AN ACT CONCERNING RECYCLING PLANS FOR PAPER AND PACKAGING AND ESTABLISHING CERTAIN MUNICIPAL SOLID WASTE MANAGEMENT GOALS.

SUMMARY

This bill requires paper and packaging producers to develop plans aimed at meeting the following three objectives: (1) increasing the recycling of their products, (2) decreasing the products’ disposal, and (3) decreasing municipal costs to manage the products when they are no longer used. The bill exempts small producers from this requirement.

The bill establishes a procedure for developing the plans and sets out the plans’ required content. It requires the Department of Energy and Environmental Protection (DEEP) commissioner to submit recommendations to the Environment Committee on ways that the producers can meet the three objectives. The committee must hold a public hearing on the recommendations.

The bill also creates, for planning purposes, the following goals for disposal of municipal solid waste from residential sources on an annual basis:

1. not more than 700 pounds per capita by January 1, 2022, and
2. not more than 500 pounds per capita by January 1, 2024.

Under the bill, failing to meet these per capita goals does not subject a municipality to DEEP enforcement.

The bill requires each solid waste collector (i.e., “hauler”) that collects solid waste generated in the state to annually report to the DEEP commissioner on all of the solid waste, including recyclables, it collects.
Lastly, the bill requires DEEP, within available resources, to provide municipalities with technical assistance for organics management, waste reduction, and recycling systems improvements.

EFFECTIVE DATE: Upon passage

PAPER AND PACKAGING RECYCLING PLANS

Producers

Under the bill, paper or packaging producers are those who:

1. manufacture paper or packaging for use in a commercial enterprise and sell, offer for sale, or distribute it in the state under the manufacturer’s brand;

2. are not manufacturers but are the owners or licensees of a registered or unregistered trademark under which paper or packaging is used in a commercial enterprise, sold, offered for sale, or distributed in the state; or

3. import paper or packaging into the state for use in a commercial enterprise or for sale, offer for sale, or distribution in the state.

The bill delineates “small producers” as producers that are charitable tax-exempt organizations with gross revenues of less than $1 million in the state during the most recent calendar year and produced less than one ton of packaging or paper that was or will be used in a commercial enterprise or sold, offered for sale, or distributed in the state.

Under the bill, if a small producer operates under a franchise agreement, then the producer, the franchisor, and any other party with whom the franchisor has a franchise agreement regarding the same paper or packaging product is considered a single producer.

General Requirement

The bill requires each paper and packaging producer or its designee, but not small producers, to work in consultation with DEEP on a plan to do the following:
1. increase the recycling of the producer’s products,

2. decrease the products’ disposal, and

3. decrease the cost to municipalities for the products’ end-of-life management.

Under the bill, the plans must be submitted to DEEP and the Environment Committee by December 31, 2020.

“Packaging” includes any material, substance, or object used to protect, contain, or transport a commercial commodity or products, regardless of recyclability or the availability of a market for the recycled material, substance, or object. “Paper” is any kind of paper that has print, except paper that could become unsafe or unsanitary to recycle due to its intended use.

**Plan Content**

The bill requires any plan to provide the following information:

1. each producer participating in the program;

2. how participating producers will evaluate the plan’s effectiveness, implementation, and enforcement;

3. a description of the proposed program’s financial aspects, including how it will be financed;

4. a description of performance goals and how the goals will be met during the program’s first two years;

5. the proposed recycling and processing facilities to be used by the program; and

6. how the program will advance the goals of the state’s solid waste management plan.

Under the bill, the plan must (1) be designed to avoid negative economic impacts to the state’s waste haulers and recycling businesses and (2) provide details on financing any proposed programs for
packaging and paper end-of-life management.

**Reporting and Public Hearing**

The bill requires the DEEP commissioner, by July 31, 2020, to submit to the Environment Committee an interim report on the progress of the producers’ planning efforts. The commissioner must also submit recommendations to the Environment Committee by January 1, 2021, on the ways that the producers will meet the three objectives of increasing recycling, decreasing disposal, and decreasing municipal costs for managing used products.

The bill requires the Environment Committee to have a public hearing within 65 days after receiving the recommendations.

**SOLID WASTE COLLECTOR REPORTING**

The bill expands an existing requirement for solid waste haulers to report on the solid waste they collect that is generated in the state.

Current law requires the haulers to annually report to the DEEP commissioner on the solid waste, including recyclables, they collect from, and deliver to, facilities without a state solid waste management permit or authorization. The bill requires the haulers instead to annually report on all solid waste transported, beginning by October 1, 2019.

Existing law, unchanged by the bill, requires the reports to provide the following information:

1. types of solid waste collected;
2. for municipal solid waste, the originating municipalities;
3. solid waste amount by weight, volume, or other acceptable method; and
4. name, address, and contact information for the entity receiving the solid waste or recyclables.

**BACKGROUND**
Solid Waste Management Plan

By law, the state’s solid waste management plan provides goals and strategies and establishes a priority order for managing solid waste generated in the state. The plan serves as a basis for guiding policy decisions on solid waste reduction, reuse, recycling, and disposal.

Among other things, the plan includes a strategy for diverting, through reduction, reuse, and recycling, at least 60% of solid waste generated in Connecticut after January 1, 2024 (CGS §§ 22a-228 and 22a-241a).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 29  Nay 0  (03/25/2019)