



Old Town Hall
162 Whisconier Road
Brookfield, CT 06804

☎ 203.775.4539
☎ 203.617.4727
✉ info@hr-ra.org

**Testimony Submitted to the Environment Committee in Support of
HB 5405 - An Act Concerning Applications for New or Expanded Solid Waste Facilities
by the Housatonic Resources Recovery Authority and Member Chief Elected Officials**

We are the municipal Chief Elected Officials and Chairman of the Housatonic Resources Recovery Authority, the regional, governmental, solid waste and recycling administrative organization for eleven municipalities in western Connecticut, including the City of Danbury and the Towns of Bethel, Bridgewater, Brookfield, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield and Sherman. We are writing today in support of HB 5405, An Act Concerning Applications for New or Expanded Solid Waste Facilities.

This legislation would prohibit the consideration of applications for new or expanded solid waste facilities by the Department of Energy and Environmental Protection until such facilities have received all necessary municipal approvals and permits. The effect of this legislation would be to save money for municipalities, for facility developers and for the state.

Under current law, a solid waste facility developer may make application to DEEP for a permit at any time in the process, whether local planning and zoning permits or variances or special permits or whatever is required at the local level have been approved or even applied for. That can result in a DEEP permit to construct a solid waste facility being approved before application is even made at the local level.

In one such recent instance in our region, HRRA had to spend almost \$60,000 in legal fees to have its concerns about the proposed facility heard and addressed through a hearing process at DEEP. The City of Danbury spent a significant amount in legal fees and expert witnesses in the same process and the Housing Authority of the City of Danbury, a nearby property owner, also incurred significant legal fees. The hearing appeals process likely cost the facility applicant tens of thousands of dollars in legal fees and at least three DEEP staff members were involved at every hearing, meeting, site walk, etc. that started in January 2014 and still has not been completed.

In addition, almost all the meetings and hearings on the matter were held in Hartford resulting in significant travel time and expense for the City of Danbury, HRRA, the Housing Authority and the applicant and limiting those members of the public living or working in the vicinity of the proposed project from attending. This all seems like such a waste of time and resources since the City's Planning Commission turned down a smaller version of the proposed solid waste facility a few years ago, the matter went to court, and the City of Danbury prevailed. The status quo really

allows the DEEP permit process to be used as a punitive measure simply to try to run a municipal or public entity's legal budget dry.

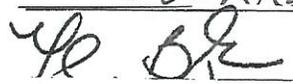
Since local approval will eventually be required prior to construction or expansion of a solid waste facility anyway, even in this case, why not require that to be the first step in the process. That way if the municipality and/or a regional authority have an issue with the proposal it can be settled at the local level in a much less costly and less formal manner than the DEEP hearing process. DEEP would not have to use its limited resources on permit applications that may not eventually receive local approval. And the public and most of those involved would not have to travel to Hartford on a regular basis to deal with what are local concerns.

We ask you to support HB 5405. It makes common sense, something that is all too often lacking in our governmental system, and it makes financial sense for all parties involved. Thank you for your consideration of our position.

Michael Gill, HERRA Chairman, Town of New Fairfield



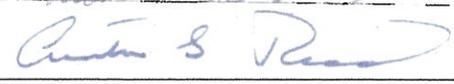
Mark Boughton, Mayor, City of Danbury



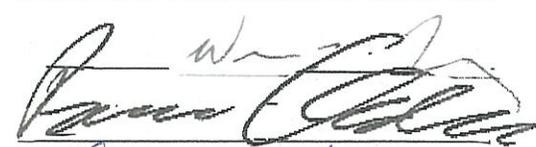
Matthew Knickerbocker, First Selectman, Town of Bethel



Curtis Read, First Selectman, Town of Bridgewater



William Tinsley, First Selectman, Town of Brookfield



Bruce Adams, First Selectman, Town of Kent



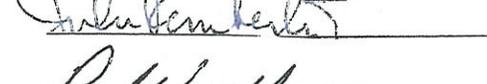
Susan Chapman, First Selectman, Town of New Fairfield



Patricia Murphy, Mayor, Town of New Milford



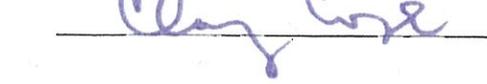
Patricia Llodra, First Selectman, Town of Newtown



Julia Pemberton, First Selectman, Town of Redding



Rudolph Marconi, First Selectman, Town of Ridgefield



Clay Cope, First Selectman, Town of Sherman