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Testimony of Connecticut Recyclers Coalition To the Environment Committee

SB 226 An Act Concerning Single Use Carryout Bags
SB 232 An Act Concerning Recycling of Consumer Household Batteries
SB 233 An Act Concerning A Reduction of Consumer-Based Packaging Materials
**HB 5385 An Act Concerning the Department of Energy and Environmental
Protection's Materials Management Programs**

March 4, 2016

Dear Senator Kennedy, Representative Albis, and Environment Committee members:

Thank you for the opportunity to present testimony regarding the following four bills today, SB 226, SB 232, SB 233 and HB 5385. The Connecticut Recyclers Coalition is a group of corporate, municipal, institutional, and private members linked by the common interest in promoting and advancing recycling and related issues in Connecticut. Formed in 1989, the CRC assists members in improving their own programs, educating the community, and advocating policies and programs that make recycling more effective and economical.

SB 226: An Act Concerning Single Use Carryout Bags – The CT Recyclers Coalition agrees with the concept of this bill, but feels it falls short of addressing the real challenges with plastic bag and film recycling, and requires work on improving the definitions to correctly represent the intended concepts. Single use plastic bags are very challenging. They create litter, are wasteful, most are not recycled and they are extremely problematic for material recovery facilities where they get tangled in equipment and increase labor costs. This bill initiates the conversation on this topic, but it does not address other film products or the actual recycling of plastic film. Most single use bags are already “100% recyclable”, as called for in this bill, and would therefore be exempt under current definitions. However, their recyclability is compromised when they have been used one or more times, since they are frequently either dirty, wet, or both. Plastic bags can be recycled only when clean and dry.

CRC supports the efforts of CT DEEP to work with industry to increase recycling of plastic film throughout the State through the WRAP (Wrap Recycling Action Program) initiative being implemented spring of 2016. WRAP is an initiative of the Flexible Film Recycling Group of the American Chemistry Council, <http://www.plasticfilmrecycling.org/wrap/wrap-1.html> which seeks to partner with industry members, retail establishments, and government entities. The purpose of this program is to increase public awareness, education, and recycling opportunities for plastic film (including bags).

Instead of SB 226 in its current form, we support monitoring the WRAP effort. Should it not be successful, CRC would advocate for EPR (Extended Producer Responsibility) legislative initiatives that would encourage reduced use of plastic film and increase recycling through a manufacturer operated and financed program, as part of a larger packaging EPR initiative.

It should also be noted that CRC does not support the repeal of section 22a-255e which requires retail establishments that offer plastic bags to customers to also offer paper bags and to inform customers that they have a choice. Even though this section is not properly enforced, it is important that unless bags are banned totally, that customers are provided a choice.

SB 232: An Act Concerning the Recycling of Consumer Household Batteries – CRC is opposed to this legislation. This proposal is unworkable and would be extremely costly for municipalities. Stakeholders have been working on this issue for nearly three years. It is disappointing that this bill does not incorporate any of the key elements outlined by the stakeholder group. We are not aware of any stakeholders supporting this legislation. For details, CRC will defer to the CT Product Stewardship Council and the CT DEEP who are very actively engaged with the efforts on batteries.

SB 233: An Act Concerning A Reduction of Consumer-Based Packaging Materials – CRC supports the concept of this legislation with modifications. The current draft of CT DEEP’s Comprehensive Materials Management Strategy (CMMS), also known as the State Solid Waste Management Plan, addresses packaging EPR as one of its means of meeting the state’s aggressive goal of 60% recycling by 2024. A paradigm shift is underway in the solid waste industry. Where we once managed solid “waste”, we now seek to examine the life cycle of the materials we use. From this changed vantage point, the Department of Energy and Environmental Protection issued this draft “Comprehensive Materials Management Strategy”. Packaging, by its very nature as the material that surrounds the products we use, rather than a desired product in and of itself, should be a major target of any system to reduce and reuse materials.

Any modifications to the CMMS should be proposed through the comment process, open through April 22, 2016, rather than through a legislative requirement to start the process over. The CMMS proposes to study and produce action for implementation of a packaging EPR system rather than just assess the viability of such a system (as this bill proposes). We suggest adding language to this bill to require the CT DEEP to host a Packaging Dialogue. The CT DEEP has a process of including all stakeholders that has been used for paint, mattresses and e-waste that is outlined in the draft CMMS plan. This process should be used for packaging.

We also support using this bill or HB 5385 to change the wording from “State-wide Solid Waste Management Plan” to “Comprehensive Materials Management Strategy” wherever it appears in existing legislation.

HB 5385: An Act Concerning the Department of Energy and Environmental Protections Materials Management Programs – CRC supports this legislation. This bill would add language so that small facilities, and technologies not envisioned in earlier permitting regulations, can play a role in materials management. Considering the change in the way materials are handled, it is vitally important that it is possible for smaller facilities to get permitted and built. Currently the permitting process is geared toward larger facilities requiring more oversight, and thus is burdensome and too expensive to support innovation. If the State wants to continue to see more source separation of materials to recycle, we need to support small innovative programs, technologies, and facilities. This will support new jobs, more recycling and composting, and help us get to 60% by 2024.

Sincerely, Kim O’Rourke & Virginia Walton, CRC Co-Presidents