



Senate

General Assembly

File No. 374

February Session, 2016

Substitute Senate Bill No. 233

Senate, March 31, 2016

The Committee on Environment reported through SEN. KENNEDY of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING A REDUCTION OF CONSUMER-BASED PACKAGING MATERIALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-255d of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 The Commissioner of Energy and Environmental Protection shall
4 adopt regulations, in accordance with chapter 54, not [earlier] later
5 than October 1, [1991] 2017, establishing standards and requirements,
6 consistent with the provisions of the [state-wide solid waste
7 management plan] Comprehensive Materials Management Strategy
8 adopted pursuant to section [22a-228] 22a-241a, for (1) reducing the
9 volume [or] and weight of [disposable] consumer packaging [material
10 manufactured for domestic, commercial, industrial, government, or
11 other use] in the state's solid waste stream; (2) [enhancing] increasing
12 the recyclability of [disposable] consumer packaging; [material;] and
13 (3) increasing the proportion of recycled [resources] materials used in
14 the manufacture of consumer packaging. [material.] Regulations

15 adopted under this section may (A) require labels indicating (i)
 16 whether such consumer packaging [material] is recyclable and the
 17 quantity of recycled material in [the] such packaging, if any, and (ii)
 18 whether any toxic substance is present in [the] such packaging; (B) set
 19 minimum standards for recycled content in classes of consumer
 20 packaging; (C) establish guidelines or standards for refillable and
 21 reusable [packages] consumer packaging for certain types of goods;
 22 (D) establish guidelines or standards for packaging certain products in
 23 recyclable [packages;] consumer packaging; and (E) prohibit or reduce
 24 the use of substances in consumer packaging [material] to minimize
 25 adverse impacts on the environment, such as the release of toxic
 26 substances from [land disposal or] incineration. [; (F)] Such regulations
 27 shall establish standards, including, but not limited to, performance
 28 targets and parameters for verification of reductions in [for] the
 29 volume [or] and weight of [classes of] consumer packaging [; and (G)
 30 establish standards to minimize the content of toxic substances in
 31 printed materials or products composed of plastics which are generally
 32 disposed of in a resources recovery facility. Such regulations shall not
 33 be inconsistent with preferred packaging guidelines issued by the
 34 Coalition of Northeastern Governors Source Reduction Task Force or
 35 regulations of the United States Food and Drug Administration or any
 36 other federal regulatory agency.] in the state's solid waste stream on
 37 and after January 1, 2024, of not less than fifty per cent of such
 38 consumer packaging. For purposes of this section, "consumer
 39 packaging" means any material, regardless of content or composition,
 40 that is used for the commercial, wholesale or retail: (i) Shipping of any
 41 consumer goods, (ii) immediate covering of any consumer goods, or
 42 (iii) bundling of one or more consumer goods while displaying
 43 graphics, designs, labels or information to attract or inform the
 44 consumer; and "consumer goods" means goods that are used or bought
 45 for use primarily for personal, family or household purposes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-255d

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill revises the current requirement for the Department of Energy and Environmental Protection (DEEP) to adopt regulations on the content, disposal, and recyclability of packaging material.

As (1) the agency has staff with expertise in materials management, (2) there is no deadline for adoption of the regulations, and (3) DEEP is currently updating its solid waste management plan, there is no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 233*****AN ACT CONCERNING A REDUCTION OF CONSUMER-BASED PACKAGING MATERIALS.*****SUMMARY:**

This bill revamps the current requirement for the Department of Energy and Environmental Protection (DEEP) commissioner to adopt regulations on the content, disposal, and recyclability of packaging material. DEEP has not yet adopted the regulations, but the law sets no deadline by which to do so.

The bill shifts the focus of the regulations from disposable packaging material to consumer packaging and establishes an October 1, 2017 deadline for adopting them.

Among other things, the bill requires the regulations to set standards and requirements for reducing, by at least 50%, the volume and weight of consumer packaging in the state's solid waste stream beginning January 1, 2024. The standards must include performance targets and ways to verify the reductions.

Consumer packaging is any material used, whether for commercial, wholesale, or retail, to ship consumer goods; provide immediate covering of consumer goods; or bundle consumer goods with graphics, designs, labels, or information to attract or inform consumers. Consumer goods are goods primarily for personal, family, or household use.

EFFECTIVE DATE: Upon passage

CONSUMER PACKAGING REGULATIONS

In addition to setting standards and requirements to reduce packaging in the waste stream, the regulations must include standards

and requirements to increase (1) consumer packaging's recyclability and (2) the proportion of recycled materials used in consumer packaging manufacturing. They must all be consistent with the state's Comprehensive Materials Management Strategy (see BACKGROUND).

The bill allows the regulations to:

1. require labels stating whether the consumer packaging (a) is recyclable and how much recycled material it contains and (b) contains a toxic substance;
2. set minimum standards for recycled content in classes of consumer packaging;
3. establish guidelines or standards for (a) refillable and reusable packaging for certain types of goods and (b) packaging certain products in recyclable consumer packaging; and
4. ban or reduce using substances in consumer packaging to minimize adverse environmental impacts, such as the release of toxic substances from incineration.

BACKGROUND

Comprehensive Materials Management Strategy

The DEEP commissioner is currently revising the state's solid waste management plan to include a strategy for diverting, through source reduction, reuse, and recycling, at least 60% of solid waste generated in Connecticut by January 1, 2024. The law requires the revision to be completed by July 1, 2016 (CGS § 22a-241a).

Related Bill

sSB 226, reported favorably by the Environment Committee, (1) phases out the use of plastic bags given to customers at certain retail points of sale that are not reusable, compostable, or 100% recyclable and (2) requires an agreement between DEEP and the grocery and retail industries to, among other things, reduce the demand for and

distribution of paper and plastic bags.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/11/2016)