

The Connecticut General Assembly

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Memorandum

To: Legislative Regulation Review Committee
From: Legislative Commissioners' Office
Committee Meeting Date: April 24, 2012

Regulation No:	2012-8
Agency:	Department of Energy and Environmental Protection
Subject Matter:	Updates to the List of Recyclables
Statutory Authority: (copy attached)	22a-241b

	Yes or No
Mandatory	Y
Federal Requirement	N
Permissive	Y

For the Committee's Information:

Substantive Concerns:

Technical Corrections:

1. On page 1, in the introductory language, "Section 1 of section" should be "Section", for proper form.

2. On page 1, in subdivision (1), "As used in this section, boxboard does not include boxboard" should be " 'Boxboard' does not include paperboard", for proper form.
3. On page 1, in subdivision (5), "As used in this section, HDPE containers shall not" should be " 'High density polyethylene container' does not", for proper form.
4. On pages 2 and 3, in subdivision (15), "As used in this section, PET or PETE containers shall not" should be " 'Polyethylene terephthalate container' does not", for proper form.
5. On page 2, in the introductory language of section 2, "Section 2 of section 22a-241b" should be "Section 22a-241b-2", for accuracy.
6. On page 4, in subdivision (2), "[S]ection" should be [Section] section", for proper form, and "of the Regulations of Connecticut State Agencies" should be added after "22a-241b-4", for accuracy.

Recommendation:

<input checked="" type="checkbox"/> Approval in whole
<input checked="" type="checkbox"/> with technical corrections with deletions with substitute pages
Disapproval in whole or in part
Rejection without prejudice

Reviewed by: Bradford M. Towson / Anne Brennan Carroll

Date: April 11, 2012

Sec. 22a-241b. Regulations designating items required to be recycled. Separation of items designated for recycling. Prohibition on combining previously segregated designated recyclable items.

(a)(1) On or before February 1, 1988, the Commissioner of Energy and Environmental Protection shall adopt regulations in accordance with the provisions of chapter 54 designating items that are required to be recycled. The commissioner may designate other items as suitable for recycling and amend such regulations accordingly.

(2) On or before October 1, 2011, the Commissioner of Energy and Environmental Protection shall amend the regulations adopted pursuant to subdivision (1) of this subsection to expand the list of designated recyclable items to add (A) containers of three gallons or less made of polyethylene terephthalate plastic and high-density polyethylene plastic, and (B) additional types of paper, including, but not limited to, boxboard, magazines, residential high-grade white paper and colored ledger.

(b) Any designated recyclable item shall be recycled by a municipality within six months of the availability of service to such municipality by a regional processing center or local processing system.

(c) Each person who generates solid waste from residential property shall, in accordance with subsection (f) of section 22a-220, separate from other solid waste the items designated for recycling pursuant to subdivision (1) of subsection (a) of this section.

(d) Every person who generates solid waste from a property other than a residential property shall, in accordance with subsection (f) of section 22a-220, make provision for and cause the separation from other solid waste of the items designated for recycling pursuant to subdivision (1) of subsection (a) of this section through the use of one or more collection containers for designated recyclable items that are separate from the collection containers for other solid waste. Collection containers that have been used for the collection of solid waste may be converted to containers for the collection of designated recyclable items by labeling or other means to identify that such container is dedicated to collecting designated recyclable items. On and after July 1, 2012, the provisions of this subsection shall also apply to items designated for recycling pursuant to subdivision (2) of subsection (a) of this section.

(e) No person shall knowingly combine previously segregated designated recyclable items with other solid waste.

(f) For the purposes of this section, "boxboard" means a lightweight paperboard made from a variety of recovered fibers having sufficient folding properties and thickness to be used to manufacture folding or set-up boxes.