



# Senate

General Assembly

**File No. 212**

January Session, 2019

Substitute Senate Bill No. 234

*Senate, March 28, 2019*

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

***AN ACT ESTABLISHING A PILOT PROGRAM FOR CURBSIDE FOOD WASTE COLLECTION USED IN ANAEROBIC DIGESTERS.***

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

1 Section 1. (NEW) (*Effective October 1, 2019*) Notwithstanding the  
2 provisions of chapter 446d of the general statutes, the Department of  
3 Energy and Environmental Protection shall establish a municipal  
4 curbside food waste collection pilot program. Such pilot program shall  
5 consist of three municipalities that are located not more than twenty  
6 miles from a permitted and operational anaerobic digester in the state.  
7 The Commissioner of Energy and Environmental Protection shall  
8 provide for the coordination among such municipalities, the  
9 department, collectors of solid waste and the owner or operator of  
10 such anaerobic digesters to establish the separate curbside collection of  
11 food waste from subscribed or designated residential customers of  
12 such collectors for a six-month period and for the use of such  
13 separately collected food waste in such anaerobic digester. Each  
14 collector shall provide each residential customer of such collector who

15 participates in such pilot program with educational materials that  
 16 instruct such residential customer on how to properly participate in  
 17 such program and segregate food waste for collection. Additionally,  
 18 each residential customer who participates in such pilot program shall  
 19 be provided a countertop compost bin and certified compostable bags  
 20 by such collector at no charge or a reduced charge. The Commissioner  
 21 of Energy and Environmental Protection shall submit a report, in  
 22 accordance with the provisions of section 11-4a of the general statutes,  
 23 to the joint standing committee of the General Assembly having  
 24 cognizance of matters relating to the environment on the status of such  
 25 pilot program and any recommendations for continuation or  
 26 expansion of such pilot program. Such report shall be submitted to  
 27 said committee not later than February 1, 2020. For purposes of this  
 28 section, "certified compostable bag" means any bag made from  
 29 materials that are compostable to ASTM D6400 standard and third-  
 30 party BPI Certified, certified as home compostable by TUV  
 31 Compostable Home Certification and that contain a minimum of forty  
 32 per cent plant-sourced renewable content and that are green or brown  
 33 in color.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	New section

**Statement of Legislative Commissioners:**

"Section 1." was inserted for proper form.

**ENV**      *Joint Favorable Subst. -LCO*

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:**

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$
Department of Energy and Environmental Protection	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 20 \$	FY 21 \$
Various Municipalities	Potential Savings	Minimal	Minimal

**Explanation**

The bill requires the Department of Energy and Environmental Protection (DEEP) to establish a six-month municipal curbside food waste collection pilot program involving three municipalities located within 20 miles from a currently permitted and operational anaerobic digester.<sup>1</sup>

Under the bill, DEEP must coordinate the municipalities, solid waste collectors, and the anaerobic digester's owner or operator, to separately collect food waste from subscribed residential customers for use by the anaerobic digester. There is no cost to the municipalities or DEEP as: (1) the organics food waste counter top bin and compost bags, and (2) collection of the waste are the responsibility of the operator of the anaerobic digester.

To the extent that this new program diverts some amount of organic food waste (MSW) out of the MSW stream, the municipalities selected

<sup>1</sup> There is one such facility: Quantum Biopower in Southington.

for the program may attain some savings from reduced tipping fees. The amount of savings is anticipated to be minimal. Currently, MSW is subject to tipping fees at an average rate of approximately \$57-70/ton. It is estimated that there is currently over 500,000 tons of food waste in the MSW stream annually.<sup>2</sup>

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the amount of MSW diverted.

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<sup>2</sup> Connecticut Department of Energy and Environmental Protection, 2015 Statewide Waste Characterization Study, Final Report, March 15, 2016.

**OLR Bill Analysis****sSB 234*****AN ACT ESTABLISHING A PILOT PROGRAM FOR CURBSIDE FOOD WASTE COLLECTION USED IN ANAEROBIC DIGESTERS.*****SUMMARY**

This bill requires the Department of Energy and Environmental Protection (DEEP) to establish a six-month municipal curbside food waste collection pilot program. The pilot program must involve three municipalities located within 20 miles from a permitted and operational anaerobic digester in the state. (There is currently one such facility: Quantum Biopower in Southington.)

Under the bill, DEEP must coordinate amongst it, the municipalities, solid waste collectors, and the anaerobic digester's owner or operator, to separately collect food waste from subscribed or designated residential customers for use by the anaerobic digester.

The bill requires the appropriate solid waste collectors to provide their participating residential customers with:

1. educational materials on how to properly participate in the program and segregate food waste for collection and
2. for no charge or a reduced charge, a countertop compost bin and certified compostable bags.

Lastly, the bill requires DEEP's commissioner to report to the Environment Committee by February 1, 2020 on the program's status and any recommendations for continuing or expanding it.

EFFECTIVE DATE: October 1, 2019

**CERTIFIED COMPOSTABLE BAG**

Under the bill, a “certified compostable bag” is a bag made from materials that are (1) compostable under the ASTM D6400 standard (2) certified by the Biodegradable Products Institute (BPI), and (3) certified as home compostable by TUV Compostable Home Certification (see BACKGROUND). The bags must also have at least 40% of plant-sourced renewable content and be green or brown in color.

**BACKGROUND**

**ASTM**

ASTM International, formerly known as the American Society for Testing and Materials, is a non-profit, international organization that provides a forum to develop and publish voluntary consensus standards for materials, products, systems, and services.

ASTM D6400 is the standard specification for solid material biodegradation by composting which is necessary for labeling plastics as able to be aerobically composted in municipal or industrial facilities.

**BPI**

BPI is a certifier of compostable products and packaging. Products and materials must be tested for purposes of identifying, and verifying claims of, whether they are compostable. The certification process is based on ASTM test methods and specifications.

**TUV**

TÜV AUSTRIA Belgium is a certifier of bioplastics, including compostable products. Its compostable home certification requires at least 90% degradation over 12 months at ambient temperature.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable  
Yea 28 Nay 0 (03/08/2019)