AN ACT CONCERNING THE PERMITTING FOR CERTAIN SOLID WASTE FACILITIES AND THE DESIGNATION OF RECYCLABLE ITEMS.

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

Section 1. Section 22a-6ee of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

Notwithstanding any provision of the general statutes, whether received before, on or after May 29, 2018, the Department of Energy and Environmental Protection shall [make best efforts to review and] make a final determination on each of the following types of permit applications not later than ninety days after receipt of such application provided such application is complete and conforms with applicable provisions of the general statutes and any regulation adopted pursuant to such provisions: (1) Air permits for the temporary use of radiation DTX or the temporary use of radiation RMI issued pursuant to section 22a-150, (2) aquifer protection registration issued pursuant to section 22a-354i-7 of the regulations of Connecticut state agencies, (3) certificate of permission issued pursuant to section 22a-363b, (4)
disposal of special waste issued pursuant to section 22a-209 and any
regulation adopted pursuant to said section, (5) collecting waste oil or
petroleum or chemical liquids or hazardous waste issued pursuant to
section 22a-454, (6) E-waste: Manufacturer issued pursuant to section
22a-630, (7) emergency discharge authorization issued pursuant to
subsection (a) of section 22a-6k, (8) online sportsmen licensing system,
(9) state park passes and bus permits issued pursuant to section 23-26,
(10) state parks and forests special use licenses issued pursuant to
section 23-11, (11) leases of camping sites issued pursuant to sections
23-16 and 23-16a, (12) boating permits issued pursuant to section 15-
140b, (13) safe boating certifications issued pursuant to section 15-140e,
(14) marine event permits issued pursuant to section 15-121-A6 of the
regulations of Connecticut state agencies, (15) marine dealer
certificates issued pursuant to section 15-121-B5 of the regulations of
Connecticut state agencies, (16) navigation marker permit issued
pursuant to section 15-121-A5 of the regulations of Connecticut state
agencies, (17) regulatory marker permit issued pursuant to section 15-
121-A5 of the regulations of Connecticut state agencies, (18) water ski
slalom course or jump permit issued pursuant to section 15-134, (19)
inland fishing licenses issued pursuant to section 26-112, (20) marine
recreational and commercial licenses, (21) hunting and trapping issued
pursuant to section 26-30, (22) nonshooting field trial issued pursuant
to section 26-51-2 of the regulations of Connecticut state agencies, (23)
private land shooting preserve permit issued pursuant to section 26-48,
(24) regulated hunting dog training applications issued pursuant to
sections 26-49, 26-51 and 26-52, (25) scientific collection permit for
aquatic species, plants and wildlife, and for educational mineral
collection issued pursuant to section 26-60, (26) commercial fishing
licenses and permits issued pursuant to section 26-142a, (27) nuisance
wildlife control operator issued pursuant to subsection (b) of section
26-47, (28) taxidermist issued pursuant to section 26-58, [and] (29)
wildlife rehabilitator issued pursuant to section 26-54, and (30)
management of new or existing environmental projects conducted by
one or more municipalities, including, but not limited to, construction
and operation of a solid waste transfer station, recycling or compost
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50 facility and modifications or additions to a publicly owned treatment
51 works. [Unless an applicant provides the] The department [with
52 additional time, in writing, the department] shall ensure that all
53 deficiencies in any of the applications for a permit described in this
54 section are identified and the applicant notified, in writing, of such
55 deficiencies not later than ninety days after the department received
56 such application.

57 Sec. 2. Subdivision (28) of section 22a-207 of the general statutes is
58 repealed and the following is substituted in lieu thereof (Effective
59 October 1, 2019):

60 (28) "Designated recyclable item" means [an item designated for
61 recycling by the Commissioner of Energy and Environmental
62 Protection in regulations adopted pursuant to subsection (a) of section
63 22a-241b, or designated for recycling pursuant to section 22a-208v or
64 22a-256] materials that are (A) reasonably and economically
65 recoverable in such a manner that the recovery, processing, marketing
66 and transport of such materials to end markets does not increase costs
67 to businesses, municipalities, institutions or residents in the state, (B)
68 demonstrated to have an existing market, and (C) designated by the
69 Commissioner of Energy and Environmental Protection as such
70 pursuant to regulations adopted by the commissioner pursuant to
71 subsection (a) of section 22a-241b, as amended by this act;

72 Sec. 3. Section 22a-208e of the general statutes is repealed and the
73 following is substituted in lieu thereof (Effective October 1, 2019):

74 (a) The owner or operator of each resources recovery facility and
75 each solid waste disposal area shall submit [a report to] an electronic
76 report to the Internet web portal established by the Commissioner of
77 Energy and Environmental Protection quarterly with respect to the
78 calendar quarter beginning on October 1, [1989] 2019, and each
79 calendar quarter thereafter, on or before the last day of the month
80 immediately following the end of each quarter. [Such report shall be
81 on a form prescribed by the commissioner and shall provide such
information the commissioner deems necessary, including but not limited to, the amount of solid waste, by weight or other method acceptable to the commissioner, received from each municipal or other customer. Such report shall also include for each Connecticut municipality the total amount of solid waste originating therefrom. The owner or operator shall submit to each such municipality a copy of all such information pertaining to the municipality. At the discretion of such owner or operator, a paper copy of such report may be submitted in lieu of such electronic report provided each report submitted by such owner or operator utilize a standardized form that is identical for each facility of such owner or operator. Any report submitted pursuant to this subsection shall be posted on the department's Internet web site not later than sixty days after receipt and in a manner that enables such owner or operator to verify that the department has correctly recorded the information provided by such owner or operator. In the event that the department is unable to establish an effective Internet web portal for the optional electronic submission of such reports, the reporting requirements of this subsection shall be suspended until such time as such an Internet web portal is established by the department. The Commissioner of Energy and Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, to establish the data required to be reported pursuant to this subsection provided, if precise data are not available, the owner or operator may use a method of estimating acceptable to the commissioner.

(b) The commissioner may require the owner or operator of any other solid waste facility and, consistent with the requirements of subsection (c) of this section and section 22a-208f, the owner or operator of any recycling facility to report the information specified in subsection (a) in the manner set forth in said subsection. Such requirement shall be made by written notification to the owner or operator of the facility.

(c) The owner or operator of any recycling facility which receives for processing or sale the following items generated from within the

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boundaries of a Connecticut municipality: (1) Cardboard, (2) [glass],
food and beverage containers, (3) leaves, (4) metal food and beverage
containers, (5) newspapers, (6) storage batteries, (7) waste oil, (8)
plastic food and beverage containers, and (9) office paper, shall report
for each such item the information specified in subsection (a) of this
section in the manner set forth in said subsection. If a municipality or
collector of recyclable items delivers any of the items listed in this
subsection to a recycling facility which is not located in this state, such
municipality or collector shall notify the commissioner of the name
and address of the owner or operator of such facility and shall ensure,
by contract, that such facility has notice of and complies with the
reporting requirements of this section] the data required by regulations
adopted pursuant to subsection (a) of this section. As used in this
section, "office paper" means used or discarded white or manila paper
including, but not limited to, paper utilized for file folders, tab cards,
writing, typing, printing, computer printing and photocopying, which
paper is suitable for recycling, but does not mean office paper
generated by households.

Sec. 4. Subsection (a) of Section 22a-241a of the general statutes is
repealed and the following is substituted in lieu thereof (Effective
October 1, 2019):

(a) (1) On or before July 1, 2016, the Commissioner of Energy and
Environmental Protection shall revise the state-wide solid waste
management plan adopted pursuant to section 22a-228 to include a
strategy for diverting, through source reduction, reuse and recycling,
[not less than] approximately sixty per cent of the solid waste
generated in the state after January 1, 2024. Such strategy [shall] may
include [, but not be limited to,] modernization of solid waste
management infrastructure throughout the state through the efforts of
private, public and quasi-public entities, promotion of organic
materials management, the recycling of construction and demolition
debris, the development of intermediate processing centers [,
recommendations for the development of municipal or regional
recycling programs, options for local compliance of municipalities
with recycling requirements] and the composting of solid waste. The commissioner shall consult with municipalities in developing any revision to the state-wide solid waste management plan and with the Connecticut Agricultural Experiment Station on issues related to composting.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, the commissioner shall temporarily suspend activities and expenditures of the department's staff and consultants not employed by the state who are engaged in conducting studies, outreach and research related to the recycling strategies of the state-wide solid waste management plan until the commissioner examines the costs of such studies, outreach and research and the staff resources of the department to undertake initiatives pursuant to this section. The commissioner shall report the results of such examination, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment not later than October 1, 2019. During any such suspension, the commissioner shall direct such staff to improving the amount of time required by the department to issue permits pursuant to this chapter.

Sec. 5. Section 22a-241b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2019):

(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.] "designated recyclable item" has the same meaning as
provided in section 22a-207, as amended by this act.
This act shall take effect as follows and shall amend the following sections:

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<thead>
<tr>
<th>Section</th>
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<th>Section</th>
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<tbody>
<tr>
<td>1</td>
<td>October 1, 2019</td>
<td>22a-6ee</td>
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<tr>
<td>2</td>
<td>October 1, 2019</td>
<td>22a-207(28)</td>
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<td>3</td>
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<td>22a-208e</td>
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<td>4</td>
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<td>22a-241a(a)</td>
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<td>5</td>
<td>October 1, 2019</td>
<td>22a-241b</td>
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**Statement of Purpose:**

To (1) require final determinations on certain permits of the Department of Energy and Environmental Protection within ninety days of the submission of such permit applications, including certain solid waste management facilities and publicly owned treatment works, (2) redesignate recyclable items, (3) reallocate department staff resources concerning solid waste management, and (4) revise certain reporting requirements of resources recovery facilities.

*Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.*