not provide appropriate opportunities for public participation. Unless the Committee modifies the bill to include opportunities for public participation, CFE asks the Committee to reject this bill.

As written, the bill provides "applicants" with the right to request a hearing on the application. It does not allow members of the public who may be impacted by the commissioner's decision a similar opportunity to request a hearing. In addition, the bill provides an "applicant" who is aggrieved by the commissioner's final decision a right to appeal that decision to the Superior Court. Again, the bill does not provide a member of the public who may also be aggrieved by the commissioner's final decision a right to appeal that decision to the Superior Court.

The right of the public to request a hearing on such applications and ultimately appeal the decision if aggrieved is important and can be valuable in helping the department to reach an informed decision. There is no question that persons other than the application may be aggrieved by inappropriate activities that have environmental consequences. Connecticut has a long history of allowing hearings and appeals not just for applicants, but for persons that are aggrieved by environmental and land use decisions. There is no reason to depart from this longstanding tradition.

It is important to note that this bill was also raised last session, and was voted out of this Committee with substitute language allowing for an appeal by aggrieved persons. CFE urges this Committee to reject this bill as written and to modify the bill to include these important opportunities for public participation before voting it out of Committee.

S.B. 89:

CFE supports S.B. 89, An Act Establishing a Mattress Stewardship Program and asks this Committee to act favorably on the bill. The bill seeks to establish a program for increased post-consumer collection and recycling of mattresses throughout the state. The bill proposes an Extended Producer Responsibility (“EPR”) system, which is similar to what has already been established for e-waste in Connecticut. This is an important bill with many benefits, including economic and environmental benefits.

Currently, hundreds of thousands of mattresses are disposed of in Connecticut each year. These mattresses can account for a significant portion of collected waste by weight and can cost municipalities and taxpayers millions of dollars. Under the program established by this bill, much of the costs associated with the disposal of mattresses will be shifted from government and taxpayers to private industry. This should also help to combat the problem of illegal dumping of mattresses, since there can be no fee for the acceptance and disposal of mattresses under this bill. In contrast, many municipalities currently charge residents a fee (commonly somewhere from \$10 to \$20) for dropping off a mattress.

In addition to some of the economic benefits, there are environmental benefits as well. This program should help to decrease the amount of actual waste disposed of, in part through increased mattress recycling efforts. This is important since mattresses take up a lot of space at landfills and are cumbersome to manage. In addition, increased recycling will cut down on the long distance transportation of mattresses to landfills, which helps to cut down on associated greenhouse gas emissions.

For the above stated reasons, CFE supports S.B. 89, An Act Establishing a Mattress Stewardship Program. CFE thanks the Committee for its attention on this matter and urges that Committee to vote favorably on this bill.