

Small Business Impact Statement

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the effect of such action on small businesses as defined in C.G.S. Section 4-168a. When such regulatory action may have an adverse effect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: Department of Environmental Protection

Subject matter of Regulation: Regulation Concerning Additions to Designated Recycling Items

In accordance with C.G.S. Section 4-168a, staff analyzed the effect on small businesses of the proposed regulations and determined the following:

Check all appropriate boxes:

- The regulatory action will not have an effect on small businesses.
- The regulatory action will have an effect on small businesses, but will not have an adverse effect on such small businesses.
- The regulatory action may have an adverse effect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially effected small business. Alternatives considered include the following:
- (1) The establishment of less stringent compliance or reporting requirements for small businesses;
 - (2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - (3) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - (4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
 - (5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.
- The regulatory action will have an adverse effect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

Has the State agency listed above notified the Department of Economic and Community Development of its intent to take the proposed action and completed the Agency Fiscal Estimate of Proposed Regulations? The agency will notify DECD at time of public notice.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Environmental Protection _____ Date: 4/12/2011

Subject Matter of Regulation: Regulation Concerning Additions to Designated Recycling Items _

Regulation Section No.: 22a-241b-1 _____ Statutory Authority: 22a-241b [Public Act 10-87] _____

Other Agencies Effected: None _____

Effective Date Used In Cost Estimate: _____

Estimate Prepared By: Mark Latham _____ Telephone No.: 860-418-5930 _____

ESTIMATE OF COST OR REVENUE IMPACT OF PROPOSED REGULATION

Agency: Environmental Protection _____ Fund Effected: Not Applicable _____

	First Year	Second Year	Full Operation
<u>Number of Positions</u>	0	0	0
Personal Services	0	0	0
Other Expenses	0	0	0
Equipment	0	0	0
Grants	0	0	0
Total State Cost or (Savings)	0	0	0
Estimated Revenue Gain or (Loss)	0	0	0
Total Net State Cost or (Savings)	0	0	0

Explanation of State Impact of Regulation:

It is anticipated that existing resources, as available will be used to develop the regulations, provide the necessary outreach and compliance assistance and oversight.

Explanation of Municipal Impact of Regulation:

Almost all municipalities are already collecting the proposed designated recyclable items either curbside or at municipal transfer stations, and the infrastructure to recycle such items is in place. Thus, the fiscal impact on municipalities is expected to be minimal. Some municipalities may have no impact or realize a savings as a result of the new designated recyclable items being recycled with credits received by the recycling facilities and as a result of reduced disposal costs.

The proposed regulation expands the types of items that must be recycled. This is anticipated to result in a savings to municipalities, as it is less expensive to recycle than it is to dispose of trash. Municipal solid waste (MSW) is subject to tipping fees at an average rate of approximately \$57-70/ton. Municipal recycling contracts vary, but range from paying \$40/ton to being paid a rebate of \$17/ton.

Explanation of Small Business Impact of Regulation:

Minimal impact. Potential savings due to reduced costs of managing materials destined for recycling rather than disposal. Also, potential opportunities for small businesses to develop or expand use of recyclable materials, given increased availability of materials to the marketplace.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a? No.