CHAIRPERSON: Representative Mike Demicco

SENATORS: Cohen, Kushner, Miner

REPRESENTATIVES: Gresko, Harding, Arconti, Borer, Dillon, Dubitsky, Gucker, Haskell, Hayes, Horn, Kennedy, MacLachlan, McGorty, Michel, Mushinsky, O’Dea, Palm, Piscopo, Rebimbas, Reyes, Ryan, Simms, Vargas, Wilson, Young

REP. DEMICCO (21ST): Good morning, thank you all for being here this morning. I’d like to convene the Public Hearing for Monday, March 11, 2019 of the Environment Committee. First a couple of housekeeping details. I want to make you aware that we do have an overflow room, so Committee Room 1C is an overflow room. It has audit so you won’t miss anything, any of the testimony. So if you don’t have a seat you might want to consider going to Room 1C.

So the again housekeeping, we are required to do this. In the interest of safety please note the location of and access to the exits in this hearing room. The two doors through which you entered the room are the emergency exits and are marked with exit signs. In an emergency, the door behind the Legislators, over there, can also be used. In the event of an emergency please walk quickly to the nearest exit. After exiting the room please proceed
to the main stairs and follow the exit signs to one of the fire stairs, quickly exit the building and follow any instructions from the Capital Police. Do not delay and do not return unless and until you are advised that it is safe to do so. In the event of a lockdown announcement please remain in the Hearing Room, stay away from the exit doors and seek concealment behind desks and chairs until an “All Clear” announcement is heard. Hopefully we won’t need any of this but, just in case.

So for those of you who are not used to our procedures the first hour of the Hearing is reserved for public officials, legislators, elected officials and so forth. After the first hour of the Hearing, we then alternate between public officials and members of the public. You will notice that legislators will be coming in and out all day long. Legislators have other Committee meetings to attend. They have hearings to attend so don’t take that as an indication of lack of interest on their part, they have many responsibilities and they will be going in and out throughout the day. The members of the public have a three minute time limit. We do have a little egg timer to time you. Once your time is up the buzzer will go off, I will ask you to summarize and then legislators may want to ask you questions about your testimony. We ask that everyone be respectful of other people’s opinions, no cheering, no booing, no applause. We don’t want anyone to feel intimidated so say what you have to say but please don’t express opinions of other peoples testimony. We really want to make everyone feel comfortable. So we’re gonna do the Bills, we will hear the testimony on the Bills in the order that they are listed on the Agenda. We do have one
special arrangement that I am going to turn to now. We have three students that are going to come here and testify on House Bill 1003 and their names are Mackenzie, Beatrice and Adrianna and I would invite them to come up to the microphone. Good morning and welcome and don’t be nervous. We’re happy to have you all here and it looks like you have a support group behind you as well, that’s great. So anytime you’re ready please proceed.

MACKENZIE CORKINS: Thank you for this opportunity, Representative Demicco, Senator Cohen and Committee. I am Mackenzie Corkins.

BEATRICE HAYHURST: I am Beatrice Hayhurst.

ADRIANNA CICCOTELLI: I’m Adrianna Ciccotelli.

MACKENZIE CORKINS: As eight graders we are representing the students of Lee H. Kellogg School in Falls Village, Connecticut. We are speaking on behalf of Senate Bill 1003 concerning the use of single use plastic bags.

Connecticut has a bad habit, we use over one-billion plastic bags every year. Forty years ago plastic bags didn’t even exist. As Generation Z we believe that any habit can be broken. We don’t want to see plastic bags where they don’t belong, in the trees, along our roadways, in our costal waters and shoreline nor in the bellies of marine life. We have big imaginations. We think about millions of possibilities for the future that could affect the lives of not only animals in the environment but humans too. If we truly want to make America great again we have to change back to the sustainable practices of our grandparents who used their own canvas bags or baskets to take home their groceries.
As Greta Sundberg, a 15-year-old Swedish environmental activist said, “We don’t need hope, we need action!”

BEATRICE HAYHURST: In have come to defend on cheap plastic bags but some our options that we have are much better for the environment such as these hand-sewn feedbags. In Falls Village we are taking action as a community to reduce waste and spread awareness. Cities like Great Barrington, Massachusetts, West Port and Greenwich, Connecticut and the States of California and Hawaii and 32 countries have successfully banned plastic bags already. We need to join them. We are using a massive amount. Each year the average family uses about 1,500 plastic bags. Plastic bags are made from nonrenewable fossil fuels. It takes twelve million barrels of oil to make the amount of bags used in the U.S. each year. It takes 1,000 years for one plastic bag to degrade. We don’t have 1,000 years to waste.

ADRIANNA CICCOTELLI: People might ask won’t the ban hurt our economy? You can’t breathe or eat money. Moreover the costs of waste disposal and recycling continue to grow. We need this earth in order to survive. It is our responsibility to do our part. Connecticut is a Constitution State and the Connecticut promises to “Promote the general welfare for ourselves and our prosperity.” We want to protect our people and this is how we do it. People of my generation need you to pass a single plastic bag ban this year. We deserve a change to enjoy our world.

BEATRICE HAYHURST. Thank you again for letting our young voices be heard.
REP. DEMICCO (21ST): Thank you, all for coming up here to testify. But, don’t go away I suspect some Committee members might have questions for you. But thank you for your very well done presentation. So Committee members. Representative Michel.

REP. MICHEL (146TH): Thank you, Mr. Chair. Thank you to you for coming to testify. It is heartwarming to see you representing the future, talking about the single use ban, single use plastic bag ban and also thank you on behalf of tons of volunteers across the State who spend their weekends cleaning up beaches and parks. And so thank you again.

REP. DEMICCO (21ST): Thank you, Representative. Representative Horn. Did you want to?

REP. HORN (64TH): Yes, I just want to burst with pride and thank you all for being here today and for your advocacy which really made a difference to me and the facts that you brought to the situation and your, not just your passion for the subject but your thoroughness and your research and your tenacity. So you make our community proud. Thank you for being here.

REP. DEMICCO (21ST): Thank you, Representative. Representative Gucker.

REP. GUCKER (138TH): Thank you for coming up today. And I want to echo everything that has been said. It’s funny a few minutes ago I was talking about how when I was your age, back in, well a long, long time ago how we used to do recycling and how we would have to go to the recycling center and separate our different color glass, and different color, you know, metals and things like that. One thing I do
want to get from you is I want to know how to make those feedbags because I have about 50 or 60 empty chicken feedbags I don’t know what to do with, so before you go. I want to find out how to do that and maybe recycle those, cause I just can’t seem. I don’t want to toss ‘em into the landfill but they don’t recycle ‘em either so I’d like to know that. But I also want to say keep up the good work. It’s voices like yours that need to be heard because you are the future and you’re the one that has to take care of this mess after we’re done with it and we don’t want to leave it worse off than when we got it. I think it’s expiring that I’m seeing some of the feelings of the 60s and 70s about recycling, about taking care of this earth coming back around again to our younger generation. So I want to encourage you to keep going with what you’re doing and let’s get this thing done and thank you for coming.

REP. DEMICCO (21ST): Thank you, Representative. Senator Miner.

SENATOR MINER (30TH): Thank you, Mr. Chairman. I would also like to thank you for taking the time to come here today. As we’ve debated the notion of banning plastic bags over the last probably six or seven years here, there have been some impediments along the way and there has also been some technology developed along the way. So with regard to the technology my question is do you view plastic as a form or do you view plastic that might actually make use of other technologies such as plant oil as being just as bad for the environment if it were to be consumable by the same organizations that consume plants? So in my compost pile when I put out my vegetables and food scraps the organisms decompose
them and then I use it as fertilizer. It’s my understanding there are similar form bags being produced in Europe that may actually be as digestible to those worms and insects. Do you see them as being a possible solution or should they be banned as well?

BEATRICE HAYHURTS: We think that anything that’s better for the environment is something that we would go with.

SENATOR MINER (30TH): Thank you and I also have, I think might have been 4H or somebody actually was giving away those grain bags so we might be able to make a connection for those of us that collect ‘em. I’m sure my chickens would prefer to see them turned into something reusable, if they survive the weasel today. Thank you.

REP. DEMICCO (21ST): Thank you, Senator. Any other Committee members have any other questions, comments? I just wanted to say, thank you to each and everyone of you for coming here to testify and for making us think about things. I appreciate the fact that you brought props, props are always good. But in this case they’re not just props. They are what we need to move to in the future. So, thank you for doing that. I suspect that you are not yet through. I suspect that some members of the media may wish to talk to you before you leave today, so keep that in mind. But Representative Borer.

REP. BORER (115TH): I just wanted to thank you very much for coming and can you all hold your bags up one more time, I didn’t get to see all those props? Thank you.
REP. DEMICCO (21ST): Well the rest of this hearing is going to be anticlimactic after this I suspect. [Laughter] But thank you, thank you for coming and sharing with us today. Good Luck. The future is looking bright. So, we now go to the list of elected officials and so forth, so the first and it looks like we’re signed up in tandem here, it would be Don Stein and Dick BARLOWE.

DON STEIN: Obviously we have Chairman Demicco here and some of the other Members and I want to thank you for the opportunity to appear this morning. My submitted testimony was rather lengthy so I’ll try to summarize that and be a little bit quicker. My name is Don Stein and I am First Selectman from Barkhampsted and I’ve served as the Chair of MIRA since 2012. Dick BARLOWE who is with me is the former First Selectman of Hamden and was a waste manager bureau chief for DEEP so he has a long experience in dealing with solid waste management.

The reason we’re here is today to testify in opposition to House Bill 7293 which we believe sets an extremely negative precedent in which we and many of the First Selectmen that I’ve talked to represents bad public policy. Basically the Bill would give DEEP the unilateral authority to order, and I want to emphasize the word “order” to execute a contract regardless of our statutory charter or our concerns for the financial well-being of our customers. The Bill amends Public Act 1494 which called upon DEEP to conduct a request for proposals to redevelop the Connecticut solid waste system. Upon conclusion of the RP process, DEEP was to select a final proposal and direct Mirror to enter an agreement with the applicable respondent. The RP indicated that the terms of the final project, shall
be subject to an agreement with the selected proposed MIRA and that MIRA is ultimately responsible for the final contract negotiations and execution.

As I believe you know, we are a quasi-public organization, statutorily charged by the legislature to execute public policy for sound, solid waste disposal. We serve the resident, the businesses, municipalities within an efficient solid waste disposal and recycling service and we have 51 municipalities, scores of private haulers and probably when you add up all the people that we service, it totals a million residents. We’ve been in business for about 40 years. The solid waste system is the remaining component of our responsibility and we believe that we understand the facility and that the model we’re created for regionalization is done at a reasonable and the lowest possible cost to our municipalities. The Board has nine members, two ad hoc members, almost all of them are former or current First Selectmen and mayors, a city council member, a former legislator. All of these members have been appointed by legislative leaders and the governor and it’s a very dedicated volunteer organization and we have a capable professional staff.

Under the current law we are ultimately responsible for the final contract negotiations and execution. The statutory change, as I read it, is so intended to take the authority of the board and pass it on to DEEP counter to the fact that MIRA Board and it’s officials are highly qualified, deliberate and have the statutory authority to negotiate a contact with the private developer to undertake the redevelopment. The facility clearly is in need of
upgrade. It is an ancient facility and as many of you are probably aware, we did have some outages this year which were unfortunate and very expensive but we believe that the project needs to take place in accordance with the statutes that are in place today with the main issue being the best interest of the member towns and the taxpayers. If DEEP were to be given the authority to order MIRA to enter into a contract not consistent with our Charter nor the Board’s authority there is probably no reason for MIRA or the Board to exist. So we request that this Bill withdrawn or significantly rewritten and if there is a desire by the legislature to modify the MIRA Charter or to privatize this facility it do so with full consideration for the impact it would accrue to the state’s residents not by a single sentence in the Bill that does not provide the necessary analysis or rationale. Thank you for your time and consideration and we’d be happy to answer any questions you might have.

REP. DEMICCO (21ST): Thanks, Don. Appreciate it. Do Committee members have any questions? Representative Gresko.

REP. GRESKO (121ST): Thank you, Mr. Chair. So it would seem to me that the impetus to create a Bill like this is the length of time it’s taking to create a contract between yourselves and Rooney. So what’s takin so long? I mean what is taking so long? It’s been how many years now that you’ve been working on this, so please educate me?

DON STEIN: Well I think the impetus has taken a longtime. We do not believe that the current proposed contract is consistent with the Statutes that are in place. We don’t believe that the
proposed contract provides enough information that we can go to the towns, the member customers and assure them that they are being given the best financial deal possible. We today are a net cost of operations organization which means that we do not take any profit. We tried to get enough financial data, we’ve tried to get enough operational data so that we could satisfy first our Board and then the towns that this is in their best interests. And I’m not saying it isn’t. But we’ve had a lot of trouble getting data to support that and I think Dick has been involved in all the negotiations, every minute of every meeting and he might be able to elaborate on that a little bit more.

DICK BARLOWE: If I could add one of the key components that the Board has been trying to do is to do due diligence in terms of the proposal that the vendor has put forward. We’ve had difficulty getting some of the information we need to make that determination. We have found some significant issues in terms of the proposal as it was presented to us and in fact some of the issues that we have raised and some of the due diligence that has been done by the vendor since they were selected has changed some of the components and we’re trying to put ourselves in the position where the fiduciary responsibility we have as members of the Board would allow us to approve a contract.

REP. GRESKO (121ST): So is your fear that if this Bill passes and DEEP gets the authority that they are going to pass whatever is on the table at this given moment with Rooney and you’re gonna have to go back and make it work with your municipalities?
DICK BARLOWE: Well the fear I have is that presently the wording directs the MIRA Board to enter into negotiations. Order to me is a very strong term. If you look at the existing Statutes 22A-208 which is referenced deals with the Commissioner having the authority to take actions against the municipalities and others. The Bill that’s crafted before you today 7293 would also now give the Commissioner the powers under 22-225 to enter in to an order that the MIRA Board executes a contract and under 22A-26a there are penalty provisions associated with that. So I find that very strange that it would be a Bill that would order a quasi-agency operating in the best interests of its municipal customers to be subject to those kind of provisions.

DON STEIN: If I may add on to that, one of the things that concerns us is we are a quasi-public and it would be, in my opinion, a very bad precedent for DEEP to order a statutorily foreign agency to enter into a contract even if the board members felt that it was not in the best interests of the member towns. So the Bill as crafted I think is a bad precedent. I’m personally optimistic that we can come to an agreement but we want to answer all the questions so that all the other board members will have that same feeling and would be able to vote for the contract. But to date we haven’t gotten enough information in our opinion to make that recommendation to the board or for the board to vote on it.

DICK BARLOWE: And if I could add, there is also some provisions without going into detail on the negotiations quite frankly that I think the board
members would have great difficulty in feeling they are protecting the best interests of our customers.

REP. GRESKO (121ST): Thank you, Mr. Chair. Far be it from the legislature to tell you you’re taking too long to do.

REP. DEMICCO (21ST): Thank you, Representative. Other Committee members questions? Senator Miner.

SENATOR MINER (30TH): Thank you, Mr. Chairman. So I’m trying to remember the plant was down for a period of time? Is that correct?

DON STEIN: Yes, the plant was down for several weeks. We had one of the waste energy plants, one of the turbines was down for routine maintenance and we had an unexpected failure of the second turbine so that plant was completely down. It’s now after spending a lot of money transporting, storing, moving trash and doing the repairs it is back fully up and operating and going in the right direction again.

SENATOR MINER (30TH): And so during that period of time was MIRA cited by the agency under an order for any violation?

DON STEIN: No.

SENATOR MINER (30TH): And so, through you, Mr. Chair. Is there a kind of a middle ground here in your eyes where the legislature should expect that this process moves along because in its current configuration, I think there are a number of people that are worried, and if that is the case where the legislature and the administration think we’ve got to try and move this process along in someway is there a better approach that we could take or?
DON STEIN: I think where we’re at today, and I’m sure the Commissioner when she testifies she will speak to it, we are meeting with great regularity with the Commission, her staff, with Sacyr Rooney the contractor in a very honest effort to move this forward to see if we can get our questions answered to see if they think it is a good business deal for them and we are hoping to have it, a sound answer one way or another as soon as possible. So I think with the Commissioner’s dedication to this and our dedication into it, hopefully we will have a, we will know one way or another. If it turns out it is not a good deal and we have to go back to ground zero, then we may need some help from the legislature but today we’re making as diligent an effort as we can to move it forward and bring it to resolution.

SENATOR MINER (30TH): So again, through you, Mr. Chairman. You know our timeframe is that I think that we probably either need to take some action or not take some action in the next couple of weeks. I’ll speak for myself, I don’t want to be viewed as the heavy hand but at the same time if we chose not to move a Bill along in some form or fashion, the pressure so to speak kind of comes off, you know. So if we were to move a Bill with the understanding that we’re open to the conversation, we want to try and help, not hurt any sense of how the member communities would view that?

DON STEIN: Without knowing the language you might propose it is a hard question to answer. I think right now the Board of Directors, looking at the current deal as it’s structured don’t feel that it is a good proposition for the towns without more information without more financial due diligence. A
couple of weeks from now hopefully we will know more and at that point, you know, might make sense to do something. I don’t know what that is but I think this Bill as it’s stated, has one sentence totally changing the Charter of this quasi-public agency and I think that would set a very bad precedence and I think it is not good public policy that is separate and distinct from the fact that we do feel the urgency and we feel the need to make this deal happen or if it doesn’t happen because of business reasons that we go onto the next one and we have to do that as quickly as possible because the plant is getting older. Right now we’re happy that both turbines are operating as they are supposed to and we are burning down the backlog of trash. But, we did have to raise the fees cause the cost of the outage almost brought us to the point where we had no more cash reserve and so we’re hanging on by our fingernails until we can get this thing fixed in a couple of years.

SENATOR MINER (30TH):   Okay. If you have an alternative proposal in terms of language that we could consider between now and the time, the end of our Committee process gets here my concern is that if we held the Bill that creates a visual and if we pass the Bill as it is that creates a visual. I’m not saying that I’m willing to do either but at least if there is an alternative we have sometime if you could make a recommendation I would certainly consider it.

DON STEIN: And the conversations I’ve had with the commissioners I hope if there is going to be alternative language that we can convene together with them, come together on the language that
satisfies both DEEP and MIRA. I’m hoping that happens.

SENATOR MINER (30TH): Okay. Thank you.


SENATOR COHEN (12TH): Thank you, Representative Demicco. I apologize I walked in during your testimony and unfortunately testifying in another room. But I just wonder and perhaps you went over this, but how long has MIRA been negotiating at this point with Sacyr Rooney?

DICK BARLOWE: Oh, it’s been in excess of a year.

SENATOR COHEN (12TH): Okay and do you feel that you’re making progress towards a completion of a contract?

DICK BARLOWE: I think we’re making progress but there’s still some significant issues that the Board feels the need to be addressed in terms of the framework of that public-private partnership.

SENATOR COHEN (12TH): And do you think that there is the potential for somebody to come in and help move that process along, from outside perhaps, the agency or do you see a way in which the legislature could potentially help at some point?

DICK BARLOWE: I think that is the role that DEEP has been trying to take, a facilitator in negotiating the contract. If I could point out that prior to 1494 being passed the MIRA Board had identified the need in our 10-year plan to undertake upgrades to the existing facility given it’s age and the status of the equipment that we’re using. Quite frankly this process has slowed down the re-facility
work that we would have planned to go through the process that was entailed in 1494 to select a vendor, have DEEP make recommendations. It wasn’t 1494 that all of a sudden turned on the switch that something needed to be done, we’d identified that and we were working to go forward under the existing authorities that MIRA has for financing and development to make those changes. So you shouldn’t look at this process as all of a sudden facilitating the need to do something we’d identified previously.

SENATOR MINER (30TH): Okay and so all parties are really in agreement that something needs to take place but we just need to get there, is that what sort of what’s?

DICK BARLOWE: It’s how we get there and what the structure of that document looks at. As a former First Selectman I am acutely aware of the impact that signing a multiyear contract has on a municipality and the ability to deliver that to your citizens depends on being able to a great extent quantify what the expenditures of that contract are going to be. And one of the difficulties is being able to establish the terms and conditions with the vendor which the tip fees could be raised. Under the current MIRA structure we operate on a net-cost of operation where every year we have to evaluate what the cost is going to be to operate the facility and then that is the cost that we passed on in the tip fee to our customers. In the event there are surpluses by statute we are mandated to return those back to the municipalities. So one of the difficulties I see is not so much the technical components of the proposal but the financial arrangements they’re going to give assurances to municipalities that if they enter into a long-term
deal it’s going to be one where they know what the future consequences are.

SENATOR COHEN (12TH): Could you tell me, am I correct in that there are 50 member towns that?

DON STEIN: There’s actually 51 member towns.

SENATOR COHEN (12TH): Okay, 51 member towns.

DON STEIN: Fifty one member towns and when you take all the private haulers who bring from some of those member towns and some nonmember towns we process under 700,00 tons a year of solid waste. We also for example, we provide recycling at no cost to our member towns who have contracts that run for about another six or seven years. The tip fee that we charge is as Dick said the net cost of operation but it does include the cost of recycling and everyday you read in the newspaper some town who is not a MIRA member is paying an exorbitant amount to get rid of its recyclables because the recyclable market is going down. So we’ve done, I think, a pretty good job of controlling costs until we had this unexpected expenditure this year and it’s very specific though we take no profit. We have a contractor we pay in accordance with the contract. Their return on their investment is based on the contract we have. So the contractual terms with Sacyr Rooney at least as proposed is somewhat different that what we’ve done traditionally. We’re trying to understand the business implications of that and the financial implications of the towns. For example in our tip fee we include the cost of transportation so if you deliver to a transfer stating in Torrington the tip fee includes the cost of bringing the trash from Torrington in. The tip fees proposed do not include transportation so some
towns would pay $10 dollars or $15 dollars in excess of the tip fees and some towns might benefit because like Hartford and Manchester they are very close to the facility so there’s a lot of details that need to be worked out.

SENATOR MINER (30TH): To what extent of those 51 member municipalities are they involved in the negotiating process, any of their stakeholders at the table?

DON STEIN: Only the Board Members and I’m First Selectman of a member town, we have the First Selectman of East Granby, the first Selectman of Manchester, First Selectman of Haddam, Canton is a member Dick is the former First Selectman there. We have the former First Selectman of Granby so we have seven or eight of the towns. We have a city council member from Hartford who is a member. So of the nine members of the board except for the former legislator everyone on the Board represents a member town in one way or another either current or former First Selectman. And when we go to Council of Governance meetings we go to any event, the Board Members I think talk about what’s going on in the process, where we are in the process. So we will be sending out a newsletter shortly sort of bringing towns up to date. But in terms of the actual negotiation that has been, Dick is the member from the Board and then the professional staff and our attorney have been the negotiating team.

SENATOR COHEN (12TH): Okay, thank you.

REP. DEMICCO (21ST): Thank you, Senator. Other questions from Committee members? I have a couple of questions myself actually if you’ll indulge me. So I am looking at the final sentence of the Bill
which says, “The selection of a final proposal by
the Department of Energy and Environmental in
consultation with the Materials Innovation and
 Recycling Authority, shall not be construed as a
legislative mandate as it relates to the Materials
Innovation and Recycling Authority’s ability to
obligate municipal customers to remain under
contract.” And then I’m looking at the DEEP
Commissioner’s testimony where she says that, “No
agreement between MIRA and the developer can be
finalized until a framework is reached and presented
to MIRA’s customer’s town. That framework would
include the pricing and terms of municipal contract
offerings. No town will be required to enter into a
contract.” Is this all true?

DICK BARLOWS: We have contracts that negotiated
probably about eight years ago, there’s about seven
years left on those 15-year contracts, they are
long-term contracts. Those contracts specified a
tip fee, it specified the ability to change that tip
fee on the basis of our net cost of operation. They
contained opt-out provisions if we increased beyond
a certain level. We have done that. To date none
of the member towns have chosen to opt-out. They
felt comfortable that the cost increase being
incurred were consistent with what was necessary to
run the facility. Those contracts run for seven
more years so under the new proposal with the vendor
if it’s a 20 or a 30-year contract they would have
to honor those contracts for the first seven years
and then presumably there would be negotiations to
enter into contracts for the extended period beyond
that with the vendor.
REP. DEMICCO (21ST): So is this one of the sticking points or is this all agreed to by everybody at this point?

DON STEIN: The sticking point with the Bill is in the middle of the second page, where it says that DEEP may order MIRA to enter into a new agreement. In terms of the negotiations with the contractor tipping fees are certainly something that is subject to discussion because our contracts with our customers are very clear as to when they may opt-out and we are at the point now where we’re above that opt-out level but as Dick said, nobody has chosen to leave. We actually have some of the former members asking to come back because they realize that the deal we’ve offered is not so bad.

The other sticking points have to do with how revenue is divided between MIRA and the contractor. So there’s some basic financial details, tipping fees just being one of those.

REP. DEMICCO (21ST): I appreciate that and certainly you’re doing your due diligence which I appreciate but correct me if I’m wrong does not MIRA have the ability to review and approve the design of the new facility and does not MIRA have the ability to dictate certain performance standards or do I understand that wrong?

DICK BARLOWS: That certainly is part of the contract. The financial piece I think is the critical piece right now in terms of what constitutes an appropriate public-private partnership. Under the RFP that was issued by DEEP the public portion of it in a general sense ends up being that MIRA continues to own the facility after the contract is entered and the vendor would finance
the project. They would own and operate, collect and set revenues within certain boundaries and whether or not that’s an appropriate type of public-private partnership consistent with our statutes. It is certainly different than some of the proposed private partnership schemes I’ve seen recently for other state facilities where the vendor would finance construction, build and operate and the state for example would collect the revenues and take a proportion of the share, the appropriate share of those revenues as indicated by the agreement and pay the private sector.

REP. DEMICCO (21ST): Okay and again just so I understand, who ultimately gets to decide the tipping fees? Is this something that’s negotiated between you and Sacyr Rooney or is this something that the Board gets to decide?

DON STEIN: Today the Board gets to decide what the tipping fees are based on our projection of revenues and expenses. One of the things we’re trying to work out with Sacyr Rooney is how, what tipping fee they would start out with and what circumstances would allow them to change it other than cost of living. What kind of occurrence would cause them to change the tipping fee? Right now based on that, we would not have control over the tipping fee, they would. Their return on investment would be purely whatever they can make happen. MIRA would be paid a nominal sum of money to stay in existence but that would be, you know, a very modest staff. It would essentially be privatizing the facility.

DICK BARLOWE: The two typical indexes would be the cost of consumer index type of thing and if there were any changes that required to comply with the
changes, those are two very basic ones which I think is easy to deal with. Some of the other conditions that potentially could be there are ones that I think would give the MIRA board difficulty in feeling comfortable with and quite frankly even if we were to pass on those, I believe that many of the municipal customers would have real hard choices to make if we were gonna do contracts under those terms. Net cost operations is very easy, people are comfortable with that.

REP. DEMICCO (21ST): So again, maybe I didn’t hear your answer earlier, so performance standards are still gonna be in your domain is that accurate?

DICK BARLOWE: They would have to meet certain standards. They would certainly have to meet any of the permits that MIRA currently holds in terms of operation of the facility. They would have to maintain the facility those kind of performance standards would be there.

DON STEIN: One of the key issues is that when this process started DEEP, you know, raised the bar on the amount of trash that’s diverted from the waste stream setting some pretty high bars. That is challenging in how that would affect their ability to operate, you know, still to be determined. That is the goal is that they divert some of the waste into some other types of treatments as well as the waste energy and how that would work out, how the cost of that would work out, you know, is still something that has to be worked out and be determined. So performance standards in terms of days of operation, reliability things like that, that’s pretty much standard types of performance standards. But whether there would be penalties
associated with lack of performance or not, I don’t think we’ve gotten into that level of detail quite yet.

REP. DEMICCO (21ST): So I have to ask you this. This has been going on for over a year now from what I understand, did I get that right, this negotiation. And clearly you’re not in favor of the Bill that’s in front of us here Bill 7293. So what would you two gentlemen recommend to get us off the dime here and get this thing finalized? And that’s an honest question. What would you recommend that we do?

DON STEIN: Speaking for ourselves or the Board? It’s hard to speak for the Board. I am willing and like I said earlier, I’m hopeful that with the Commissioner and with the negotiations that have been accelerated in terms of the timing that we can come to some kind of reasonable agreement and if not I’d like to see this end quickly as possible so that we can go onto a plan “B” which would either be a different contractor or MIRA going off to develop the facility as we have done in the past with a constructive arrangement that we’ve done with other projects that are now fully privatized. But I think if we have to run this one, we have to look at how the current contract relates to the RP that was issued, we have to look at how the current proposal relates to the Statues and if in the end analysis it’s a good business deal and we have to modify some statutes I think that’s were we would need help. But I think first we have to be able to convince ourselves and our towns that this is a good business proposition for them.
DICK BARLOWE: One thing I think I would add is in that year period there has been due diligence done my MIRA in terms of the proposal and there has been a lot of due diligence done by the vendor in terms of looking at more detail, in terms of how the plant operates, the condition of the plant, some of the provisions in terms of how revenues and tip fees are established and so I think that, you know, I would say a good three to maybe four months plus of that time has been used doing that portion of the process so I don’t think its been overly long in terms of negotiation having sat in on a number of sessions, I wish it was a lot shorter I can tell you.

REP. DEMICCO (21ST): Thank you for that. Do any Committee members have further questions? Senator Miner.

SENATOR MINER (30TH): Thank you, Mr. Chairman. So when I look at 22A-208 it seems to be that there is probably room in there for the Commissioner to order MIRA to do something now, I suppose the Commissioner could correct me when she testifies. But I wanted to say that I think it was back in 90s that we may have served together when I was First Selectman and I don’t think it should be lost on anyone that during that period of time municipalities in the state have been able to find a way to manage a very difficult public purpose which is the movement of municipal solid waster from somebody’s home to an ultimate end use that for the most part doesn’t include leaving it here, at least certainly not in most recent years in the State of Connecticut. So as much as I’d like to see this move forward I’d like to make sure that we don’t lose sight of that fact, that over that period of time, through all the negotiations, all the difficult, cause I served back at time when we
closed our landfill. Talk about public meetings. You go from throwing something into the landfill down the street to now you got to pay to have somebody pick it up.

DICK BARLOWE: I was probably in DEEP ordering you to do that back then [Laughter].

SENATOR MINER (30TH): That may very well have been. So in retrospect I’m not saying that was a bad idea, I’m just suggesting that this is not a simple things and the negotiations process from in and around this arena has never been simple and so I want to say thank you again for staying involved in the process and I do hope that to the degree we can, be helpful in moving this forward to the next step, that’s what I hope our role will be. So, thank you.

REP. DEMICCO (21ST): Thank you, Senator. Any other questions for Mr. Stein or Mr. Barlowe? Okay, thank you, gentlemen. Appreciate your time. Thank you. Okay the next person signed up on our public official list is Rudy Marconi.

RUDY MARCONI: Good morning, Mr. Chairman. Thank you very much for your time. If, with your permission if you would allow I would like to invite two people with me, next on the list I believe is First Selectman Matt Knickerbocker. We serve on COSS together, CCM together as well as Chair and Vice-Chair of HRRA Housatonic Resource Recover Authority and then thirdly our expert in the HRRA Ms. Jen Heaton-Jones who is later down the list. With your permission?

REP. DEMICCO (21ST): If you can, in the aggregate limit yourselves to the three minutes, if that would
help us expedite then yes, it’s three minutes for the group.

RUDY MARCONI: Absolutely. We will take that into consideration.

REP. DEMICCO (21ST): Of course, we will have questions. Okay, thank you.

RUDY MARCONI: Thank you very much. My name is Rudy Marconi, First Selectman of Richfield, Connecticut. I am also on the Board of CCM as well as President of COSS and Chairman of the HRRA. With me on my right is First Selectman Matt Knickerbocker who is Vice-Chair of HRRA, on the Board of CCM as well as COSS Vice-Chair and on my left our expert witness, MR. Jen Heaton-Jones, our Executive Director at HRRA. We will, two of the Bills we want to comment on have been discussed, the plastic bags we’re in agreement fully with the group of students who were here. They need to be removed, they are a problem in the single stream cycle in terms of the equipment and jamming it. We don’t have a home for them so we would agree with the elimination of plastic bags.

And also as you just discussed HB 7293 as President of COSS I would obviously like to support Mr. Stein and Mr. Barlows’s testimony in front of you here today in terms of working with ‘em. One thing I would add and perhaps one of the question I heard that maybe you would consider, I know Senator Miner got involved with this not too long ago which was the presumption of cancer situation and to your credit suggested a way out of that which we used but there was a member, a Representative Michele Cook who was at every meeting and certainly expedited those meetings. I will attest to that with a deadline and a reminder that if we didn’t get to
resolution that a Bill would take place that probably we wouldn’t like which was the incentive for us to move that along. So I just pass that along as possible information.

I would now like to turn it over to First Selectman Knickerbocker.

MATT KNICKERBOCKER: Thank you, Rudy. Thank you, Mr. Chairman and Members of the Committee. You have before you quite a volume of testimony on behalf of COS, CCM and HRRA. So we aren’t goin to rehash for you in the interest of time. Just a brief opening statement.

American’s as we know are not good recyclers. Statistics show that less than half of what could be recycled is recycled in the United States of America and in the early part of this decade an effort, a national policy goal was established of creating a single stream method of recycling, obviously for the purpose of making it so easy for consumers we could get that number up. We know today that was, however, well intentioned, it was a false promise. What we thought was being recycled, more often than not was just being thrown away. Going to China they were recycling what they could but that market as you know is collapsing before our very eyes. There is no market anymore so now we are stuck trying to come up with ways to effectively reuse and recycle materials here in our country.

Again to reiterate Rudy’s point we strongly support the ban on plastic bags. We support other efforts to reduce and eliminate plastics and even single use paper eventually in the long run. In order to bring up the level of recycling I think Representative Gucker mentioned it when the students were
discussing their initiatives, it really is gonna be the case, I think, in the long run where we’re gonna have to go back to the old fashioned methods and to that end, several HRA towns are currently involved in a pilot program to see how effective we can be in getting or residents to pull items that are recyclable that do not contaminate the rest of the recycling waste stream and still create a market out of that. We think the long term solution is going to be product stewardship, recycling and markets that are effective. So rather than rehash there are a couple of things, I’m gonna turn it over to Jen Heaton-Jones, just to topline because there are some comments that we think are quite important.

JENNIFER HEATON-JONES: I’ll make it as quick as I can, thank you. The overall theme and position of the Authority is that municipalities are left with a financial burden of managing materials. The Raised Bills today bring solutions that will support not only the environment but the fiscal burden municipalities face as the recycling markets continue to fall and disposal fees skyrocket.

REP. DEMICCO (21ST): Just to be clear, you’re testifying on 7298, correct?

JENNIFER HEATON-JONES: I will give you a list of Bills that we support 7294, we have 7298, 5384, 5385, 1003 and 1001, single use bags, Styrofoam, plastic straws all the things that have to do with the mixed recycling stream and recycling and disposal of smoke detectors and the impact, the fiscal impact that has to do with our municipalities.

We feel that there is no better time to address the single use disposable items that are being addressed
today, residential recycling stream and to address the outstanding issue with glass. The HRRA supports the EPR programs that provide a shared responsibility of the material management with manufactures and produces who introduce these products into our environment.

Lastly, I just mention that I want to point out in my written testimony that I have submitted that there are several photographs in my written testimony, one is something that was brought to our attention just in the last few days that you will hear today is distributors having the concern of the increased handling fee that will hurt their bottom line, we were brought a copy of an invoice that is in our written testimony that shows that those distributors are actually charging it back to the retailer. Those distributors have the ability to embed their fees into the customers to cover their costs and stay whole and retailers have the ability to pass it on to the consumers keeping them whole while the redemption centers have no leverage or ability to increase revenue without the approval of the State of Connecticut. Municipalities have no choice but to pass material management costs onto the taxpayers. So we hope that you will see our full written testimony and some of the images we provided that will help you understand the issues that we are dealing with in our municipalities.

MATT KNICKERBOCKER: Mr. Chairman, two items I just want to cover very, very briefly 7295 we support the intent of that Bill but there is pitfall in that and that limits waste disposal to 700 pounds per capita and we have some reservations about that because essentially this passes a mandate down to the municipal level without providing some means to
achieve that goal that is directly out of control. Also with 7298 there is a similar thing, essentially this Bill allows municipalities to determine what is a recyclable item based on market conditions which means that consumers and the waste haulers could possibly have a moving target that changes every year and it is hard enough to engrain habits of recycling with consumers and residents as it is. So we think that those are both problematic and should be addressed but the intent of both Bills is good. Thank you.

REP. DEMICCO (21ST): Thank you. I believe Representative Harding has a question.

REP. HARDING (107TH): Thank you, Mr. Chair. Thank you for coming up here specifically I know Matt. Thanks for coming up and your advocacy. I know all of you in your representative towns have been very innovative in addressing many issues, I know specifically with Matt, fortunate enough to represent Bethel and Matt has done great work there in thinking of innovative ways one to find efficiencies and also to address issues that continue to compound whether it be recycling or other areas. So my question is to all of you or to Matt, what do you see as a way to address this issue. I know you mentioned briefly some pilot programs but this is a compounding problem we’re having in that seemingly none of these recyclables are salvageable. And so how do we resolve this cause the cost is being pushed onto the consumers and municipalities what are your thoughts on really creative ways we can possibly address this? Thank you.
MATT KNICKERBOCKER: Thank you for the question, Representative Harding. Thank you for the compliment, I appreciate that. Personally I think we would probably all agree if things aren’t being recycled, if the consumers at the residents out there don’t really perceive that their good intentions are being followed up on this stuff is gonna wind up going back into landfills or burn plant and instead of reducing the amount of waste that is going into the environment is going to go back up. So it seems to me, as I mentioned with Representative Gucker’s comments we’re gonna have to go back to the old fashioned method of doing things, like Representative when I was a kid, we had to separate glass, we had to separate the colors of glass. I don’t think it is necessary with technology today to get that detailed but we are going to have to create a method of bringing the items that do have value and right now what you call virgin glass like food grade, beverage bottles, glass mayonnaise jars things that don’t have plastic polymers in em do have value in em and on the other hand those glass items that wind up going into the other recycling stream, where they process paper and cardboard the broken glass contaminates that material and makes it worthless so the market evaporates. And we really do need to use this free market pressures and advantages to help solve this problem, so I think that is where this is gonna go. I’ll turn it over to Rudy for further comments.

RUDY MARCONI: Very briefly I think the 800 pound gorilla in the room is recycling and the China Sword in the impact that it is having on all of our markets is forcing us to be more creative. We haven’t answered that question yet. I believe, I
would hope that the State of Connecticut might be interested in establishing a taskforce to being looking at what we generate here in our own state rather than be dependent on foreign countries and other parts of our nation that we look at how we can dispose of our waste. Do we need to clean it up, remove more contaminants? We have a pilot program now where we’re on and we’re pullin all the glass out in our town, its eliminating about 12 to 15 percent of the total amount of amount being recycled, its clean, accepted at a destination and it is a good idea and I hope we adopt it across this state. However it still doesn’t eliminate the problem with single stream recycling and having a market for that. We need to begin workin on that for our own benefit. Thank you.

JENNIFER HEATON-JONES: May I address this a well? I would say modernizing and expanding the bottle Bill is a solution. It is a solution we currently have but we need to improve it. It will deal with the issues that we are handling with glass. Glass is a lie for the State of Connecticut to say that we are recycling glass. It is going in the mixed frame and it is being sent to landfills every day. We are not recycling it. We need higher use. We have a processor in the State of Connecticut that can take clean before separated glass. We are running this pilot program at the cost of the municipalities to reach higher valued material in order to reduce our cost. We went from a $10 dollar a ton fee to $65 dollars a ton in our region in the last three years. Those costs fall on our taxpayers and the municipalities budgets. We need to come up with better solutions and use systems that we already have by helping us.
REP. HARDING (107TH): Well I just want to thank everyone for coming up today particularly my favorite constituent, Mr. Knickerbocker. So, thank you for your time.

REP. DEMICCO (21ST): Thank you, Representative. Representative Gucker.

REP. GUCKER (138TH): To follow up, thank you for coming up and I have to say, thank you to Rudy for coming up because he is my constituent and in my area. If we had the Representative from New Fairfield I’d have every town that surrounds my district present except for New York of course. So one of the things I learned many times driving up here to Hartford and listening to NPR was surprisingly to find out that most people think that if they buy those blue plastic bags at their house and throw the recycling in it and bring it to the mom and pop, which is what we have in Danbury, that they are doing good only to find out that to really do good you need to empty the bag into the container which is not talked about. And like you eluded to earlier I was surprised also to learn about the glass breaking in the bags and then it jams up the machine so then the whole load gets thrown out. Going forward how do we make it for example for us with Charter Oak or something, the name changes every-other-week. It’s Oakridge, will take a poll on what the name will be next week because it will be some other company other than. How do we encourage them to maybe go to back to what we used to do because what I see when I go there, is I bring my recycling every week to them, I put in the bins and then they just take it and dump it will all the single stream stuff that they collected for the day so it all gets kind of all mashed back together so
my fear would be if we go to separating the glass, the cardboard, the tins, the metals that sort that they just take it and dump it back into the single stream and we’re back where we started.

RUDY MARCONI: Well we know that our glass has been delivered to a specific vendor in the State of Connecticut, I believe in Windsor, and our first load went up, it wasn’t rejected, it wasn’t contaminated, they accepted the full load which is good news. We are now on our second load ready to be pulled now. We will see how that goes. But I want to be sure that the DEEP gives us time to assess that program, that’s the critical thing to see how well it’s working. To answer your question relative to Oakridge. Oakridge came to us and said look the glass is a big problem for us. It’s breaking, it’s jamming the machines, it is flattening tires, etc., etc. can you work with us to pull that out and we are. My question to Oakridge was, all right if we do the glass what is there that is next, if you had to pick one of the other items that should be pulled out what would it be and they said let’s work on the glass right now. We don’t see anything else at this point — correct me if I’m wrong, but lets work on the glass and that way if we can help reduce their operating cost they can look at hopefully bringing that $65 dollar or tip fee down lower through efficiencies.

MATT KNICKERBOCKER: And if I could follow up, so how do we get that to happen at Oakridge’s plant in Danbury because they don’t offer that now and I would be perfectly happy to do that myself since I separate everything to begin with, how do we, how do we get the recycler to maybe get more information
out there to the people and maybe go back to that kind of plan?

JENNIFER HEATON-JONES: Well I will say, first I’ll say single stream works, mixed recycling works when we put the right things in it. The issue is we have contaminants like plastic bags that are an issue in single stream, other small items such as straws, those contaminants make the single stream not work. Glass is an issue that doesn’t make single stream work. We are working on having an 11 town cohesive coordinated pilot program throughout, including Danbury to source separate that glass, study it, see how we can manage it and then report it back to the Commissioner. So you will see that probably in the next 90 days. We started with the towns of Bethel, Redding and Richfield first to see if there was any issue we need to iron out before we implement it throughout the region.

REP. GUCKER (138TH): Well I want to thank you for coming up and keep me informed. I would certainly love to see that expanded where I am because like I said, I go to the recycling center every week and I see what’s happening there and I can understand how we may have the best intentions but they are not really getting the desired effect that we’re looking for. So, I want to thank you and please keep me informed.

REP. DEMICCO (21ST): So I just want to ask one question just for clarity sake. So in Bill 7298, I believe it is Section 2, talks about “designated recyclable items” so I know you spoke earlier on this, I just want to understand, would you be in favor of individual haulers deciding what is recyclable or would you prefer that we keep that
within the domain of the Department of Energy and Environment Protection?

RUDY MARCONI: We support 7298 and would rather be, have it capped. We don’t want to end up with a multitude of variations of tip fees, etc. and pitting one town against the other. So we would like to see it coordinated.

MATT KNICKERBOCKER: If I could add to that, certainly if the haulers are involved in that decision making process that would facilitate effective markets. The pitfall is the challenge in getting this communicated to residents where, you know, over a period of time something that might be recycled but one period of time no longer is or vice versa. And I think that is a tough challenge to overcome. That is the best I can tell ‘ya.

JENNIFER HEATON-JONES: Well I would clarify that I don’t believe the collectors or the haulers would make those decisions since they are just transporting the material. I believe the language is putting the decision on to Public Works or municipal operators, elected officials maybe in that realm. In either case it would probably have a negative impact on the market just because you need large amounts of tonnage to leverage pricing. So I wouldn’t recommend that we all are autonomous in our decision making.


SENATOR MINER (30TH): Thank you, Mr. Chairman. So let’s say I agree with you that we should increase the number of glass products, I think that’s what you’re saying that have a redemption fee on it as a
means of trying to collect all that commodity into one location. At the end of the day I think we get to the machine doesn’t take it. In order to move it back forth the problem is we’re got to retrofit trucks. Is there another means by which we can take out the bulk of the glass without an expansion in the number of deposit required containers that we currently have?

JENNIFER HEATON-JONES: I would say the, is there a solution? Well the solution we’re working on which is running this pilot on the municipal level understanding that these products, these packaging materials, what we’re calling beverage containers are the burden of the municipality and not the consumer but the taxpayers and what we are proposing that you expand the bottle bill to include wine and liquor bottles, other beverage containers, not all glass containers but beverage containers with a system that actually works. It goes from the consumer to the redemption center to the glass processor. It is clean, it’s efficient, it’s sustainable. And yes, it would increase the volume of the material, I don’t think its about retrofitting trucks, it is about expanding what would be a volume of material but increasing the handling fee would also allow these redemption centers to invest in the capacity issue that may be with the volume but we’re asking that you consider that municipalities are burdened with this material. We are trying to figure it out because we have no choice with the markets the way they are. It is 20 percent of our recycling stream. It is a huge heavy lift. By utilizing a system that is already put in place and effective I believe it would work. That is the solution.
SENATOR MINER (30TH): So that is what I was trying to get at. I wasn’t sure whether the interim step which you are undertaking was at all part of the solution. It seems like at least for the short-term the idea that you could develop a market for something that is seemingly has no market I think has a benefit to use because ultimately if we were to expand the bottle bill to include other glasses. If bottle bill glass is good or better than the glass you’re collecting seems to me the market place would be the same. So that is what I was trying to get at. Is there a way to expand what you’re doing and get us there or does it require that, in your mind, that deposit?

JENNIFER HEATON-JONES: I believe it requires the deposit. I think we have some very good mindful residents in some of our towns that are willing to separate the glass but at the end of the day, the majority of the public will not recycle this material and return it to retail without an incentive.

SENATOR MINER (30TH): Thank you. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Senator. Other questions from Committee members? Representative Gresko.

REP. GRESKO (121ST): Thank you, Mr. Chair. Jen, could you repeat what you said concerning a piece in your testimony about the distributors ability to charge back to retailers what would be or could be an increase in the handling fee?

JENNIFER HEATON-JONES. Well it was brought to my attention that a particular distributor is charging
that handling fee to stay whole. So where they are asking for these sheets which we do support to be recirculated back into the system, they are asking for it to be reimbursed back to them to become whole when we find out well they’re actually becoming whole now by charging it to the retailers in that invoice and then the retailer is then charging it to the consumer to cover their costs and the consumers and the redemptions centers are not covering their costs.

REP. GRESKO (121ST): Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. So anyone else have any questions? No, okay. Thank you all, very much, appreciate it. Thank you. So we are well into the second hour of the hearing so it is time to move members of the public to testify and we do this in order of the Bills listed on the Agenda. I don’t see anyone signed up for Bill 1000 or 1001. So Senate Bill 1002 Bryan Hurlbert is signed up. Is Bryan here? Okay I guess will come back to Mr. Hurlbert. Oh, he is here. Wow, you got lucky. Welcome.

BRYAN HURLBERT: Good morning, Members of the Environment Committee. Thank you for your patience as I came back in the room. For the record I’m Bryan Hurlburt. I am the Executive Director of the Connecticut Farm Bureau Association. I am here to submit testimony on Senate Bill 1002 AN ACT CONCERNING PHOSPHATE BYWASTES FROM ANAEROBIC DIGESTERS.

The Connecticut Farm Bureau Association is a private, non-profit, membership organization representing nearly 3,000 families dedicated to elevating the status of agriculture in our state
through education, market promotion, and legislative advocacy. Agriculture is made up of over 6,000 small businesses, contributing $4 billion dollars to Connecticut’s economy and employing 21,000 people and works 436,000 acres of land. And I did submit my testimony in advance of the hearing and I hope you have it. I’ll hit some of the highlights and then be available to answer questions you may have. CFBA has long supported efforts to develop on-farm energy projects to reduce operating costs and provide additional revenue for farmers to help with farm viability. On-farm anaerobic digestion projects in particular have been proven to be very difficult to permit, finance, and build and have not been built despite the many economic and environmental benefits associated with nutrient management and solid food waste management solutions they offer.

We offered a series of recommendations to the Energy and Technology Committee on Senate Bill 845 regarding anaerobic digestors and I’ll run through them here:

Include a specific on-farm generation category.
Allow for both the generation and sale of electricity and gas.
Exempt manure transfer between farms from any waste permitting requirements.
Create a tax credit to incentivize investors to invest in on-farm generation.
Increase access, or mandate that the Green Bank participation in on-farm generation.
Create an alternative generation rate for energy produce by an on-farm generation project.

We feel that by creating an on-farm generation cap public policy could value the benefits, the
additional benefits that on-farm generation could provide in addition to the benefit to the farms that they would be located on. And with that, I would be happy to answer questions.

REP. DEMICCO (21ST): Thank you. Do Committee member have questions for Mr. Hurlbert? Yes, Representative Dubitsky.

REP. DUBITSKY (47TH): Through you, Mr. Chairman. Thanks for coming in, very much appreciate it. This is really an important issue for farmers. With regard to Raised Bill 1002 I must admit that I am not fully versed in the science of anaerobic digesters nor how concentrated levels of phosphate figure into it. Can you just give me sort of the dumb down version of how this Bill will help?

BRYAN HURLBERT: I’ll do my best and it will be pretty dumbed down because it is a fairly complicate issues that you are trying to address here. So essentially anaerobic digestors can use manure to pull methane from and generate energy whether gas or electric with some, you know, other processing. The ability to pull phosphorus out of the waste stream is critically important in a State like Connecticut that, nearly all, if not all the states in a watershed. There are concerns by regulators that the phosphate levels in the State have reached a point where there is no longer the ability to spread additional phosphorus onto fields. So pulling that chemical, that compound out of biowaste of the anaerobic digester would allow farmers to take advantage of their waste treatment manure that they have available, create an energy product from it, pull the phosphors out of that waster stream, sell it which there is, I understand a market for it, and
then use the rest of the discharge to spread on the fields as a soil amendment as they currently do.

REP. DUBITSKY (47TH): Okay and without this law, without this Bill becoming law that is impossible?

BRYAN HURLBERT: It is not impossible but it is extremely expensive and so I think this Bill would get out an opportunity to create an incentive for the farmers to include this in their anaerobic digester plans. A number of farmers are looking at anaerobic digesters and this would create an additional incentive for them or be available to them if they were to incorporate this type of technology. I believe it is somewhere between a half million and a million dollars to incorporate this into an anaerobic digester plan so it’s not an inexpensive for the farm.

REP. DUBITSKY (47TH): Okay, now what the other Bill that you had mentioned?

BRYAN HURLBERT: Senate Bill 845 on the Energy and Technology Committee.

REP. DUBITSKY (47TH): Oh, okay so that’s not before us.

BRYAN HURLBERT: Not today.

REP. DUBITSKY (47TH): Thank you, I appreciate your time and thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Representative. Other questions for Mr. Hurlburt? No other questions, okay. Thank you. So again in keeping with our practice of alternating the next person signed on the public official list is Bob Valentine. Is Mr. Valentine here?
BOB VALENTINE: Good morning and thank you for the opportunity Co-Chairs Demicco and Senator Cohen. My name is Bob Valentine, First Selectman from the Town of Goshen and I am here to ask you to consider not adopting HB 7293 AN ACT CONCERNING THE REDEVELOPMENT OF CERTAIN SOLID WASTE MANAGEMENT FACILITIES.

As one of 50 municipalities that are reliant on MIRA for our solid waste disposal and recycling I have a great deal of concern of the potential effects of HB 7293. MIRA, the predecessor of CRRA having been created in 1973, has served our member towns well over the years via a net cost of operations model which has allowed towns like Goshen to meet its responsibility, while containing cost as much as reasonably possible.

I won’t read this section but essentially Sec. 22a-265 (3) and 22a-265 (11) essentially give the authority to MIRA to be to negotiate contracts and to work for our benefit, when I say our benefit, the member municipalities. Goshen is a Tier I municipality. We have been with CRRA right from the beginning and are currently with MIRA.

I think it is very important that we allow the process to work out. There was a process that was created some time ago, the MIRA Board has been working diligently trying to come to a reasonable accommodation with Sacyr Rooney. I think to short circuit that would be wrong. I won’t go into all the details that Chairman Stein talked about but as a member municipality who every much relies on MIRA to be able to deal with our municipal solid waste and recycling, I would ask the Committee to seriously consider them the opportunity to be able
to finish this process so that we can get a contract that is both advantageous to the needs of the State but also advantageous to the small towns like Goshen who have to pay the bill at the end of the day. Thank you.

REP. DEMICCO (21ST): Thank you, sir. Thank you for your testimony. Representative Harding.

REP. HARDING (107TH): Thank you, Mr. Chair. My question is just in regards to the process by which the cost is placed on the municipality. Could you explain the tipping fees? I know where I live in Brookfield we have private waste disposal service and so I think there is still a fee placed on municipalities despite the fact that there is private waste disposal. So could you explain that as a First Selectman how that process works and the cost and everything else?

BOB VALENTINE: Good question, thank you. Our costs are twofold for each municipality, so every municipality deals with it a little bit differently. For the Town of Goshen we pay a hauler to pickup recycling, we do that for our residents. We pay that through their taxes. All the solid waste that comes from the Town of Goshen goes to the Torrington Transfer Station, from then it goes to the facility that MIRA operates. And so the cost is on a per ton basis. So that has changed more recently but it had been $72 dollars a ton and so when we talk about the total amount of trash that comes out of, even a small town like Goshen, how we pay for that is important. For instance that whole idea of the transfer station in Torrington and having a similar price as to other municipalities so that cost is very variable. We are very much concerned that if
MIRA is not allowed an opportunity to negotiate what will be a, what we hope will be a reasonable contract for its member municipalities that we lose that at the end of the day to a profit making entity Sacyr Rooney.

REP. HARDING (107TH): Thank you very much for the explanation. Thanks for coming to testify today. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. So Mr. Valentine, this is where I am a little bit confused. Correct me if I’m wrong does not MIRA hold all the cards here with regards to this process of negotiation or am I misunderstanding something?

BOB VALENTINE: So not being part of that negotiation I’ll just give you the from the outside look. When DEEP went with an RFP and then went to MIRA and said, through statute, said this is the entity you shall create a contract with. I wouldn’t say that MIRA holds all the cards because they don’t have the ability to say, well if that doesn’t work then we move on to someone else. Chairman Stein talked about that a little bit, so I wouldn’t say that MIRA has all the cards but I think if DEEP has the authority to say to MIRA you shall enter into the contract and it shall be this contract, then that really undermines all the hard work that has been done to date. And from my perspective it is really too soon to be doing that.

REP. DEMICCO (21ST): Okay. Thank you, appreciate that. Any other questions from Committee members? Thank you very much, appreciate it. So let’s see, the next person from the public who has signed up to testify is Katie Reilly testifying on House Bill 7295. Is Katie Reilly in the room? I guess she is
about to enter the room, okay. I guess we will be at ease for a moment. Let’s move on to Mr. Miller, Chaz Miller is the next person signed up. Mr. Miller you’re signed up for House Bill 7295.

CHAZ MILLER: My name is Chaz Miller. I’m here on behalf of the Connecticut Chapter of the National Waste & Recycling Association testifying on House Bill 7295. I worked in recycling and waste arena for four decades at EPA, the glass packaging industry and the private sector waste and recycling industry. Let me ask, what problem is this Bill trying to resolve?

Is it trying to transfer the cost of recycling from local governments to manufacturers, if so that will happen only partially? The producer group will pay what it believes is a reasonable cost, not necessarily local government’s whole cost. In British Columbia’s Extended Producer Responsibility Program for instance, cities are demanding more transparency and more money from the producer group because their full costs are not being covered. But beware of what you ask for. Unless their taxes are lowered as a result of producer payments, taxpayers will pay twice, once as taxpayers and the second time as consumers. This impact will hit low impact Connecticut residents the hardest because like any sales tax this one hits them the hardest.

Two years ago, the General Assembly created a Task Force to study this issue in detail. After eight meetings, 16 power point presentations and 19 written comments, and countless hours of effort by its members, the Task Force made 28 recommendations and voted 6 to 3 that Connecticut did not need to pursue extended producer responsibility for paper
and packaging. A link to the task force’s report is on the Committee’s webpage.

Yet, after all that effort, here we are again.

Connecticut is in the top 10 states in the country in terms of recycling. This is due in part to excellent educational efforts on the part of local governments and the sophisticated recycling collection and processing infrastructure developed by the private sector at its own financial cost. These companies employ more than 6,000 people with a direct economic impact of $1.4 billion dollars. If EPR is adopted, not only will the recycling industry take a hit but everyone will pay more at the cash register for every product in their shopping cart.

The Task Force concluded two years ago that this is not necessary. The Task Force concluded that EPR will not increase recycling, it will not lead to more recyclable, less toxic packages, it will not lead to lower costs. Instead manufacturers will pass their costs to consumers who will pay twice as much as the taxpayer and as consumers.

Connecticut has a vibrant collection and processing system which has given it a high ranking compared to other states. EPR is a solution working for a problem   Thank you.

REP. DEMICCO (21ST): Thank you for your testimony, sir. I’ll ask Committee members if they have any questions for you. Representative O’Dea.

REP. O'DEA (125TH): Thank you, Mr. Chairman. Thank you, Mr. Miller for your testimony. Are there any other states in the country that have implemented an EPR Program for papers and packaging?
CHAZ MILLER: No, there are not.

REP. O'DEA (125TH): Are there any DEEP studies on the ERP issue.

CHAZ MILLER: I have not seen any DEEP studies, it is discussed in the CMMS.

REP. O'DEA (125TH): I have recollection of a task force being setup, was there.

CHAZ MILLER: Yes, there was. It was established two years ago by the legislature and it met throughout last year, through 2017 and it issued its report at the end of the year.

REP. O'DEA (125TH): With the collapse of the market because of the Chinese ban what do you see happening with the markets for papers and mixed plastics going forward? What can be done?

CHAZ MILLER: That’s a great question because markets are pretty bad right now, everybody knows that. But people forget is that this is the sixth time that markets have collapsed for recycling since curbside recycling took off in the late 80s. Connecticut for instance mandated curbside collection went into effect in 1991 and that was right in the middle of, in some ways, worse collapse than we are going through today. So in and of itself, this market collapse is nothing new. It is a very serious one, it is not accurate that the Chinese have banned all recyclables from going to China. Cardboard boxes and specialty grades of paper including newspapers continue to be accepted by the Chinese for recycling at their mills. It is true that they rejected resident mixed paper and mixed plastic which was the heart of the curbside program. The good news is a lot of entrepreneurs smell
opportunity in this raw material. We have seen since the National Sorters announced capacity expansions announcements and expansions at 18 paper mills in North America, 16 in the United States and two are in Mexico. Now these are announcements. So of these expansions have already occurred primarily for cardboard boxes, some seven of which will include mixed paper which again is what curbside programs collect. The first mixed paper new mill will come online in Ohio this coming fall, probably in October or November. There will be seven other mills that will be doing that over the next 2-year period. So, yeah markets are very bad right now for paper, they will improve as they have after every other market collapse and they will probably improve within two to three years, probably two years actually. Plastics, we’ve seen seven new processing facilities announced to do plastics and the second it was announced, the Chinese Government made it very, very clear that they were happy to take processed plastic pellets or resin, pellets are resin made out of recyclable plastics. They just didn’t want to take unrecyclable plastics. So what you’ve seen is a shift in imports and now you’re seeing substantial amount of pellets and resins being accepted by Chinese markets that have been processed in this or other countries. And actually you have for American Plastic Recycling Association (APR)a program called the Plastic Champion Demand Challenge in which a number of leading consumer products companies promise to buy and use much more plastics, recycled content plastic in their packaging. APR recently released announcement that has generated 6.8 million pounds of additional resin purchases by those companies to use in their packaging and that is a great way to stabilize and
sustain markets when the companies start buying it. So we have seen from PET and HTP in particular has been fairly steady prices over the last two years because of the market demands staying there.

REP. O'DEA (125TH): How can we, you know, the private sector you say is reacting but it looks like it’s two years out, how can we help the private sector react quicker in the packaging industry do you think?

CHAZ MILLER: I’m not sure how to answer that question because I’m not sure government can help the packaging industry act more quickly. Now you’re talking about investments, they have to make capital investments. You’re talking about buying equipment, that just can’t be done overnight. That is why most of the paper market expansions take about two years because you’ve got to site the facility, permit the facility, you got to buy the equipment, then you got to get the equipment put in and then you got to test it to makes sure it’s operating. And that just does not happen overnight. That takes time.

REP. O'DEA (125TH): All right, well thank you for your testimony. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Mr. Miller? Yes, Representative Michel.

REP. MICHEL (146TH): Thank you, Mr. Chair. Thank you, Mr. Miller. Just have a question regarding recycling plastic and maybe I’ve answered some of it in some of your testimony but how can we as a State develop business in recycling plastic? Do you have like some quick way of describing how we could be self-sustainable and, you know, make our own pellets
and use our own pellets and reuse recycle within the state?

CHAZ MILLER: You simply have to create a business climate that will allow an entrepreneur to seize the opportunity to setup a facility here in Connecticut. It is worth noting that most of the new paper capacity is east of the Mississippi. It is mostly either in the Midwest or the South however there are two new mill expansions in Maine, so there is some very close capacity for New England on that side.

REP. MICHEL (146TH): And through you, Mr. Chair. What would be some of the ideas to make the climate more, making it easier to do that, to achieve that.

CHAZ MILLER: I’m sorry, I’m not that great an expert on Connecticut and its business opportunity developments. I’m probably the wrong person to ask that question although I’m sure there are many other people who would be happy to answer it for me.

REP. MICHEL (146TH): Thank you very much. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Representative Mushinsky.

REP. MUCHINSKY (85TH): How do you respond to municipalities that are testifying today that are saying that this is becoming a huge burden for them, that the packaging is designed for marketing or attractiveness or getting the product safely to the store, whatever but there is not a lot of thought on the final disposal and the municipalities end up holding the bag on that and when I was at the Recycling Conference recently in Southington they were throwing up slides on how their cost of solid waste disposal is just shooting up because of the
China ban mainly but their costs are just rocketing up and they say, why is this our responsibility, why doesn’t the industry help us make the packaging more reusable, recyclable, unnecessary packaging eliminated and so on. I think recycling people on the town level are saying we’re getting hit with the end result here, we need some help from the industry to make this a more circular process and not have us be the final folks responsible. So how do you answer the municipal recycling coordinators?

CHAZ MILLER: I think there’s two answers. First of all, you know, the private sector scrap industry plans for downturns in markets and they put money aside for those downturns so they can ride them through and I think we need to see that done on municipal programs because markets come and go. Markets fluctuate. People tend to get giddy when markets are high and forget that sooner or later they are gonna go down. Can’t do that in the private sector side on scrap recycling, that is a guarantee you’re gonna go out of business. In terms of packaging itself, towns have to remember that the per capita amount of packaging currently used in this country has actually been on the decline since 2002 and that is because of light weighting, that is because the packages many people condemn as unrecyclable happen on the other hand have tremendous benefits when it come to fighting climate change, lower energy use, lower manufacturing costs, much lower impact on upstream, manufacture of upstream extraction so it’s something of a tradeoff. Now should they plan those things to be recyclable, that’s great if they can make the breakthrough, but they’re looking at this more in use of energy and
impact on the environment they make tremendous progress in that.

REP. MUCHINSKY (85TH):  When I was sitting at the table at the recycling conference talking to folks that run the MRFs to separate the recyclables they were telling me that the next time one of the plants has to shutdown for repairs, they will have to pay $400 dollars a ton to take the waste out of state to a faraway landfill. You know, that’s a killer for a municipality to go from what they’re paying now to $400 dollars a ton because there are no local ways to handle this and because the Chinese market is cutoff, so I guess what I’m asking you is healthy municipalities don’t stick this all on them. They are kinda helpless at the end of the line here and if we can’t help them recycle to a higher degree they’re looking at some really big cost jumps.

CHAZ MILLER:   No, I certainly would agree with you. We’re partners with municipalities, private the guys who are running the MRFs see the same market downturn the municipalities are seeing in this. We’re all looking for a way out of that. Part of the way out of that is frankly not to be in denial about market fluctuations and starting to plan for them.

REP. MUCHINSKY (85TH):   Mr. Chairman, we have so many witnesses that I am not going to ask any more questions of this particular witness but thank you.

REP. DEMICCO (21ST):  Thank you, Representative. I appreciate that and we will have a more full discussion as we go along but thank you. So does anyone have any further questions for Mr. Miller? Okay, Mr. Miller thank you very much. So just so everyone is aware I mentioned at the beginning we do
have an overflow room for those of you who are tired of being on your feet. It is room C1, Hearing Room 1C on the first floor if you want to take advantage of that. So the next person to testify on the public official list is Susan Bransfield and she will be followed on the members of the public list by Katie Reilley. So Susan Bransfield and then Katie Reilley.

SUSAN BARANSFIELD: Thank you very much, I appreciate the opportunity and in light of so many people who are here on such important topics, I ask the Committee Chairpeople if I could have Gail Petras, I am going to waive my time to her and I will tell you why. We served together along with members of the Department of Agriculture as well as veterinarians and we are here in support of House Bill 7297 AN ACT CONCERNING THE BITING OF DANGEROUS DOGS AND THE CONTROL OF RABIES. I have submitted written testimony that you can read at your leisure and I think it is very important that the Committee listen to Gail Petras who the City of Middletown employs Ms. Petras as their Senior Animal Control Officer. Middletown shares the shelter with the town of Portland. I am the First Selectwoman in the Town of Portland so we work very closely on the issue of control of animals and I yield my time to Ms. Petras.

GAIL PETRAS: Thank you very much. I am just here in support of 7297. I work with animal control officers across the state and we believe that this Bill provides valuable criteria that will ensure that our process is more uniform for all the cities and towns in Connecticut and to help streamline the process of hearing and appeals.
The current language of Statute 22-358 concerning restraint and disposal orders is very broad and open to interpretation but by adding criterial for ACO to consider such as the ability for the owner to control their animal and the severity of the injury and viciousness of the attack ACOs can make educated decisions about the type of order that best fits the situation and these guidelines will help ACOs have more consistent resolutions statewide.

The proposal also redefines the restraint and disposal order appeal process allowing for mediation between the municipality and the animal owner to encourage an accelerated resolution and reduce the number of appeals that are handled by the Department of Agriculture’s Administrative hearing process. There have been numerous cases in Connecticut where dogs have been in shelters awaiting a ruling for anywhere from two to six years and this is just not acceptable and in my opinion it’s not humane for the animals. Many of these dogs are or become aggressive and cannot be handled easily so they are stuck in a kennel with no real human contact for years. We realize that many of these dogs are safe to live in society however they still deserve to be treated humanely and not to be forced to suffer due to an overloaded system and we need to expedite that process.

You know, animal bites and attacks are very stressful for all the parties involved and in attempting to insure public safety ACOs are often ordering restrictions on family pets, sometimes ordering that a pet be euthanized and we do not take this responsibility lightly. But we get caught between people wanting to save their pets and the victims that are injured and afraid.
We all see news stories regularly about animal attacks and people wanting to save their animal’s lives while other people want to euthanize those animals and this proposal takes into account ALL parties involved; the victims, the animal owners, the dogs and the municipality as well as protecting the public safety.

In addition to that, this Proposal also reduces the quarantine length for biting animals from 14 to 10 days. I have been told Connecticut is the only state that has a 14 day quarantine and 10 day is the time currently recommended by the CDC.

The last point that I would like to mention is the change in allowing animals that are currently vaccinated to be quarantined at their home as long as the premises is adequate for the confinement of the animal. Currently, with the Statute if an animal bite occurs off of the animal’s property, the quarantine must be done off-property at an approved facility. So to illustrate this, imagine you are at the park with your own dog who is leashed, vaccinated and licensed and a loose dog runs up and attacks your dog. While attempting to separate the dogs, possibly your own dog bites you or the other owner. Your dog would now need to be quarantined for 14 days at a facility at your expense. We come across these gray areas very often where law abiding citizens are forced to relinquish their dogs for 14 days due to unfortunate circumstances that are not vicious attacks but are understandable incidents. Being that the control of rabies is our main concern in handling animal bites therefore, we think using current rabies vaccination (which is required by law) as the criteria for an off-property quarantine makes much more sense.
Please support this proposal so that we may have an updated, progressive statute to help us with better protecting the public and ensuring a fair process for everyone. Thank you.

REP. DEMICCO (21ST): Thank you, very much for your testimony. I’ll ask Representative Michel to weigh in.

REP. MICHEL (146TH): Thank you, Mr. Chair. Thank you for your testifying. I just had a question regarding something you mentioned earlier which is I’m trying to understand. If dogs are in a kennel for a long time were you pointing out that it is not humane for them to be without human contact for this length of time or prolonged length of time and were you saying that it would be more humane to euthanize them?

GAIL PETRAS: In some cases it would be more humane. We’ve had some cases with dogs that start to mutilate themselves, they start to really lose their minds in a kennel environment especially if you’re dealing with aggressive dogs or aggressive towards other animals and now they are surrounded by other animals. So we just want to just speed up the process so these dogs aren’t lingering for year sitting in shelters. I don’t think that’s humane.

REP. MICHEL (146TH): Is there any other alternatives than euthanizing them to get them out of the kennel as in maybe working with rescues or?

GAIL PETRAS: If they’ve been involved in serious attacks or people have had serious injuries, we feel sometimes they are just not appropriate to be out in another setting and that’s part of the process.
REP. MICHEL (146TH): And so in the lesser cases or the less violent cases has that been done before, have you moved dogs from kennels that were there for a longtime to rescues or attempted to?

GAIL PETRAS: Yes, typically the dogs that are there for a long time are the ones that there have been disposal orders issued for so that is not something that happens. There is not a huge number of those dogs but the dogs that are waiting wind up waiting a very long time.

REP. MICHEL (146TH): Okay, thank you. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Representative O’Dea.

REP. O’DEA (125TH): Thank you, Mr. Chair and thank you very much for your testimony. I’ve handled a number of dog bite cases from a defense and plaintiff’s standpoint and I see that this Bill does not apply to dogs that are owned by the military or law enforcement agencies and they don’t apply to guide dogs for animals, correct?

GAIL PETRAS: Correct.

REP. O’DEA (125TH): Have you seen, I mean I think it’s a great Bill and thank you very much for your testimony on it. Have you seen anybody or heard anybody opposed to this Bill?

GAIL PETRAS: I personally have not, no.

REP. O’DEA (125TH): Thank you very much, appreciate it. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Representative O’Dea. Actually I’m gonna answer your question
Representative O’Dea. I am looking at testimony that was submitted by someone else, I’m gonna pose the question to you, Ms. Petras. So the concern is that “the Bill does nothing to address the State’s lack of due process protections in these dangerous animal cases.” So, I’m reading from testimony that was submitted by someone else. “The requirement that the ACO makes a disposal or restraint order at the outset sets a bar too high to reasonably overcome on Appeal.” Would you care to comment on that?

GAIL PETRAS: Well this does open up conversation for mediation before it gets to an official appeal process. So I think it gives people more due process to discuss with the municipality if there are other alternatives or other things they can offer to mitigate the situation before it gets to that appeal level.

REP. DEMICCO (21ST): So the bar, this does not set the bar too high as is alluded to here as far as you’re concerned.

GAIL PETRAS: I don’t believe so.

SUSAN BRANFIELD: So as a municipal official it would be very helpful if this Bill gets passed because it means that mediation processes can occur at a lower level so someone, if an animal control office has put a restrain or disposal order that is appealed then the municipality can work with, along with their animal control office and the victim as well as the owner of the dog to reach a solution that is amicable hopefully prevent that duration of having a dog in a situation where it is in kennel for too long. This is happening in a lot of our towns throughout the State and this Bill updates,
brings us closer to 2019 than the law as it is and many of the points that ACO Petras brought up are things that really need to be addressed and changed in our statute.

REP. DEMICCO (21ST): Okay, thank you. You all set, Representative? Okay. Does anybody else have questions? No. Seeing none, we thank you very much.

SUSAB BRANFIELD: Thank you very much for the opportunity.

REP. DEMICCO (21ST): Thank you. So, the next person to testify is Katie Reilley. Would Katie be here? Hey, there she is. Welcome. And I should mention that next after you Katie would be Catherine Ino.

KATIE REILLY: My apologies for earlier. I just stepped out for a second. So thank you Representative Demicco, Senator Cohen and Members of the Environment Committee. My name is Katie Reilly. I am here representing the Consumer Technology Association, we go by the acronym CTA, in opposition to House Bill 7295.

CTA is the trade association representing the consumer technology industry, which supports more than 15 million jobs here in the U.S. We have 2,200 member companies, 80 percent of which are small businesses and startups. The remaining are among the world’s best-known manufacturer and retail brands.

While we appreciate Connecticut’s interest in addressing the management of paper and packaging Connecticut has already determined that product stewardship is not the solution. I was honored to
serve on the Connecticut Task Force to study methods for reducing consumer packaging that generates solid waste that consisted of experts appointed by the legislature. The Task Force released its recommendations in February 2018 after a year of stakeholder meetings, expert testimony and public comments. Those recommendations did not include product stewardship. Justifications outlined by the Task Force included concerns over the creation of a recycling monopoly through a product stewardship pushing Connecticut recycling firms out of business and forcing higher costs on the collection and recycling system as a whole.

It is concerning that the legislature would ignore the recommendations of Task Force it established and put forth a Bill calling exactly the opposite of what the Task Force recommended.

For those who haven’t been able to view it, in my written testimony I did include a link to the final report from that Task Force.

Additionally I do want to emphasize that a state-by-state approach is not efficient and lack of market forces could negatively impact the recycling system here in Connecticut. Task Force members did acknowledge this fact and, you know, came to consensus that a state-by-state approach would not achieve the results touted under packing product stewardship programs found elsewhere in the world.

For more than a decade the Consumer Electronics Industry has complied with electronics products stewardship program in Connecticut and 24 other jurisdictions here in the U.S. spending over $1 billion dollars in complying with various state laws. We found these programs have unintended consequences
of putting extreme pressure on local recycling markets. Product stewardship creates structure that operate outside the normal market forces and influences resulting in winners and losers being chosen by the product stewardship organization and leaving others unable to operate outside of the system. Ultimately the lack of market forces leads to higher cost for collection and recycling overall.

In closing, I did just want to highlight one comment from one of our experts that testified before that Task Force, his name is Joachim Quoden is the Managing Director the Extended Producer Responsibility Alliance in Europe and during his testimony he stated that, “All stakeholders in the value chain must agree on the program to avoid undermining of the produce stewardship system.” I think as evidenced by the Task Force recommendations and conclusion all stakeholders are not in agreement that product stewardship is the right solution for Connecticut. So thank you for your time and I’m happy to answer any questions.

REP. DEMICCO (21ST): Thank you for your testimony. I’ll ask Committee members if they have any questions for you. Okay, Representative O’Dea.

REP. O’DEA (125TH): Ms. Reilly, thank you very much for your testimony. I’m looking at here, I’m trying to find the link.

KATIE REILLY: Sure, its in one of the footnotes on the first page, I believe.

REP. O’DEA (125TH): Okay and you mentioned that the last paragraph you look forward to further discussion on what can be done “to identify economically viable pro-innovative consumer friendly
approaches to our shared goal of reducing waste and increasing opportunities.” Are some of those things that your group would propose and list anywhere?

KATIE REILLY: They’re not listed in the testimony. I’d be happy to follow up in written comments. Our industry is doing a lot to reduce the amount of packing material that it puts out there in the market. I think the important thing to acknowledge is, you know, packaging does play a very important role in delivering a product, for our product specifically, you know, you’re buying a couple of thousand dollar television, you want to make sure that arrives intact. By not using the appropriate packaging and damage to that, you know, thousand dollar television, multi-dollar television that you’re purchasing, I mean to send that back and get a new one. You know, the greenhouse gas emissions associated with that process, we definitely want to avoid. In addition certain packing is used for, you know, high value small electronic devices in retail settings to avoid theft of those devices as well. So, you know, it’s a balance that our members pursue but many of our members have made significant investments ensuring that their packaging that is associated with their products is recycled easily at curbside in most of the U.S.

REP. O'DEAL (125TH): Thank you very much for your testimony. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Representative. So Katie, I’m gonna ask you, I should say, Ms. Reilly, I am going to ask you a question that I think that Representative Mushinsky would probably want to ask you if she were here. So absent this producer responsibility what would cause the
KATIE REILLY: So for the producer side, I don’t represent the packaging industry, but for the product side it is a cost factor. I mean any excess packaging that is unnecessary for the delivery of the product in a safe manner costs extra for our industry so they’re always looking for opportunities to slim down. In addition many of our members have significant commitments to reducing their overall environmental impact mostly that’s related to their greenhouse gas emissions as well so they are always looking for, you know, what’s the least greenhouse gas impactful packaging solution they can pursue. Many of our members are exploring sustainable packaging, you know, mushroom packaging and other types of packaging that is easily compostable or comes from a sustainable source as well. So a lot of it has to go back to we’re an industry of innovation and we extend that not just to our products that we’re putting on the market but to our packaging as well.

REP. DEMICCO (21ST): Would you be able to give some examples of that for the Committee?

KATIE REILLY: Sure. So I know we don’t typically call out members but I know Dow has big commitment. Their member company is CTI to pursue 100 percent recyclable or sustainable packaging material. So they are working toward insuring that all the packaging that they put on the market is recycled easily at curbside or is compostable. So they are
one of the companies that’s using mushroom as part of the padding on the inside of then the cardboard box that is also easily recyclable at the curb. So that is just one example. They also have an ocean’s plastics initiative where they are pulling out plastics that have been recovered from beach cleanups and turning that back into plastics that’s then used in their packaging. So we’re looking for innovative solutions we can continue to try to push the needle as an industry both on the product side and now on the packaging side as well.

REP. DEMICCO (21ST): Thank you. I’ll ask Committee members if they have further questions? And it looks like thy do not. So, thank you, Ms. Reilly. Appreciate it, thank you very much. So the next person to testify is Catherine Ino to be followed by Abagail Sztein it looks like. Welcome.

CATHERINE INO: Senator Cohen, Representative Demicco, thank you very much for wading through all this and I am really pleased to be in a State that takes recycling issues seriously. I am here in support of SB 1001 AN ACT CONCERNING THE RECYCLING AND DISPOSAL OF SMOKE DETECTORS.

Smoke detectors save lives every day. We encourage people to install them in several locations in their homes and to replace them every ten years but we give them no reasonable way to dispose of them safely. Because they contain a small amount of radioactive material, smoke detectors are not to be discarded with household waste. They are not accepted in recycling nor are they accepted in hazardous waste collections.

If you go to Recycle CT it refers people to Currie Environmental Service to dispose of smoke detectors.
For $49.99, homeowners can purchase a kit that provides packaging and prepaid mailing for up to four smoke detectors. For only eight dollars you can send in one smoke detector in your own packaging. I’m attaching the instructions for this service which runs for six paragraphs. I guarantee no one is using this service. It’s cumbersome, inconvenient and expensive. Old smoke detectors are just being tossed into our municipal solid waste stream.

In 2012 the Connecticut Legislature enacted a law requiring manufacturers to establish a collection system for the recovery of mercury thermostats. Under this program, my town, Killingworth, now has a bin at our transfer station for any of those thermostats that are removed from our buildings. The bin is then to be sealed and shipped to the Thermostat Recycling Corporation, a non-profit organization established in 1998 by the manufacturers of mercury thermostats and the bin is provided to us and the shipping costs are paid buy TRC I believe. Most of the bins are actually placed at wholesalers but you can get them in the towns. That model would seem to be appropriate for smoke detectors and it would seem to be a good instance where extended producer liability is, there really is no alternative. In fact the thermostat bin at our transfer station fills up with smoke detectors unless our crew keeps really careful tabs on it and that tells me that people are willing to properly dispose of smoke detectors if there is a convenient way to do it.

So, I urge you to enact SB 1001 and then to move quickly to place a reasonable system in place to remove smoke detectors from our waste stream.
Killingworth and towns throughout the state will be happy to cooperate in this important step to protect our environment.

REP. DEMICCO (21ST): Thank you very much. I believe Senator Cohen has a question for you.

SENATOR COHEN (12TH): Thank you, Representative and thank you Ms. Ino for being here. Catherine Ino is indeed the First Selectwoman of the town which I represent so I am pleased to have you here on this important issue. You know, you and I have spoken about this before and it’s very confusing for the consumer because if you go do the Federal EPA website and you look at their guidelines, their guidelines will tell you it is indeed safe to throw smoke detectors in the trash. If you go to DEEPs guidelines they will give you a list of instructions on how to recycle your smoke detector and the unfortunate thing is that I think there is just no real clear direction on this. We know that photoelectric smoke detectors can be thrown in the trash without incidents but it is these ionization chamber smoke detectors that have these levels of radioactivity that can really be a problem and it is one case of where I think there can’t be much of an argument against extended producer responsibility because of the, you know, indeed we don’t want nuclear waste in our trash facilities. So I just wondered if you might be able, you touched on it a little bit, but you had told me a story of, you know, you had run a campaign through Red Cross to take in smoke detectors and do you have any knowledge of when organizations do something like this where they educated their townspeople or their consumers on changing their smoke detectors every ten years if there is any clear guidance on what to
do with those smoke detectors once that agency then takes them in?

CATHERINE INO: Yes, Red Cross very wonderfully had a program to install smoke detectors in houses for free and to encourage people to use them. But, no there is no clear guidance on it. I have asked for it many times. Another federal agency, sort of quasi-federal agency is the Postal Service they have long lists of recommendations on their website not to ship this stuff. It’s not an attenable situation.

SENATOR COHEN (12TH): Thank you, First Selectwoman.


REP. GRESKO (121ST): Thank you, Mr. Chair. Just a quick question. You mentioned that in a different EPR process there was a non-profit at the end of the day that basically took the material. Are you aware of any such non-profit or other entity that could potentially be a destination for these used smoke detectors once a process is created to properly collect them?

CATHERINE INO: No, I think you’ll have to require the manufactures. Right now you can fight with the manufacturer of your particular item and occasionally get them to accept it back, but I don’t think that a consortium will be setup until it’s required of everyone to accept them back.

REP. GRESKO (121ST): I’m following the logic of the Bill and of your points but I’m trying to forecast this out as we go forward and it we are successful in doing what you are suggesting and what the Bill is suggesting and even if I was to send one back to
my manufacturer and they took it back, where does it go? That’s my ultimate question.

CATHERINE INO: I don’t know.

REP. GRESKO (121ST): Either do I, so that’s my question. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Representative Gucker.

REP. GUCKER (138TH): thank you for coming and testifying. I’ll make this really quick. I mentioned earlier how I go to the recycling center in Danbury which is Oakridge Transfer Station. They have a large metal container that they take all electronics, computers, stereos, TVs thing of that sort. I often see smoke detectors also tossed in there. Is it up to them to sort it out, where does it go from there, can they handle that, what’s the?

CATHERINE INO: They’re not supposed to be in there is my understanding. We also collect electronics and I don’t know. I suspect they end up getting tossed in the MSW stream because it’s too cumbersome to do otherwise.

REP. GUCKER (138TH): All right, well thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions from Committee members? No. Okay.

CATHERINE INO: One other point is that I believe that nationally in the 60s and 70s there was a requirement that manufactures take these back and that then was cancelled at some point. Thank you very much for having me.
REP. DEMICCO (21ST): Thank you. Thank you for your testimony. Thank you. So the next person to testify is Abagail Sztein. Did I get that right? So the following Ms. Sztein will be Commissioner Dykes.

ABIGAIL SZTEIN: Good afternoon, wanted to check that I didn’t say good morning incorrectly. Good afternoon Chairmen and Members of the Committee. Thank you all for having me here. My name is Abby Sztein and I here on behalf of the American Forest and Paper Association.

I’ll leave it to my written testimony what AF&PA is but I will note that our industry which is the national trade association representing the forest and paper products industry includes 5,100 individuals employed by the industry in Connecticut, that a $320 million dollar payroll and over $38 million dollars in taxes being contributed to the state annually.

AF&PA shares Connecticut’s goals of increasing paper and packaging rates. However we have serious concerns with HB 7295 which seeks the creation of extended producer responsibility (EPR) program and we respectfully ask the Committee to oppose this Bill and instead urge the promotion of existing community recycling programs and engaging manufacturers and industry experts in discussions on ways to further increase recovery.

The industry has essentially already been working towards their requirements of this Bill on a voluntary basis and an additional external program could actually derail the positive progress that we’ve been making.
As the progress we have been able to make thus far, just to put some numbers out there for you all, starting in 1990 we began tracking and setting goals for our recovery rates and we were in 1990 at 33.5 percent. In 2017 we have gotten that up 65.8 percent so nearly doubling it and we have met or exceed 63 percent for the last nine years. Ninety-six percent of citizens of U.S. have access to curbside or drop-off but it is actually 100 percent have access to curbside or drop-off throughout the state. So with that being said, we feel the EPR is not the answer. With consistently high recovery rates, well established infrastructure for managing what’s there and the industry’s ongoing efforts to increase voluntary recovery, EPR isn’t necessary.

I wanted to just also mention AF&PA also participated in some of the meetings of the Task Force and we hope that the findings of that Task Force will continue to be a part of what the Committee considers moving forward and I am happy to answer any questions.

REP. DEMICCO (21ST): Thank you for your testimony. Since you mentioned it, would you refresh my memory and the memories of the Committee members about the final recommendations of that Task Force, just I think it would be good to hear that.

ABIGAIL SZTEIN: Sure, I think that Katie spoke to it pretty well but generally the majority opinion of it was that a mandatory ERP program was not the optimal goal for it and there were a lot of other programs that could be undertaken instead. Actually when I was looking up the old, that final report, I couldn’t find it in my files but it is on the
Environment Committee’s webpage. So I have it linked in my testimony as well.

REP. DEMICCO (21ST): Thank you. Do Committee members have questions? Representative Gresko.

REP. GRESKO (121ST): Thank you, Mr. Chair. Thank you for your testimony. You mentioned recovery rates. Recovery rates based on, where are you getting that information, recovery rates that you are doing or recovery rates that individual municipalities are referring back to you because you’ve sat here and heard some of the testimony and some of the testimony indicates that if you’re looking at single stream as part of your recovery, the single stream is part of the problem that we’re having here. So, you know, an EPR would be a way of getting that product out of a single stream and thus contaminating other more useful items so I’m interested in maybe how your industry would think about that.

ABIGAIL SZTEIN: Sure to answer the first part of the question, our recovery rates are based on EPA data. We know how much of our products are being produced on an annual basis and the EPA is collecting data on what is collected in the U.S. We’re not able to break that down on a state-by-state basis without a very costly independent program but we do know MRS and municipalities are able to track that on an independent basis then when you have to bring all that together it can become a lot more complicated and something beyond our association’s ability.

And as to your question on single stream AF&PA has been opposed to single stream from the start. I believe several years ago when it came up before this Committee we recommended against it, we
consider it to be a very real concern for contamination and in fact to a certain extent it is part of the reason why recovery numbers and the value of the recovered fiber market has been impacted in the way of China National Sword. That being said China no longer accepting mixed paper is not going to be solved by an Extended Producer Responsibility program. It is going to be solved by having capacity in other places. Domestic capacity as mentioned by other folks testifying is growing. In fact it has grown four percent over the last five years in spite of paper and paperboard production going down in that same stretch of time and it is not to say that those numbers are making up for the shift in China but capacity is growing and the markets are dynamic complex and reacting to what’s out there and that’s kind of what’s necessary and why our market, we believe that our marketplace should be allowed to function independently so that it can make reactions and adjust when these things happen quickly and as each company sees fit. Does that get to what you’re asking?

REP. GRESKO (121ST): Yes, but my next question would be then if it’s not an EPR what are you thinking? I mean if it’s not EPR and not single stream it is something that you’ve opposed in the past. Are you suggesting that you go back to separating everything out or what, I don’t even know if there is a market for that besides requiring the individual homeowner to do that?

ABIGAIL SZTEIN: I mean there are a number of places, states, localities that have dual stream or other programs where you are separating it out. I know that that takes a little bit of additional thought but the value that’s gained from that so far
as where MRS can sell the product there is gain there and it leads to less inaccurate recycling where things that shouldn’t have ever gone in there get added. Some of the other things we think are important are just in general consumer education especially the State of Connecticut where everyone has access to curbside and drop-off knowing what is and isn’t recyclable and reminding people of the steps they can take is immensely important to the overall process. We work with groups like the Recycling Partnership which is grant based program that works with localities and states to help them improve and find ways of improving consumer education. We are also working with REMADE Institute which is program out of Florida that’s research and contamination and additional ways of finding solutions.

REP. GRESKO (121ST): So, through you, Mr. Chair. I don’t want to put you on the spot but if the State of Connecticut entertained the idea of going back into, going back to separating our recyclable material would your industry be in support of that based on the fact that you’re gonna get more of a pure product of coming back to you for potential reuse and potentially bumping up that 65 percent number?

ABIGAIL SZTEIN: You know, 65 is, you know, we’ve eliminated all the low hanging fruit so programs that can improve the quality of what’s being recovered so that we can use more of it are certainly welcome so, you know, generally speaking we had major concerns with and continue to have major concerns with single stream and so splitting that out where it is practical and where it is financially responsible for that area that is doing
it is something that we would certainly want to be part of the conversation on.

REP. GRESKO (121ST): Thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Ms. Sztein? Okay thank you very much. Appreciate it. So the next person is Commissioner Dykes to be followed by Allie Esclionis. I hope I said that right. So Commissioner Dykes, welcome. Thanks for your patience.

COMMISSIONER DYKES: Thank you so much. Appreciate the opportunity to be back before the Committee today on a number of Bills and you have a great agenda and happy to try to be efficient with my words here recognizing the list of folks behind me.

So DEEP has submitted written testimony on a number of different Bills. I am here to provide some oral testimony with respect to, you know, highlighting a few of our positions and hopefully insights related to some of the things you’ve heard other folks testifying on as well.

One of the three Bills that this Committee generously raised on our Agency’s behalf is a Minor Revisions Bill which is Senate Bill 998. We are always happy to be able to put forward our ideas of streamlining that could help us to direct our limited resources which we try to be careful stewards of to the most efficient use. And so our understanding is that most, if not all the changes in Senate Bill 998 will have the support of the stakeholders who will be directly affected and in many cases they will diminish some of the administrative requirements that are not in our view
the most essential. So we would be happy to address any questions or concerns that the Committee may have with any Sections of Senate Bill 998.

Also up for hearing today is another Agency proposal which is House Bill 7295. As you heard today this proposal touches on an issue that is of great concern to the State, to municipalities and businesses and that is frankly the wrath of the rapidly escalating costs of waste management including the cost of recycling. As CCM highlighted last week in making their recommendations to curb costs though out the state have seen hundreds of thousands of dollars in new and unexpected costs for recycling which is due in large part to global commodities markets and so we’re committed to working with CCM and it’s members to look at ways of addressing rising costs. This proposal we believe is an important tool to address those cost rises. I would also like to note and we are working with CCM to provide a forum for cities and towns to share their experiences with this issue and their recommendations and we are hoping that these discussion might yield fresher approaches and identify way the State can address the long-term challenges systems cost.

You know, specifically the Bill asks that producers of paper good and packaging step-up and provide plans to the legislature to cover a greater share of system costs. I think we are, you know, what the concepts in this Bill sort of a reflection of the, what we’ve learned from watching the debate about this particular approach over the past few years. You’ve heard from folks making observations about the Task Force from a couple of years ago. You know, since that Task Force was convened we’ve seen
these changes in commodity prices which mean that, you know, some of these tools that have been talked about in the past we believe, it may be an appropriate time to look at them again and some of the design of this legislative proposal would reflect of DEEP playing a facilitating role in a planning process, ensuring that process is open and transparent and that it can reflect the interest of the many businesses in the State that implement our current recycling system. We heard that as a significant concern during the Task Force process. We also process wise would as you see with this Bill these proposals would be submitted to the legislature so that they can be assured that the General Assembly would have the ability to really weigh in with respect to the enactment of these plans before they would go into place. We believe that, you know, new funding from producers can report a more prosperous and successful recycling industry, that it can create new jobs and relieve the cost burden to cities and towns and taxpayers. We reflect that, you know, these producers, paper products are a significant contributor. They make up more than 40 percent of the total waste stream that is composed of packaging and paper and so we think that putting this, given this opportunity to producers to have a stake in the design of their paper goods and packaging to help reduce the amount of material that is going into the waste stream in the first place puts that incentive in the right place with those actors who are most capable of being able to bring forward packaging designs that can minimize the downstream costs to towns and municipalities of recycling that waste in the waste stream.
I’ll note that we have heard concerns about Section 2 of the Bill so I just want to be upfront that Section 2 would establish waste reduction goals and I want to be upfront with the Committee that we are working closely with CCM and others on substitute language which we provided to the Committee that makes it clear that the goals are for planning purposes only and would not subject municipalities to enforcement action from the State.

So the third Agency Bill that has been raised by the Committee also address system costs. I should pause here and say, I don’t know if you prefer to, if there are any questions to talk through Bill by Bill or if I should just keep going? I wanted to speak briefly to 7293 and 7298.

REP. DEMICCO (21ST): Why don’t you keep going on, sure. Committee members will have questions.

COMMISSIONER DYKES: Keep going, great. Thank you, Representative. So the third Agency Bill that the Committee has raised also address system costs and this is 7293. As you are well aware the MIRA facility, recovery facility is in at state of decline and is subject to extensive outages such as the one we just experienced from November through to this month. And so, you know, in all frankness, I’ve been engaged on these issues for just a few weeks. It is the prior administration that ran this RFP and at the direction of the Legislature which in 2014 enacted Public Act 14-94. It was focused on DEEP moving forward with a competitive procurement to solicit proposals that would be framed around public-private partnership and it was through that RFP process that more than 14 months ago DEEP selected Sacyr Rooney to, as the winning bidder, to
advance into the negotiations with the MIRA Board and MIRA staff to bring this agreement forward.

You know, I think that my approach since I started on this job has really been to say, look we’ve had, you know, over a year where these negotiations have been going along. We have a facility that is in desperate need of major capital upgrade. It has been important to me to, you know, I’ve cleared my schedule, I’ve made my conference room available to try to be a facilitator so that we can, at the very least I see our role at DEEP as making sure that we can get to the bottom of all of the issues that you know, complete this due diligence on this proposal that Sacyr Rooney brought forward so that we can make sure that all of the questions, of all of the concerns that the MIRA Board, the MRIA staff who have been deputized to be part of this negotiation team can get answered in an expedited fashion and with the most update information in recognizing that significant time as elapsed and some deterioration in the plant itself over the times these negotiations have been underway. I think that you probably heard in the testimony earlier that, you know, while there are a lot of questions that MRIA folks have about the proposal they also I think there is fundamental sort of discomfort or, you know, questions are around the product structure itself and of course, we all understand that in implementing 1494, you know, we’re talking about a shift from cost of service model for financing and governing, overseeing this plant and moving towards a public-private partnership where there is some sharing of risk and benefit between a private developer and the MRIA board that will continue to own the facility and oversee the ultimate
performance of this facility. Those are, you know, I don’t want to diminish the important questions that are involved in moving from one structure to the other but it is very, very important from my view in order to facilitate an effective negotiation that we are able to address the questions first and complete the diligence on the proposal as it was initially brought forward. You know ultimately what you see in this Bill with the language proposed changing the term from direct to order, you know I think reflects perhaps our invitation to the Committee to consider putting a little bit more urgency around the need to move some kind of resolution forward. I will say it will never be DEEPs intention to move an agreement forward that would be objected to or over the objection of any town. Ultimately as we reflected in our written testimony I think you’ve accurately repeated that Representative Demicco, we do not believe that we have nor would we want to obtain any authority to force towns to enter into an agreement with this developer. The developer being able to obtain financing and essentially perfect the agreement or the proposal would be contingent on sufficient number of member towns opting in to the terms of a municipal service agreement which would layout a certain term of years and tip fees that would be in place during that term of years. What we’re really just trying to do is get the due diligence completed so that we can bring to the town the full picture of information of what this proposal would mean both in terms of the, you know, that balance of risks in a public-private partnership model as well as what the tip fee offerings would be if towns were to signup through this proposal. So it’s really what we’ve focused on is trying to get his evaluation of the
proposal and the finalization of all of these numbers and all these good questions that MRIA has been asking completed so that this could be taken, we can take this to the towns and they can make the decisions themselves about whether they want to go forward or with this approach. Then and only then do I think it is the right time for us to engage in contemplating some different project structure but it is very difficult to, you know, do due diligence on two completely different project structures. It has just been my experience from running negotiations of this nature that it is important that we run the first test to ground to understand if it is workable before we throw that out and start over with something new. But I certainly would welcome, you know, it’s there’s a reason this has been going on for a while because it is complex but I don’t think that it means that it needs to take, you know, months to get this done and frankly I think the citizens of Connecticut who are experiencing, you know, volatility in cost of the tip fees that as a result of this deferred maintenance deserve not just DEEP but everyone who has a partnership in doing this due diligence to work with all, you know, with all speed and I look forward, I know we’ve got a great four hours blocked out tomorrow to sit down with the great team from MIRA and with the developer to continue this work of working through these issues.

So, happy to take any questions that you may have on 7293 and then just briefly I can comment on 7294 which makes changes to the Bottle Bill.

We know that the Bottle Bill is an important recycling and litter reduction program and would benefit from modernization. We believe this Bill
include several important elements that would lead to a more sustainable and convenient redemption system including support for redemption centers, new products being covered and a ten cent deposit. I would also note that the Governor’s budget included proposal to add wine and spirits to the deposit system and we would ask the Committee to consider this addition going forward.

You have Bills before you that are seeking the reduction of the use of plastic bags, straws and Styrofoam containers. There items are significant litter and marine debris concern and DEEP supports as a general matter the measures to reduce or eliminate their use. Plastic bags in particular are not only a problem when they escape into the environment but also they are problematic in our curbside recycling system where they have the potential to wrap around sorting machinery and decrease the safety and efficiency of this process.

And then finally, you have before you a Bill, House Bill 7298 which DEEP strongly opposed because it would eliminate designated recyclables. We believe that would really very negatively impact the State’s existing recycling industry and hundreds of associated jobs. Also the Bill would increase the need to extract raw materials and increase the negative climate impact of materials and it contains, the Bill also contains several other problematic elements including the return to the automatic 90-day permitting requirement that was repealed last session with bipartisan support. We see that as a major step-backwards. We understand that there is some of the underlying concerns that prompted this proposal and we are open to working with the proponents of the Bill but we ask this
Committee to not allow this proposal to move forward.

So thank you for indulging all of that and I would be happy to address any questions the Committee might have.

REP. DEMICCO (21ST): Thank you again for your testimony both written and verbal and thank you for your patience. I think Representative, actually did you have a question? Representative Michel you were first so you’re gonna go first.

REP. MICHEL (146TH): Thank you, Chair. Thank you, Commissioner Dykes. I’m trying to, it’s about 7293 so I’m trying to understand it a little better. In the current RFP from DEEP, is there anyway or any room for MIRA to remain involved in terms of well. I see a couple of potential issues with pricing, transparency of net costs especially to figure out a way to establish a business of recycling bags, I’m just wondering is MIRA still gonna remain involved in terms of when it comes with the pricing on the current RFP, it might change tomorrow, I don’t know what, you know?

COMMISSIONER DYKES: Right so we would expect MIRA having this RFP, this proposal if it moves forward it would not dissolve the MIRA Board by any stretch, in fact we would anticipate it would enable the Board to continue its focus on helping to advance the Materials Management Policy and strategies across the state. You know, I think with respect to the pricing we have been asking the developer and we expect that they will have information, update information in this work session tomorrow to lay out exactly what the terms, the length of years and associated tip fees would be associated with the
agreement terms. Those are all things that will be a very important, not just for the MIRA negotiating team to be informed on but for the Board and frankly the 51 member towns to be able to see for themselves exactly what those terms would look like. It is true that with a cost of service based arrangement, I just want to reflect on that, the MIRA Board, you know, has the authority to set the tip fees year by year and in fact also within a fiscal year they have the ability to do so in an unfortunate circumstance because of the turbine outage, they have about three million dollars in additional costs that were unexpected that now have to get recovered through imminent increases in tip fees. And so the challenge with cost of service is that of course it is a cost based, you know, there is not sort of a profit, right to a private developer there but on the flip side it means that all the customers are on the hook for any volatility, any increases in costs that might occur, whereas the potential is there through a long-term or a longer term municipal service agreement executed with the private developer for the municipalities to have more predictability around what those prices and terms would be. But there is a lot of details associated with this and I think it is very, very important from DEEPs perspective that this choice be brought to the towns so they can be fully informed.

REP. MICHEL (146TH): So does that mean that the towns will be in charge of negotiating the rates rather than the, I’m still trying to, rather than MIRA sort of being kind of the, not really entirely but the regulatory entity with pricing?

COMMISSIONER DYKES: Right. I think that the general structure that is contemplated is that the
developer would be offering sort of a schedule of options in terms of the terms and fees associated to the town and then with a certain number of quantity if it goes under contract with those towns, that would enable the developer should then be able get a track to the financing that is necessary from the private market to make the upgrades into the plant. So that would be sort of an important sort of initial piece of this agreement being perfected would be the towns opting into those municipal service agreements. And by contrast I think as you observed that the Board has the authority to be able to set the tip fees that the towns must pay and they do so usually on an annual basis is my understanding.

REP. MICHEL (146TH): Thank you, Commissioner. Thank you, Chairman.

REP. DEMICCO (21ST): Thank you, Representative. Representative Harding.

REP. HARDING (107TH): Thank you, Mr. Chair thank you Commissioner for coming and testifying. My question really revolves around 7295 and the goals that we set. I think it is a good idea. I appreciate the fact that DEEP wants to see a renewed commitment towards recyclables but we heard significant testimony early this morning, I’m sure we’re gonna continue to hear testimony today that municipalities continuously have this struggle of salvaging these recyclables and so, you know, it a gargantuan of a problem with no doubt about it and so my question then is what is DEEP see as innovating this process so that the goals that we’re moving the municipalities to are actually useful that the recyclables we’re actually collecting can
be salvaged and we are doing the right thing, so that’s my question. Thank.

COMMISSIONER DYKES: Thank you so I’ll take your question kind of two ways. One is narrow and one is much broader. Just specifically with respect to the language in Section 2 of 7295 that establishes this goal for the municipalities, as I indicated you know, we’ve been very receptive to dialogue with the towns and CCM over concerns around that the initially proposed language and so we’ve submitted some compromise language to the Committee which we think that gets to what our intent here, which is really just to make clear first off to be able to translate the goal from a percentage of diversion to a total tonnage goal which we think is easier for towns to plan around and secondly to really enunciate this goal for planning purposes because DEEP is not, you know, we are not, we do not want to be in the business of issuing orders to municipalities compelling compliance or what have you. We really see ourselves as partners helping provide technical assistance in the range of different support for towns to be able to meet these planning goals essentially.

Then to your broader, you know, taking your question in a broader context, there are many, many different things that, tools that we think we can bring to help towns meet these types of goals whether it might be, you know, obviously the move to single stream, you know have some, it’s helped to improve our recycling rate but it is not a silver bullet, it is not a perfect system that requires that we invest for example in education of consumers about what is appropriate to recycle and what is not. So we have funded a campaign, built a web-tool, what’s in,
what’s out that helps folks be able to go lookup, we’ve promoted sort of a uniform standards for what can be recycled across the state that helps diminish some of the confusion and we work through the Recycle CT Foundation to be able to provide support for marketing, media campaigns and so on to provide that education. So I just give that as an example of just one sort of narrow tool, the one specific tool that is helping to support the advocacy of the recycling that’s occurring around the State on the broad range of different things that DEEP is doing in partnership with all the folks in this industry and including the municipalities to help support them reaching these goals. I don’t know how responsive but?

REP. HARDING (107TH): That is, I appreciate your testimony and for clarification in testimony.

COMMISSIONER DYKES: Thank you, Representative.

REP. DEMICCO (21ST): Thank you, Representative. Senator Cohen did you want to ask some questions?

SENATOR COHEN (12TH): Thank you, Representative and thank you Commissioner Dykes for your testimony and for being with us today and your patience as usual. It’s a long hearing. I actually have a couple of questions on various Bills that you have submitted testimony on. With respect to extended produce responsibility and the findings of the Task Force, I have the report up right now, is it your position that things didn’t move along, the recommendations of the Task Force did not move along and were not implemented as successfully as had been hoped?

COMMISSIONER DYKES: I think that we see that, you know, there could have been more progress and we do
think that’s a reason to bring back to the Committee a sort of renewed focus on this particular tool. Certainly we think that’s productive to do in light of the changing commodity pricing around recycling, you know, with the changes in the nickel market for example. We think that that means there maybe sort of renewed sort of economics around the cost effectiveness of the producer funding recycling as compared to other types of recycling approaches that, and I think that, you know, there was a lot of good debate from my understanding on that Task Force, we think that this particular structure as proposed in the Bill would ensure that plans can be brought forward that can be brought to the consideration of the legislature and, you know, even if there is not full consensus among all the stakeholders involved in this, that wouldn’t prevent those producers from being able to bring forward those proposals which then the General Assembly could determine to act upon.

SENATOR COHEN (12TH): Thank you and with respect to 7293 I’m gonna ask you to speculate a little bit if you would, I, why do you suppose if what you say is true and you certainly wouldn’t enter into a contract with Sacyr Rooney without having key stakeholders at the table with respect to tipping fees do you suppose so many are in opposition to changing the verbiage from “direct” to “order” for the Agency.

COMMISSIONER DYKES: I think that, you know, my viewpoint is that look there are a lot of concerns that people have and from my standpoint we take all of those very seriously. I’ve had great conversations with Chairman Stein, Chairman of the MIRA Board over the last couple of weeks and day and I’ve told him
and I am happy to say here that my ears are open. It is very, very important that, you know, the questions that the MIRA team is asking about this proposal need to, you know, get a full and adequate answer so that this decision can be properly informed. What I observed though is that, you know, there are a lot of questions that are on the table. I think the fact that folks are having, you know, conversation about not just the original proposal but about what about an alternate structure could or should look like has made this, has prompted more confusion. I think that the reaction to this legislative language also, you know, suggests that towns seem to believe that this would put DEEP in the role of ordering towns to enter into municipal service agreements which is not true. That would ultimately be up to the town about whether they would move forward and decide to enter, you know, how they would exercise their procurement of judgement. So in some ways I think it is a good thing or it’s a good sign that there is confusion. The alternative would be that there is a lack of agreement. I’m optimistic that if we do our job effectively and if we can help keep people focused on having productive negotiations, we can get these questions answered. We can bring the details of this proposal finally to the towns to be able to inform them directly, that will help to eliminate the confusion so that we can move on to what we really need to do which is understand if there is agreement among everyone who is involved about whether this proposal is in their interest and whether we should move forward and that’s really what our goal is.
SENATOR COHEN (12TH): Thank you and do you feel, and I know I asked this of some of our First Selectpeople who are Board Members do you feel that after 12 plus months of negotiation that progress has halted or do you feel that progress is being made and that perhaps an agreement can be reached without coming to, you know, this legislation being passed?

COMMISSIONER DYKES: I’m committed myself and I’ve committed a lot of my time to getting everyone in a room and trying to reach agreement without having to resort to, you know, anything that would be in this legislation. And we also, so that’s really the outcome that we’re looking for but we need people to be focused and we need to get the information, you know, we need to vet the proposal that was originally selected and we need to get that information forward to the towns that are gonna be going to be involved and that’s what, you know, we’re driving towards and pleased to be, you know, working positively with others who share that same goal.

SENATOR COHEN (12TH): Thank you and on 7298 certainly makes a lot of changes to our current system with respect to recycling and I appreciate your testimony on that as well. I sort of have a question that is referred to in the Bill but not in quite as much detail with respect to the permitting process and what is, say if an anaerobic digester, digestion company wanted to come online what would be the typical timeline in terms of the permitting facility of that nature.

COMMISSIONER DYKES: Yeah, I could certainly provide a response back to the Committee on that particular
question. I wouldn’t want to inaccurate information. I know anaerobic digestion is one that is more of an emerging technology here in the state so I think looking at them, where we’ve had some of the first facilities moving through getting their permits for example. I wouldn’t want to benchmark those first movers against what we would expect now to be a typical on-time frame for permitting process. I certainly recognize the importance that those facilities provide to us in terms of meeting our various environmental and energy goals. But I would say more, so I am happy to provide that information back to the Committee. Overall we believe that, you know, in the way that this 90-day requirement was amended it helped to focus it more on sort of a benchmarking mechanism to ensure that we are using best available efforts to achieve some of these permitting activities to be completed within the specified timeframe. What’s concerning is that this 7298 would kind of take us back and also include some types of permitting activities that are more, tend to more complex for example around the citing of waste management facilities and so on. You know that has the, that can have the unintended consequences, you know, we’re required to move a permit through in a timeframe that’s too short, we may have to essentially say no to a project within the specified time period because we may not have all the required information or because of the complexity we may not be able to arrive on an approval within that timeframe so that can have an unintended consequence for the applicant not to mention that, you know, some of those more complex facilities have, you know great there a lot of local community, host community interest in our decision so it’s not just DEEP making decisions but these
permit applications can also be an important way for environmental justice communities, others on the host community to get more information about these proposed uses. We have public notice guidelines as so on and so forth so it can also compromise the ability for people to get information about projects that are being proposed for their communities.

SENATOR COHEN (12TH): Thank you. I think we are sort of in a waste management or maybe I could say crisis as well at this point and I do think this Committee has seen several Bills with respect to anaerobic digestion. Is the Agency, it sounds like it may be, but I certainly don’t want to put words in your mouth, working actively on checklist if you will for permitting these types of facilities as we would anticipate that perhaps would be of great interest going forward.

COMMISSIONER DYKES: I’m glad to hear that, you know, we have a shared interest in anaerobic digestion, it’s certainly a priority for our Agency as well. I will say, you know, in taking this position and talking with the Governor, I know that it’s a priority for the Governor and for this administration to help improve the efficiency, the transparency and the predictability of our permitting and environmental compliance processes across DEEP but I’d certainly be glad to follow back with the Committee as share some of the Best Practices that we are developing and applying not just to anaerobic digestion but across this whole portfolio of functions that we’re working on in this area.

SENATOR MINER (30TH): Thank you Mr. Chairman. So, you know, I think about the Governor’s dead diet and I think about some of the things that are permitted through DEEP, some of them might be wastewater treatment facilities, some might be digesters and I think about the possibility of a private-public partnership for those large capital investments and I can’t help but wonder how could you ever get one financed if we can’t commit to some time schedule. I think the first digester took five years and this is really the frustration that I think so many people have that, you know, you bring one party to the discussion the money to the alter and you’ve got an end user which in this case was the State having to do with food waster to the alter and then you got the State saying, well okay you’re at the alter but you can’t believe all the other things we’ve got to do. Maybe the notion that a 90-day turnaround was in the minds of some earth shatteringly shocking but in the world around us things move and if you don’t get on the train the train goes somewhere else. And so that’s my concern that whether we’re talking about siting a digester or changes to a municipal solid waste production facility or anything, all the eggs are in DEEPs basket and by the way DEEP is the one that’s saying we need reduction, that’s my frustration. I mean I think about things like recycling just like you do and think what’s the solution and at almost every pass the State is the bottleneck or at least that’s how some people see it.

COMMISSIONER DYKES: Well I appreciate that, you know, your comments Senator and let me say that we take our responsibility seriously. I can’t speak to, you know, this precise issue about why there
have been, you know, what the timing has been for the execution of these various processes in the prior administration but you have my commitment that, you know, and frankly this has been the direction Governor Lamott has given me which is to bring all Best Practices to ensure that we are executing on our responsibilities in a way that it doesn’t compromise the standards that we’re required to uphold from an environmental protection standpoint but, you know, understanding exactly your viewpoint there that if we want to have a thriving economy, we want to attract investment, we have to have a process that is predictable and transparent but what you hear in my testimony today is to say this one, this particular approach to achieving that I think can have some unintended consequences and we don’t think it is appropriate for these particular types, more complex types of infrastructure but we are happy to be a partner and take all the feedback from the Committee. We’ve been opening our door, you know, to hear from developers, from investors about how we can make sure that our various processes are more accessible. We have, you know, a much smaller workforce than we had before but we also have a lot of new tools that are available to us from the standpoint of information technology solutions being, you know, on down. So we want to be able to use the right tool to achieve those goals and we think this one is a little bit of a one-size fits all.

SENATOR MINER (30TH): Thank you. Through you, Mr. Chairman. You know the other part of this is that we’ve got at the Federal level the Department of Agriculture, the USDA I think saying to farmers here in Connecticut, look you’re maxed. You can’t put
this stuff on the fields anymore so while our constituents are saying we want the dairy industry to be here, we want that to be part of the landscape of Connecticut, dairy farmers know that a potential solution to his problem is a digester so these things are all intertwined and I am happy to hear you say that, you know, you’re working through this. I would be curious just to, I know there have been retirements within each Agency, is there a specific thrust that has been put on perhaps the permitting side with regard to hiring individuals so that there is a reason to believe that it won’t be a five year delay in a permit in the future?

COMMISSIONER DYKES: So, I think just a few weeks in, I can’t speak to specifics but it is an area that we’re focusing on. You know we have a Chief Operating Office who has been designated. In the Governor’s Office we’re preparing to be able to assess priorities and metrics around measuring the impact of our hiring choice on the ability to be responsive to applications that are coming in and making sure those, that we’re adequately, you know that we’re applying all these different Best Practices so I think that the personnel aspect is a very important part of managing these processes effectively. I can’t say, you know, this few weeks in that I can’t point to some specifics but I know that is going to be an important part of how we approach this.

SENATOR MINER (30TH): Thank you and I do appreciate the fact that this is in some ways a new role. I was always interested in the approach that former Commissioner Tina McCarthy took to the permitting process and I think her three basket approach which was something happened in Basket A,
world is not ending. Somebody might have gotten a permit that might not have necessarily wanted but in terms of the environmental impact it was pretty small. Basket B where it was marginal at best and we should have a number of eyes on that and Basket C where everybody’s eye in the house ought to be on it. Is it possible that under your oversight that might be the approach that we move to?

COMMISSIONER DYKES: I think it’s a whole combination of different things. Listen, this you have to have very skilled management to understand how to take these limited resources and be able to adapt not just to sort of a static sense of how many permits, how many applications have we gotten over the last couple of years trying to assess complexity right and then be able to make assignments as reflects that prioritization for example but these are dynamic industries, right?. You may have, based you know, on a shift in commodity prices or the closure of one facility in one part of the state, right. That may have a follow on consequences getting a permit application for a type of facility that we haven’t seen in years or where you may have the example of anaerobic digestion, a technology the Department hadn’t encountered before and being able to staff up and prepare, you know, to be able to address sort of a novel application and do so, you know, recording Best Practices. The other aspect of permitting too is compliance and enforcement, you know, these are sort of, you know, general requirement that we have responsibilities that we have across the Department. How, you know, how much to you allocate your resources to enforcement versus the permitting aspect. If you grow that first basket too big you may end up having to put a lot of
resources over on to the enforcement side because you’ve run into challenges with respect to what you’ve let through. So it is a much longer conversation but I know that this Committee has a lot of experience working with my predecessors in the past and I will be glad to sit down with you, Senator and, you know, hear specific suggestions or insights that you may have so that we can make sure that we are leveraging those Best Practices in these next few years to come.

SENATOR MINER (30TH): Thank you. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Senator. Representative Gresko did you have a question?

REP. GRESKO (121ST): Thank you, Mr. Chair. Thank you Senator Miner for basically asking the majority of my questions but I guess my final question would be, can DEEP do the streamlining of the permit process? Can DEEP handle what would, what is going to hopefully be a change in the Bottle Bill can DEEP handle it’s potion of it? I understand and I sympathize in great length with the lack of staff that you have and we’re expecting you to jump through hoops and do all this and continually we’re being told there is going to be a staff issue not only now but in the future so I’m not trying to make this sound confrontational, I’m just saying by pure human effort, by pure physics can DEEP do this?

COMMISSIONER DYKES: Well it’s not a so much a question of can we, but we will. That’s our job. So I think, it just underscores for us the importance of again continually refocusing on how we are stewarding our resources which are primarily staff resources. You know, utilizing information
technology, leveraging multi-consultants, being able to look at Best Practices from other states, yeah there is a whole different range of things that we’re utilizing every day to help make sure that as we live with a smaller headcount that we are properly prepared to execute all of our duties and certainly with respect to permitting or the Bottle Bill, you know, we are, that’s what we live to do which is to serve efficiently and effectively to be able to implement the various programs that we’re authorized to oversee.

REP. DEMICCO (21ST): Thank you, Representative. Representative Mushinsky.

REP. MUCHINSKY (85TH): Thank you, Mr. Chairman. Commissioner, two questions. One on 7293, the vendor, the proposed vendor is saying they need to adjust the Statue 22A-268 and I’m trying to figure out what they want, what they object to and what are they trying to remove. Are they trying to get rid of oversight in that section or the requirement of public records of the contracts or the two-thirds vote by the Board to approve, you know, what exactly do they object to in there?

COMMISSIONER DYKES: I’m sorry in 7293, so we have been, I mean we asked the Agency to raise this Bill in part because we had understood from discussions with the MIRA Board and MIRA staff that they believed there may be clarification that’s necessary to their statures in order to enable any agreement with the private developer to move forward. It is a little bit of a chicken and eggs situation because until you know precisely what the final terms of that agreement are, you know, it’s difficult for us to eliminate every possible modification that may be
necessary to their statutory framework. I should also say that DEEP does not necessarily share MIRAs views that the current statutory framework is incompatible with, you know, enacting this agreement. But recognizing that we did not want the need for, you know, if everyone reached agreement between MIRA and the developer on moving this proposal forward we didn’t want to then lose the possibility of them having them, reach the possibility of them having to come to the General Assembly and wait until next year to obtain any modifications if MIRA felt that was absolutely necessary for an agreement to move forward. I’m not sure if I’m answering your question.

REP. MUCHINSKY (85TH): You’re not. No, I can’t tell if MIRA has a problem with the current law which is basically about oversight and how we get the municipalities to have a voice in this or is the vendor, does the vendor have a problem with the current requirements in 22A-268. Which party has the problem?

COMMISSIONER DYKES: I can only speak for myself and what I’ve observed or overheard in the conversations over the last few weeks but it is my perspective that the developer, they have not requested that we seek any changes to the Statute, it is MIRA that has suggested that some changes may be necessary and then you’ve seen in the written testimony reaction to, from MIRA and you heard from earlier in oral testimony MIRAs objection to the inclusion of the word “order” as opposed to “direct” in this Raised Bill. But no concerns from the developer with respect to the current statutory framework that I am aware of.
REP. MUCHINSKY (85TH): Okay, that’s good to know. And then in 7298 appears to be saying we are going to repeal the mandatory recycling in Connecticut among other bad things in there. But that one struck me, Section 4 like they are just repealing recycling. They’re saying, well we’re having trouble right now with markets so we’re just gonna repeal the whole thing and you won’t have to do it anymore. Doesn’t that turn us back to shipping long distances to landfills. I mean that’s what we used to do and the Environment Committee tried to get away from that by using as much as possible, recycling as much as possible and limiting how many burn to energy plants we have and trying to avoid taking our waste to Louisiana or Ohio or, you know, at an exorbitant shipping rate.

COMMISSIONER DYKES: That is one of the many reason we oppose this Bill.

REP. MUCHINSKY (85TH): Okay, I think we’re on the same page on that one. Yeah, I think I recognize that we have a market problem right now with China but I think that should put pressure on us both consumers, and residents, and businesses and folks that manufacture those products that we all have to take another look at this and do a better job of preparing a recyclable material not just give up just because China won’t take our badly sorted recyclables anymore which are now going to places like Malaysia and contaminating rainforests in Malaysia. So I hope we can put more responsibility on people who are just producing the products without thinking about the end result. I really don’t like the idea of the towns going back to the days when we send the waste further and further away from out point of generation. That makes no
sense to me, the trucking costs make no sense to me and it looks like you agree that we can perhaps fix the recycling problems without just saying okay, you’re relieved from recycling.

COMMISSIONER DYKES: I do agree and I think that, you know, this is just an insight that we’ve seen from other industries that when producers are taking on the active role in addressing the cost of recycling, you know, then we’re putting the intent in the right spot, the folks that are actually designing the packaging, you know, they are going to be competing among each other to sell their product at least cost to customers and so that means they are going to be, you know, I think that that gives them the incentive, the market incentive to comply, to come up with compliant materials and packaging that is also highly cost effective, right, and so it is getting them to internalize not just the cost of producing the product that they are selling but the packaging as well and I think the downstream improvement to the cost of recycling and waste management, materials management for towns will really improve. But we know there is no silver bullet, there are lots of important mechanisms from consume education on up that are gonna be necessary to have a sustainable materials management strategy in the State. We think that particularly with the commodity pricing where it is today that the environment is really a good time to bring this tool back into public discussion.

REP. MUCHINSKY (85TH): Okay, thank you.

COMMISSIONER DYKES: Thank you, Representative.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Commissioner Dykes. No.
Okay, thank you very much, appreciate it. So the next person to testify is Allie Esclionis. Would Allie be? Did I say that right? Oh, boy and then to be followed by Carol Briggs.

ALLIE ESCLIONIS: So good afternoon. My name is Allie Escolionis and I am here on behalf of the American Institute for Packaging and the Environment also known as AMERIPEN.

Senator Cohen, Representative Demicco and Members of the Committee, thank you for the opportunity to comment on Bill H.B. 7295. AMERIPEN is a coalition of packaging producers, users and end-of-life materials managers dedicated to improving packaging in the environment. Our membership represents the diversity of the packaging sector, its supply chain, and end-of-life management partners. AMERIPEN supports the State’s efforts to revive and evaluate our solid waste plan and improve the management of packaging materials.

However we are concerned that this Bill requires that the State implement a specific strategy to establish statewide packaging and paper recycling program and industry-financed stewardship of that program. We ask you to consider the following issues, concerns and recommendations and refrain from adopting the current approach in statute.

EPR or project stewardship as it would be amended under this Bill requires producers to take financial and management responsibility for products at the end of their life via product stewardship organizations (PSOs). This approach has not been proven as feasible or preferable in the United States. EPR has primarily been used as a funding mechanism for end-of-life materials management
programs where no other funding source was available. The U.S. already has systems and infrastructure in place to handle traditional recyclables. Proponents of EPR cite its effectiveness in achieving three main goals (1) reducing costs to states, (2), incentivizing product design and (3) increasing collection.

There is currently no research available to help assess the impact of EPR in reducing cost to the State. Because the systems operate independently and often face a multitude of contractual obligations there has been no comprehensive study to date to ascertain effectiveness. Even within the European Union, the extent to which EPR fees cover net operational costs are highly variable.

Additionally the Task Form convened by Senate Bill 233 which has been mentioned earlier voted against this proposal partly because of a lack of data to prove program coordination, enforcement and awareness to reduce overall system costs. The effectiveness of EPR on promoting green design is also unproven. The collective approach to product stewardship pools products and fees and therefore independent actors have no incentive to design differently than their peers.

Lastly local solid waste job losses would be lost under this Bill H.B. 7295, since the all-encompassing responsibilities of the PSOs would take over local solid waste planning, litter prevention, education and service provision. With the PSO serving as a single contractor for services, efficiency would be critical and the diversity of approaches to solid waste in the State could not be retained. These impacts would be real and
significantly affect those workers that are employed in the diverse solid waste jobs in the State. So, I’ll wrap up there. Thank you for the opportunity to comment on this Bill and I’d be happy to take any questions.

REP. DEMICCO (21ST): Thank you very much for your testimony. I’ll ask Committee members if they have any questions. Okay, I just have a quick question for you. So your organization AMERIPEN can they point to specific examples of where packaging has been reduced without some kind of a mandate from government entity?

ALLIE ESCLIONIS: Yeah, so for specifics I would have to get back to you but I can say that the majority of AMERIPEN members have their own goals and commitments that they’ve made publicly both for recycled content and recyclability. So those are things that have been put out there by a majority of our members and they’re already making those goals.

REP. DEMICCO (21ST): Thank you, thank you. Seeing no other question, thank you very much. So the next person is Carol Briggs to be followed by a Kevin Canan, hope I said that right. So Carol and then Kevin.

CAROL BRIGGS: Good afternoon Chairman Demicco and Members of the Committee. I’m Carol Briggs. I’m the staff attorney for the Department of Agriculture. We had competing Committee Hearing today so I am filling in for the Commissioner. With me is Dr. Bruce Sherman. He is the Bureau Chief for Regulatory Services and Rebecca Eddy who is one of our Agricultural Marketing and Instruction Representatives.
Thank you very much for the opportunity to speak in support of three Bills, one Senate Bill 1000 AN ACT CONCERNING APPLE ASSESSMENTS; Senate Bill 997 AN ACT CONCERNING DOG LICENSING FEES; and House Bill 7297 AN ACT CONCERNING QUARANTINE AND DISPOSAL ORDERS OF ANIMAL CONTROL OFFICERS.

With respect to, we’ve submitted written testimony for all three of these. With respect to the Apple Assessments we are seeing an increase in the assessment to create a base minimum assessment of $100 dollars per year for the orchards that meet the threshold for that, a fairly simple proposition. The Connecticut Apple Marketing Board has found that living in it’s budget with the minimum assessment that was being imposed on a few orchards was just not sufficient to sustain the promotional activities of the Board. This will require some more of the apple orchards who are all benefiting from our marketing processes to pay a minimum of $100 dollars for the Agricultural Marketing that our Department does on behalf of all orchards in Connecticut. I’d be happy to take questions as we go or I can. I’ll just continue on.

Next one is Senate Bill 997 which is AN ACT CONCERNING DOG LICENSING FEES. What we are seeking to do is increase a small amount, the fees charged for licensing animals. For altered animals the fees would go from eight dollars to $12.00 dollars and for unaltered it would go from $19.00 to $30.00 dollars. Some of the increases in that would go to the Animal Control Fund so that we would have additional funding available for spaying and neutering of animals that is our hope with increasing fees that will have some additional funds for that. Slightly additional amounts go to the
town for the processing of the licensing for animals as well.

The third Bill, House Bill 7297 is a substantial rewrite of 22-238 which deals with restraint and disposal orders for animals, primarily dogs and also the quarantine law for animals. We had a very devoted working group that spent about four months working on redrafts of both of those statutes and in large part what you see before you now is what the working group put together as First Selectman Bransfield mentioned, I think included veterinarians, members of the staff, members of the public, victims including just other members of the public, some ACOs - Animal Control Officers, police officer who had gotten very involved in working with his own town’s animal control unit and in fact Representative Dubitsky even dropped in on us for one of our meetings. So what it does is clarify in Section 22-358 and I am going to refer to the question I guess that came out of the comments that you received, the due process that we used is the Uniformed Administrative Procedures Act. So if a town issues a restraint order or disposal order, that can be appealed to our department, our department would assign a hearing office to that matter. The hearing office issues a decision, the Commissioner would either approve it, modify it or revoke it. At that point any of the aggrieved parties and that could potentially be the dog owner or the victim, if they chose to be involved in the appeal process can appeal that to Superior Court and we have several matters pending in Superior Court right now. So our due process procedure follows the same as every other department in the state. What we did add is as First Selectman Bransfield
mentioned is this notion of the prehearing mediation and we are allowing hopefully the dog owner to speak with the First Selectman or First Selectwoman of that town or the mayor of that town or whoever is the designated officer for the town, to discuss the order. Sometimes we find that orders get issued, maybe without all the facts available and so if some of that information comes to light the order may get modified or it may not but we are hoping that gives some more opportunity for resolution before it has to become an administrative appeal to the department.

What we’ve also changed is identifying specific criteria that we want the animal control officers to consider when they are deciding whether or not to issue any type of order whether it is a restraining order or a disposal order and we’ve listed those in very detail. That comes from the literature nationally as well as other state laws. We considered several options but that list of criteria seemed to be workable for the animal control officers to be able to apply in the field without being too technical for them to be able to handle.

What we also did then was took the Sections that were related to quarantine that were in the, I’ll call it the dog bite statute 22-358, we then moved that to 22-359 so all the quarantine language whether it is a suspected rabid animal is out loose or there is a biting incident. In either event we want the rabid animal or suspected rabid animal treated under the quarantine statute in 22-359.

What we did there as was mentioned previously was we have reduced the hold period from 14 days to 10 days because that is accepted by all the national guidelines for quarantines for dogs, cats and
ferrets there are standards. Other animals there are not standards so for those situations the state veterinarian would be involved in helping an appropriate quarantine period. We modified the quarantine to allow some more flexibility now for the towns to be able to work with the dog owner if the quarantine can be handled on site under certain circumstances. There used to be flexibility with that and now there is some flexibility there so as the example where the dog may have almost been the victim but still was involved in an attack could be quarantined at home without having the dog owner also incur the added costs of having to pay for the quarantine.

We had several requested, a couple of changes to what was in the Committee Bill that we would hope the Committee would consider. One of them was in the criterial for looking at whether the animal should have an order issued against it. It speaks to whether the animal was provoked and the work “improperly” is front of provoked and from an application perspective of an ACO if another dog attacks a dog we are not sure how they would determine whether a dog was improperly provoking or properly provoking so we weren’t sure that adjective was necessary. We were trying to update the quarantine procedures for what the Statues used to refer as people who are blind or with a mobility impairment to a “person with a disability” and refer to service animals to comply with the ADA. That language was changed back to the existing language that speaks to animals for blind or person with mobility but the way it’s worded right now that doesn’t even have to be the guide dog. It speaks to the guide dog or other animal of the blind person
and the other animal could actually be another dog and we have had that situation. So we would like that to be considered. One other change in 22-359 in Subsection (b) it’s the section that deals with suspected rabid animals, that speaks to the ACO may quarantine a suspect rabid animal and we really think that should be “shall” for safety reasons that if that ACO thinks there is any chance that animal is rabid they shouldn’t have the flexibility, in some respects that makes it easier for the ACO because they don’t get beat-up so badly by the people involved that well really my dog doesn’t need to be quarantined or my cat doesn’t need to be quarantined. And if there is a suspicion of a rabid animal they should be quarantined. There shouldn’t be any risk to the public by an ACO deciding, and they’re not experts in the area, so they are just going by what they are seeing as visual cues.

One other change that we would like to offer as a suggestion is in the quarantine section it speaks to 10 days for the quarantine and we just want the measurement to start from the date of the incident. It doesn’t specify that right now and we think that would help with clarity for the ACO in applying the quarantine statute. Those were are comments on the three Bills and we would be happy to answer any questions.

REP. DEMICCO (21ST): Thank you very much for your comprehensive testimony. I’ll ask Committee members if they have any questions. I had a couple of questions actually. I don’t know if you were here earlier when someone else addressed, well I guess it was Ms. Bransfield and the ACO that she was testifying with and I asked the question about due process, so I’m looking at testimony that says that
the requirement is ACO makes a disposal or restraint order at the outset, sets a bar too high to reasonably overcome an appeal, to overcome on appeal. So would you agree with that or disagree with that?

CAROLE BRIGGS: Well I could only speak to the existing Statute we have which if the burden is on the town in an appeal to demonstrate that the disposal order or restraint order is valid, so I’m not sure about the comment about the bar being high, the burden is actually on the town because it’s their order. They have to sustain the burden and I know our hearing officers have revoked orders where they haven’t found that the town met the burden or reduced them where they don’t feel the town has met the burden, so again I’m not sure about the language about being too high because the burden is on the town not the dog owner.

REP. DEMICCO (21ST): Thank you, thank you for that. The other question I wanted to ask you was with regards in the increase in the fee for registering your dog and did I see in the language in the Bill something about cats as well, or I want to clear up confusion there might be about that.

CAROLE BRIGGS: There were two Bills, Raised Bill 999 addressed cats. We are not pursuing cat licensing or fees.

REP. DEMICCO (21ST): I just wanted to make sure. Okay and I thought there was something in there about in the Bill that you were testifying on that had to do with cats, perhaps I’m mistaken, maybe I’m looking at too many Bills.
CAROLE BRIGGS: In our Bill 997 it only speaks to dog licensing it is 22-338 and it is specifically limited to the dog licensing section.

REP. DEMICCO (21ST): Okay.

CAROLE BRIGGS: We have proposed another Bill that the cat licensing language was added to and we are not commenting, not speaking to that.

REP. DEMICCO (21ST): Okay, all right. Thank you. Any other questions by Committee members? No. Okay, thank you very much. Okay so the next person to testify is Kevin Canan to be followed by Ellen Zeppo-Sassu.

KEVIN CANAN: Thank you, appreciate it. Chairs and Members of the Committee appreciate your time. On behalf of the Members of the Product Management Alliance we certainly appreciate the opportunity to express our position on HB 7295, AN ACT CONCERNING A RECYCLING PROGRAM FOR PAPER AND PACKAGING AND REQUIRING CERTAIN MUNICIPAL SOLID WASTE MANAGEMENT GOALS.

I happen to be the Executive Director of the Product Management Alliance (“PMA”) and we are a coalition of trade associations and corporations that represent a broad array of consumer products. Our mission is to support market-based extended producer responsibility (EPR) efforts, as well as voluntary incentives for increased recovery and sustainable products and package design.

Our members have long strived to voluntarily recover the products they manufacture and we understand and appreciate the State’s desire to seek ways to improve the recovery rates of goods. However, we believe that implementing EPR programs in this case
for paper and packaging would simply add costly and unnecessary mandates for both the State government to implement and run this program as well as for the retailers and manufacturers in Connecticut. These costs will ultimately be borne by the taxpayers and consumers and we don’t believe that they will achieve their goals.

Of course the goal of reducing waste is laudable, which I think this Bill is getting to, EPR programs like this, if there were to be set would setup a first in the nation, a confusing and bureaucratic system of recovery for the residents of the state with similar products having very different end-of-life recovery schemes confusing consumers ultimately. We heard Commissioner Dykes come up here and talk about making things more streamlined and cohesive overall and this would actually set up something that would not do that.

So we also have found in other places around the world that have set these up, sometimes this actually hinder waste reduction overall and result in less reduction in waste overall and I’ve given a specific example in my written testimony on a study that’s done. We also think that it very well may have a chilling Effect on the manufacturers and retailers doing business in the State of Connecticut and business could be lost in neighboring states overall. So, I’ll leave it at that. I appreciate it and obviously if anyone has any question, I’m more than happy to discuss.

REP. GRESKO (121ST): Actually, that’s my line. Mr. Canan thank you for your testimony. Anyone with a question? Representative O’Dea.
REP. O'DEA (125TH): Thank you for your testimony. What are some of the voluntary things that you've seen work in other states that you would like to see us do?

KEVIN CANAN: So education, education, education in my humble opinion. One of the example I often give us all have been faced with the problem of you have a bottle or a can or something and you walk by a blue bin, like the one in the corner right there, and you say, is this gonna get recycled or is this not gonna get recycled. We heard one of the Representatives previously talk about the fact that the plastic bags that sometimes you put your recyclables in ultimately muck up the work at these MRFs overall. So having consumers, most consumers want to do the right thing and make it simple for them as well. They are used to curbside recycling or in some cases taking it to a recycling center to be able to do that around the country. Making it as easy as possible for consumers, cause generally most people want to do the right thing, does that. Educating them and make it as easy as possible.

REP. O'DEA (125TH): I was listening to NPR and they had this Loop Company where I guess they actually develop packaging of its own by the manufacturer and it gets recycled to the manufacturer. I don't know if you are aware of that or heard about that, but that was something that I was interested in. thank you for your testimony. I appreciate it.

KEVIN CANAN: Thank you and I'm not familiar with that but it sounds very interesting.

REP. GRESKO (121ST): Thank you. Representative Dillon.
REP. DILLON (92ND): Thank you. Thank you for coming today. I’m following up on the question asked by my colleague. I wonder if you could provide the Committee, if not now then later, with examples of what you would call education and the measurable results and provide it to all the members because I see we’ve had some attrition, maybe for some lunch?

KEVIN CANAN: Let me follow up with the Committee.

REP. DILLON (92ND): Yes, cite any examples exactly how much that achieved over time. That would be very helpful.

KEVIN CANAN: Yeah and one of the things, Representative other speakers have mentioned as well is what ends up happening for some of these programs when they begin is you get the low hanging fruit immediately and that’s easy. What happens is as these rates get higher and higher you end up with more complicated ways to be able to do this and these Bills have been out there in other states as well. But there is a reason that no state has jumped to be able to take the step to do EPR in my humble opinion, it’s a risky maneuver, it’s gonna cost money, you’re setting up a whole new scheme out there to be able to do so and quite frankly we just don’t see that is going to result in what, we all I think we agree in this room, which is better rates of recovery in being able to do so.

REP. DILLON (92ND): Absolutely right. It’s not a perfect world but we’re kind of some of the people who have to deal with it every day in their communities and we live in those communities as well so that obviously we would all like to do the best
thing possible. So any concrete measure example would be great.

KEVIN CANAN: I will follow up. Thank you very much.

REP. GRESKO (121ST): Any other Representative or Senators? I had a question. Do you feel that. We have EPR in the State of Connecticut for paint. We have ERP for mattresses. We have ERP for electronic devices all pretty much on the large side. Do you feel that packaging is just too inconsequential, I don’t want to use the word but?

KEVIN CANAN: No, it’s more complicated quite frankly. It’s more complicated because packaging takes so many different forms that are out there. You know, initially as I understood it former Senator Kennedy who introduced a similar Bill going back three or four years ago had said, yet I got something small from Amazon, it was in a big box and that really stuck out. Well we don’t always get boxes from Amazon or other retailers or producers out there. We get all kinds of different things so its much more complicated because how are you doing that and quite frankly I think you heard from other folks to know this better than I personally but they are making these are recyclable as possible but you have that fine line with packaging where you don’t want shrinkage, people to steal stuff, you don’t want breakage and they don’t want to spend anymore money in manufacturing stuff to get it from point A to point B or, you know, the scratch and dent sales and stuff like that because they are losing a ton of money overall to those sorts of things. So if the legislature in this state or any other decided they want to determine exactly what packaging needs to look like, that’s a
complicated issue that these companies have tons of people that’s what they solely focus in on. On the other hand the municipalities for most folks, I know certainly here in Connecticut are used to having municipalities pick this stuff up at the end of time and now you are having these people at the beginning of the chain coming at the end and somehow getting involved there which really gets kind of confusing and that’s not the specialization of these producers. They are good at packaging design quite frankly because they don’t want to lose their products overall whether it’s home appliances, we heard from consumer electronics and other goods that are out there. So it’s complicated. It’s a long answer, my apology Representative.

REP. GRESKO (121ST): No, no not a problem, I appreciate the explanation. So would it be safe to say that as opposed to an EPR. Maybe the team of experts, design experts you have are rethinking the actual material? One of our other individuals that testified had mentioned how they are going to a more sustainable, down a more sustainable avenue meaning that maybe instead of polystyrene we are using something that is more environmentally friendly. I know it’s probably not a step that a purist would like but it’s a step in the right direction in getting, removing things that are nor recyclable at all and moving to the next step so maybe it is as Senator Miner has brought up a plant based bag or a protection, you know, I’m tired of looking at those thousand peanuts that fall out of the box when, maybe.

KEVIN CANAN: [Chuckles] I’ve been there, I have small children, you know, we get stuff.
REP. GRESKO (121ST): Yeah exactly so as opposed to telling you that at the end of the product’s life you have to come and clean them all up, maybe we picked that off at the beginning and say, maybe they are made out of who knows what.

KEVIN CANAN: And I appreciate those comments. Thank you, Representative and that’s right. Ultimately who you are hearing from are a lot of folks who represent manufactures and companies that are pushed by consumers like us, not just as you all as legislators but as consumers to be able to do so. To be able to make sure they’re able to do that. And I think we’re seeing that in the products that we see, not just from the members of our association but elsewhere as you’re out there, but I get your point and that’s well taken.

REP. GRESKO (121ST): So let’s say instead of an EPR Bill we suggested that you do a more comprehensive packaging Bill to go down the sustainable route, would that be something?

KEVIN CANAN: I would have to bring that back to my members to take a look at. Really our chief concern is we don’t think that EPR works. We think it’s a cost effect on the manufactures that’s gonna be passed along to the consumers. You’ve got folks who are close to Rhode Island, New York. We heard from one of the Representatives who borders New York. They are going to end up going to other states if they can get stuff slightly cheaper or Massachusetts you know if that’s the case. They’re gonna be in Springfield or just over the line in New York or Rhode Island doing so.

REP. GRESKO (121ST): Anyone else have any questions? Representative Mushinsky.
REP. MUCHINSKY (85TH): Thank you, Mr. Vice-Chair. We have a couple of, as the Vice-Chair has said, a couple of producer responsibility laws already and in the case of mattresses for example they take apart, we now take apart the mattresses into the metal springs, the fluff and the other parts of it and then each segment is recycled successfully where as before people just used to throw them into the nearest ravine cause they didn’t want to pay the haul away charge or the municipalities at great expense had to pick-em up on the curb once a year and take them away which is also very expensive for people who live in the municipalities. So now that we have some responsibility on the part of the manufacturer who sells them to us, we now have the closed loop again and the materials are being recycled. So I think in our case in Connecticut we find the producer responsibility, extended producer responsibility to be a successful way of dealing with this. You said you didn’t think it was successful but our experience is that it has been and, you know, our question now is how do we help our towns and our residents recycle at a higher percentage when they are being hit with these new big problems and your suggestion is well, we educate more which is great but DEEP, they is hardly anybody left over there, if you call over there for help there’s not many people over there and if your folks are not going to help us redesign the products to make them more recyclable, you know, my instinct is to get you involved reluctantly or not to help us close the loop on this or maybe your group would like to pay for the education that DEEP can’t do because they are short staffed. But I do feel that your products are part of our modern consumer problem at the municipal level and that, when I used
to go to conferences, I used to make fun of the products and just certain ones I’d put ‘em in a bag and haul ‘em out one at a time and say, you know this one has four different nonrelated materials in it and no one can recycle it and then I’d pull out another one and say what was wrong with that one and sometimes the public embarrassment was enough to get ‘em to change the design because whenever that thought is not in the product, the end, the end destination when that is not thought about by the designers, it’s always gonna fall on the towns. That’s who pays at the end. So, yeah and then the taxpayer of course. So we are trying to tell you we need help on this. We need you to redesign some of these things. Amazon’s new design was good for shipping but it is turning out to be a problem for the MRFs. It is messing up the.

KEVIN CANAN: We’re not members by the way.

REP. MUCHINSKY (85TH): Okay, but I’m just giving an example. You get one big company like that makes a design change and it messes up life for everybody else and we need you to be, we need your members to be a player and we need them to think about the end, the destination of this product, after you’re through selling it to us, then what. They have to be involved and it could be voluntarily or we could make it happen, we could have a fee on the product so that it involves your businesses and they will think now that I’m gonna have to deal with this again, maybe I should redesign. So when we do Bills like this, it’s because we’re having an issue that is harder and harder to solve and we need you and your businesses to help us solve this. And the longer it goes on without help you’re gonna see Bills like this because we’re, because of the
National Sword in China, the shift has really put pressure on us and we have got to settle this. So, if you can think of a voluntary way to help us settle it, it's great. If you can't you are probably gonna see more bills like this.

KEVIN CANAN: Understood, I appreciate that. Thank you very much, Representative.


REP. GUCKER (138TH): Real quick, not to repeat what's been said. Again I think the concern education will be great, I mean I know how many people will go and look at the little triangle on the bottom of their container and, you know, they'll try to look it up online and if it actually means something were they can take it to the recycling center or not but also can you see a way forward to maybe getting away from, even if you are educated with some of these products you can't recycle them, so you're kinda stuck with them and they wind up floating in the ocean or wind up in our burn centers. Do you see a way forward of moving away from those types of packaging materials and going to more of a recyclable? I think hemp would be great if we grew that right. But we get to some reusable product like as far as a paper based or recyclable based but I know when I used to mail a lot of packages I used to shred a lot of newspaper and paper and when it ultimately got to where it needed to be it could go into the recycling system and be reused again.

KEVIN CANAN: Yeah and I'm not an expert, self-confessed expert on exactly making those changes overall but I think consumers to your point are
demanding that I think you see that in the market place that’s out there. Really our concern is we just don’t think for something as broad and diverse as paper and packaging that EPR is the solution. I think the examples that were previously used in the state that had EPR programs sometimes the industries are very much part of it, like paint overall and are pushing those bills around the country and I don’t believe that you are the first in any with that mattresses or any other EPR program in the country. So it is a bit of an experiment and we just think that it’s gonna be expensive, ultimately bourn by the consumers overall that are going to pay for it and then you’re setting up a completely scheme for something that again is quite diverse versus something like we all, up until recently had a sense of exactly what a mattress looked like, now mattresses are obviously changing a lot too but an old school mattress of what that looks like or paint. Paint is pretty much one of a few different types overall.

REP. GUCKER (138TH): Well, I look forward to see where we can bring this and I understand the expense part as far as with the manufacture people want to get their good as cheap as possible but we have to look at the expense at the other end, what’s the cost at the other end. I thank you for coming up and I would just ask that you guys look at really hard, if it costs a little bit more to do it then eventually maybe it will be an industry that others would want to get into and then obviously bring the cost down because you don’t have the end result problem in the end. But thank you.

KEVIN CANAN: Thank you, appreciate your comments.
REP. GRESKO (121ST): Thank you, Representative. Anyone else? If not, Mr. Canan thank you. Next Mayor Ellen Zoppo-Sassu followed by Sarah Pierce.

MAYOR ZOPPO-SASSU: Good afternoon, thank you for having me. I am the first-term Mayor of Bristol which also is the host community to Covanta which recycles which has the solid waste management plant for 14 communities and occasionally more. We’re here on behalf of all of our municipalities to testify on behalf of 7294 which we are in support of and 7295 which we are not.

You’ve heard a lot of testimony already today about China’s National Sword Policy, about how all of this including the recent problems at MIRA and the diversion has created a volatile market so I won’t go into that. But I want again impress to the members of the Committee that all of his is wreaking havoc on municipal budgets and legislation is needed to ask the Department to revisit the state polices and priorities particularly with respect to how cities and towns provide these service to the taxpayers. Initiatives proposed in House Bill 7298 will take into account a more pragmatic approach to managing solid waste and recyclables in the absence of the robust markets for many materials formerly exported to southeast Asia. And with no viable markets in the United States our taxpayers are now bearing the brunt of paying for services that we previously received a credit for in our municipal budget. In Bristol alone, we are anticipating a $300,000 dollar increase in our Public Works budget.

We personally have taken steps locally to revise the recycling mantra really tried to reeducate people after all we’ve done in the last 25 years to
encourage them to recycle. We are advocating for repurposing and we are advocating for the diversion out of our waste stream to reduce our costs. Some examples of this include using a grant to purchase household composting containers for distribution, seminars and workshops for the public, in the schools as part of our upcoming Earth Day activities; as well as establishing a Trash to Treasure site at our transfer station to set aside items that could be repurposed or used in different settings. Recently our Public Works employees also met with a local non-profit that provides furniture and household goods to individuals and families that are emerging from homelessness and/or domestic violence situations in the hopes that we can divert additional items that come to our transfer station that are gently used and remove them from the waste stream in order for this new purpose with this non-profit.

We currently do many of the things you’ve talked about and I did bring my Public Works budget with me to show all of the costs that we’re currently enduring to comply. We have tire disposal fees in our budget, the freon disposal waste, the bulk waster, we do Pay as You Throw which may of our taxpaying citizens feel is just a hidden tax because they do believe that they are paying taxes for the Public Works budget, why do they constantly have to come and pay additional fees and get permits in order to utilize our services. We also charge our citizens for our disposal of grass clippings in order to make sure that those don’t enter our waste stream as well which would affect our tipping fees. So all of these including our electronics recycling program which is every week at our Farmers’ Market
during the summer for ease of disposal, all of this are items that we’ve currently brought to the agenda in order to try to reduce our costs.

An important point in all of that is that if we, the municipalities are going to these lengths to address this problem it is vital that the State be our partner. I know that many of my colleagues would join me in support of the 90-day turn around time for permitting municipal environmental projects. We also appreciate the approach proposed in the Bill to facilitate reporting via the internet and to make the process as transparent for our public works officials.

In conclusion we also wanted to note that the review of the Departments implementation of the 2016 State Solid Waste Management Plan is a welcomed opportunity to affirm whether or not the bold initiatives launched with passage of Public Act 14-94 have been fruitful and even more important if they are realistic in today’s market.

I did include in my submitted testimony some brief comments in opposition of House Bill 7295 and it really just focuses on the fact that I believe that we’re granting authority to penalize the cities and towns for “Making insufficient progress in implementing a recycling and waste reduction program.” We believe such a determination could rely upon entirely subjective information without clear measurable parameters. The cities and towns of Connecticut have done very well at providing convenient and cost effective waste management services especially when considering the age of our existing waste facilities. The possibility of enforcement against a municipality for failing to
meet ambiguous goals is unlikely to contribute to the desperate need for infrastructure improvement and I have additional comments regarding that.

I know that Covanta which is located in Bristol is aging, it’s over 30 years old right now and is in desperate need of some infrastructure improvements. We’ve been subject to some outages ourselves which have put a burden on our municipalities in many interesting ways, one is that without really thinking about it, when you’re waiting with your trucks in long lines, that’s spurring on some additional overtime costs because the employees really can’t get out of line especially with full trucks. We have other issues where we actually pay Covanta to stay open on Saturdays in order for us to remain in compliance with some of the DEEP regulations about how containers can be handled at our transfer station and how they can’t be left out or uncovered. So many of those issues are effecting us on a very day-to-day basis. Our budget is reflecting it. Our services to our taxpayers are reflecting it. We are also seeing ancillary issues like illegal dumping and many other code enforcement issues that I think are all part and parcel of this conversation that we are gonna need to continue to have as partners.

REP. GRESKO (121ST): Thank you, Madam Mayor. Anyone with any questions? Representative O’Dea.

REP. O'DEA (125TH): Thank you, Mr. Chairman. Just real quick on the 300 percent increase in your budget for Public Works, is that all attributable to recycling and problems with that?

MAYOR ZOPPO-SASSU: It’s a $300,000 dollar impact and yes, because we usually in the past would
receive a credit for the recycling materials that were collected and disposed of. We are no longer able to do that so the fee for our tipping fee which is going to be similar to our solid waste one right now as the host community, I pay $64.00 dollars per ton to recycle, not to recycle, to go to Covanta incinerator. Instead of receiving a $9.00 dollar per ton credit for my recyclable materials, I will be paying anywhere upwards of $70.00 dollars per ton and that is only a conservative figure that I put in. I heard from a colleague recently that it came back somewhere in this area and it was $117.00 dollars per recyclable ton.

REP. O'DEA (125TH): Thank you very much. Thank you, Mr. Chair.

REP. GRESKO (121ST): Anyone else with any questions? Representative Gucker.

REP. GUCKER (138TH): Thank you for coming out today. Not so much a question but an idea. You were talking about possibly it would be an added cost to your residents to have like a composting bin or something of that sort. Have you looked into, we heard quite a while ago about a digester that may be going into Southington which isn’t too far from you, think about maybe reaching out to them as far as providing bins for digesters so maybe you could, that would help your recycling plan so you wouldn’t have to put up the bins?

ELLEN ZOPPO-SASSO: We’re open to any and all ideas and we do have a very good group of, a consortium of chief elected officials to talk about this a lot. I’ve only been in office for about 17 months and I can tell you that this one issue, how it impacts the budget, how we are rolling out services and how all
of these other pieces are interconnected into the public works piece of it which is my second largest budget has consumed a lot of our time and I’ve very lucky to have colleagues in these neighboring communities that are also trying to be innovate in order to stay on top of this. But for municipalities such as Bristol, which is larger than some of my neighboring towns, the $300,000 dollar hit hurts but I can do certain things to manage it. For some of the smaller communities it is going to be very, very difficult and those are the ones we’re here representing as well.

REP. GUCKER (138TH): Well, I thank you for coming out. You may want to just have your people talk to them in Southbury, no Southington, I’m sorry Southington. I get ’em backwards but thank you very much for coming in.

REP. GRESKO (121ST): Anyone else with any questions? If not, thank you, Madam Mayor. Next is Sarah Pierce followed by C.J. May. Welcome.

SARAH PIERCE: Thank you. Good afternoon, everyone. Members of the Committee thank you for the opportunity to provide testimony today. My name is Sarah Faye Pierce, I am the Director of Government Relations for the Association for Home Appliance Manufactures. We are here in strong opposition to HB 7295 which seeks to establish a state-wide packaging and paper recycling program here in the State of Connecticut.

We oppose this Bill for the following reasons: Number 1: A state-by-state approach would negatively impact the recycling system in Connecticut. As you’ve heard several times from other witnesses Connecticut already established a
Task Force to Study Methods for Reducing Consumer Packaging that Generates Solid Waste in 2016. The final recommendations which came out last year did not recommend product stewardship over concerns or creation of a recycling monopoly would push recycling firms out of business and forcing higher costs on the collection and recycling system.

Number 2. EPR is Not a Proven Solution to Waste Management Challenges. The Bill’s result would likely reduce costs to municipalities yet there is no offsetting reduction in governmental taxes and fees for waste and recycling. In other countries municipalities or other recycling entities are still charging the public the same amount for their services as they did prior to implementation of an EPR program. There is no shift in financial responsibility to the producer. Consumers are caught in the middle and often wind up paying more. Increased costs from EPR programs create a disincentive for achieving greater energy savings by deterring consumers from purchasing new appliances, and that is actually an issue I testified here on last week.

Take Canada for example, packaging programs exist in various provinces, with manufacturers having to comply with each program that varies in scope. This is very costly to both manufacturers and to residents. Ontario and British Columbia (have two of the more recognized programs. In Ontario, program costs increased at an annual rate of eight percent over the past decade, where B.C. program costs rose at a rate 0.2 percent since 2014. Contrary to program costs increases, over the same periods each program’s materials recovery rate decreased by 0.1 percent and 1.3 percent, respectively. The Ontario
program costs more than $110 million dollars and the B.C. program more than $70 million dollars, which consumers indirectly fund. If this Bill were to pass, it should be accurately characterized as a new tax or cost on consumers and state that any responsibilities that are removed from the public sector must be accompanied by a corresponding reduction in municipal waste and recycling fees.

Number 3. Appliance and Their Packaging Should Not Be Included in Any EPR Program. No state has ever mandated an EPR program for appliances period. We are not part of the waste stream of commerce and we really shouldn’t have any role in this in our opinion.

I have a couple of other things I’d like to say but just overall, you know, one of the great things about our industry is that we’re known for over 90 percent recycling rate that includes our packaging and that also includes the recovery of appliance products in the home. Essentially we have no ultimate control over that end recycling because it is so consumer focused that we just don’t believe that our industry should have any role in this. So thank you very much for the opportunity to be here and if you have any questions, I’m happy to try to answer them.

REP. GRESKO (121ST): Thank you for your testimony. Anyone with questions? Representative Mary.

REP. MUCHINSKY (85TH): How did you get such a high recycling rate of your particular products?

SARAH PIERCE: Well one of the high recycling rate is directly attributable to essentially how our industry works which is when a purchase is made at
either a brick and mortar retail or on-line there is a delivery made by either the manufacturer or some contractor the manufacture and they actually will install, breakdown the packaging and then they retrieve it and recycle it as well. There is a high volume of content because of the types of packaging that are part of appliances.

REP. MUCHINSKY (85TH): So, in your case it is just financially beneficial for them to reclaim it and reuse the packages or are they doing it out of the goodness of their hearts? Cause it’s advantageous to recycle or not?

SARAH PIERCE: Well, yeah I mean I think everyone agrees that it is advantageous to recycle but I think that is just how the process how our industry has been engaged in for many years. I can’t really say ultimately what the motivation is but as far as I’m concerned we’ve always been good stewards of making sure that we’re taking those materials away. And sometimes with regard to refrigerators or thing that have contained, you know gasses for example gasses, those have to be handled in a different facility and have to be vented in some cases so there is just extra process that would have to be undertaken that the consumer couldn’t do on their own.

REP. MUCHINSKY (85TH): Thank you.

REP. GRESKO (121ST): Representative Dillon.

REP. DILLON (92ND): Thank you very much, Mr. Chair. Thank you very much. The 90 percent pertains to what?

SARAH PIERCE: The packaging.
REP. DILLON (92ND): And could you describe which packaging would be encompassed by that 90 percent?

SARAH PIERCE: Sure, so it would be how appliances when they are delivered to the home are packaged. So there would be, there would be palleting on the truck, there would be cardboard and Styrofoam and plastic wrapping around the product.

REP. DILLON (92ND): Okay, thank you.

REP. GRESKO (121ST): Anyone else? Representative O'Dea.

REP. O’DEA (125TH): Thank you, Mr. Chair. You say in your testimony that the EPR rates are greatly over estimated. Is that with regard, are you talking about the Canadian, with what the Canadian Government has found or?

SARAH PIERCE: Yes, sir.

REP. O’DEA (125TH): And how, so what’s a more accurate estimate then on the EPR rates?

SARAH PIERCE: You know, off the top of my head, I don’t have that statistic but I would be happy to follow up with you.

REP. O’DEA (125TH): And then I just noticed, I don’t know if you spoke about this in your testimony, I was reading it as you were going along, producers may not have data on where products are ultimately sold and used. So it’s your position because you’re buying appliances, they are not necessarily, you don’t know necessarily where they end up. Is that fair to say?

SARAH PIERCE: Correct. You can have shipments to, on the frontend you can have shipments to a
distribution center and that distribution center perhaps could be in Connecticut and those products could be shipped out to, you know, states neighboring state and then likewise in the home, homes can be sold, ownership can be changed and so we have very little control even after the point of purchase what would happen ultimately with that product so it’s just not workable with a proposal such as this.

REP. O'DEA (125TH): Okay, thank you very much. I have some issues with my own refrigerator that I just got, but I probably shouldn’t bring those here [Laughter]. Thank you very much, Mr. Chairman.

REP. GRESKO (121ST): Anyone else with questions? If not thank you for your testimony. Next is C.J. May followed by Shannon Crawford. Welcome.

C. J. MAY: Good afternoon Ladies and Gentlemen and thank you so much for the chance to speak to you about a few key environmental issues that I think will affect the City of Waterbury where I work, other municipalities and our State of Connecticut. My name is C. J. May and I’ve worked in the recycling environmental fields for approximately 30 years and today I represent the City of Waterbury as the Recycling Coordinator Concerning HB 7294 AN ACT CONCERNING BOTTLE REDEMPTION IN THE STATE.

This legislation if enacted, in feel would be a win-win-win for municipalities, for businesses and for our environment. By adding other beverage containers to the current narrow bottle bill list of soda, beer and water we will reduce litter and divert many of these containers from cost curbside trash and recycling trash to litter collection. They will go to redemption and markets in other
locations. The increase in the handling fee which is a part of this Bill is greatly needed after many years and we lost a Waterbury business because there was no increase in the handling fee two years ago. And so this could very well serve us and serve them as well. This will reduce litter. It will save energy and will make for a cleaner Connecticut because what you’ll be doing is giving life to old cans, old bottles that used to go in the trash but instead you’ll be sending them back to industry [Background laughing] and creating green jobs. [Applause and laughter]

One more bit about unspecific legislation is concerning the various Bills aimed at eliminating taxing or reducing the use of single use plastic bags in our State. Our planet produces approximately one trillion plastic bags every year. These plague our waterways, they litter our streets, they entangle and kill wildlife and they add to municipal litter collection costs and catch basin cleaning costs as well as jam up the extensive sorting machinery at recycling centers. All this for a lifespan of approximately 60 minutes as we get our groceries from the store to home. I urge us to go to a society that is not based on a throwaway economy to one in which we reuse. Please support measures which will reduce our alliance on wasteful, damaging and economically single use bags because single use bags are unfortunately far more than just a convenience. Single use bags, get into water, they get into a recycling, they get into our parks, they get into our wildlife, they get into our oceans and they get into our very bodies because every single gallon of ocean water, even the Arctic or Antarctic Ocean has plastic in it. Everywhere we
have plastic. For the sake of convenience I don’t think that is the right choices we should be making. I think we need to make sure our economy like our lives and like our State goes around again and again and again and isn’t plastic. [Applause]

REP. GRESKO (121ST): Well, Mr. May thank you for your testimony. I’m wondering if you can apply those skills to budget numbers, [Laughter] but anyone with any questions? Representative O’Dea.

REP. O'DEA (125TH): Mr. Chairman you stole my thunder. I was going to ask if you can work magic in Appropriations which is down in 1B I believe. But thank you very much for your testimony and it was enlightening. Thank you. Thank you, Mr. Chairman. Representative Mary.

REP. MUCHINSKY (85TH): Thank you. C.J. the Mayor of Bristol was just here who said we should just give up on mandatory recycling and pass this Bill that repeals recycling and just, I guess, burn everything and take it to landfills. What’s your thought? Do we really have to stoop to that?

C. J. MAY: I think we always need to assess the economic viability of recycling as well as the environmental viability. Those are very important but if recycling is good today and we all embrace recycling and then recycling doesn’t work as well as we thought tomorrow and we stop it, then when it’s good again the next day, what do we do. Recycling economy is like so many other economies. It depends on some consistency and you have to go up and you have to go down and we have to do the best thing we can in our State to embrace that and make sure we’re not so dependent upon external factors. In my 30 years in recycling I’ve seen the loss of three
recycling facilities in Connecticut. We call them green jobs now but they just used to be business. The Simkins Paperboard factory in New Haven where I live on the coast there was Federal Paperboard there is Anchor Glass Manufacturing, they were jobs but as China bought more and more of our recyclables it was harder and harder to compete. Those jobs went away. We’ve seen a loss of manufacturing jobs in Connecticut. Why don’t we create some jobs here in Connecticut? We can call them green jobs if we want or we can just call them business and we take the materials that we’re generating right here. We don’t have to import them. They are right here. All this paper, glass, metal and turn them into something else. And people call for entrepreneurs to do that and I’m delighted that there is $10 million dollars waiting at DEEP for the entrepreneurs in Connecticut who will do that. The Closed Loop Fund looks to solve the problem points of recycling in our country and they have entered into a partnership with DEEP to offer that money to help businesses, entrepreneurs, enterprises, anyone who can come up with ideas to help DEEP address those issues and other issues that we think are important. So we can’t drop the potato just because it is hot. We have to make sure that it’s around so that we can build a consistency so that people do know what recycling is and it doesn’t change every five minutes.

REP. MUCHINSKY (85TH): So we would have to every time the market shift we would have to reeducate the consumers either you’re not recycling this year or you’re not recycling next year and you’re sayin just keep doing it locally, remanufacture locally so it is a more supported market.
C. J. MAY: In the long run indeed we should be building up our local recycling infrastructure. I think that is a splendid way to create jobs and support that but also indeed the concerns that are being raised by the mayor and other people are significant, yes. Waterbury was making $15,000 dollars a year for it’s recyclables. Now we are paying several hundred thousand dollars a year but we are still saving money. We are saving approximately $10,000 dollars every month because it is cheaper to send those recyclables out, even at a cost than what it costs us to put it away as trash. So there’s still an economic value to Waterbury as we do this and we’re gonna continue to enjoy that even though we are not enjoying it as much as we did a year ago. But we have to some consistency because economies and markets don’t run on when there is no consistency. That’s my feeling so we should maintain that. Yes there is a problem and there may be places were they have to say other towns in other states have said, they’re dumping it. They’re burning it. If Massachusetts gives permission to certain municipalities to burn or dump their recyclables in the trash because there is no market then that is their choice. I sure hope we don’t have to go that route because there still is a value in all those materials but we need to hold on and keep working on this to make sure that we build that infrastructure and then do it more wisely so that we’re not beholding to China who says, “Oh we don’t want your recyclables anymore.” China is not doing it because they don’t recycle, they are recycling their own materials because their consumer economy is growing so well and they are also not recycling us because we have been lazy. We’ve been mixing our garden hoses and playground toys within our
recycling bins. DEEP has done a splendid job creating the recyclect.com website that one list of recyclables for the entire State of Connecticut. I can’t tell you how useful that has been to me as the new Recycling Coordinator for the City of Waterbury to constantly plug that in Facebook and Twitter and tell everybody so that there is one list. It has made the world so easy but unfortunately it has come at a time when we’ve been hit with economic hardship.

REP. MUCHINSKY (85TH): Okay and then a budget question. The mayor said that the price had gone up, and I’m aware of that, it’s happened in my town too. There’s testimony here from my mayor. Yes, the price has gone up. Are you suggesting that it is still cheaper to recycle than to call recycling trash and pay trash shipping rates?

C. J. MAY: I think so and it depends on every municipalities contracts. Our contract used to be positive and now unfortunately it is negative but I am very happy to say that in Waterbury we are still saving $25 dollars for every ton that we recycle. It is only saving, we’re not making $25 dollars but we are saving it. And why is that? Because if we send that stuff out, a ton of recyclables go into the trash instead of the recycling bin it is actually gonna cost us $80 dollars. So some people may say, oh it’s just environmentalism, it’s just good for the planet. It really isn’t the financial choice. For the City of Waterbury it’s still costing us much more to put that recycle material into the trash dumpster so you can do $80 dollars. So there is, it certainly isn’t a pretty situation and if this were to continue and I think this is a concern that has been raised in some of the
legislation. If we were to see a long-term thing when it was just economical to recycle paper anymore after several years, then okay, maybe we should stop that particular commodity because it’s not beneficial. But if after six months if it is not good, we’re done. That’s like saying you and I had an argument and you’re not my friend anymore. It is also a consistency which we need to have. All of our businesses, our economies, our trucking, our education to the public has been built us on this level and to just say, oh we’re just not gonna do it, and then maybe in two years we’ll start it over again. That would be really, really backward to what’ we’ve been doing as to what has been achieved so well by DEEP and other people who are pushing recycling education. But we should experiment. Jen Heaton-Jones is experimenting with removing glass to see if that will make it better and if she can do that and find a successful thing then we will be learning from her because she is a real pioneer and it is worthwhile experimenting and trying other techniques to see if that will reduce the financial burden but that is her choice and I wish them luck. I hope we’ll learn quite a lot.

REP. MUCHINSKY (85TH): That is Northwest, right.

C. J. MAY: HRRA is the whole Danbury Fairfield area and they have a number of towns and I think they are running the test in Bethel and perhaps a few municipalities. By pulling the glass out because the glass is probably the most problematic material. Little bits of glass into the paper, little bits of paper get into the glass, nobody’s happy cats and dogs. Pulling the glass out may actually change things magically and make that economic situation a lot sweeter for them.
REP. MUCHINSKY (85TH): Thank you for bringing that up and for your magical testimony, too.

REP. GRESKO (121ST): Representative Gucker.

REP. GUCKER (138TH): What to know if you do children’s parties, cause I’m sure we could probably get you some jobs [Laughter]. Going to one of the points you already brought up I mentioned earlier about the way we used to do it when I was growing up about separating the glass out, the tin, the paper, etc. etc. Do you think that it would behoove us to try to get away from the single stream and go more towards consumer separation and maybe recycle these products even easier?

C. J. MAY: Yes and no. I think both separating out the materials certainly will ensure a higher quality right now and that’s what Jen Heaton-Jones is working on in HRRA and I think that will be a really interesting eye-opening experiment. However we have done so much education to tell people to put it together Waterbury and so many other towns have committed to single stream. Put it all in one bin. To try and go back from that also would be a real challenge but I think the weathering of the storm may be this, that a few years down the line, you know, five or less I’m hoping that we’re gonna see some real magic technology that allows up to separate out the paper and the glass and the tin the way that we were told it would. Single stream was essentially pushed on municipalities in large part by the trucking and hauling companies who said, listen we want to reduce our burden, let’s just put it all together and it will get sorted out at the MRFs. The MRFs can do it but they can’t do it as well as we were told they could do it and so now
they are having a real hard time. We also have a lot of people who throw their garden hoses and playground toys in there and then we have a hard time. So we do need to improve the education, we do need to continue improving the technology and the Closed Loop Fund is also working on better technology so that your glass and your paper could be separated out and you could sell it as opposed to having to dump it. I’m thinking you’re gonna see that but we’re in a blackhole right now but I think we’re gonna be able to get out of that blackhole. I’m not saying to stop the HHRA experiment, that maybe a quick way out of the blackhole and deliver really good product right now. But I think if we hold the course on this single stream, as unpretty as it may be, we may eventually find ourselves there with some new improvements to our MRF operations the recycling sorting centers.

REP. GUCKER (138TH): Like I said earlier, education, right is key in this. Myself who have been an avid recycler since before it was cool to recycle back when I think Jimmy Carter gave us those little EPA things for, you know, recycling I did learn listening to NPR one morning coming in that we were not supposed to use those blue recycle bags that we were all told, because that’s what they told us in my Town of Danbury, put everything in the blue recycling bag and they will take it away only to find out it’s counterproductive to actually recycling. So thank you very much for coming and thank you for breaking up the afternoon for us. Do you do balloon animals?

C. J. MAY: I don’t.

REP. MICHEL (146TH): Thank you, Mr. Chair. Earlier I asked a question and I think you might be the right mind to ask. Are there any, I guess recycling plastic bags would be to compress them, the first part of it, it’s kind of my understanding but I’m probably missing some parts and then I guess in some way turn that into pellets. Are the states that are know to do that on their own and what business could we build up here in Connecticut doing this?

C. J. MAY: Sure, I’ll try to be brief but you’re asking a very good question that could give you a thousand hours of answer and everybody is tired. So, plastic bags are recyclable. The plastic industry supports a program whereby you can bring most of your plastic bags back to Stop-N-Shop, Shop-Rite and other supermarkets. Most of the stores if you walk into the store you will see a bin at the beginning and you can place your plastic bag as long as it is clean and those will generally go back to another American business, TREX and they will make plastic lumber out of it you can use for your garden, you can use for your deck. So some people say, good we shouldn’t ban plastic bags, we’ll just recycle them that way and for many people that is a great way to do it, recycle your plastic bags. If you have a single use plastic bag, I encourage that and it’s plasticfilmrecycling.org is the website. The problem is a small percentage of Americans are that consciousness and do that. A great many of us are not as careful and they may go into the recycling pin which cause great problems to recycling. They make their way through wind and storm and rain into our lakes, our rivers and our
parks. We see them on the trees on the highway up here as we come here to the Capital. They are all over the place. One trillion of them and they keep going. So my thought is, yes we can recycle those plastic bags but should we? If we know something is bad and it is generally likely to make its way into the environment as I see in Waterbury and so many we see in other places, maybe we should just use it. I mean the best way to keep our environment clean is to not put bad things into it in the first place. Then we don’t have to clean it up. So my personal encouragement in our country, just move away from those single use bags. Aldi is a supermarket from Germany. We have them in Waterbury, they don’t give you bags, period. People shop there. It’s like they die because there is no single use bag.

REP. MICHEL (146TH): I’m originally French so when I go to France I accompany my family into supermarkets they don’t have those plastic bags.

C. J. MAY: And if you really like plastic, you can use of course, the Harry Potter bag is quite magical. This Harry Potter bag make other single use bags disappear because I only need one. And I am hoping that is something that we can consider and that you will consider strongly and if you look around you will see numbers of places in the world, different cities, different countries where they have banned them and guess what, their environment is cleaner. Guess what, it’s prettier. People are happier. You know, I’m not saying there shouldn’t be the option in certain ways for oh my gosh bring a plastic bag if there is a special circumstance people need, this is not banning the plastic wrapper that goes around hamburger at the supermarket.
It’s a shopping bag that we’re talking about at this point.

REP. MICHEL (146TH): Thank you so much for your advocacy and I have been organizing clean-ups for I think it went up to 15,000 pounds of recyclables pulled out of the beaches and wetlands particularly but thank you very much, I appreciate it. Through you, Mr. Chair.


SHANNON CRAWFORD: Thank you members of the Committee. My name is Shannon Crawford and I am the Director of State Government Affairs for the Plastics Industry Association. I appreciate the opportunity to be here today to testify regarding Raised Bill 7295.

While we support the intent of this legislation to increase the recycling of end recovery of paper and packaging products in the State we believe that this Bill will not work in its current form. While producer financed end of life management may appear to be an appealing solution to increasing recycling of products, it has unintended consequence. Extended producer responsibility programs hid the true cost of recycling. The additional cost to producers will inevitably be passed down to consumers. Mandating added administrative costs on producers will not change consumer behavior. Extended producer responsibility has not bee shown to be a viable solution for packaging in the United States and producers are not in the position to
directly to provide for the end of life management of their products.

Much of today’s testimony has focused on the state of the market in Connecticut. I would like to stress that EPR is a funding mechanism and has not been shown to increase markets for materials. The Task Force in 2017 ultimately decided not to recommend EPR and suggested many other strategies for the State to consider. Feasible solutions for Connecticut to pursue include leveraging the use of voluntary industry funded programs such as the Recycling Partnership, promoting public education programs to increase participation recycling and reduce contamination of the material stream and incentivizing investment and recycling infrastructure.

I would like to take this opportunity to present several initiatives that the Plastics Industry Association is involved in to increase the recovery and recycling of plastics. We are committed to work with state and local governments to help them improve their recycling systems. This is why we have been leading a collation of nearly 30 organizations to encourage the inclusion of recycling as part of any federal infrastructure Bill. Recycling is a critical service provided by local governments and should receive federal funding just like roads and bridges. Maintaining a successful recycling system requires a balance between participation, access and demand. All three of these elements are addressed in our Federal legislation is material neutral and addresses recycling concerns for all product types.
Quickly I just want to cover that as a trade association representing the entire plastic supply chain, we’re uniquely positioned to explore new recycle feed stocks and potential end markets for recycled materials servicing demonstration projects.

I know I’m out of time but more information about that is in my written testimony and I’m happy to answer any questions you may have.

REP. GRESKO (121ST): Thank you for your testimony. Anyone with any questions? Representative O’Dea.

REP. O'DEA (125TH): Thank you, Mr. Chair. You had mentioned in your testimony, do you have the actual Federal Legislation you’re proposing?

SHANNON CRAWFORD: I can send a copy.

REP. O'DEA (125TH): You can send a copy of the legislation that you have that would be great.

Thank you. Thank you, Mr. Chair.

REP. GRESKO (121ST): Anyone else with any questions? Seeing none, thank you for your testimony. Next on the list is Representative Bolinsky who I do not see so we’re going to go the next Bill which is 7296 and to testify Larry Cafero.

LARRY CAFARO: Good afternoon, Mr. Chairman, Mr. Vice-Chairman and Distinguished Members of the Committee. For the record my name is Larry Cafero. I am the Executive Director and General Counsel of the Wine and Spirits Wholesalers of Connecticut. And this afternoon I am here to speak on, yes, House Bill 7296 AN ACT CONCERNING THE RECYCLING OF GLASS and also 7294 the Bottle Bill.

As you have heard many speakers through the morning and this afternoon commenting on the Bills that have
come out of this Committee none of those Bills in particular are written to include wine and spirits bottles within the Bottle Bill. However there are many people that sat in this chair this morning and this afternoon that would like to see wine and spirit bottles included in the Bottle Bill and one of the reasons I felt compelled to testify is to remind this Committee as I have in the past, some of the difficulties and the challenges if we were to include wine and spirits bottles in any recycling of glass program or the Bottle Bill. This is not just an industry saying, please leave us out of it, we don’t want to go through that hassle. This is an industry who has been around for 85 plus years who heretofore has never been in the Bottle Bill. And I think we all have to remember that since the inception of the Bottle Bill in 1980 every product that was included in it was included in it with the understanding that the nonredeemed bottle, the nonredeemed deposits, excuse me, would go back to the industry to pay for the very significant costs it took for that industry to get in and comply with the Bottle Bill law.

The new products that are being added to the Bottle Bill, any product added to the Connecticut Bottle Bill post 2009 will not enjoy that benefit because as you all know in 2009 the unredeemed deposits were no longer going back to the system to help defray the costs they were going to the State. So the new additions to the Bottle Bill and more particular their wholesalers and distributors who by the terms of the Bill are responsible for collecting the empties, paying out the nickel on the empties, etc. would not be reimbursed.
I know my time is up, if anyone is interested I could explain why those costs do exist and how they would, these enormous costs which at this point would be, they would not be allowed to be deferred by any unredeemed deposits because that’s going to the State, but what it would incur on these industries and what the hardship would be and also what the industry itself would like to contribute toward a solution, if anybody cares to ask that question.

REP. GRESKO (121ST): No prompting required [Laughter]. Representative O’Dea.

REP. O’DEA (125TH): Thank you very much, Mr. Chairman. Good to see you Mr. Cafero. What are some of the suggestions that your industry would have for us as an alternative?

LARRY CAFARO: Well if I may the reason we have this suggestions as an alternative is because what it would take to comply with the law. The uniqueness of the wine and spirit industry as compared to those products that are currently in the law, as you all know being members of the Environment Committee the Bottle Bill was established frankly as an anti-litter campaign. Even well before the work recycling became fashionable. It was done for what they call Grab-N-Go bottles, bottles that were taken in one single serving, used and unfortunately tossed aside and not in the trash. It was never intended for bottles that aren’t considered Grab-N-Go. It was never intended for large spirit bottles or wine bottles because wine and spirit bottles, unlike beer cans, beer bottles, and soda cans and water bottles are not uniform in size, they are not uniform in shape and they are not uniform in weight. They come
in all different sizes, weights, shapes and forms. They are not conducive, and in fact it is impossible to my knowledge to put any existing spirit bottle or wine bottle in one of those reversible vending machines to get your money back. Certainly the little nibs that are special category I’ll get to in a moment, there is no machine to my knowledge that is available that would receive those bottles to spit out a redemption. That is issue number one.

Issue number two, in all of the industries that currently are in the Bottle Bill, especially beer, there system of delivery which again, the Bottle Bill falls heavily on the wholesaler as the player to make the Bottle Bill happen. In the beer world for instance and many times in the soda world, their deliveries, their customers are in territories. So Representative O’Dea if I sold you, you know, Budweiser when I went to pickup your empties as I am required to do, there is a 95 percent change that I sold you the very cans that I am picking up. So the nickel I’m giving you back is the same nickel you gave me when I sold it to you. That is not the case in the wine and spirits world. In the wine and spirits world you could have up to five distributors that are all distributing the same product to the same liquor store. For instance Jameson Irish Whisky is delivered by five wholesalers so the question is when I delivered that and collected the nickel from you, am I the same guy picking it up and paying you back that nickel. If I only have 20 percent of the market share yet I’m picking up 40 percent of the empties you could see the economic disparity that would happen there.

Thirdly, the kind of trucks that pick up empties that are involved in the Bottle Bill System are what
they call sideloading trucks. You’ve seen them, beer is most typical. One bay opens up to deliver the full cases and the other bay opens up to take the individual cases, the empties back. Those trucks are loaded by forklift as opposed to conveyor belt. Those truck cost $125,000 dollars apiece. The wine and spirits industry does not have those trucks, never did, they have rear loading trucks and they have spent millions of dollars investing in a conveyor belt system to load those trucks. So if they were to all of a sudden become part of the system they would completely have to change that around. Remember what I said at the beginning, in the old days when this first started, those costs were offset by them being allowed to keep the unredeemed deposits that is no longer the case. That is no longer the case. So there are several challenges that are out there that make it almost very difficult if not impossible to appropriately and economically and properly comply with the Bottle Bill.

If you go to soda, water and beer distributors you will see several receiving docks because they have ones to load, ones to deliver and then they have one just for the recyclables. That requires people to build extra loading dock, etc. Again another example of the kind of costs that are out there.

So there are many, many challenges in that industry complying with the Bottle Bill. It’s not just easy to say, hey their bottles, just add ‘em into the Bill.

We, let’s focus a little bit on nips. Representative O’Dea you said what are some of the solutions. It is no secret that nips, the
miniatures the 50 mL bottles have become a large major contributor to litter, no question about it. I would argue and I think data has shown that is not the most, greatest source of litter, but certainly no one would argue it has become with the increase in sales and the increase in consumption of people of their spirits in that size form it’s become a problem. So what do we do about it? As I said before we don’t have, we don’t have machines that take them back. Supermarkets do not have to take them back because they do not sell the product so what do we do about it. Redemption centers as someone said, well in my part of the State, the Southern part of the State, the closest redemption center is Stratford, Connecticut. There are none. How about the people who sell ‘em? There’s 1250 mom and pop liquor stores that are out there. How about them taking ‘em back? Well I think you all know, you all have them in your town, we call them the last store on Main Street. There is not a lot of space, room or place for them to store these empties and then give them back. So that could be a problem.

But the biggest problem is this, in the United States of America there are only ten states that have a Bottle Bill. There are only two states that collect wine and spirit bottles, Maine and Iowa. None of our surrounding states collect wine and spirit bottles. If we were to say, put a quarter as the Governor hopes to, or a dime as you folks have suggested in your Bill with regard to other products, we would immediately become a magnet for our neighboring towns to redeem their empties. So we would have an influx of redemption of wine and spirit bottles because, Massachusetts doesn’t have
that law, Rhode Island doesn’t have that law, New York doesn’t have that law and New Jersey doesn’t have that law. For those of you that are Seinfeld fans you might recall the episode where George and Kramer come up with a money making scheme to load a truck with recyclables and bring them to the state that gives the highest amount of money. That’s what we would become. Let me take nips as an example. Do you a small SUV can hold, in box form, forget about free form, over 7200 miniature bottles.

REP. O'DEA (125TH): Is that a personal calculation [Laughter]?

LARRY CAFARO: We actually experimented with that and by the way I did not drink any of those things. But if we were to, you know, I was joking with someone, I said if I’m a girl scout troop in New Jersey forget selling cookies, I’m just gonna load a couple of SUVs with empty nips and I can make some serious money, certainly if they are at a quarter or 15 cents but I think you will find across border fraud and the amount of product that was no purchased here in Connecticut that we would be redeeming because remember that label is universal. You pick up a label right now, you will see Maine and Iowa on it and if you take that from wherever you bought it and bring it to Maine or Iowa you are going to get your five cents or your ten cents or whatever they require. So it’s a big concern, it’s a big concern. What do we want to do about it?

The entire industry, the three tiers of the industry the suppliers, the wholesalers and the retailers have gotten together and said we’ve got to do something and at least the first step, certainly not a be all, end all silver bullet. What we’ve done is
we are on the precipice within two weeks of partnering with an organization called, Representative Michel you might be familiar with it, it’s called Live Green Connecticut. It is based out of Norwalk, Connecticut, my home town and their goal, their mission is to eradicate land based litter by 2024. They have had quite some experience in it, they have started a program called Start in Your Own Front Yard. To give you an example they took Fairfield as, the City of Fairfield as a pilot if your will. On three occasions they went to Gould Park. On two more occasions they went to the Center of Town they collected 710 pounds of garbage. They then partnered with junk lovers who actually bought this garbage so they could tell how many straws they got, how many bottles they got, how many cans they got, etc., etc. It might interest you to know that in their audit they got some 358 water bottles, 147 soda bottles and 203 beer cans. All of which already have a deposit on them. And by the way, they got 115 miniatures or nips. Are nips a problem? Absolutely. Are they the only problem? No and is putting a deposit on it going to solve the problem, I would submit to you, no and is putting a deposit on it gonna solve the problem, I would submit to you no. In any event we want to partner with Live Green Connecticut, financially and otherwise to do a five year commitment. A commitment that has three parts to this campaign.

One, we are committed to funding 20 community clean ups throughout the State of Connecticut every year for five years. These community clean up aren’t just grab a bag, here’s some gloves and pick up garbage. The educate the volunteers, they do PR and public education. They educate them as to the park
or the area of town that they’re going to be cleaning up, the kind of trees, the kind of wildlife, everything in connection with this so that this lesion is ingrained in the community so they take pride in what they do.

Second leg of the three legged campaign would be to purchase 100 receptacles be they trash or recycling and in conjunction with DEEP at their direction and discretion place these receptacles 100, per year for five years anywhere throughout the state that they believe would do the most good.

Thirdly, a public education and public relations and service campaign lasting five years in duration that would teach people about eradicating liquor, excuse me, litter [Laughter] Freudian slip, can’t support that bill. Also responsible recycling with an emphasis quite frankly and not to be factious on the nips. We’d like to call it Nip It in the Bin. So either a trash bin or recycling bin with nips I think it would more appropriate not in recycling from what I understand. But to get people to think you want to drink responsibly you also have to take responsibility for the container of the product you just had.

I guess what we’re asking is give us a chance, give us five years to prove ourselves, to invest some serious money and resources in this effort. If it doesn’t work then obviously this legislature at any time has the power to do whatever they want. But let’s try something that I think over time has proven would work without punishing an industry, you know, I’m sure not intentionally but without punishing an industry just by saying, hey lets add
wine and spirits bottles to the Bottle Bill. It’s more complex than that. Thank you.

REP. O’DEA (125TH): Well sorry for my long compound question that took so long to answer. Other than wanting to see a magic trick I don’t have any further questions for you Mr. Cafaro. Thank you very much for your testimony. Thank you, Mr. Chairman.

REP. GRESKO (121ST): Thank you. Anyone else, anyone else with any questions? Representative Muchinsky.

REP. MUCHINSKY (85TH): Thank you. So Larry, you did talk about the redemption centers dying out and they have been because, basically because the legislature hasn’t raised their pay for so many decades so they just wink out. But did you know that Bill 7294 actually fixes that and also give us back some of the money to the distributors that was taken away in 2009.

LARRY CAFARO: I do know that. I do know that I didn’t say they were dying out, I just said.

REP. MUCHINSKY (85TH): You said that it is hard to find one and that’s true.

LARRY CAFARO: It is at my end of the State. It is. As I said the closest one is Stratford.

REP. MUCHINSKY (85TH): This Bill will fix it though, 7294 if it passes will generate more redemption centers because the New York redemption center has already told us that. They are gonna come in if we do that. I just wanted to call that Bill to your attention that it’s possible to change what we did in 2009 and I hope we will. I agree
with you that we shouldn’t have taken all these. Did you know that Iowa used Envipco Machines which are made right here in Connecticut to take back liquor bottles?

LARRY CAFARO: I did not know that. I do know though when I called them and I guess my question was narrow, they do not take back nips because they said it was too small to read the.

REP. MUCHINSKY (85TH): That may be but I do know that they do take liquor bottles and the company that built those machines is right here in Connecticut. And did you know that Iowa has solved the border issue by programming their Envipco machine.

LARRY CAFARO: I didn’t know that.

REP. MUCHINSKY (85TH): Well they have so if they, if a Connecticut company if they can solve it in Iowa I’m sure they can do it here too.

LARRY CAFARO: But you see, with all due respect Representative Muchinsky, it’s funny we’ve talked about technology, at least I have that I understand is out there, to separate glass from other recyclables to make it less contaminate. We’ve heard about technology that is giving new life to a market possibly of glass and yet when I say that, many people say that is down the road, we’re not sure of that technology, etc. and yet when we talk about the kind of technology you’re talking about with all due respect, there’s others that say, well I heard that they do it somewhere so it can be done, so let’s pass the law. It’s not that easy. In fact every single state that has ever added a new product to their Bottle Bill and there aren’t many because
there's only ten states that have done it, give it
at least 18 months for the industry to catch up to
re-gear itself, etc. and I might add pay help give
back some of that money that used to be all the
unredeemable money to that industry to help curtail
those costs. I sort of don't hear that. I sort of
hear a lot of times, and I'm not saying this from
you, it's easy. There's technology out there,
they're just adamant, let's get going. I mean even
the Governor's Bill calls for, we're gonna be
banking $4.4 million dollars in year one and $6
million dollars in year two cause we're gonna charge
a quarter for liquor and wine bottles and it's gonna
happen like [Snaps fingers] that. I don't think so.

REP. MUCHINSKY (85TH): Okay, so I guess you don't
buy this Iowa has solved the problem so we will have
to get a document from Iowa I guess.

LARRY CAFARO: No, no, no, no. I believe you. I
absolutely believe you. I don't know how you define
solve the problem.

REP. MUCHINSKY (85TH): Well the border issue. They
programed the machine so that they can tell if the
bottle is coming from outside of Iowa.

LARRY CAFARO: Okay.

REP. MUCHINSKY (85TH): If they can do that in Iowa
by the same company that is in Connecticut we should
be able to do it in Connecticut.

LARRY CAFARO: Well it sounds logical to me,
Representative.

REP. MUCHINSKY (85TH): Okay, thank you.

LARRY CAFARO: You're welcome.
REP. GRESKO (121ST): Anyone else with any questions? Representative Gucker.

REP. GUCKER (138TH): Thank you for coming in today. As one of the people who remembers when the Bottle Bill started many years ago, and is also big into recycling, at that time Connecticut was like the only person in the area that had bottle recycling. New York didn't have it, surrounding states didn't have it yet if your brought in a bottle from New York or Massachusetts or anywhere else, they wouldn't take it or the machine wouldn't read it. I think what they did was program the barcoding on the bottle to be able to recognize where it was coming from. Couldn't that be something that could be done with these other bottles so that we don't have people scouring the streets of New York City to load up with, in fact if they want Fireball bottle they can just come to my front lawn and pick 'em up every week and load 'em up because it seems to be the average life expectancy of a Fireball bottle is from the local liquor store to my front year and then they just keep driving down the road. [Laughter] But, you know, couldn't they do that because the used to do that 20 years ago before, you know, New York got in it and Mass, and Michigan and others?

LARRY CAFARO: You know, I'm not up on the technology. I take Representative Muchinsky at her word when she claims that she spoke with folks in Iowa who say they can do it and the company that makes the machines is here in Connecticut so I'm sure, you know, again I take her at her word, could it be done, maybe it could. It certainly doesn't address some of the other issues that I talked about the real industry costs that are incurred in converting over to the Bottle Bill and, you know, so
it’s not a fix all but to answer your question directly could that be done, I guess it could.

REP. GUCKER (138TH): And if I could, so I represent Danbury and I will tell you, you know, it was a great add to have water bottles added even though you found a hundred and something when you were doing some clean-ups and other things, there are people that are just inherently lazy. I mean you could make those water bottles five dollar returnable and they would still probably throw them out the window because it is easier to keep their car clean than to return it. But what I have noticed is sadly in Danbury those with the least seem to clean up our streets because of the returnables on those bottles. You know, we have a large homeless population where they, I’m not saying this is a way to help the homeless population earn more money but they become the stewards of our streets cleaning up after us because of that redemption and if that wasn’t there we would just have piles of litter, so I would say look into the technology. I would look at the technology that they used 20 years ago because 20 years ago they were right here in Connecticut. If I brought in a bottle of beer from New York and put it in the Connecticut machine, it wouldn’t work and that was 20 years ago. So thank you.

LARRY CAFARO: You’re welcome, Representative. It’s this though because I assume because, you know, like you, I remember the first time the Bottle Bill came about and the focus and the emphasis being on litter and bottles as big as wine bottles or whatever were just not part of it. Now we’re sorta saying we should use the Bottle Bill to get glass out of the system. I think that’s what I’m hearing and yet
there’s a lot of people regardless of my industry that just say why is that glass so special, why is it the pasta jar glass and the pickle jar glass and all the other products that come in glass jars, why is that glass different. It is less valuable, etc., etc. So, you know, it’s something that makes a lot of people scratch their heads. I have to laugh in may cases people say the single stream recycling produces a lot of broken glass. I know when I put my bottles in my big blue bin they’re not broken. But when the truck come on Monday and drops it from 30 feet, they’re breakin. So maybe we should talk about the trucks and maybe how they could do things better to all pitch in to try to help this, you know, this problem this real problem that we have. But a lot of times we and I was where you are for 22 years, we sort of tend to focus on one thing, for that particular time when we think it’s gonna solve everything. I remember having debates with Representative Muchinsky about giving all the escheats to the state and she’s such a wonderful person and so honest she said, I regret doing that. I can’t remember, I probably voted for it myself. It’s a bad thing we did. At the time we thought it was brilliant but it’s a bad thing we did. So, just a commentary. I thank you.

REP. GUCKER (138TH): And I want to thank you for doing that, it’s kinda why we have these Public Hearings so that we can, you know, absorb all of this information and try to make the most, you know, rational decision for all involved whether it be industry or whether it be the environment. But I thank you for your advocacy and I thank you for coming out.

LARRY CAFARO: Thank you, Sir.
REP. GRESKO (121ST): Anyone else with questions? Thank you, Larry. Next on the list is Representative Ferraro since I do not see Mitch Bolinsky and that would be followed by special request for some students that are going to have to go home in the very near future so we’re gonna make an exception after that. Welcome.

REP. FERRARO (117TH): Thank you and Larry Cafaro is always a difficult act to follow but I’ll do my best and thank God I’m testifying on a different subject. But good day to the Co-Chairs Cohen and Demicco and Ranking Members Harding and Miner and Distinguished Members of the Committee. I want to thank you for the opportunity to testify on Senate Bill 1003 and House Bill 5019.

For the record, I am State Representative Charlie Ferraro and I am proud to represent the 117th District the residents of Milford, Orange and West Haven. As an individual who’s undergraduate and graduate work was in the field of biology specifically fishery biology and as an avid boater and fisherman I have seen the deleterious effects of plastics in both freshwater and saltwater habitats firsthand.

With regards to SB 1003, I am testifying in support of that legislation as I believe that would prohibit retail distribution of single use plastic bags. I believe there are available reusable carry bags that a consumer can use and using such alternative bags will help lower the amount of throw away plastic bags thus helping with our conservation efforts. Approximately 40 percent of the world’s 7.6 billion people live within 62 miles of the ocean’s coast. For the other 60 percent some of whom will never
ever even see an ocean, the seas still play a vital role in their lives while consumer goods are moved around the world in vast ships keeping the wheels of commerce and vehicles turning. But most importantly it demonstrates that the oceans are vital to our food chain.

Unfortunately we collectively treat the oceans worse than we treat the insides of our cars. Every year from about 8-12 million US tons of plastic ends up in the world’s oceans. This problem is so important to our ocean’s ecosystems that I myself decided to introduce a similar Bill this session with HB 6640 and it is for this reason that I strongly support Senate Bill 1003.

With regards to the other HB 5019, I am in opposition to this Bill as I feel it is counterproductive to Senate Bill 1003. If we are going to get serious about the use or disuse of plastic bags it is my opinion that we need to ban them. Placing a tax on them allows consumers to continue their use and thereby sending the wrong message that plastic bags are bad but if we can make money off of them then they are okay enough for us to look the other way. Not to mentioned that it would amount to one more nuisance tax on our residents.

I want to thank the Committee for giving me the opportunity to testify on SB 1003 and House Bill 5019 and I’ll be happy to answer any questions.

REP. GRESKO (121ST): Thank you, anyone with any questions. Representative O’Dea.

REP. O'DEA (125TH): Thank you, Mr. Chairman. Thank you for your testimony, Representative. Have you
noticed an increase in the last three to five years of the plastic in the oceans and freshwater?

REP. FERRARO (117TH): Thank you, Representative for that question. Of course my experience is anecdotal because I sit in my boat with my fishing pole and as I reel my line in, I often reel in wads of plastic and what have you and yes, I would say the amount of plastics in the Long Island Sound is unacceptable.

REP. O'DEA (125TH): Thank you and I appreciate your support of this and having us all rethink our position on the issue. Thank you. Thank you, Mr. Chairman.

REP. GRESKO (121ST): Thank you. Anyone else with any questions. Seeing none, thank you Representative. Next we are going to make an exception here for some students from West Hartford that have been waiting patiently all day but they do have to make their way back home, so please feel free to come up. What school are you from in West Hartford?

CHARLOTTE TUCKER: We are from Sedgwick Middle School.

REP. GRESKO (121ST): Take it away.

CHARLOTTE TUCKER: Ladies and gentlemen of the Legislature my name is Charlotte Tucker and these are my friends Zoe Weisman and Evan Piccoli. We are seventh graders at Sedgwick Middle School in West Hartford. For the past year and a half we have been attempting to secure a ban on plastic bags for the Town of West Hartford.

We have educated the public, presented our plan to the West Hartford Town Council and Clean Energy
Commission. We have galvanized 12 other schools to participate in the Trex Recycle Challenge to remove bags from the waste stream. We have been featured in The Courant and have posted a public survey on we [Inaudible-04:58:18].com with 91 percent of respondents in favor of the ban.

You’ve been hearing an abundance of facts and we can provide numerous facts to you such as by 2050 there will be more plastic than fish in the ocean, that one out of four fish sold have microplastics in them, that the Great Pacific garbage patch is 179 times the size of Connecticut or that the U.S. alone throws out 180 billion bags a year which is 25.7 times the global population. But these facts are not needed to highlight this awful problem. You know this problem exists by the mere fact that you are here today with 19 Bills in front of you. It is mentioned every day in multiple medial formats yet we are still justifying why we need this ban.

The real question we have for you and all the adults in the world is what are you waiting for? We hear this is an economic and social issue but we want to clarify that this is a behavior issue as well. And we know all about behaviors because adults are always telling us we need to modify ours. [Laughter] We are here to state that you need to modify your behavior. We need to simply use a reusable bag to carry out materials rather than a plastic one.

As children, we come up with many different way to provide reusable bags to people regardless of age and socioeconomic status. We are ready to help you with our ideas. It takes 21 days to create a new habit. Why not issue a statewide challenge to bring
a reusable bag to a store for 21 days for have signs in parking lots reminding people to bring in their reusable bags or have places at stores where people can donate reusable bags to other who forgot them or provide incentives to people who use their reusable bags such as a coupon good for their next purchase.

In summary, as kids we have to wait for adults to stop this continuing problem. Yet ultimately we will be the ones to inherit the mess left behind by your generation. We are asking all of you to give us the same planet that you had, one abundant in marine life and free from plastic bag pollution. We know we are only children but since we are the future caretakers of the environment we hope that you take our opinion seriously. Please use your wisdom and common sense to leave a positive legacy for your children, grandchildren and all the citizens of our State. Thank you. [Applause]

REP. GRESKO (121ST): Thank you very much for your testimony. You know there’s an open House Seat in West Hartford [Laughter]? Anyone with any questions? Representative Gucker.

REP. GUCKER (138TH): I just want to thank you for waiting here all day. I'm sure it was probably more fun to be here than in school but, I don't know standing around was pretty boring as well. I want to thank you for coming out. Did you see the other group that came that are actually making reusable bags out of feedbags? You guys should hookup together, you could really do some good. But I want to thank you for your advocacy and thank you for sticking around and being here. Thank you, anyone else with any questions? Thank you for your patience, keep up the great work. Great job. You
give me hope. Next up we’re gonna switch over to House Bill 7294 and the first person [Applause] - thank you, the first person is Kristie Pecci and then we’re gonna flap back over to our legislators and public officials list, either Mitch Bolinsky and/or Jonathan Steinberg would be next.

KIRSTIE PECCI: Every time I’m after the cute kids, every time [Laughter]. My name is Kirstie Pecci. I’m the Zero Waste Director for Conservation Law Foundation. We work throughout New England on environmental issues with a goal of using the law, science and the market to protect human health and the environment and I am here today to give a little slightly different perspective on a lot of the Bills that you’ve got before you, that of someone who has seen what is happening throughout New England and also someone who is looking at the waste, the solid waste picture throughout New England and how we solve that problem through Zero Waste.

Thank you so much for having me and I also would like to just underscore that a lot of the questions that have come up I’m going to making some testimony to try to answer a lot of them and give you a lot of resources that you were clamoring for earlier during the testimony. I’ve been here and really enjoyed this hearing, very well run.

Connecticut has a serious waste recycling problem. Connecticut generates about 2.4 million tons of waste most of which is burned in the State of Connecticut. New England just to put in perspective generates about 12 million tons of waste a year. Whether you landfill your waste or incinerate it, it is incredibly expensive and it is also incredibly polluting. There are no safe landfills for
municipal solid waste at these kind of numbers. There are no safe incinerators. You are either putting the contaminates into the airstream where you are breathing them or they are becoming ash. There is no other place for these contaminates to go so when you burn plastics for instance which Connecticut is generating about 264,000 tons a year of plastic that is going into your waste stream we are breathing that plastic afterwards in the form of dioxin. We are gonna be, it’s gonna be entering our water stream, the groundwater or surface water through the ash landfills that you have throughout the State.

This is a problem. You are not alone in this. This is true throughout New England and everywhere in the world. There are no safe landfills or incinerators. So when Conservation Law Center Foundation looks at this problem and understands how expensive and how polluting waste management is, whether you’re burning it or burying it, we look at zero waste as our solution which prioritizes reduction as you heard earlier, reduction, reuse and then recycling and composting afterwards because there is a cost in recycling and composting. When we talk about plastics specifically we talk about and or any containers really, we talk about first looking at the containers and other materials that are not recyclable and banning them. And then we talk about improving our recycling system and then we talk about taking that burden off the municipalities.

So for that reason we recommend from Conservation Law Foundation that you ban the plastic bags that you are talking about, ban the straws and also the Styrofoam because they are not recyclable and I’ll wrap us because you have a lot of other folks to get
to, that you most definitely expand your Bottle Bill. I like the gentleman’s idea of including all glass containers, I don’t know if that is what he really wanted to do. We should include liquor containers as they do in Maine and any glass and other containers for food in my opinion in your Bottle Bill. What you’ve done with the water bottles worked out really well and we’re not shipping our water bottles from Massachusetts here just because you have them in the Bottle Bill in Connecticut. Remember Rhode Island and New Hampshire don’t have bottle bills so that’s not an issue. That bottle bill is a form of EPR which we heard a lot about today and really works well and it’s the best way to take that burden off the municipalities that we heard about over, and over and over again today. Also it creates the best quality plastic, glass and aluminum for recycling. Keeping that quality and keeping that purity is how you’re gonna keep your markets up and not have these huge fluctuations that we’re seeing because of what happened with China and the mixing of all these materials.

And finally, as I said, ban Styrofoam in schools but also in containers. Straws only on request, we’re seeing that straw bans, Styrofoam bans and bag bans in all six states except for New Hampshire doesn’t have a Styrofoam ban, those bills are up now and I think this is happening in New England now because every state is having the same recycling problems that you are having now and these materials are not recyclable. Please pass them and also include not only a ban, but a fee, we’re seeing that the first bans in municipalities that didn’t have fees were not as successful as the ones that now have fees so
I would recommend that you should have a ban and then a fee on any single use bag. I’m happy to answer questions about that if you would like. And I would also argue the glass content Bill 7296 is also excellent but all of your materials aluminum, plastic and glass containers for beverages should all have the recycling content requirement that they put in there.

So I think, I don’t know if I mentioned every Bill number but I will make sure I get all the testimony to you and thank you very much for having me in today.

REP. GRESKO (121ST): Thank you for your testimony. Anyone with any questions? Seeing none, thank you. Look forward to seeing that testimony. Next on the list, I don’t see Jonathan and I don’t see Mitch. We are going to go to Patricia Taylor and then if Mitch and Jonathan are not here we’re gonna go to Mark Burnacki on the public officials list following that.

PATRICIA TAYLOR: Good afternoon, Chairman and Member of the Environment Committee. My name is Patrician Taylor and I am the Director of the Plastics Project for Environment and Human Health, Inc. EHHI’s mission is to protect human health from environmental harms.

First EHHI is in strong support of expanding the Bottle Bill, Bill 7294. We ask that you shorten the time the Bill goes into effect from three years to two years. Connecticut’s original Bottle Bill of 1978 has an effective time of two years. At that time there were no redemption centers in place. The Bill expands refunds to juice, tea, spots drinks and energy drinks which today command such a large
segment of the drink market that was not in existence when the Bill was originally passed. This expansion of the Bottle Bill will help get plastics out of the waste stream. Maine has an expanded Bottle Bill as the gentleman mentioned earlier and it is a good example of how an expanded bottle bill reduces litter, conserves resources and saves energy. Placing a fee on beverage containers means that most of them will be returned and redeemed rather than ending up as litter or in our waste stream and as has been a lot of talk today, recycling costs continue to rise for our towns and bottle redemption programs will become more attractive to Connecticut residents and municipalities as result of this waste stream problem that we’re encountering.

We are also in favor of banning single use plastic bags which is Bill 1003. However it is very important that this Bill add a ten cent fee on paper bags with the fee going back to the stores. The aim of adding the ten cent fee is to get people to use reusable bags as they shop for goods or food rather than moving over from plastic to paper and it should be exempted for people on government food assistance programs.

We are also in support of Bill 5385 that will remove most plastic straws from the waste stream. Straws add to plastic litter and this Bill will encourage customers to skip straws at restaurants.

Lastly Environment and Human Health is not in favor of Bill 5019 that would establish a five cent tax on single use plastic and paper bags. We prefer Bill 1003 as a way to reduce single use plastic bags with that Bill adding the fee for using each brown paper
bag and having the ten cent fee remaining with the stores. This will prove to be a better way to get people to use reusable bags when they shop. Thank you and I’m glad to answer any question on the human health impact on plastic which really hasn’t been mentioned much but is an emerging problem globally and we’re facing a tsunami of plastic both on land and in the ocean. Thank you.

SENATOR COHEN (12TH): Thank you, Ms. Taylor for your testimony. Are there any questions from the Committee? Yes, Representative Gucker.

REP. GUCKER (138TH): Just noting when you were suggesting a fee on paper bags to encourage, you know, reusable bags, what if we were to take and this is hypothetically HB 5019 and remove single use plastic bags and left it as paper bags, wouldn’t that do the same thing as putting a fee on paper bags.

PATRICIA TAYLOR: Again, the point of the Bill to ban the paper bags is in conjunction with the fee. We have found in looking at legislation globally and within the United States as Kristi pointed out that the point ultimately is to encourage people to use reusable bags rather than paper to just simply place an additional tax on Connecticut residents who are already in the second highest tax, individually taxed category is not educational in terms of banning plastics. Per EHHI the focus is on reducing the use of plastics overall and that is why we are focused on the combination of the fee with the ban of the plastic bags. We don’t simply want people to move over to paper because we recognize the climate change impact and the resource impact on
using paper instead of plastic and we see Bill 5019 more a tax rather than a resource reduction Bill.

REP. GUCKER (138TH): And if I could follow up? So are you also thinking, so banning paper bags as well, is that what you’re saying cause what I was mentioning was, or thinking I agree with you with the fee on plastic bags is really not going anywhere, say okay if you want a bag you’re gonna have to pay for it as opposed to the ban but it says “a fee on plastic and paper bags” if you remove just plastic and make it a fee on paper or are you looking to get rid of paper as well.

PATRICIA TAYLOR. No, right now we are focused on reduction in plastics, as Director of the Plastics Project, we are very concerned about the human health impact of plastic on the environment while we recognize that paper is not only an expensive resource in terms of it’s manufacture and its use of water it is also extremely expense in terms of its impact on the climate. So for your purposes we’re recommending the hybrid Bill banning plastic, putting a fee on paper bags with the understanding that reeducates most of the time consumers are very effectively to buying and using reusable bags of any material preferably of cloth. I mean the reusability of the bag being our prime interest, the more you reuse as a second choice the more you reduce the use of the material. So that is why we’re focusing on that. Recent health studies on plastic are becoming more and more concerning. A very recent study found plastic in all of the samples of human stool that were tested in a very small study and only some of the participants ate seafood which is often being spoken about as the exposure for people. Some of the people were
getting plastic from the water they drank and other food that they ate through the packaging so we are very focused on reducing the use of plastic.

REP. GUCKER (138TH): Well I want to thank you for your advocacy and as somebody who has been volunteering recycle since I was probably in sixth or seventh grade I appreciate it, so thank you for coming.

SENATOR COHEN (12TH): Thank you. Are there any other questions or comments from the Committee? Okay. Thank you so much. Representative Steinberg. Welcome.

REP. STEINBERG (136TH): Good afternoon Madam Chair, Vice-Chair other Distinguished Members, I am State Representative Jonathan Steinberg from the 136th District. I am here today with my constituent and friend Liz Milwe who has the bragging rights to have been responsible for the first plastic bag ban in the State of Connecticut which dates back ten years now in Westport, it’s remarkable and we’ll tell that story in a moment. I would have brought my reusable bag from about ten years ago, it’s a little worse for wear. Unfortunately I was talking about hunks of aluminum over in Judiciary and didn’t have a chance to run back-by my office.

We are here today to talk about several of the Bills that relate to plastic pollution in the State of Connecticut, most specifically I think it is Senate Bill 1003 which talks about getting to the point where we can get by without single use bags in the State of Connecticut. The example that Liz will share with you how we did it in Westport and has no lead to an entire effort on behalf of many different communities to do the same thing, has an inexorable
momentum that the State should now take advantage of and pass the State ban and while at it, lets get in plastic straws and maybe even Styrofoam as well. Westport is looking at an ordnance right now to ban plastic straws and most restaurants are already on board. They’ve gone to paper, metal, holding a small number of plastic straws for those with disabilities who have specific needs. Westport has proven it can be done. And without further ado, Liz.

LIZ MILWE: Thank you to the Committee to let me speak here today. I’m feeling like the grandmother of banning plastic bags in Connecticut. I’ve been in front of the Committee many times before and I am hoping this time you’ll make something happen in the State of Connecticut.

When we started to look at the ban in 2008, we looked all over the world and we looked at Marbury, England, Holes Bay, Tasmania, San Francisco and Paia, Hawaii and these communities each have seen the havoc caused by the plastic bags in the recycling centers and on their beaches and through local grassroots starting, they started the movement that propels us today.

Westport joined these four communities ten years ago becoming the first town in Connecticut to ban plastic bags. Since then I have testified in front of the Committee several times but today I am here to ask you to join the towns of Greenwich, Mansfield, Hamden, New Canaan, New Britton, the City of Stamford, Norwalk and Weston. All of these towns have banned plastic bags with several adding a fee on paper bags. It is no easy feat to ban plastic bags in a town or city. It takes a great grassroots effort, support by the local merchants and the
tenacity to fight the plastic industry that shows up even at the smallest of local meetings. But towns and cities are shouting out they do not want the bags that degrade in our waters, the bags that create poisonous food for our sea life and end up in the fish we eat and the bags that burn in our incinerators polluting the air our children breathe.

The good news today is that on the Docket we have two Bills concerning plastic bags. We are here to lend our support and to share our views on the very best legislation. What we did in Westport was historic and empowering and fueled an important environmental discussion. But some ask why did we not include a fee on paper bags? Ten years ago we didn’t think about a charge. It was an entirely different discussion. We were busy educating people on the dangers or plastic bags and fighting the American Chemistry Council. Since that time towns around the country have found success with a ban on plastic and including a fee on paper. The Connecticut Food Association which represents the grocery stores approves of this structure as well and this too is a change from the past.

In the years since our ban, Westport has saved over 30 million bags from going into our waste stream. The Environment Committee has the opportunity to take a groundbreaking step for the State and ban plastic bags. The fee would make it even more powerful. Momentum is behind us, let’s make this happen this year. Thank you.

REP. STEINBERG (136TH): And here it is ladies and gentlemen, this is a 10-year-old reusable bag, it’s still goin strong, I can’t tell you how many loads
of groceries I’ve put through this. It was hard to change behaviors in the beginning but now everybody in Westport has a bunch of these bags in their car and they use them all the time. They don’t use plastic bags so why not Connecticut.

SENATOR COHEN (12TH): Thank you, Representative and thank you, is it Ms. Milwe? Okay, thank you so much for your testimony and thank you for all your efforts for the Town of Westport and for the State of Connecticut. Clearly you’ve become.

LIZ MILWE: It was definitely a team effort.

SENATOR COHEN (12TH): You’ve become a leader for the State. I believe Representative Harding has a question for you.

REP. HARDING (107TH): Thank you, Madam Chair. Thank you, Representative and Ms. Milwe for coming. Representative I’ve seen you at all the Committees, I can’t shake you today [Laughter]. So my question is in regards to paper bags. I know that you met with many individuals who are proponents of this Bill and they have shared concerns regarding, you know, the replacement of plastic with paper and that the fact that environmentally paper isn’t hugely better than plastic. So what are your thoughts regards prevention of now paper bags in addition cause I don’t see anything in this Bill addressing papers.

LIZ MILWE: Right and so we would like to add to the Bill a: c) Paper bags. Because it has been found that in many of the towns that have done this, they’ve gotten a really great, great result so people remember to bring their reusables. So we’re suggesting a ban on plastic bags and a fee on paper
bags. Suffolk County just did it and they found an 80 percent drop, 80 percent were bringing reusable bags to the grocery store.

SENATOR COHEN (12TH): To your point, Representative with time the resort to paper bags declines because people have their reusable bags. But I think your point is excellent in that paper bags, the cost of manufacturing them, knocking down trees is not ideal, they are somewhat more biodegradable certainly than plastic but that is not the end goal and by attaching a fee to it, which is something that we can consider, we are discouraging the use of those as well. They’ll always be some people who forget their bags or are from out of town or the like. You have to have some option available but the idea is to minimize any one use bag and really get people to change behaviors and Westport has proven you can do it.

LIZ MILWE: And I would add that the c) is for the merchant, the paper bags are expensive and it’s being sensitive to the businesses.

REP. HARDING (107TH): And another question if I may. Through you, Madam Chair. Since you are a pioneer on this, were there any issues, were there any amendments or changes that you had to make in your original Bill? Because what happens here and Representative Steinberg can attest to this, there is a lot of unintended consequences. We have a lot of good intentions and there’s time when we pass something and say, ah we missed this, we missed that. So if this is passed, we want to make sure we kind of cross all the t’s and dot all the I’s so is there something you notice since you are a pioneer that needs to be changed or addressed?
LIZ MILWE: Yes, I would say that Westport, we copied the San Francisco ordinance which was the first in our country and they had a problem with their recycling, the bags were clogging the recycling centers and so we copied the weight of the bag is 2.5 mil but we are asking to change that to 12 mil because what is happening in our town there have been businesses that have been created just for towns that have banned plastic bags and they are making plastic bags that go around the spirit of our ban.

REP. HARDING (107TH): Well I want to thank you Representative and Ms. Milwe for coming up here and testifying today and appreciate your time and for your thoughts.

LIZ MILWE: Thanks, it’s great to be here, it really is.

REP. STEINBERG (136TH): Thank you, Representative. I did have a question and a followup question and I think perhaps now I know the answer to those based on what you’ve both been saying but what are the thoughts around these new food made plastics, I hate to call them plastics cause they’re not in a traditional sense but those compostable bags that are made of a vegetable product.

LIZ MILWE: I mean I wish it were true that most of those compostable bags could be put in my backyard or anyone’s backyard compost pile but the truth is if you go onto their website you will see indeed an industrial compost center and so they really don’t biodegrade in your backyard and if you leave them out when you are cleaning up after your dog, you will find they don’t degrade and it is really quite a disappointment because the bags are being floated
around as a solution and it’s certainly not a solution.

REP. STEINBERG (136TH): I want to say that I was also very excited when I heard about those bags and I really did some investigation into it and really wanted to believe that they were gonna be solving the problem but they do require very specialized process. That process is easily contaminated and troublesome. We’re not there yet but I can’t wait for the day when we have a product that really fills that need. We’re not there yet and the best answer right now is reusable bags.

REP. STEINBERG (136TH): Forgive my ignorance on this but does Westport still, so they still use the produce bags and?

LIZ MILWE: Yes, the ban is just on the kind of bag you get at the grocery store.


REP. MICHEL (146TH): Thank you, Chair. Thank you, Chair and thank you for coming from Westport to testify. I was just wondering your fee in Westport is ten cents?

LIZ MILWE: No, we don’t have a fee.

REP. MICHEL (146TH): No, you don’t have a fee, okay. In Stanford where the fee is ten cents and I keep having the discussion with other people if it shouldn’t be higher and I wanted to ask your, both your position was on that. I would think that 15 cents or even 25 cents would be more encouraging. I know that people come into the supermarkets with food coupons would be given reusable bags generally
that’s what I’ve heard from the Connecticut Food Association and so and the fees that we would pay for paper bag would go to help them to go towards producing those reusable bags. What would you suggest as the fee for the state?

REP. STEINBERG (136TH): I think we are all concerned about others concerns about progressivity that if you make it too high you actually create problems for people who may not find it that easy to navigate the system to get free bags or do get some sort of scholarship. I think you make it as high as it need to be to provide the disincentive to change the behavior. The goal isn’t necessarily to collect money the goal is to change the behavior and this is a means to an end and not an end to itself. To my mind the shorter period of time we need to impose any fee the better because we will have changed the behavior.

REP. MICHEL (146TH): Thank you.

SENATOR COHEN (12TH): Thank you, Representative. Yes, Senator Haskell.

SENATOR HASKELL (26TH): Thank you very much, Madam Chair and thank you, Representative and also Ms. Milwe for being here to testify. It is great that Westport is so well represented before the Environment Committee. Of course it was a decade ago to this month that the Bill was proposed in the RTM so it’s incredibly exciting that we’re scaling this up to the State level, well I hope. Given your expertise on this issue, I wanted to see if you might be willing to speak a little bit about the two different proposals we’ve seen this legislative session, one involving a fee and the other involving a tax. Do you think you could help the Committee
determine the difference between the two and which in your view is a better path on which to move forward?

LIZ MILWAE: Well I don’t think, I think we’re looking at behavior change. I think a tax is not a good idea. I think some of the cities that have done it have complained there is a lot of administration to it, it is hard for the stores, it is hard for the State and I think it is much simpler and really supportive of business to do a fee.

REP. STEINBERG (136TH): I’m also a little bit afraid sometimes when we impose taxes we have a hard time getting rid of them and, you know, I think it would be easier if we could come up with a plan that meets the objective without having to impose the tax.

LIZ MILWE: I would like to add that we would want to get rid of plastic bags, we don’t want them to still be produced and tax them.

SENATOR HASKELL (26TH): I couldn’t agree more. If I may, Madam Chair, just one more question? And that is that given the tremendous momentum we’ve seen around banning plastic bags not only in Westport but most recently in New Canaan and other towns that I have the honor to represent all retroactively took that step, why in your view is it important that we scale this up to the State level, why not continue the town by town advocacy?

LIZ MILWLE: It is really difficult to pass a plastic bag ban and because an organization which I am part of, BYO, it’s made it easier for the towns but is a struggle. Every town is different in Connecticut, the way it’s run, the committees and it
takes a team to do it. And I think we need to have the whole State, it would be easier for the businesses, the grocery stores would like to see it all the same so they know what the fee would be and if all plastic bags banned in the whole state. So now what we have is different towns having different laws and I think we’d be much better off with the whole state. I would also help so many of the environmental groups that are working so hard at this and it takes so long they could be working on something else.

REP. STEINBERG (136TH): I think that, sorry, I would just agree that we have a trend going here and I think the industry recognizes this is inevitable and they’d sooner have a single standard so that all their stores across the State can apply it than to have to have different laws in different towns, to my mind time has come because it has momentum, so many communities are getting onboard.

SENATOR HASKELL (26TH): I think that’s such as good point that you raised and I remember attending an event to Compo Beach recently with both of you in Westport and was pretty stunned to discover where not just one but two or three Representatives from large grocery stores who were in support of the statewide plastic ban. Could you speak to some of the conversations you’ve had with them and why they might be supportive of legislation like this?

LIZ MILWE: Well I think the fee would help offset the cost of the paper bag and I think that they don’t want to have every town having a different law so they have to change around different things.

REP. STEINBERG (136TH): Well, I’m sorry I would just add that the conversation is dramatically
different than it was a half dozen years ago when I tried to introduce a bill along similar lines, then it was Westport by itself, there wasn’t this sense this is where we’re going. Interestingly, perhaps coincidentally they seem to be much more amenable to having the conversation.

SENATOR HASKELL (26TH): In other words it seems sort of paradoxically that by introducing this new ban on plastic bags we are creating a more regulatory friendly environment for businesses to operate in Connecticut is that right?

LIZ MILWE: That’s true and I would like to add though I don’t know if something is goin to get passed this year, but if some of the towns have a more restrictive and environmentally better bill I would personally like to be protected.

SENATOR HASKELL (26TH): Wonderful, Thank you so much for your testimony. Thank you for your patience today and thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Senator. Any other questions or comments? Okay seeing none, thank you so much for your testimony. Next we have Jennifer Siskind, followed by Ed Bowman, followed by Chuck Riegal. Welcome.

JENNIFER SISKIND: Good afternoon. There is a little bit of confusion there might be a person by the name of Chuck ahead of me so maybe that person will go after me?

SENATOR COHEN (12TH): Chuck is actually after you.

JENNIFER SISKIND: Okay, great.

SENATOR COHEN (12TH): But not immediately because we’re still alternating between public officials.
JENNIFER SISKIND: Good afternoon Chair Cohen and Distinguished Members of the Committee. On behalf of the 20,000 Connecticut members and supporters of Food and Water Watch I am here today to support HB 7294 the redemption center and Bottle Bill, HB 5384 Styrofoam containers, HB 5385 plastic straws, Senate Bill 229 Styrofoam trays in schools and to support SB 1003 a ban on plastic bags with an amendment of a ten cent fee for paper bags to be kept by businesses.

All throughout today I felt like we’ve kinda been talking about the wrong thing. We’ve been talking about how much waste and how much, how costly it is due to National Sword to get rid of recyclable and what we haven’t really been talking about is that before we recycle we have to reduce and reuse and that is the focus we have to get to. What other cities and the State of California and all the counties of Hawaii have found is when legislators get together in a bipartisan matter and decide that they are going to restrict something that is the easiest way to get to a point where you are reducing all this waste that towns are burdened by. So again quite simply people need to reduce and reuse before they start talking about recycling.

The two best ways to do that is with financial incentive that would then make people chose to reuse a bag over and over again so that they are not paying that ten cent fee on a paper bag and to have top-down restrictions put in place by government officials. Here in Connecticut we have eight towns that have passed plastic bags bans by ordinance, half of them have instilled the ten cent fee for paper and they are going to model this happening with the rest of the United States that have also
put a ten cent fee in for paper or reusable bags and that they have dramatically reduced their amount of waste. The unintended consequence of not having a ten cent fee on the paper is that those towns once they bag plastic bags are gonna have a huge volume of paper waste that now needs to be replaced because if people just make the switch from plastic to paper and they don’t have an incentive to bring their bag so they are saving money, that is the unintended consequence.

Mr. Cafaro mentioned Live Green. The founder of Live Green is also a paid project manager for the Wilton Go Green Task Force and a couple of years ago when Wilton Go Green recommended a town ordinance to ban plastic bags local leaders responded with lets have an educational program instead. So they launched an extensive public relations campaign and six months and several thousand dollars of expense later, the amount of people using bags in their town was in the single digits. So putting that mandated restriction on plastic bags, adding in the ten cent fee for the paper reusable bag is where you get into the 70,80, 90 percent reduction of all this waste.

With regard to the Bottle Bill this will simply get us a way to stream our still marketable product that can still be sold without risking it being contaminated in single stream so again that helps towns.

With regards to plastic, one of the hardest problems I have as a consumer is when I go to a restaurant I get a glass of water with a plastic straw in it before I even have an opportunity to say my waitress I don’t want a straw. So again passing this Bill will also be beneficial for consumers.
I will relinquish my time since it is a very long day but I would be happy to take any questions.

SENATOR COHEN (12TH): Thank you Ms. Siskind. Does anybody have any questions or comments? Okay, Representative Michel.

REP. MICHEL (146TH): Thank you, Chari. Jennifer thank you for coming again today and for your advocacy. Towns and cities have different bills and often the thickness of the plastic is also mentioned and can you talk about that, about the 3 mil, the 12 mils what it means? I think a lot of people are not really familiar with that and so I think its important.

JENNIFER SISKIND: So I think the typical tee-shirt bag as it is called, that really flimsy bag that flies through the air when ever you empty it in a trash container and creates a huge amount of litter, that’s 1-2 mil approximately 2.5 mil. The thickness of the bag, the mil goes up so there have been workarounds as Liz mentioned where if you only ban a certain lower mil then the industry just turns around and replaces it with another type of plastic bag that’s thicker. So I would prefer to see a reduction of the thin mil bags now and then over a period of time, maybe over the next year or two a complete phaseout of plastic bags and then have, and again having that fee kept by the businesses because they incur an expense to go from a two cent plastic bag to providing a ten cent paper bag for their customers so support your business by giving them that fee. Again it encourages reusable bags so people can avoid the fee but it gives the businesses a leg up so that they are not burdened with the consequence of switching out from a cheap material.
REP. MICHEL (146TH): So if there was a progressive ban like over one or two years so that in two years it’s done, if like for example language would show like low mils like 2.5 or 3 mil then the industry could offer a three point something mils and would still have plastic bags.

JENNIFER SISKIND: I have not been engaged with the negotiations with the industry and the lobbyists around this. I would defer to Lou Birch he will testify later but I do recommend that the legislature follow a plan that the Connecticut Food Association is backing because that then has the support of all the grocers in Connecticut.

REP. MICHEL (146TH): Okay, thank you very much. Thank you, Madam Chair.

REP. DEMICCO (21ST): Any further questions for Ms. Siskind. No. Thank you very much. Thank you for your patience and your testimony. So next we have it’s Ed Bowman and John Marsillio, to be followed by Chuck Riegle. Welcome.

JOHN MARSILLIO: Thank you. Good afternoon, Madam Chairman, Mr. Chairman, Members of the Committee my name is John Marsillio. I am the Director of Public Works from Trumbull, Connecticut. With me is Ed Bowman who is the Deputy Director of Public Works from the Town of Fairfield. We represent the Greater Bridgeport Regional Recycling Interlocal. We represent the Towns of Bridgeport, East Haven, Easton, Fairfield, Milford, Monroe, Stratford, Westport, Woodbridge, Trumbull and Southbury. So we’re a few members of the Committee who are part of our Interlocal. We’re here today to support Bill 7298 and we’re here to share with you whatever expertise we can in the field of solid waste and
recycling. Ed and I have been involved in this, Ed longer than me, from the mid-70s but I began in 1985 and I’m still involved in it today.

What I see here is a flawed perspective on recycling guidelines employed by the State of Connecticut through it’s adoption of a waste management plan and enforcement of the plan by the Connecticut DEEP. The goal of recycling guideline is reduce municipal solid waste volumes and increase the beneficial reuse of items in the waste stream. Recycling efforts began a long time ago. I personally oversaw the largest recycling implementation in the State of Connecticut in the early 90s in Bridgeport, Connecticut. Overall the program was successful but in time market forces and the expansion of recyclable items to include colored paper, magazines, all plastic containers, this all diminished the commodity value of a ton of recyclables. The final outcome was a closing of a facility that we used in Stratford that we paid for and the transfer to private industry to become the recyclers that we’re forced to use.

With the present single stream recycling everything gets taken to a MRF, they are separated into commodities with value and commodities without value and so what happens is those commodities with value are marketed the remainder is either sent to a burn facility or landfill. This approach is 50 percent of the amount of single stream recyclables that are in that bin. As the data emerges this is clear the carbon footprint of this effort is not environmentally sound.

We’re asking you to modify the recycling container as Representative Gucker has indicated before and go
back to the old ways when we first started where it was just print paper, bottles recyclables and one and two plastics. That will prevent a benefit financially. The towns I iterated in the beginning amount to population of almost 440,000 people and the amount that this single stream recycling is costing us in the aggregate is millions and millions of dollars. We need relief legislatively to kind of retreat and then begin to add items as technology comes on board. I’ve heard a lot of things today discussing things that are in the pipeline to address a lot of these commodities but until they’re here it’s a burden on every community in our group and in the whole State.

EDWARD BOWMAN: In a more general sense, in Connecticut there are six major components to the recycling.

REP. DEMICCO (21ST): Excuse me, Sir. You have to make sure you identify yourself.

EDWARD BOWMAN: I’M sorry. Edward Bowman, Assistant Director Public Works, Town of Fairfield. In Connecticut there are six major components to the recycling industry with generators the citizens and businesses, the collectors who pick it up, the processor at the MRFs you know who crate ‘em and produce a product to sell, the markets we sell the recycled products and the municipalities that pay the bill and lastly DEEP, you know regulatist the other part of the components.

During 2018 into 2019 all of these components have been working together to solve the problem except DEEP who had no part in our discussion what so ever. I think that’s changing now with the new Commissioner, you can’t do it without ‘em. So cost
wise Fairfield went from getting $50,000 dollars for recycling two years ago and now paying $525,000 dollars for recycling starting July 2019. That is considerably more than the cost to burn it. It is $15.00 dollars a ton more to recycle than it is to send it to the Bridgeport burn plant. Now, that’s crazy.

What is the incentive to recycle there? This Bill helps change that by taking glass out of it, you know, to start with. The key problem are the plastics and glass. The rest of it has some sort of profit knowing that none of the MRF operators are asking for anything else to come out of that Bill. Again there is no market for glass even color separated, that’s part of the problem. It’s just cheaper to make new glass than it is to recycle. Number three to seven plastics have been accepted at MRFs but they are not required recycling anyway. All we have to do is not do it, put it back in the waste. But overtime what is happening, now there is a profit model, a lot of people have said this, you know, China has banned it and now India also announced over the weekend they are no longer taking most plastics either, they took 400 per freighter million tons of it last year.

Now private industry is responding to this crisis. The glass recycling facility is being planned for the Bridgeport area. The goal is to create a marketing connect with concrete building blocks containing recycled glass and their main concern is they feel it will take three or four years for DEEP to even permit. They are working with ONG now, they work in New York, they have a viable product they believe. I mean so, now in addition to that though, if we use one percent of glass in all paving, almost
100 percent of glass produced in the State of Connecticut would be recycled. But it is not allowed by DOT now. If the legislature passed a Bill allowing that, not mandating, that one percent glass could be brought into the paving and we would use up all the recycled glass.

Again we all agree with elimination the plastic bags and straws and things like that, mandatory education again is the most important thing. So it took years, and years and years to get us used to teaching people to do single strand recycling. I think that has to continue. Proposal banning single stream, we’re not trying to abandon the collection method, just the materials that go in there because, you know, many missed dollars and many private collectors have purchased new equipment designed only for single stream collections. They are automated and some may even allow for less manpower and have multimillion dollar costs. So of the private players also produce, you know, purchase 95 gallon recycling containers. Again at a multimillion dollar cost. You can’t just throw that stuff away and start from scratch. But we can reuse that with, you know, with the single stream with the old system putting their paper, their glass, everything is in there, new immerser designed at extra cost for single stream recycling. An old immerser produced new equipment for the same purpose. We just cannot throw away millions and millions of dollars of public money and private money to try something new. That makes no sense what so ever. Taxpayers will revolt if they were told we had to go spend more millions of dollars to years after they just spent millions of dollars for single stream collection trucks and containers. And
I think, you know, again everybody works together. Now we have I just read number three through seven that tough plastic, there are four new plants being permitted throughout the country to deal with three through seven plastic cause now there is a market, you know, you can’t compete with goin to China now, competing with $100 dollars a ton, there is a market for it. As someone said earlier that China is opening up paper recycling facility. In Maine for example, we have the glass recycling facilities. I think another thing we could do to really encourage this is have the Department of Economic Development try to have a program to encourage marketers and processors of these hard to recycle things come to Connecticut. We would then be, because the other biggest problem cost is transportation. We are paying $30 dollars to haul the recycling to the processing facility, that is half of what we’re payin to process it, that’s crazy. And that’s only 30 miles away. But if something is 100 miles away, it’s just cost prohibitive to recycle. Any questions? That’s it, thank you.

REP. DEMICCO (21ST): Thank you, Mr. Marsillio and Mr. Bowman. I’m gonna use my prerogative to ask the first question. Just for clarification for me, I was a little bit distracted, so did I hear you two gentlemen, when you referred to taking or modifying the current recycling system, are you advocating back to the system where we bundled paper in one category and plastic in another category and so forth or are you just saying take the glass out of the blue bins? I just want to be clear.

JOHN MARSILLIO: Okay, in this Bill we’re talking about, it eliminates glass as a component of the recycling and that’s all, it doesn’t eliminate
recycling. Everything else that is going in there, or let me come at it a different way, we should use those bins and recycle only those things that have value. In the past, those other items that didn’t have value were mitigated by the overall value of the ton of recyclables. Now that’s all gone away. So until and unless we find beneficial reuse for things like glass and three to seven plastics I think we should retreat.

EDWARD BOWMAN: We use the same vehicle, the single stream vehicle just put in different materials in.

REP. DEMICCO (21ST): Again and for my clarification, so did I hear you suggest that the State should revisit it’s reluctance to do anything with glass? Currently we don’t, my understanding is we don’t use it for highway paving or any of those other uses that have been suggested. Are you suggesting that maybe we take a look at that?

EDWARD BOWMAN: Yes, I DOT prohibits it, that’s why it isn’t used.

JOHN MARSILLIO: Then there was a failed project years ago that we were engaged in. It wasn’t properly, the glass wasn’t properly crushed. The product, the final product was bad over time, it became dangerous, a kid fell on the road there would be actual shards there. But look, glass can be made back into the sand that it came from and if you have quality control and if you process it properly, and you took bad glass, all the glass that’s generated in Connecticut even the wine bottles and the whiskey bottles and everything else you want to address here, you could take it, make it a component of asphalt and it solves everybody’s problem.
EDWARD BOWMAN: I have one other thing I wanted to say, I did forget, the permitting that is the hardest part. The 90-day permitting, 90-day may not be the right number but from personal experience I’ll give you an example. Fairfield in 1980 DEEP, the old DEEP permitted us to build a compost facility recycle sewage sludge. To this day, they haven’t permitted us to use it. Thirty years in the making and we have to ship it to Massachusetts or New York in order to use it. Ten years ago they gave on a shipment by shipment bases that the company tested it, continued to test it for two years we could use it on certain athletic fields. In the meantime it’s used everywhere else except here. How can you wait 30 years for a permit?

Second just simple water pollution control facility going for a facility plan, just the planning part, there is no design in that. It’s been up in DEEP for 14 months now, there is no design there’s just the facility plan. We can’t get that passed. There has to be someway to get things passed through DEEP if it isn’t 90-days, a year is more than enough. It’s crazy.

REP. DEMICCO (21ST): Thank you. I’ll open it up to the Committee members if they have questions. Representative Gresko and then Representative Mushinsky.

REP. GRESKO (121ST): Thank you, Mr. Chair. You both made a comment about the one percent glass in the asphalt. Is that the glass that is generated in the State of Connecticut used in asphalt in the State of Connecticut or would that create a market for asphalt being used in other states?
JOHN MARSILLIO: Well we use that as an example. If it were a viable product it could be used anywhere, it would become a commodity again. But if it were mandated or if it were recommended to the DOT that they incorporate that in their specifications they could absorb all the glass that we recycle in this State.

EDWARD BOWMAN: And those figures came from DEEP not from us that one percent.

REP. GRESKO (121ST): So that leads to my next question. You said that DOT prohibits the use of glass so if we were to not mandate this but make it allowable, do you have any indication from the DOT that they would do this?

EDWARD BOWMAN: No. Maybe you have to mandate it, I don’t know. I don’t like to mandate those things but we will.

REP. GRESKO (121ST): Myself either but to say that we allow them to do that and then they’re not gonna anyway is problematic with the use of the glass. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Representative Mushinsky.

REP. MUCHINSKY (85TH): Thank you, Mr. Chairman. We have had several efforts, we made several efforts in the Environment Committee to get DOT to change their specs and have never succeeded even though the New Hampshire DOT does use glass in the roadbeds and you’re right it certainly would help.

EDWARD BOWMAN: Maybe they still want to ban and say that can’t you let municipalities use it and they won’t let municipalities use it on their own roads.
REP. MUCHINSKY (85TH): There is a vendor who is talking about coming to Monroe and having a glass processing plant, it makes a finer product at the end and I’m thinkin that might be another opportunity for us to ask DOT. Now it’s gonna actually look and feel and behave like sand.

JOHN MARSILLIO: Well that product is a concrete product. They are making concrete block and pavers.

REP. MUCHINSKY (85TH): Okay. I don’t know if you knew that DEEP has said that the, in the recycling bin, the blue bin 60 percent of their glass is wine and liquor so if we were to put a deposit on those and take them out, that I would think would solve a lot of your financial problem of removing the heavy and useless glass and actually make something out of it.

EDWARD BOWMAN: You’d get 15 to 20 percent of the weight out and that’s sellable. Our own vendor is saying that he will drop the price, I forget how much he said, if we didn’t have glass the price would go down like 15 percent or something like that.

REP. MUCHINSKY (85TH): Okay, so that would help your town, our state financially.

EDWARD BOWMAN: That’s what Danbury, that region is dealing with the same vendor to try that out. But you’re right, putting a deposit on it even makes it better.

JOHN MARSILLIO: But if you want just a wholistic approach, if you just want to take glass and recycle it, whether it was a wine bottle or a beer bottle, or any kind of bottle, you could crush it up and use
it in asphalt and it solves everybody’s problems and you don’t need a Bottle Bill.

REP. MUCHINSKY (85TH): Well our experience is the Bottle Bill glass has the best market and you get paid for it and the glass that’s in the MRFs that is coming through with some contamination is not really marketable. That has been the experience here. If you ask people what they get paid for glass coming in one way versus the other way, the Bottle Bill glass is more lucrative.

EDWARD BOWMAN: Yeah, that TOMRA has a system that separates it, it’s color coded which is of some value which they can’t do in the MFRs.

REP. MUCHINSKY (85TH): Okay, well thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Mr. Marsiello or Mr. Bowman? Representative Gresko.

REP. GRESKO (121ST): Thank you. So, we take the glass out of the single stream bin that is in front of my house but you also need to take out all the other pieces that aren’t a commodity that aren’t marketable. But some of the testimony that we heard earlier today is that people throw garden hoses and all this stuff in there. Do you feel that the public works, the MRFs in each municipalities has the capability of separating that out from the desired commodity? I mean everyone is not going, it’s gonna be a tough task to get people to get away from single stream but if you. I just don’t see how that.

JOHN MARSILLIO: Look, if you tell people that it is costing this town in Trumbull we had an agreement with a vendor that paid us $125,000 dollars a year
for recyclables. This year that revenue line is zero and we have an expense line of $300,000 dollars so do the math. It’s costing a town of 35,000 people $450,000 dollars because of the market occurrence. So what I’m saying is there is a story to tell here. We did it in the beginning and promoting single stream to make it convenient and now the market conditions, the commodity markets have caused this to be a huge expense. Stamford $700,000 dollar swing, our $400,000. People, trust me it’s millions of dollars. So what I would say is simplify this, go back to where it was. As new technologies come onboard then you could begin adding these items. But yes, you have to tell people. I get baby seats. We get, I mean baby carriages, we get those toys. You know and people feel good about doin that. They think they’re recycling. But they just don’t understand that it’s not.

EDWARD BOWMAN: The City of Milford, you know, they can pick up 300 pounds in their recycling bins. They couldn’t pick it up. They opened the bin it was full of car batteries, from a homeowner. Another one they threw chemicals away, caught fire inside the truck and burned the truck. The education, oh you’ve got to tell them 10,000 times what goes in, you know.

JOHN MARSILLIO: So simplification I think would be my recommendation for what I know.

EDWARD BOWMAN: Part of the problem also of course is they are all closed containers. Can’t see what’s in it. Get it in a blue bin you can see it.

REP. DEMICCO (21ST): Thank you, Representative. Representative Gucker.
REP. GUCKER (138TH): I want to thank you for coming out and do you think somewhere down the line that maybe there could be a market for a company just going around picking up the glass bottles? So say each homeowner has his own separate like a green tote, a yellow tote, I don’t know and they put just glass in there. Do you see down the road they would come by and just pick up just the green or yellow tote and take it off to the processing plant?

JOHN MARSILLIO: So the homeowner would separate it, source separate it, simple.

EDWARD BOWMAN: I think that’s the only way it could work really. You could set up a center like at the transfer station for people to bring it to, you’re gonna get ten percent of the people who’ll bring it the rest will just put it in the garbage and it will be burned in the burn plant. The only way is to have it curbside. That would take a few years to get it into place obviously.

REP. GUCKER (138TH): And if I can, so you said ONG is looking into this, for what, their cement products?

EDWARD BOWMAN: Yes.

REP. GUCKER (138TH): And you said asphalt companies as well.

JOHN MARSILLIO: DEEP made the calculation, the one percent calculation that we’re quoting, that came from DEEP as a beneficial use it permitted.

EDWARD BOWMAN: The asphalt companies aren’t looking at it because they know they can’t get permitted. I heard stories at a meeting I was at last week from one of the other MRF companies and he said they
spent a lot of time and effort doing this. They were requested to work with DEEP and they’ve been doin it, they did it and then DOT just rejected it out of hand because they’re not gonna deal with it no matter what, so. So national companies they are not gonna try to do this, they know they can do this, it’s all over the country, but why spend the time doing it here when it’s not gonna be allowed, you know.

REP. GUCKER (138TH): Well I think if we can fix this glass problem we might have a new market. So I thank you for coming out and testifying today.

REP. DEMICCO (21ST): Thank you, Representative. Anyone else have any questions? Okay, right thank you very much. Appreciate your time and your testimony. So the next person to testify is Chuck Riegel to be followed by Mary Ann Lankson.

CHUCK RIEGEL: Good afternoon, Co-Chairs Cohen and Demicco and Members of the Committee. My name is Chuck Riegel and I am the Senior Vice-President for Government Affairs for TOMRA North America which is headquartered here in Shelton, Connecticut. I am representing TOMRA and to some extent our competitor ENVIPOCO, which is headquartered also here in Naugatuck, Connecticut. We both administer and operate deposit-return systems not only in Connecticut but in parts throughout all the deposit states in the U.S. and in some cases Canada.

What I would like to do is paraphrase testimony that I provided earlier if that’s okay. Basically I work in most of those deposit markets in the U.S. and Canada, so getting a chance to come to Connecticut our home state, it’s an opportunity for us to try to
share Best Practices as we talk about updating or modernizing the program.

TOMRA, appreciates the historic and continuing support of the legislature for the “bottle bill” and I’ve come before the Committee before in the past to express our support where there were proposals for repeal. Today I’m here to re-affirm our industry’s support for the law and our desire to work with you and other stakeholders through questions and proposals to amend the program.

If you have a copy of my testimony I have just provided some reference pictures of the deposit-return process and in this case, TOMRA and ENVIPCO, we’re providing not only the reverse vending technology which I know you’ve talked about a little bit earlier today and probably know us mostly for but also the data administration, the clearing of deposits, the clearing house function, material pickup, working with other service providers in the State to help them provide a cohesive service and also the materials sales and ultimately the recycling of the containers.

Like I said, you know us predominately through the reverse vending machine technology found in the grocery stores and even the optical sorting technology used in the material recovery facilities that sort out the single stream.

TOMRA invented the Reverse Vending Machine for retailers 45 years ago in an effort to try to simplify their return process. We are now the world leader with over 82,000 installations in more than 60 markets around the world.
In Connecticut specifically us and EVIPCO have invested in the infrastructure of about 2,000 reverse vending machines and a back office clearing house and service operations.

Globally, so you understand that Connecticut is not operating in a vacuum here globally there has been a boom in the growth of deposit policy right now for whether it’s reason to address single-use plastics, trying to address issues around glass recycling and the China crisis. Not only have, is the policy being adopted but there have actually been a number of programs launched.

Most recently Oregon followed a path which a little bit seems ahead of Connecticut’s in the adopted water bottles back in 2008 and has been investing it’s unredeemed deposits in the infrastructure providing more redemption centers along with its return to retail infrastructure and then preparing it so it could update the program through expansion and increasing the deposit in 2017 and 2018. So results are available for reference today.

We also have markets in Australia, New South Wales for example where TOMRA is system operator there and we’ve been able to implement a system where we’re putting all of the machines and return centers on-line so that data is available for better management of efficiencies and controls.

I know that there are a significant number of questions regarding Iowa and I’d be happy to answer those questions. What I’d sort of like to part here is that in sharing the examples is that, look the program in Connecticut is not living up to it’s potential but a number of the issues that have been brought up aren’t hurdles so much as they are issues
that just require some attention and Best Practice examples that we have available to us from other markets. With anyone of those individual solutions I really ask that you consider some key dynamics of the framework and that is around performance, providing convenience for the consumer, accountability for all the parties in the system and we do have a focus on efficiency. There is a strong environmental program that we do want to see last for another two decades and with a number of steps this program can be revitalized and perform the way we need it to. I’ll stop there. Thank you.

REP. DEMICCO (21ST): Thank you, Mr. Riegel. I know Committee members have questions. Representative Gucker.

REP. GUCKER (138TH): Make it real quick. So you heard talking to the gentleman from the liquor stores and such, do you feel that your company would be able to make a company that would read the mips and read the wine bottles and read the other things and be able to parse that out for recycling?

CHUCK RIEGLE: Thank you. Were today liquor and wine is not included in any deposit programs but it is included in some, Finland for example has a very extensive program but here in the States we’ve got Iowa and Maine have added wine and liquor many years ago. The machines that we use in Connecticut are used in these other deposit markets. There are new models coming out, as you can imagine with any company, we are rolling out new models every five-seven years. The wine and liquor bottles that are able to, we are able to process those containers today to an extent. This is where it gets a little technical. You have some specifications as you
notice there is an opening. So what I try to recommend is that we actually consider size limitations. When Connecticut adopted water it actually added a size limitation of less than three liters so that the containers would fit through the machines and there would be no need for consumers to go a counter service to return containers. Retailers could still rely on that self-automated, self-serve process.

In Maine for example they don’t have that size limit so the one gallon containers that don’t fit through the machines have to go through counter service. So we recommend that there be, say a no greater than a liter and a half, 1.75 liters, on wine and liquor bottles. The nips are a challenge to automate. They actually are in a range that goes underneath the conveyor belts, and no just the machines but even the bulk counting equipment. Now, automation for returns came around about the same time deposit laws were introduced but we didn’t introduce machines here until the 80s or early 90s. So returns can be processed manually.

REP. GUCKER (138TH): Thank you and what about the, you know, different shapes and sizes? You’ve got some alcohol bottles that are like halfmoons and some are round and fat, some are, you know.

CHUCK RIEGLE: Good point, about five years ago, so we launched an upgrade to our entire platform. So rather than having to spin the container around looking for the barcode we actually have readers that are positioned all around the opening so if it’s a square container it can be read just as easily as a round container.
REP. GUCKER (138TH): So at some point you could put this square container in the round hole and still read it [Laughter]? Well I’m glad to hear that and lastly with this, if we were to expand this do you see this bringing more jobs and more manufacturing to Connecticut as far as your business is concerned?

CHUCK RIEGLE: So our competitor has actually machine manufacturing in this State. We import the machines upfront. We do refurbish machines here in Shelton, put them out in the marketplace and predominately you’ve got the service groups which are able to go out there and that’s the kind of jobs, its more technical oriented. More volume for any recycling program is the lifeblood of the system and as you heard under, I guess, related to a number of other Bills the quality is key. So as long as we are able to maintain quality through the process of collection, processing and end use, that’s where you keep stacking up the jobs.

REP. GUCKER (138TH): And one last question if I could? So there is also this belief, if you use the machines, say I remember the last time I used one of these glass machines, you hear the glass breaking, would there be maybe down the road a method of bring that so that broken glass or having to go back to the distributor it goes to the recycling facility itself like OMG or one of these other places we just heard about may be interested in glass?

CHUCK RIEGLE: Sort of have two issues here. So the glass breaking is just a matter of trying to compact and save space for the retailer or redemption center should they choose to use machines. The material quality is preserved still and that glass is able to
be used by bottle manufactures in the end. It’s the bottle manufactures that actually pay the most for the material. I don’t consider, my town, when I worked for Norwalk back in 1990 we laid down the first road for glass asphalt. It is a good use for contamination but then the curbside programs had five-seven percent contamination. Today looking at glass asphalt or any of these other products, this is not recycling anymore. This is just waste diversion. There are markets out there that want this material. We already today are preserving the quality so I wouldn’t want to go in that direction.

REP. GUCKER (138TH): It was just a thought because there was some argument here today that, you know, it’s all garbage. Some of its’ good, some of this isn’t.

CHUCK RIEGLE: From the deposit program?

REP. GUCKER (138TH): Nah, just from some of the, you know, recycling aspect that it is polluted, it’s dirty but it is good to hear your aspect. It’s good to hear, in my opinion or what I’m thinking is that we could maybe bring some more jobs to Shelton where I used to have my shop and also we can maybe keep some containers out of the neighborhoods and such and get them to where they belong which is recycling. So thank you very much for coming and educating us.

REP. DEMICCO (21ST): Thank you, Representative. Representative Muchinsky.

REP. MUCHINSKY (85TH): Thank you, Mr. Chairman. One other question I’d like you to answer is the border issue question. Is your company or your fellow
company INVIPCO able to solve the border issue by programming your machines?

CHUCK RIEGLE: So it’s a good question and it’s I think it is a question that operators and stakeholders should be talking about regularly. The way we manage it is, and the answer is yes, the short answer is yes. And the answer is it’s being managed to some extend today where there is cooperation and there have been at least two attempts in the last decade to try to address it based on the complaints from certain parties through Statute. But because the solution had actually affected sales it was challenged as unconstitutional. But we actually got as far in Michigan as designing a system, even adjusting some of the technology to accommodate the can manufacturers. We had a special marking for cans and we had a unique deposit code for the bottles, glass and plastic, and the state invested a million and a half dollars in technology predominately in our machines in Michigan again because we are the larger service provider there and we created a ring around the State, around the border to protect, or to address the issues of cross-border redemption. And after that, the infrastructure was installed, what was great about the process is we actually had cooperation from brand owners in marking their containers. This affected both the beer, the local beer wholesalers who wanted the system and the soft drink, but after about three years in, because of the Federal Court challenge we basically had to move it for a mandate to a voluntary program.

We have these voluntary solutions in New York, in the Northeast today. We can turn them on and off as needed. Next time you take a look at the can or
bottle see if you see an addon barcode or it might be a special unique barcode that is how the machines are able to differentiate between what is a deposit marked container and what’s a non-deposit marked container. We can do that with cooperation. We don’t need statute to do that. And I’ll further say that the manual returns can do the same thing. They are visual markings on the containers that help the manual returns identify if there is an instate, if the containers that are sold in this state and in a non-deposit state are different. If the same marking is sold into a non-deposit state, there is no way to tell the difference. So requires cooperation.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions? Oh yes, Senator Miner.

SENATOR MINER (30TH): Thank you, Mr. Chairman. So I don’t know if you were here when the liquor industry was providing testimony.

CHUCK RIEGLE: I heard some of it online.

SENATOR MINER (30TH): So if I recall there are five different wholesales of Jameson who may go into the same store. In the other states where there is recycling do you know if they have a similar three tiered system? Do they have similar distributor models?

CHUCK RIEGLE: Every state that I have worked in has the three tier alcohol distribution system. We, I said in Michigan we were even setting up that border control process that’s who we were working with was the beer wholesalers as well as their original upline brand owners. It is, I think the point of reference is the deposit market, the
deposit systems that were adopted in the early or late 70s - early 80s was modeled after the refillable program delivering bottles directly to the stores. Soft drink and beer has followed that model for many years but some of the other beverages that we’re considering sell, you know, might have variances to that. We had this similar concern when water bottles were added to the program here in Connecticut and New York but those for the most part have worked themselves out or are capable of working those out.

I haven’t heard an example of too many where one distributor or brand owner will be selling into or sorry five will be selling into one store, that sounds pretty complex but I have to say it’s kinda unique. It’s typically, we have to have focus on the data and we do have to have, I don’t want to say there needs to be more focus on the preregistration of the brands and who is responsible for the cost associated with the program.

SENATOR MINER (30TH): And so, through you, Mr. Chairman. If we were to let’s say go down the road of including some of those other products who does the burden to label fall on? Is it the producer or is it in someway the reader? Because when I think about the system, everybody that is in the system currently ends up leaving something on the table except may TOMAR and ENVIPCO.

CHUCK RIEGLE: How’s that?

SENATOR MINER (30TH): So you know, I hear from, I hear from beer companies for instance that this costs them money. I hear from the grocery industry this costs them money. I hear from liquor stores this costs them money. I don’t hear TOMAR or
ENVIPCO saying this costs us money because if I understand it correctly those business models make money on moving the money and in addition to that they make money on leasing the equipment, they make money on servicing equipment and none of those things in my view are bad, I’m just trying to get to the bottom of at what point does improving the technology become the burden of the only one that manages the money and gets the money?

CHUCK RIEGLE: So, clearly that TOMRA and ENVIPCO are not regulated as we are not the ones creating the pollution. So and that is our role very much as a service provider. We’ve take the step here in the U.S. because it is not the same in Europe, it is rather than being a sales and service organization for technology but actually working with the beverages companies in setting up that system so in Upstate New York and in some cases say Massachusetts actually the pickup and processing businesses are partnerships with the beverage companies. We’ve gone in and invested some money becoming an operating partner so that we could have actually the single pickup type service, third party pickup agent type model that you see today in the market place. Maybe the thing to take back is when the program. The deposit system today is very different from it started off to be, not because of legislation but because of the investment that we brought into the market place to try to make it more efficient.

The machines themselves have evolved from the 70s to what we have today and in a lot of case actually include, their primary focus is around compaction. Right now the new model that is being introduced is easier to clean for the retailers and that we have heightened security around controls so when, as the
beverage companies will give us feedback if there is cheating in the program we will try to implement those controls into the machines themselves. As a whole our company invests almost ten percent of our profits back in to the business to develop this technology. The, I want to throw one more piece out here when we talk about financing. So this is not, it’s a little bit of a step further than simply sales or a leasing deal. We actually have something called Throughput Financing in the Northeast. This was again implemented I think back in the 90s as a way to help grocers who were not able to get cash to borrow from banks of they were small and they wanted to borrow money differently. We actually finance. So we hold the paper on the machine infrastructure that is in the marketplace.

SENATOR MINER (30TH): So lastly for the states that have this type of technology as part of their infrastructure for recycling is there kinda of a rule of thumb as to how long it takes for either of the companies to kind of transition that nickel all the way around the system and complete the loop?

CHUCK RIEGLE: The nickel itself? I’m not so sure about the consumer and their return habits. You know, I think, I don’t think consumers here are like they are in Europe where they basically will bring their returns in when they do their shopping every week. My old habit was basically wait maybe three weeks and then go to the store and take care of my redemption and then go shopping. But as far as when the container is, and you know, the step between that is the deposit is actually initiated between the distributor and the retailer but I think that transaction’s kinda short-lived on the shelf. Once the container has been redeemed at the consumer it
goes through a process. It goes through our machines, we recognize it and we have that data immediately but there is a bit of a process where we as a clearing house need to get the money back from the brand owner. In some cases we’ll front the money to the redemption center or the retailer so that they are not out-of-pocket or beyond the two weeks or the 30 days while we’re collecting the reimbursement from the brand owner. So, you know, it could be two weeks it could be 45 days for billing process.

SENATOR MINER (30TH): Thank you. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Senator. Any other questions for Mr. Riegle? No, okay. Thanks, Mr. Riegle. Thanks very much, appreciate it. So now the next person to testify is Mary Ann Langton to be followed by Mark Bernacki and then Chris Phelps.

KACIE WARE: Hello, I’m Cassie Ware.

My name is Mary Ann Langton. I live in West Hartford. I asked my personal assistant Kacie Ware to read my testimony that I wrote concerning the elimination of single use of plastic straws. I oppose this Bill 5385 as it is written. I would encourage you to review the State of Washington’s Senate Bill 5077 that mandates food establishments must provide plastic straws to people with disabilities upon request.

Plastic straws are an essential independent living tool for many people with disabilities including myself. I am unable to drink from a glass or cup due to my physical disability. I cannot hold a
glass or cup and then bring it to my mouth without spilling all of the liquid. Therefore, plastic straws are an essential adaptation for my everyday living.

So many people have either given or told me about the metal straws. These straws are dangerous because of all my involuntary movements. The Cromwell Dental Association, where I go for my dental care, strongly advised me NOT to use these metal straws. They are fearful that the metal straws might break my teeth.

Many restaurants have started using paper straws and they no longer have plastic straws upon request. The paper straws DO NOT work for me because I involuntarily bite down on the them. When this happens, I cannot drink thru the straw.

MARY ANN LANGTON: And I’m not happy.

KACIE WARE: And I’m not happy.

In conclusion, I hope that I have shown you that plastic straws are a necessity in my everyday life. Please vote NO to Bill 5358 and look at the State of Washington’s Senate Bill 5077 where plastic straws must be provided to people with disabilities. Thank you.

Oh yea, sorry. We also spoke to Representative Borer earlier today.

MARY ANN LANGTON: [off mic].

KACIE WARE: She is the author of the Bill she is telling us. And I explained why I was opposing it and I referred her to look at the Washington State bill.
MARY ANN LANGTON: Thank you.

REP. DEMICCO (21ST): Thank you very much. Don’t go anywhere. But thank you, we are always looking for good information and thank you for providing that for us. I appreciate it. I know we all appreciate it and I think Senator Cohen has a question.

MARY ANN LANGTON: Oh, no. [Laughter].

SENATOR COHEN (12TH): No, not a question. No just a comment. I just wanted to thank you Ms. Langton for being so patient with us today, it’s a long day and also for raising our awareness about why people with disabilities need the use of plastic straws as I know Representative Steinberg was here a little bit earlier talking about plastic bags but he did mention plastic straws and Westport moving to ban them but certainly making an exception for those with disabilities. So I appreciate you raising our awareness on this so that we can amend the Bill.

MARY ANN LANGTON: But I think [Inaudible]

KACIE WARE: [Clarifying comment] I think it is very important that it’s written in. Written in. If you leave it loose, then there is more interpretation. Like restaurants, the restaurants in the towns.

SENATOR COHEN (12TH): Thank you.

MARY ANN LANGTON: Thank you.

REP. DEMICCO (21ST): Thank you. Thank you very much, appreciate it. So the next person to testify is Mark Bernacki. Is Mark here? And to be followed by Chris Phelps. Welcome and thanks for your patience.
MARK BERNACKI: Not a problem. Thank you Senator Cohen, Representative Demicco, Ranking Member Miner and Distinguished Members of the Environment Committee. My name is Mark Bernacki. I am the Town Clerk of the City of New Britain and I am also the Legislative Chair for the Connecticut Town Clerks Association. Thank you for affording me the opportunity to present this testimony in a little bit different topic. It is regarding Senate Bills 997 which is AN ACT CONCERNING DOG LICENSING FEES as well as Senate Bill 999. AN ACT CONCERNING THE FEE FOR ADOPTING A DOG, CAT OR OTHER DOMESTIC ANIMALS. Over the last few years, Connecticut Town Clerks have been reporting that the number of dog licenses have been falling. As of today my own town has licensed 1,713 dogs for a population of over 73,000 people. While many smaller towns exceed this percentage, they also report that their licensing numbers have fallen. Town Clerks expenses far exceed the fee received, even with the proposed increase under 997 or 999. Presently Clerks mail annual notifications, purchase or lease the dog licensing software, assist in running vaccination or licensing clinic, purchase tag and license materials and mail required materials back to the dog owner. Further when mailing the tag, there is an additional $.21 cent surcharge to the post office because of the metal “s” hook). Every June or July Town Clerk offices allocate significant staff time to process these licenses.

SB 999 expands the burden to license “cats or other domestic animals” adopted from a municipal animal shelter or dog pound and is also a major concern to our members. It appears to be a gateway to license cats and other domestic animals, which is a HUGE
added burden to the town clerk’s office. Many offices simply do not have the staff for that to occur.

CTCA would encourage the development of a state-wide on-line dog licensing portal and would be in favor of working with this Committee or DEA to make that a reality. Although CTCA opposes 997 and 999 as currently drafted we would be more than willing to continue working with you on a proposal that best serves the dog owning public.

Our past Legislative Chair, Deb Denette, East Haddam Town Clerk, continues to be part of this existing working group addressing these concerns and will be speaking in front of your shortly. Thank you for this opportunity to testify. I would be glad to answer any questions not related to recycling or plastics. [Laughter]

REP. DEMICCO (21ST): Thank goodness. Well thank you Mr. Bernacki. I’ll ask Committee members if they have questions for you? Senator Miner.

SENATOR MINER (30TH): Thank you. Could you repeat the numbers that you stated early on, the number of dogs licensed?

MARK BERNACKI: Okay, those numbers were for my Town of New Britain. We currently have 1,713 dogs for a population of 73,000 which is way below what the industry standards are so all the towns are seeing that significant decrease in the amount of dogs being licensed throughout the State.

SENATOR MINER (30TH): And can you think of a way we could transition to a statewide license? Do you think it is conceivable? I mean I remember when we went to online licensing for sportsmen for hunting
and fishing licenses, the first two years I think I got bruised by the Town Clerks Association cause they were gonna lose the dollar. In this case, do you think the Association would be inclined to take the information for a small fee and have it be a statewide license instead of a town. Let the State mail the license.

MARK BERNACKI: Without stealing her thunder, I believe that’s what the Town Clerk Denette is going to talk about in front of the Committee. But yes, were’ looking for a similar type of portal because Town Clerk offices are basically 169 branch offices of many of the State agencies and we’re currently a portal system for the certified birth records even though they are only a small number of hospitals in the State of Connecticut, a person could go to any Town Clerk office and receive a certified copy of a birth record as long as that birth occurred after 2002 in any of the Town Clerk offices so we see the value of a centralized collection system that we call a portal that would allow for easier transition. In addition a lot of the younger millennial folks love cellphone use and are clamoring for using their technology to quickly license, in this case their dogs.

SENATOR MINER (30TH): Through you, Mr. Chairman. I think that the genesis of this Bill was in fact that Department of Agriculture, am I correct? So in the long session we get the luxury of offering up some of these ideas even though they may be fraught with comment. So I know in the sense of trying to be sure that a dog has its rabies documentation would you imagine in all those other cases that were cited that there would then be a visit to a veterinarian and they would have to show that
similar proof to the Town Clerk were we to go along with what the Department of Agriculture wanted?

MARK BERNACKI: I think under the guise of public safety I think that is the major intent of licensing the dog. It really isn’t for revenue generation for the towns because quite frankly at a dollar a dog, the town clerks are losing their backside on this since we provide all of the services as well as all the expenses related to that. But we do see the value in wanting to go to some sort of centralized portal, yes.

SENATOR MINER (30TH): Thank you. Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Senator. Any other questions for Mr. Bernacki? Thank you very much

MARK BERNACKI: Thank you very much.

REP. DEMICCO (21ST): Thank you for your testimony and for your patience. So the next person to testify is Chris Phelps, to be followed by Deb Denette. Welcome.

CHRIS PHELPS: Thank you, Representative. And yeah, good evening. I’m Chris Phelps, State Director of Environment Connecticut. We’ve submitted testimony on six Bills before you today. I am going to make a few comments that then touch on a few of those Bills as best I can in my three minutes.

You know Reduce, Reuse And Recycle is a phrase we’re all familiar with and a slogan we’re all familiar with and for decades it’s been central to everything from research to advocacy and policymaking when it comes municipal solid waste issues. Much of the emphasis though particularly in the couple of
decades I’ve been working on this issue as an advocate, has been on recycling on that part of that slogan. However, today we are increasingly realizing and coming to grips with the fact that simply recycling as much as possible of the enormous volume of waste that our society produces is a really insufficient response to the very real problems for the environment, public health, and the quality of our lives that the enormous amount of trash we produce causes.

So really the root cause of the harm solid waste causes in our society is simply this: We produce and consume too much stuff. And therefore, increasing our view is policymaking should focus on strategies to reduce the volume of waste we produce. With that said I’ll touch on the Bills that we have submitted our testimony on.

House Bill 7294, the Bottle Bill expansion, we support this legislation. We’ve touched on a couple of things in our testimony that, you know, we’re generally very supportive of this Bill but for example we’ve long advocated for not returning any portion of the unclaimed deposits to the produces and distributors of bottles and cans or beverage containers because as some people mentioned earlier the Bottle Bill policy really is a form of an extended produce responsibility policy. The idea is to the extent there is a financial burden for the management of the environmental problem produced by this product that burden should be bourn as much as possible by those who produce and distribute and sell the products.
But that said, we do strongly support the Bill as introduced and think it really is a good opportunity to move Connecticut forward in this policy.

House Bill 7298, we have submitted testimony in opposition of that Bill. You’ve seen similar testimony from a lot of folks. Frankly I read Commissioner Dykes testimony on that Bill earlier and agree with everything she said on it.

I’ll just skim past the other four Bills that we’re submitted testimony and I’d be happy to answer any questions. We strongly support Senate Bill 1003, it’s a Bill that just makes a lot of sense at this point in time vetting single plastic bags. And we also do support the idea of establishing a fee on paper bags as has been discussed already today.

We submitted testimony opposing House Bill 5019 the Bill to establish a five cent tax on plastic bags, rationale for that is listed in our testimony.

And lastly the other two Bills, we also support, strongly support, we’ve been working on this for a couple of years House Bill 5384 phasing out and banning single use Styrofoam or polystyrene containers more accurately. And lastly also supporting the elimination of single use plastic straws and referring from the testimony a few minutes ago, I am not overly familiar with the Washington legislation but I think particularly given the relatively limited initial scope of this proposal before you, incorporating some reasonable language regarding a medical necessity exemption would probably make sense to move this issue forward. I’ll stop there. Not done with my three minutes but I would be happy to answer any questions
you might have if you still have the energy for them.

REP. DEMICCO (21ST): Thank you for your testimony. Does anybody have any questions for Mr. Phelps? I just have one. So you had mentioned that as far as your organization is concerned that the burden, I don’t want to misquote you but I’m paraphrasing, the burden should be bourn by the distributors did you say?

CHRIS PHELPS: Yeah. As regards the Bottle Bill, I understand and I heard the arguments for reallocating the way unclaimed deposits are distributed in this State and I understand the arguments behind them. Our position has long been that the extent that there are unclaimed deposit revenues that those revenues frankly should be directed towards, as you know they are currently going to the general fund but that they should be directed towards direct investment in solid use reduction, reuse and recycling programs at the State and municipal levels to help really strengthen our solid waste management programs and recycling in Connecticut. And on the producer responsibility point, yeah, the reality is that yes, there is a financial burden in the existing Bottle Bill system bourn by distributors for example who produce and distribute these products and frankly, that is somewhat by design. This is a policy that is designed to place the burden for mitigating the harm caused by this product on those who are producing, distributing and selling it in a nutshell.

REP. DEMICCO (21ST): But again just to be clear, my understanding is that the reason about ten years ago that model was modified was because of, because it
was not in balance and it represented too large of a burden and would not accommodate, you know, for example the redemption centers and the, you know, the distributors and that they system had to be tweaked but now you’re telling us that it doesn’t really need to be tweaked.

CHRIS PHELPS: Yeah, our preference would be to have the unclaimed deposits as they currently exist, not simply go to the general fund but to go to fund recycling programs and help make the bottle redemption system work better. We just have not been generally supportive of that being accomplished by diverting that money back to distributors. Yeah, up until 10 minutes ago, [Laughing] yeah 10 minutes ago, 10 years ago it seems like 10 minutes, I’ve been working on this for too darn many years. Yeah, all unclaimed deposits were retained by the distributors and I believe the Bill before you today would send 20 percent back to the distributors if I’m not mistaken which is certainly not reverting back to the way it was before expansion of the water bottles and such. Yeah, that’s our position on that issue but to be clear on that aspect of the issue but be clear, if the Bill that is before you today would pass as it is, we would celebrate that as a significant step forward for Connecticut’s environment to be honest about that.

REP. DEMICCO (21ST): All right, thank you. I appreciate that, thank you. Any other questions for Mr. Phelps. I guess not, okay. Thank you very much really appreciate it. So let’s see, the next person on the list is Deb Denette, to be followed by Bree Dietly.
DEB DENETTE: Good afternoon. I am taking us back to the dogs. Thank you all for staying so late. My name is Debra Denette, I am a member of the Legislative Committee of the Connecticut Town Clerks Association and the Town Clerk in East Haddam. Before I get to my testimony I’ll add in East Haddam is a community of about 9,400 people. I’ve licensed 1,013 dogs year to date.

These proposals before us 997 and 999 seek to amend the dog licensing fees and expand them to include cats or other domestic animals from a municipal pound or shelter. I think if you add that requirement to municipalities they will chose not to take domestic animals to their pounds or shelters because they will create processing nightmares. The current Statute, in our opinion, is flawed and it is long overdue for an update. Every municipality reports that only a small fraction of their dog population is licensed. The Statute, as written, punishes those who license late, but poses little consequence to those that never license at all. Expanding the burden to license “cats or other domestic animals” adopted from a municipal animal shelter or dog pound is troubling. As this requirement continues on an annual basis, how will a clerk differentiate what pet was adopted versus, what pet was acquired elsewhere? It appears to be a gateway in to license cats and other domestic animals, which is a HUGE added burden. The amendment further provides for a late fee for failure to license, but if the refusal to license continues beyond imposition of a fine, the Statute is silent on recourse and that is for the burden of pound and it’s also silent with any other one. If
people just don’t license they might catch up the next year, they might not.

The fee structures in both proposals remains complicated. The fee basically goes from either the $8.00 dollars it is for an altered dog now to $12.00 dollars on both Bills and goes form either $25.00 dollars to $30.00 depending on if the dog is neutered.

The CTCA would like to offer some constructive ideas for your consideration:

If you implement a statewide system, similar to the sports licensing kiosk that all town clerks can access to process it would eliminate 169-towns from purchasing 169 systems, the cost of these systems in essence creates unfunded mandates, particularly when you factor in all the other costs that Mr. Bernacki just recently spoke about. Animal control officers should be able to access this system. They presently cannot. Residents have been asking for a methodology to license online, this technology exists however, the cost is burdensome for 169 municipalities to have it.

Many a customer have brought their dog into the town clerk’s office as evidence that it’s spayed or neutered when the paperwork cannot be found. We really don’t want to see that. As evidenced by the number of animals imported into the State of Connecticut from other States, Connecticut really no longer has a overpopulation problem. Perhaps differentiating if a dog is spayed or neutered is no longer relevant. The program is certainly relevant and the fund need to continue to go there and a tracking can occur. But is it really necessary to differentiate if a person owns an $8.00 dollar dog
or a $19.00 dollar dog? It’s a dog. It just kinda be licensed.

CTCA recommends that you consider a flat fee perhaps $20.00 dollars per dog, divided up as you see need to with a slightly larger portion going to municipalities to provide incentive for enforcement.

Lastly, if you do go forward please revisit the effective date. Dog licensing begins on June 1st for a license that takes effect July 1st. This proposal has an implementation date is July 1st meaning these fees would need to be implemented for this coming season. CTCA strongly recommends that if you make in anything you make the effective date July 1, 2020 so that we have time to make systems.

In conclusion, although the CTCA opposes this legislation as its draft, we would like to move forward and continue to work with something that best serves the pet owning public. If you have questions.

REP. DEMICCO (21ST): Thank you. Thank you very much for your testimony. So I just want to be clear, so the whole process of registering dogs, this is, I’m basing it on what you have said and what Mr. Bernacki said. This is basically a money loser for all municipalities? Is there anyway that we can at least make it revenue neutral or you suggested $20.00, it that going to solve the problem?

DEB DENETTE: Not necessarily. The whole problem with it isn’t just the fees. I mean what you Bill proposes increases the fees. That’s a help. But you’re kinda just raising fees and not fixing the problem. And, you know, when dog license, when I
first licensed a dog ever I remember being a little kid going in, they used to handwrite the license, you’d them the $6.00 dollars and you got a tag. Fast forward 35 years later, we’re not hand writing tags any more, there is too much processing that needs to go with that. Everything is automated as it should be but it is not keeping up with what the rest of the world is doing with online components and, you know, there is 169 towns and we have 169 separate software programs that all to. Some people use Toby Track, there is a whole plethora of ones to chose from. I pay $1300 dollars annually to a company in order to be able to process the dog license. Doing it any other way, I wouldn’t be able to generate a reminder notice to the customer. Without the reminder notice, they don’t do it.

I mean there is whole plethora that goes to that. From your conversation a little early with Mr. Bernacki, the sports licensing kiosk, the town clerks wouldn’t be eliminate from a process if it went to a state wide system. People would just log in, license their dog, we would receive an update that okay, now you need to process a license for this person and you print the paperwork, you mail them the tag. We would still be involved but we wouldn’t, I wouldn’t have to pay the $1350 dollars to the same company East Hampton pays it to in order to, you know, in order to process it. It would just streamline it and, you know, I’m not advocating that we no longer track that a dog is spayed or neutered, that could just be a check, but it’s almost kinda embarrassing somebody call us, hey I got a dog I need to come in and license it, what’s the fee. Well that depends and, you know, is the dog spayed or neutered and have you licensed it before, is it
late, is it not late, it’s just not a set fee and it doesn’t come across incredibly professional when there is all these caveats that get thrown into it.

REP. DEMICCO (21ST): I appreciate that. I’m just having trouble understanding so in other words, for public health reasons you are required to verify that the dog has had rabies shots for example. Correct?

DEB DENETTE: Correct.

REP. DEMICCO (21ST): So you have to ask that question and it is verified by the paperwork that the person provides.

DEB DENETTE: Correct.

REP. DEMICCO (21ST): So in a similar fashion can’t the person provide paperwork to verify that the dog has been spayed or neutered?

DEB DENETTE: And they do, we require them.

REP. DEMICCO (21ST): So I’m not understanding what the issue is then.

DEB DENETTE: Someone will come in to, they will mail their license through, they will mail their paperwork through the mail to come in to license their dog and they will mail in $8.00 dollars but the fees are $19.00 dollars so we have to return it because they mailed in the fee for an altered dog rather than an unaltered dog. It happens a lot and do the people necessarily come back? No. There’s a percentage of the time, not always.

REP. DEMICCO (21ST): I see. So the theory is that a statewide system would just make this whole thing run more smoothly.
DEB DENETTE: A uniform system so that all 169 towns are tracking the same information. You know you’re gonna put in who the owner is, what their address is, if they’ve got a PO Box, the dog, the breed, the color, what it looks like, markings, the same thing that we all do now but instead of having 169 towns buy it, the State provides it which now makes what you are doing for the municipalities a financial burden because now the few dollars that they get to keep is for processing and not, I mean, it’s an incentive for doing it and not paying for the cost to come out flat.

REP. DEMICCO (21ST): Thank you, I appreciate that. I’ll ask Committee members if they have any other questions for you. And it looks like they are satisfied. So thank you very much.

DEB DENETTE: Thank you for your time, I appreciate it.

REP. DEMICCO (21ST): Thanks for your time and your patience. I appreciate it. The next person is Bree Dietly. Welcome.

BREE DIETLY: Representative Demicco and Members of the Committee issue whiplash, back to bottles. My name is Bree Dietly and I am a partner at Northbridge Environmental Management Consultants in Westford, Massachusetts and I am representing the American Beverage Association which are companies and distributors in Connecticut who make and distribute most of the refreshment beverages in this state.

We have been meeting with executive and legislative branch leaders for years to find substantive, meaningful steps forward in solid waste and
recycling in Connecticut. With no disrespect intended, this Bill ain’t it.

There is three things I like to talk to in 7294 related to the deposit law, the first the subsidies in the law, the second is the expansion of the law and the third is the ten cent deposit proposal. The US and globally and have testified before this.

With regard to subsidies, there are two in the Bottle Bill, one is the handling fee, which is subsidy paid by distributors to retailers and the other is the unclaimed deposits which are now paid to the state. What this law would do between now and 2022 when the law is expanded and the deposit is increased to ten cents, would be to increase the current amount in the handling fee which is $13 million dollars paid by the distributors to the retailers and redemption centers that would go to about $65 million dollars in 2022 so a fivefold increase in the subsidies paid to the retailers and redemption centers. The State’s unclaimed deposit take would go from about $35 million dollars today down to about $3 million dollars so the State is going to have to find $32 million new dollars if this law goes into effect. And I should not for all of the subsidies and all that money moving around not a single extra bottle gets recycled, that’s just moving deck chairs around on the Titanic.

Second issue on expansion. First of all expanding the law to containers that are listed would add about 18 percent to the number of containers in the deposit law. It is not a massive expansion, it is not going to solve the problem that much for recycling in Connecticut. Eighty percent of those containers are PET plastic which is the highest
valued, one of the highest valued materials that recycles still have in waste stream. Talking today and I’m hearing municipalities talk about all their low value material, how they can’t get rid of anything, PET is still the one thing that has value and that would be taken out of their system with the expansion of the law. It would also add about $18 million dollars in new operating cost to expand the law and as I said we have found that most of those containers are being recycled and we did some more research up in Massachusetts. Incidentally 73 percent of Massachusetts residents in a statewide vote rejected expansion of the deposit law to these products on a statewide ballot question in 2014.

Lastly the ten cent deposit. Doubling the deposit to ten cents makes Connecticut a ten cent island for refunds with the massively higher handling fee, it becomes really attractive to truck empty container into Connecticut from surrounding states. The amount of fraud would be significant.

Oregon which recently increased its deposit from five cents to 10 cents in 2017, the early indications is that their recycling, their redemption rate rather, in one year went from about 64 percent in the year before the increase to 92 percent and that is a preliminary number. I just have to point out that the obvious that the biggest City on the border of Oregon is Vancouver, Washington which has about 60,000 people, I guess I don’t need to point out how many people live in New York and New Jersey and Massachusetts and Rhode Island that could potentially be bring in their empty containers here as well as losing retail business to those neighbor states.
I think this law, this particular package of changes to the bottle deposit law is sort of a triple punch to the beverage companies and to the distributors in the State. It’s a lot of new money chasing not every much environmental benefit. I think there are a lot of other ways to improve recycling and deal with issues, there’s problems here that need to be dealt with like glass, the number of glass containers that are going to be picked up by expansion is inconsequential. It would have no impact virtually on what the communities are handling. The only significant glass products really out there these days are teas and coffee drinks like Dunkin’ Donuts and Starbucks. So there is really not a lot of glass that is still left in there that is going to be effected by this, it’s mostly gonna be PET. Thanks, appreciate your indulgence and I’m happy to answer questions.

REP. DEMICCO (21ST): I’m gonna start off. With regards to the ten cent redemption fee, I’m a little confused. You know, we’ve kicked this around for a couple of years now. I was under the impression that there were studies that showed that increasing, you know, from a nickel to ten cents as I think you agree, significantly increases the rate of redemption.

BREE DIETLY: Absolutely.

REP. DEMICCO (21ST): And tell me again why that is a bad thing.

BREE DIETLY: Well it depends on your perspective I guess. To Senator Miner’s point of view and you’re TOMRA and you make money on very single container that comes through the system then it’s a good thing. If you are, the point is twofold. I think
there is going to be an effect on sales and there is going to be an effect in returns. The effect on sales is that Connecticut is going to be selling products at a significantly higher costs than other states. If you’re looking at Rhode Island it is going to be potentially $4.80 you can save on a case of beverages if you buy them in Rhode Island and redeem them here. That is a pretty significant discount, $2.40 for New York and $2.40 for Massachusetts. So pretty big numbers on the sales side. I would submit to you that border sales will go down. The sales of the Connecticut distributors will therefor go down. The return rate will go up because the returns will go up. Look today at a container. Let’s say I’m a redeemer or I have a truck and I pickup from small stores and bars and I’m in New York. I can go up and down the Hudson Valley and I can pick stuff up and I can go to a redemption center and I can get eight and a half cents for everyone of those containers, cause I get a five cent refund and I get a three-and-a-half cent handling fee. So that goes to the redemption center. We kind of split it, we do a deal. We have eight-and-a-half cents to work with. So if I’m in Connecticut in 2022, I pick up one of those containers from one of those facilities in the Hudson Valley I can drive across into Connecticut and that container is worth 14-1/2 cents, not eight and half, 14-1/2, a 10 cent refund and a four-and-a half-cent handling fee. The highest in the country.

Now I already, there is already movement across state lines for one cent differences in handling fees. I see it in Vermont all the time. What there would be in terms of movement for a six-cent differential in deposit and handling fee would be
massive. Containers move around a lot. Containers get brought in from outside the state so, yes there would be an increase in the redemption rate but a lot of that redemption would be coming from outside of Connecticut and the implication of it for the system is number one, you derive the unclaimed deposits to effectively zero because you are basically wiping them out. I use 95 percent as a rate to be conservative because of Oregon is at 92 and they have Vancouver it’s gonna be a lot higher here. There are certainly going to be more distributors in the State who are well over 100 and I doubt the State is going to reimburse them anything for that over 100. So, you know, I don’t think the unclaimed deposits will amount to much of anything but what it does do is it makes the distributors pay three-and-half of four-and-a-half cents for every single container that’s coming back. In addition to refunds, dimes that they never collect on the front end, you know, if somebody from Rhode Island is or somebody from Connecticut is going to Rhode Island and buying a product and bring it back here, that dime never got into anybody’s pocket to start with. So when you go to claim the dime on the other end, there is no where to get it which is why the distributor’s going over 100 percent and we already see that. It already happens along the Eastern border of Connecticut but if you go like to the Pennsylvania-New York border which is big, not heavily populated, but all the beer distributors and soda distributors along the southern tier are all over redeemed, they’re all over 100 percent. So it happens, that’s the long explanation.
REP. DEMICCO (21ST): Would you be able to offer us an alternative or a way to make this work without the ill effects that you described?

BREE DIETLY: It’s a great question and it get’s to, not here, Representative Muchinsky’s questions about Iowa and making border stuff work and Chuck Riegel’s fancy finesse non-answer to you about that question to you as well. So what Mary said earlier about Iowa was not correct. The machines in Iowa don’t do anything magic that machines anywhere else don’t do and what Chuck didn’t come right out and say is that RVMs read barcodes and the only way you make a container recognizable in a deposit state as deposit versus non-deposit is make one version of Captain Morgan’s 750 with a deposit barcode and one version of Captain Morgan’s 750 without a deposit barcode. They don’t do that. The reason they don’t do that is that every time you run a bottle down a line and you want to change the label you have to stop. So you’ve just created twice as many filling runs for every product that has to have a deposit or non-deposit label. Then you create two inventories for where that goes, where it gets stored, how it gets put in the warehouse and how it gets sold. So every single warehouse has to have two slots for Captain Morgan 750s, one with a deposit and one without. That is why the industry has resisted typically marking containers specifically for deposit restriction because it creates dual inventories. If you could double the size of every single soda warehouse, great, we’ll have double the inventory but that would cost millions and so people don’t do that. The ability to do that, I mean the ability to scan a different barcode absolutely there. What is really difficult to do is have a production and
distribution system that can produce twice as many SKUs basically, twice as many beverage containers in commerce especially where a lot of those containers are coming from overseas, wine bottles don’t come with barcodes a large fraction of the time. Those bottles have to get manually stickered to know that they are a deposit container. So the barcode system and the RVM system doesn’t work terribly well for controlling that unless you have a particular product, a unique product situation where that does work. It’s been very difficult. The scanner that Chuck described in Michigan where they did the special little logo thing, everybody spent a lot of money on that, it didn’t read well. They had about an 85 percent success rate reading that code after all the work that they did to put into it. It was just very hard to get it to read. And it was seen in contravention of interstate commerce of the 10th Amendment so it was stuck down by Federal Court.

REP. DEMICCO (21ST): Okay, I’m gonna turn it over to, did you have a question Representative Gresko or no?

REP. GRESKO (121ST): Sure. So and how is Maine able to accomplish this?

BREE DIETLY: A couple of things. One, nobody lives on the border, you know, the New Hampshire border is pretty porous and I manage the redemption cooperative in Maine for the soft drink industry. Our western territory has the highest redemption rate of any of the territories and the south is right behind it so the border territories have six to eight percentage point higher redemption rates than the Bangor area and the Presque Isle area do. So it does come in. They have worked fairly hard at
trying to keep out empty containers but it is very hard. So they do get stuff that comes over the border. Very little of the returns in Maine are scanned in machines, they have 415 redemption centers in Maine believe it or not, one on every corner in a lot of towns and so everything is done manually in Maine so not much is scanned and the only protection you have manually is if you’re selling a container with the lid, you know without the label actually on it which again is done but it is done fairly rarely. So Maine does have a big fraud program. The state has documented a number of times. They are sort of saved the way Michigan is by the boundary, Michigan has the lakes, Maine has New Hampshire which you know isn’t densely settled on the border. Its kind of a necessary evil of the systems. I mean they leak and if the deposit differential gets big as with Michigan you can get colossal fraud issues which Michigan has had along its southern border.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions? No other questions. Okay, thank you very much. Appreciate it, thank you. So, Senator Maloney, you are next on the list, sir to be followed by Rick Ross.

SENATOR MARONEY (14TH): Chairman Demicco, Chairman Cohen, Vice-Chairs and Ranking Members and Distinguished Members of the Environment Committee. My name is James Maroney I am the State Senator from the 14th District which consists of parts of Milford, Orange, West Haven and Woodbridge. I am here today to testify on behalf of Senate Bill 229 and with your permission I’d like to seed my time to Ming-Hay Hu and Kruttika Golpal who I’ve been
working with as part of my internship program and actually came up with the idea for this Bill.

MING-MAY HU: Madame Chair, Mr. Chairman, and esteemed members of the Environment Committee, thank you so much for allowing us to speak today. My name is Ming-May Hu.

KRUTTIKA GOLPAL: My name is Kruttika Golpal and we are seniors at Jonathan Law High School in Milford, Connecticut. We co-founded the Environmental Club at our school and will be speaking in strong support of Senate Bill 229, that prohibits the use of expanded polystyrene foam, commonly known as Styrofoam lunch trays in Connecticut schools.

We have both lived in Milford and been a part of the public school system for our entire life. We have seen Styrofoam everywhere from the piles of trays in the trashcans of our schools to the cups floating down the water at Walnut Beach where we go to swim. The harm that polystyrene reeks upon animals and the contaminants it brings into our water horrifies us. Polystyrene persists in our environment and there is no sustainable way to get rid of it. It is no recyclable and not biodegradable as it gets even harder to clean up as it breaks into smaller pieces. If it is incinerated, like it is at my school, it will release fossil fuels and chemicals into the air. The affect not only ecologically detrimental but are also extremely harmful to humans especially the students eating from these platters in our own schools. The chemicals can leach into our food, particularly when it is hot or acidic such as the small Styrofoam cups of warm soup that are provided in some school lunches and it adds an unwanted dose
of toxins to the lunches that our school systems have tried so hard to make healthier.

MING-MAY HU: Contrary to popular belief there is an economically viable alternative to polystyrene plates. Many cities throughout the United States have banned these Guilford, Connecticut based on other options such as cardboard trays or ones made from recycled paper fibers. Students see no difference between the polystyrene trays and alternative ones, and I know that I and many others would actually feel safer if we had a different option.

The only reason why our school district continued to use the dangerous and environmentally degrading polystyrene trays is because they want to save money. But, if all of our trays are sourced from one manufacturer, the price will be driven down.

We have the contact information from the Northeast Region Representative of the Huhtamaki Food Packaging and Labeling Company which manufactures compostable paper trays for the Urban Food Alliance. This group is responsible for the materials of many big cities including Philadelphia and Dallas. Because they source their trays from one location the price is only one cent greater than that of polystyrene one. Our contact has said that buying in bulk we could get a comparable price for the same compostable tray. Therefore if this Bill were to pass, all Connecticut schools could have access to cheap, safe and ecofriendly trays. The financial impact of changing this is miniscule compared to the long-term environmental and health effects.

Together we can create greener and healthier schools with a simple change in the type of lunch trays we
choose. We, along with many students at our school, hope you will consider the ideas we have shared today. Thank you so much for taking the time to listen to us.

REP. DEMICCO (21ST): Thank you very much for your testimony. Does anyone have any questions? I do have a question. And I appreciate all the hard work that you did on this along with Senator Maroney but the one thing that struck me in your testimony, you mention that the one big issue had to do with cost. I am looking at some testimony that was offered in opposition to, you know, this legislation and, you know, they do in fact, it is pointed out that cost is a significant issue for school systems and I just wonder how, and maybe I missed it, but how do we get around that. How do they get around that?

MING-MAY HU: So there is this group called the Urban Food Alliance which is in six major cities in the United States and they outsource their plates from the Huhtamaki Food Packaging Company that we mentioned and the compostable trays that they’ve got are five cents and the polystyrene ones that they used previously just four cent, so it is only a one cent difference and we feel that the affects, like the benefits of using the compostable trays are with the it.

REP. DEMICCO (21ST): Thank you. Any other questions? No, okay. Thanks very much. Very much appreciate it. So next on the list is Rick Ross, followed by Kathy Goals.

RICK ROSS: Good afternoon, Senator Cohen, Representative Demicco and Members of the Environment Committee. My name is Rick Ross. I am
a redemption center owner in West Haven and I am here in strong support of House Bill 7294.

The Bill as presented improves our environment. It increases opportunities across the State, it creates jobs and it helps our citizens. Most importantly before the redemption center industry in the State in increases the handling fee. As many know the handling fee has not been addressed in this State since 1982. That is a long time to wait for price increase.

If I look back and compare the proposed handling fee today to the cost of a six-pack of beer in 1982, the cost of a six-pack of beer was $4.04 on average today on average it is $9.03. If I apply the same increase to the handling fee we are exactly where you are proposing the handling fee to be that is three-and-a-half cents and four-and-a-half cents. We feel it is a very fair increase to the handling fee relative to the cost of living as identified by the cost of a product that we are redeeming in our store.

We also support the expansion of the redeemable containers, in particular sports drinks, iced teas, juices. The system we have in redemption centers is already setup to accept these products, it is very easy for us to add those products to our business. We have the machines, in our case RVM machines that will accept them and identify them. We have the warehouse space to handle them and we have the system to get them back to either the distributors or the RVM manufacturers who are dealing with this scrap so it is a very easy add to the system if you expand those containers on the redemption center side.
The other thing I’d like to note, there is the difference between the nickel and the dime. If there is a fiscal note out from last year when we were doing this that does state that if you expand and you do the escheat share back of 80-20 which is another aspect of this Bill that we support you will see a neutral fiscal impact to the state at the current nickel rate. So there is no cost to the state to do this. However there is a benefit to the distributors to receive back 20 percent of the escheats that are currently taken 100 percent by the State.

Lastly, we want to make sure that everyone understands that if a product goes from a nickel to ten cents, we in the redemption center industry are prepared to handle that increase. It does mean that we have to have more cash on hand because our business works in reverse of a typical business however, we are prepared to handle that increase both in terms of capital required and in terms of business capacity required. So we welcome the increase from five to ten cents. If you have any questions, I’d be happy to answer.

REP. DEMICCO (21ST): Thank you. I do have a question and then I’ll open it up to my colleagues. So you are right there. You’ve been there patiently all day and I appreciate that and you heard a couple of testifiers before you talk about the problem with going to this ten cent redemption fee and the, you know, the border issues that would be involved as well as the, well the differential between Connecticut and Rhode Island for a case of beer or a case of soda. How would you respond to that?
RICK ROSS: I would respond by pointing out that currently, on occasion, we receive product in our facility in West Haven that originated in New York and the reason that we know it was originated in New York is that the barcode tells us that it was. In other words the produces have the ability and already label their product in specific areas. So they can label a product that is in a bottle bill state and not in a bottle bill state and our RVMs are programed to reject that product when a customer tries to redeem it. So we already have the capacity to do that and it is already being done. A water bottle for example has a redline on it so you can visually identify it. So the ability to identify what is a Connecticut based product and what is not is already in place and can be continued.

REP. DEMICCO (21ST): So as far as you’re concerned that problem is solved?

RICK ROSS: Yes.

REP. DEMICCO (21ST): Now there is the other problem which is the, you know, the price differential especially somebody buying large quantities. You know, would you care to offer a suggestion there or is that just the way it is?

RICK ROSS: The price differential between, for the consumer you mean?

REP. DEMICCO (21ST): Yes.

RICK ROSS: Well I would suggest that there is a price differential at the initial purchase but you are allowed to bring it back and get that money back. So it’s not actually an increase it’s just a temporary holding of your money until you redeem it.
REP. DEMICCO (21ST): Fair enough, fair enough. I would tend to agree. Rick, I’m gonna see, I assume Representative Gresko wants to ask some questions and you have the floor, sir.

REP. GRESKO (121ST): Thank you, Mr. Chair. So you said your reverse machinery will be able to identify the New York but what about when you redeem at your facility manually? Does this mean that everything is gonna have to go through the machine now in order to find out that it was generated here in the State of Connecticut?

RICK ROSS: In our facility virtually everything goes through the machine already. That’s the way our business is operated. All of the grocery stores and other retailers out there do the same so the vast majority of products that are redeemed are going through that system and are able to be identified. In addition to that you can visually identify the barcode because there is usually an added barcode to the single barcode so you can see it and know the difference between a product that was manufactured in Connecticut or not.

REP. GRESKO (121ST): So I had a change to go to a redemption center and watch the volume that is probably a daily occurrence and a lot of the stuff was separated into its like parts, in other words green glass, brown glass, clear glass, PET 2, the whole nine years but that was done very quickly and I’m wondering that is this process gonna get slowed down significantly if you have to start checking to see if it is a Connecticut generated bottle, especially manually. You’re saying no.

RICK ROSS: In our facility, no I wouldn’t anticipate that happening. I would also offer that
I would not be surprised if Connecticut took this step and became a leader in this and move from five to ten cents. It is very likely that the surrounding states will follow.

REP. GRESKO (121ST): And then, if I may Mr. Chair. A few years back when we had this conversation you had said to me that you had a problem with going to a dime because the way that you operate now, sometimes in a couple of months you have to close for the last week of the month because there isn’t the funds and I am worried that the day that we go from a nickel to a dime and there is going to be a rush for redemption you guys are not going to be able to handle, handle giving out that extra money. But you’re telling me.

RICK ROSS: I think that’s addressed in the Bill because the Bill delays the increase from a nickel to a dime one year after the implementation of the handling fee increase. So it gives the redemption center both ample forewarning and time to accumulate capital in order to address the increase from the nickel to the dime.

REP. GRESKO (121ST): If I may, Mr. Chair? So the other issue was the 80-20 split of the escheats. So if we go to a dime and the redemption numbers go up to even levels, we’ve heard different round of projected levels that we go up to, but let’s say it’s plus or minus 90 percent then the escheats money that is coming to the State is going to be reduce significantly. So that 20 percent that is supposed to be going to the distributors and I’m putting the distributor hat on here to make this argument. I do have two of them in my district and
I have to take their opinion on this too, is going to be next to nothing. So how do you answer that?

RICK ROSS: If you take current conditions and it keep it simple it’s called a 50-50 redemption rate. Fifty percent redeem, 50 percent not redeemed and it’s at a nickel and that is $35 million dollars currently, roughly. If you increase that nickel to a dime you now have $70 million dollars in escheats to the State which means that you can take the redemption rate and increase it to 75 percent from 50 percent before there is any impact to the State on the escheat that it’s keeping. If you expand which it has been bantered about, we call it 20 percent added to the system, you now have the ability to go to 85 percent redemption rate and still retain the same number of dollars in escheats because you’ve gone from a nickel to a dime. So you’ve increased the number of dollars associated with the escheats by going from the nickel to the dime, therefore you don’t need as many, in percentage terms, a product un-redeemed in order to achieve the same $35 million dollars.

REP. GRESKO (121ST): Interesting. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Anyone else have questions for Mr. Ross? No. Okay, thank you very much, appreciate it. So the next person to testify will be Kathy Goals followed by Shahil Kantesaria. Thank you.

KATHY GOLAS: Good evening. My name is Kathy Goals and I represent the League of Women Voters of Connecticut which strongly supports HB 7294.
For over 40 years the League has supported polices to promote waste reduction and recycling including advocating for Connecticut’s Bottle Bill in the 1970s. The law has proven to be highly effective way to increase recycling of high quality material and to avoid disposal costs. I think it is worth noting that as you heard over and over today, waste management costs have skyrocketed and the current redemption center has resulted in totally avoiding disposal costs on over millions of containers per year. An expanded law would result in additional municipal cost avoidance.

The League urges you to vote yes on HB 7294 and we thank you for the opportunity to offer the comments.

REP. DEMICCO (21ST): Thank you very much for your testimony and for your patience this afternoon. Any questions for Ms. Goals? Representative Gresko.

REP. GRESKO (121ST): I’m starting to be like my neighbor here, but I apologize. [Laughter] My question is, we appreciate your testimony, if we were to try to forward this Bill and make it become law in the State of Connecticut there will be pushback, there will be people who don’t like it and there will be people that say it’s antibusiness and my question is, besides your testimony here and then electronically do you communicate with your members and tell them, hey we’re supporting the Bottle Bill or is this it?

KATHY GOLAS: No, we definitely communicate with our members and hopefully you will be hearing from some of them. We have 1600 men, women over 1600 men and women members in the State of Connecticut and 27 different local chapters throughout the State. So
yes, will did, we have in the past and we will be communicating with them.

REP. GRESKO (121ST): So I am putting my distributors hat on again, and they are gonna say to you, that, well if you support this then your price for your, what you buy here in the State of Connecticut is going to go up by the deposit and the increase in the handling fee and are you aware of that and are you willing to pay that?

KATHY GOLAS: I believe that the League of Women Voters is very well aware of the implications of the Bill. However I believe that in the past there has been evidence that there hasn’t been significant discrepancy in cost over state borders in Connecticut for these products.

REP. GRESKO (121ST): There is always going to be unintended consequences no matter what we do on anything up here, so that being said. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Ms. Goals? Thank you very much, appreciate it. So next is Shahil Kantesaria followed by Nancy Ettings, and Francis Bartolomeo.

SHAHIL KANTESARIA: Good evening Senator Cohen and Representative Demicco and the Environment Committee. My name is Shahil Kantesaria and I am the second generation of Central Connecticut Redemption Center in the lovely Town of New Britain, Connecticut. I come in front of you guys for support on House Bill 7294.

We’ve been working at this Bill for years. I’ve previously been here probably about four years, standing right in front of you in this room. We need
to do something about this situation. We haven’t seen a handling fee increase in 38 years. Minimum wage in 1989 was $3.12. Know what minimum wage is now, $10.10 and you guys want to bring it up to $15.00 dollars next year, all of us redemption centers are going out of business.

Representative Gucker’s front lawn is gonna be full of bottles. He is worrying about Fireball bottles now, it’s gonna be full of two liters, one liter, glass, everything. And as much as people like the blue bin, go to New Britain, go to any intercity, people don’t have blue bins. People don’t care about that. They’re trying to make a buck. They are trying to pay their bills. We support elderly people that are trying to get their electric bills paid. The boy scouts, son’s in high schools football team, the disabled Veterans, really making that impact in our community. We really need your support in helping us out.

We don’t want to just come here and hear lad-de-dad speech, we are trying to do something about it and the Bill doesn’t go anywhere.

I know the distributors are itchin. We need to do the 80-20, we got to help ‘em out too. You guys took it away from them in 2009, it wasn’t fair and of course they’re gonna be fightin back. So we need to implement that part of the Bill too, they need to be at the table and let’s give them back their 20 percent and the State’s revenue neutral as Rick mentioned earlier. You’re gonna have to expand unless the State of Connecticut want to take a hit on the $34 million dollars you guys like to use. So we either cut spending or we have to do something about it. That’s all I had.
REP. DEMICCO (21ST): Thank you, sir. Thank you for your testimony and thanks for patiently waiting this afternoon. Does anybody have any questions for Mr. Kantsari? So I would just note that this Committee has been pretty diligent just to answer your, one of your comments. This Committee has been pretty diligent about trying to find a way to improve the system to offer some assistance to, you know, the redemption centers over the last several years and, you know, I think it is fair to say that we’re gonna continue our diligence and hopefully we’ll get something positive accomplished this year. But, you know, thank you for giving us our charge and, you know, we will just by virtue of the fact that we are having these discussions and continuing to have these discussion I think we’re gonna try and move in that direction.

SHAHIL KANTESARIA: Just like to let you know your time is running out. Discussions are nice but actions have to be taken unlike any other business that runs in the State of Connecticut the redemption center industry is bound by the legislature. The beer industry, you go to minimum wage increase to $15.00 dollars next year, they can raise their prices and they will. Us, we can’t do anything about it. We’re gonna take another profit loss, hope we keep the doors open, if not, close it and will put all our employees in your unemployment line.

REP. DEMICCO (21ST): So noted. Thank you, sir. Any other questions for Mr. Kantesaria? Oh, Representative Mushinsky.

REP. MUCHINSKY (85TH): Tell me if this has already been asked, but what if we were to write this so there was an automatic change with cost of living so
we don’t have to keep doing a special law whenever we update the price?

SHAHIL KANTESARIA: I think it would make sense it would be a sustainable decision to make. Cause I mean we’re probably gonna be here another 20 years, right and who knows what minimum wage will be by then and all the other cost increases. So yeah, I think it would be an appropriate thing to think about as well.

REP. MUCHINSKY (85TH): Okay, thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions? No, okay. Thank you very much, appreciate it. Thank you. So next we have Nancy Eddings, I hope I’m saying that right, followed by Francis Bartolomeo and Lou Burch. So, is Nancy here? Okay if she does return we will go back to here. How about Francis Bartolomeo? Did I say that right? Good, welcome again.

FRANCIS BARTOLOMEO: Senator Cohen, Representative Demicco, Distinguished Members of the Environment Committee, Shalil had mentioned that he has been here four years and you said that you were grateful that he came every year. Well, this is my 10th year and we’ve been discussing it since 2009. I’m not gonna go over anything that they’ve spoken about but what I’d like to talk about is a couple of things.

The expansion. If you do the expansion you’re gonna take away some of the tipping fees that the towns allow because you’ve got so many different things in there, ice teas, juices, Gatorade all those are redeemable, they should be redeemable. If you take them out of the MRF then you are gonna take away some of the fees from the towns and you’re also
gonna give us more business and also more escheats for the State. And honestly, on the escheats, those don’t belong to the State, they belong to the consumer. The problem is there is only 17 redemption center in a State that has 189 towns. So I think one of the Representatives said, it’s too hard to recycle, it’s not too hard, it’s almost impossible so people throw it away because they don’t want to deal with it.

I’m very in favor of 7294 and you guys need to do something about it or we’re all gonna go out of business. And put your distributor hat on for a second cause I got a question for ya, [Laughter] when is the last time a distributor went out of business in Connecticut? When is the last time a redemption center did? How many have we lost in the last two years? Senator Cohen do you know how many?

SENATOR COHEN (12TH): I don’t.
FRANCIS BARTOLOMEO: You don’t. Six, six or seven of us. We lost, a handicapped woman went out of business in East Haven. It’s not fair. The distributors make millions of dollars every year. They are making money, they’re not going out of business. We are. You guys need to do something. As Coach Belichick said for the Patriots, “Do your job.” Thank you.

REP. DEMICCO (21ST): Thank you, Mr. Bartolomeo. I appreciate it. I think Senator Cohen.
FRANCIS BARTOLOMEO: I didn’t mean to be rough. I’m just aggravated and we’re tired. We work hard.
REP. DEMICCO (21ST): I appreciate your frustration. I didn’t realize that it had been ten years for you.
FRANCIS BARTOLOMEO: Special Thank you to Mary Mushinsky because ten years ago I left this room upset and emotional and she came out and not that it did any good, she calmed me down, like she was there for us and she’s been there for us every god damn year. So as my dad said, “poop or get off the pot.” If you’re not gonna help us, close us down. And the last governor we had said let’s be fair. We haven’t seen it yet. Thank you.

REP. DEMICCO (21ST): Thank you, sir.

FRANCIS BARTOLOMEO: I feel better [Laughter].

REP. DEMICCO (21ST): Before you go, before you go, I believe Senator Cohen has a question for you.

SENATOR COHEN (12TH): Thank you Mr. Bartolomeo for your testimony and thank you for your hard work. Do you foresee if the handling fee were increased the small amount that there would be redemption centers that would come into Connecticut and open up?

FRANCIS BARTOLOMEO: It’d sprout up, yeah, it would. They would, TOMRA would open some of them. They would open up all over the place because if you had the least, I don’t know the number, you had to have at least 50 or 60 when this started in 78, you’re down to 17 and I don’t even know if the 17 are functioning redemption centers, meaning they could be package stores or not even opening. I think there is a couple on the website that say temporarily closed. Yeah, it would make a big difference for us, it really would.

SENATOR COHEN (12TH): And you’re in favor of the Bill just as it’s written.
FRANCIS BARTOLOMEO: Absolutely and if they could just, the verbiage, like Rick said, give us a year to make some money and then you can go to the ten cents and honestly if you go to the ten cents, the State is not gonna lose a dime because you’re doubling your cash flow, your capital. There is gonna be money left over for the State and honestly again, like I said, that money doesn’t belong to the State it belongs to the consumes. It belongs to all of you people, all of us. That money should never get into the General Fund, it should never. The reason why it has, because there is not a lot of use left, so people throw it away. It’s easier to throw it away then deal with it basically.

SENATOR COHEN (12TH): Thank you.

REP. DEMICCO (21ST): Thank you, sir. Any other questions for Mr.? Yes, Representative Gresko.

REP. GRESKO (121ST): Thank you. Your business in where?


REP. GRESKO (121ST): There you go, free product placement. Then my next question is, if the handling fee were to increase and you said that the number of redemption centers would increase here in the State of Connecticut, just speaking on behalf of yourself would you consider expanding to another location?

FRANCIS BARTOLOMEO: Absolutely.

REP. GRESKO (121ST): And someone else had mentioned going up to $15.00 dollars for a minimum wage.

FRANCIS BARTOLOMEO: That would kill us.
REP. GRESKO (121ST): But without the handling fee increase?

FRANCIS BARTOLOMEO: With the handling fee, I’d love to pay my people $15.00 dollars now, if I had the handling fee, they’d get $20.00 dollars because they work hard, it is hard work, it’s not easy. People think you just throw a bottle here or there, it’s not as easy as you think. And I encourage any of you to come visit, see what’s into it. You know, I think you know. It’s not easy work, it really isn’t. Large risk, little reward for us and it’s getting to the point where now it’s getting to the point where it’s not worth it. The only reason why I’ve hung in for the last couple of years is because I thought you guys were gonna due what was right and get this over the hump. But every year it seems that the distributors talk a good game but they don’t want to help. You know what? Honestly this is all of the manufactures mess, it’s not ours. It belongs to distributors. All this is their junk. As far as the empties is what I mean.

REP. GRESKO (121ST): Thank you, Mr. Chairman.

REP. DEMICCO (21ST): Thank you, Representative. Representative Piscopo.

REP. PISCOPO (76TH): Thank you, Mr. Chairman. Thank you for your testimony, I appreciate it. I have visited your facility in Watertown and you were stacked to the rafters. You were havin trouble with bottles. You weren’t taking bottles.

FRANCIS BARTOLOMEO: We’re still. Will take ‘em but we have certain days because of the volume. Because there’s so few redemption centers there’s no where for people to go and people need the money, so they
gravitate from everywhere, Torrington, Harwinton, Naugatuck wherever there is a close redemption center, they’re going.

REP. PISCOPO (76TH): Well you were having trouble with the truck actually showing up and collecting, right?

FRANCIS BARTOLOMEO: I don’t want to badmouth any of the distributors but they are not all that nice, they’re not really.

REP. PISCOPO (76TH): Thank you very much.

REP. DEMICCO (21ST): Thank you, Representative. Any further questions for Mr. Bartolomeo? No, thank you. Thanks, sir. So one more time Nancy Ettings, Nancy is not here. Okay so the next person is Louis Burch, to be followed by Ann Hewlett, and Jude Malone.

LOUIS BURCH: Good afternoon, Honorable Chairs, Distinguished Rank and File Members of the Environment Committee, thank you for the opportunity to testify today.

For the record my name is Louis Burch. I am Connecticut Program Director for Citizens Campaign for the Environment. Thank you so much. Today I am here to testify in support, in strong support House Bill 7294 in addition to Senate Bill 229, Senate Bill 1003 and House Bill 5384 and House Bill 5385. I would also like to go on the record in opposition to House Bill 7298. You have my written comments. I am going to focus most of my time today on the Bottle Bill.

We strongly support expansion and modernization of the Bottle Bill. Here in Connecticut it saves
taxpayers and businesses roughly $2.4 million dollars every year in solid waste and recycling costs and that figure could be expanded as well through expansion of the Bottle Bill to noncarbonated beverages, wine and liquor. Connecticut’s program has as been stated several times, in urgent need of an update between the deposit value which has not been raised over time to keep up with the pace of inflation leaving us with a weaker and less effective incentive to recycle relative to other Bottle Bill states.

For your consideration the State of Michigan has a ten cent deposit, they boasted a 91 percent return rate in 2017. Oregon underwent modernization in 2017 raising the deposit to ten cents and they are expected to exceed 90 percent for 2018 and Norway I think also is good to point out here because they have a variable deposit based on the size of the container, roughly 13 to 30 cents American and actually if the deposit value is tied to the inflation rate we would have something closer to a 30 cent deposit here in the United States as well. They are achieving roughly 97 percent redemption rate on plastic containers. And so expanding to noncarbonated beverages, juice and teas could increasing recycling up to 193 million new units every year, expanding to wine and liquor reduces pressure on municipal recyclers as wine and liquor bottles make up roughly 60 percent of our glass stream in the blue bin according to DEEP. So we think you all did a great job on this.

We would like to see the exemption zones amended so that instead of just a flat five mile exemption zone it would actually be based on population size. I would not want to see the Committee pass something
that is going to create a hardship for low income residents in the city that depend on these deposits and who don’t actually have transportation to get to one of those redemption centers.

And finally I will just say very briefly CCE strongly supports Senate Bill 1003. Any measure aimed at reducing plastic pollution, we strongly applaud the Committee for raising a number of concepts on this issue. Unfortunately Senate Bill 1003 does nothing to change the single use throw away culture that plastic bags help perpetuate.

So we strongly support a ban on plastic and we would like to see the Committee promote reusable bag use by establish a charge, a minimum 10 cent to 15 cents charge for paper bags.

There is a great deal of data in my written comments that support the ban/free hybrid as the most effective measure at changing consumer behavior to promote reusable bag use. So with that I apologize for going over, I can conclude my comments and will be happy to take any kind of questions that you may have.

REP. DEMICCO (21ST): Thank you, sir. I appreciate it. Do Committee members have questions for Mr. Burch. Representative Michel.

REP. MICHEL (146TH): Thank you, Mr. Chair. Thank you, Mr. Burch as always and for your advocacy on the issues. I’m coming back to a question already asked about the mil rate and I know that there have been bills that mention the 12 mil, can you comment on that and just make a strong suggestion. I know you’re well positioned for that, thank you.
LOUIS BURCH: Yes, thank you. The first town that we saw go to a ban on plastic up to 12 mil was Greenwich, Connecticut. They actually started out with a ban/fee hybrid model that banned plastic and put a charge on paper. At the last minute that was amended to remove that charge and they made a decision, I guess they realized they had the support to pass a ban on plastic up to 12 mil in thickness, that is extremely thick. The market currently doesn’t offer a 12 mil bag. Most of the heavier reusable bags that we see being sold at stores currently for 10 cents are somewhere in the 2.25 to 3 mil range. We think that while the 12 mil specification is very strong, there are some concerns about creating a target for the industry to work around. So if the Committee was not able to put a charge on paper bags instead of using a mil thickness definition we would urge you all to support basically an amendment that said a reusable bag may not be defined as a plastic bag of any type as opposed to specifying a mil thickness.

REP. MICHEL (146TH): Okay I think that makes a lot sense.

LOUIS BURCH: I hope so, I’m not sure it makes sense.

REP. MICHEL (146TH): No, no that makes sense. I know we did it in Stamford and we put the 12 mil. I think it would have been more simple after the fact and I’m thinking maybe there will be an amendment in the future but to remove actually the 12 mil and just say no plastic bags, then that’s it. But the 12 mil was used as a symbol to kill, because there’s not no such bags produced currently. But like you said, it could happen and the industry could use
those bags of that thickness. So, thank you very much once again.

LOUIS BURCH: If I may we also would be supportive of a phase out scheme which I know that the food associations are supportive of as well and I am only saying that because we’ve been working very closely with them over the last several months and so if it was, you know, a ban on thin plastic bags, allowing them to keep those thicker bags for a period of no more than two years at which point in time there would be a full phase out on plastic bags we think that is reasonable. It would give consumers and businesses the time to make that transition.

REP. MICHEL (146TH): And that would be an alternative instead of two years it would be when they reach 80 percent of.

LOUIS BURCH: It would be two years or sooner. After a period of two years or once an 80 percent reduction in plastic consumption has been achieved whichever comes first.

REP. MICHEL (146TH): Okay. Well thank you very much. Once again thank you for your advocacy Mr. Burch I know you worked a lot on this issues for many years, so thank you.

REP. DEMICCO (21ST): Thank you, Representative. Representative Muchinsky.

REP. MUCHINSKY (85TH): Thank you. A technical question. You said we shouldn’t use a five mile zone for relieving stores of their requirement to take back the containers but to do it by population and would you explain how that would work?
LOUIS BURCH: So, you’d be, you’d put together a population trigger whether it be something to the effect of 100,000, you know, residents of more, something along those lines and to specify that you’re talking about an urban area. That urban area would not, a five mile exclusion zone would not necessarily be such a problem because you have mass transit, you have plenty of return to retail opportunities these types of things. But if you had a rural community a five mile expansion zone might make it very difficult for low income community member to be able to get to a redemption center. And so it is a very technical issue. There are some language examples that we can point to and I will be happy to provide you with those at a future date.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Mr. Burch? Oh yes, Representative Reyes.

REP. REYES (75th): Thank you, Mr. Chair. Mr. Burch, thank you very much for your testimony and your advocacy. I’d like to just ask you, we’ve been talkin about plastics and many different generations of what to do with it, what not to do with it. I’ve been of the thought that I would like to see Connecticut move toward banning it altogether, completely and not fool around with the price increase anymore. You care to remark on that?

LOUIS BURCH: Yes. We strongly support, you know, full phase out on plastic bags for all the reasons that have been discussed all day today. Aside, you know, from the legacy of plastic pollution, the impacts on our marine environment, the cost to municipalities and taxpayers also being a significant factor. We also recognize that there
are a variety of workable policy solutions in order to address this issue and so I’m not here to oppose any one specific approach but simply to say that as an environmental advocacy group, we would prefer to see a full ban on plastic and a charge on paper. So perhaps some combination of what you all have proposed with the two conflicting Bills, 1003 with no charge on anything and the other Bill that establishes a tax on paper and plastic. I would agree that, you know, if we just tax plastic into perpetuity we are going to be stuck with plastic bags and the State is not going to want to give up that revenue whereas if you altered the proposals slightly to put that charge on paper bags that may be a workable alternative. But regardless I want to make sure that what I’m saying is no construed as if you all have not done a really important thing here and not taking a really big step forward on eliminating plastic pollution. It’s just a question of, you know, what would be the most effective policy change in consumer behavior.

REP. REYES (75th): Thank you, Mr. Burch. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. All you all set? You want to ask another question? Please, go ahead.

REP. MICHEL (146TH): Thank you, Mr. Chair. What would be, you need to give us both points of what you would suggest as amendments to 1003, just bullet points so we can take notes and you can always submit, I’m sure you’ve submitted already?

LOUIS BURCH: We have submitted some language.
REPRESENTATIVE MICHEL (146TH): But if you could sum it up in a couple of bullet points that would be fantastic. Thank you.

LOUIS BURCH: I’d certainly be happy to send something written to the Committee but just for the purpose of this discussion, the only change we would recommend at this time would be to put charge on paper bags and to allow at least, you know, a sizable portion of that charge would need to be a minimum ten cent charge on paper bags to offset the costs of that, usually between seven and eight cents for a paper bag to help cover that cost for the retailer and, you know, to include language that said that would be a minimum charge and the stores could charge more if they chose to.

REPRESENTATIVE MICHEL (146TH): No mention of mil weight?

LOUIS BURCH: I’m not gonna recommend any changes on that respect.

REPRESENTATIVE MICHEL (146TH): Okay, good and all right I think that’s about it. What does the Connecticut association do when people come and use food coupons or people are under a certain threshold? Cause I’ve spoken to some owners of big retail stores and they did mention that they generally give those reusable bags.

LOUIS BURCH: Yes. So I can’t speak for the food association but I will say that, you know, we strongly support the proposal that we put together which actually had some language which encouraged grocers and retailers to donate reusable bags to persons using SNAP and receiving SNAP and WIC benefits. There have been other proposals to create an exemption to the charge. We wouldn’t support
that. Actually the truth is that many of the stores that serve low income communities whether they be PriceRite, Aldi’s, some of these stores they have been charging for paper and plastic bags for many years and so many members of these communities are actually somewhat more familiar with the idea of paying for a bag but I would just reiterate that our goal is not to get consumers in the habit of paying for a paper bag but rather encourage them to bring their own bags in to be used, to reuse their bags.

REP. MICHEL (146TH): Thank you, again Mr. Burch. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Anyone else have any questions for Mr. Burch? No. Very good, thank you, sir. All right. So next on the list, next person is Ann Hulek, is Ann around? I know I saw her earlier. So we will go to Jude Malone and then Fred Meyers.

JUDE MALONE: My fellow distributor, you’re doing such a good job, maybe I could borrow your hat for a second. Oh, my name is Jude Malone from the Connecticut Beer Wholesalers Association. We appreciate the opportunity to speak on House Bill 7294.

You know I thought with new members of the Committee it might be interesting to just give a brief history of how the distributors feel like they have arrived here. In 2008-2009 the governor at the time in her mitigation plan proposed eliminating the distributors ability to use the bottle escheat and so essentially it’s shifted all of the costs onto distributors. And I’ll say, I represent seven members of small family Connecticut businesses where we are generational family businesses and these
costs are significant to us and they are real to our business.

Under Statute we are required to pick them up, pick the bottles up, we are required to pay the five cent deposit and we’re also required to pay the handling fee and as we heard this evening we are also required to pay 22 cents a case to be in the machines. So that occurred in 2011. So you can imagine from 2008 to 2011 our life changed dramatically and our costs, we found that we had to increase our costs to the consumer, which we try not to do. We try to be very competitive on border issues. Massachusetts doesn’t have an excise tax, Rhode Island doesn’t have a Bottle Bill so we’re very conscious of all of that as we work with our brewer partners to make decisions about what the cost of the product is. That cost is not solely bourn on us. It is a partnership with brewers of all sizes, craft to large manufactures.

So we appreciate and there has been a lot of talk about the bottle escheats and the return to the distributors, we so appreciate Section 4 that addresses that, that 80-20 split. However it is outweighed by the additional cost of the handling fee and the expansion of noncarbonated products as well as, and very concerning are the border issues.

I’ll try to wrap it up, but we have been sharing with members of the General Assembly for many years what happens. Currently in Rhode Island there is a cottage industry there bars and restaurants save their cans and bottles and people bring them into neighboring towns like Stonington, Connecticut and the distributor has to pay that. We pay the handling fee and we pay the five cents and we didn’t
have the sale and we see that as very troubling as a ten cent proposition is talked about. And I know that Representative Mushinsky mentioned that is there a specific barcode, well New York actually tried that. And they had a specific code and they implemented it and then it’s a court case. The IBEW versus Patterson and it alleges among other things that a unique barcode violated the Commerce Clause and the District Court found that to be so. So essentially I think that, you know, a unique barcode of some sort the court has already struck that down.

So I just want to close and I appreciate very much you letting me speak a little bit longer, is that, you know, I heard a lot of testimony today from MRFs and from town recyclers, the distributor because of the unique position we’re in operating for the State of Connecticut a Bottle Bill. We are in a similar situation. We are no different that them. We have the same problems day in and day out with contaminated products, our equipment the belts, the glass just eats up at the belts and it is very costly to us as well as, and especially now finding a marketplace to bring our products. We use a facility in South Windsor but we also have to send products too, at a very costly rate to New York and other places and glass is of course very dense so it is very costly. So I just wanted to say, we appreciate some of the testimony that if we could get some markets here and work together to actually establish some cardboard or glass but they have moved out of the State obviously so I just will conclude with that. And I thank you for the opportunity to speak.
REP. DEMICCO (21ST): Thank you very much. I believe Senator Cohen has a question for you.

SENATOR COHEN (12TH): Thank you, Ms. Malone for your testimony. I was reading through your written testimony that you submitted here and, you know, obviously the source of this Bottle Bill before the Environment Committee is environmental concern, right. We have, we’ve been hearing today about a waste issue that we have in the State. We know that recycling rates are actually down for various reasons and we want to combat that issue. And I see, you know, your concern about Oregon and the border, actually Oregon just touted a 90 percent recycling rate which is really astronomical and incredible and I can only hope that someday, Connecticut will get there as well. But I noticed in your conclusion that you’d like to retain the current deposit amount and reject expanding onto additional materials but to reallocate escheat money. And I just wondered if you had any solution beyond that because obviously what that does, and I think everybody needs to win in the Bottle Bill, right and I don’t, I agree that some of the escheats should be going back to the distributors. That seems fair to me but what doesn’t seem fair is that we are not taking care of the environmental issue in your conclusion. So I just wondered if there is any proposal that you have that might help us get to a higher recycling rate in the State of Connecticut?

JUDE MALONE: I think this is a great question and I wish I had the solutions. You know, I guess I just come from it that were small businesses and we appreciate the goals that you are trying to reach and we have been a partner with the State on reaching those. The beer wholesales feel strongly
that we make it work. We’re not asking for the system to go away. This General Assembly decided that they wanted a Bottle Bill and we are a part of that, and we partnered with the State for very many years. I think that where I come from in my shoes is that it seems that the solutions are always that these distributors can just pass it on, or these distributors make a lot of money, or these distributors so forth and so on. And I just want to say that is emphatically just not the case and we will continue to be a partner on helping the State achieve their environmental goals because we do it and it’s hard especially with the markets today and especially with glass. But the solutions in this Bill seem to want to be punitive to the partners once again, the grocery stores, the distributors and, you know, I think, I’m just referring to the distributors at this point is that finding a solution that meets your goal but also takes into consideration we are just small family businesses. And so that is really the shoes I really come from and I appreciate and I would work with you on, you know, those environmental goals because we feel that they are very important.

I would ask you to hear us that, you know, its just not a matter of raising a price. There is real consequences to everybody and so. I appreciate the question.


REP. MUCHINSKY (85TH): Thank you. An earlier witness, one of the folks that makes the reverse vending machines said that on the border issue, he
said what you did the court case said you can’t have a mandatory marking for instate versus out of state, but you could have a voluntary one and he also said that the distributors in one of the Midwest states volunteered to use the extra marking, it was in their interest. Do you disagree or agree with that?

JUDE MALONE: Well, you know, we don’t make the cans. We only put ‘em on a truck and bring them someplace so I think that probably would be at a different level that discussion because, you know, I’m not familiar with what he spoke to but I think it is at a manufacturer level that if there was a voluntary. But I think that the court case was clear that you can’t have a specific because and, I think another person, you might have been out of the room spoke a little bit more to that, that the court struck it down because of the Commerce Clause.

REP. MUCHINSKY (85TH): They did. They did and he said that but he said what the courts said you can’t make it be mandatory but you could use a voluntary system and he said the distributors, which are your counterparts in that state when for the voluntary system because they would like to know, they don’t want to redeem something that is not from their state either, so they went with it.

JUDE MALONE: And I so appreciate that. As I said, I just don’t know how the distributor can make that decision because we don’t make the cans, those come from our suppliers. But if you would like, I could certainly have conversations with the supplier.

REP. MUCHINSKY (85TH): Okay, thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Ms. Malone? No. All set,
thank you very much, appreciate it. So the next person on the list is Fred Miers, to be followed by Ming-May Hu, oh they already. To be followed by Mr. Terrie, Omar Terrie if he is still here, to be followed by Paul Poe. Welcome.

FRED MIERS: Thank you Co-Chairs Senator Cohen, Representative Demicco, good to see you again, my Representative Gresko, thank you for being here and giving me the opportunity as well as the Environment Committee to speak on behalf of my business. I actually had to work today and didn’t think I’d make it here, but I’m glad this is running so late that I had an opportunity to talk. My name is Fred Miers and I own a redemption center Stratford, Connecticut.

I currently employ 26 employees. I am the owner and I am also one of the warehouse people, that’s why I’m glad you guys ran late. I am here to speak on behalf of House Bill 7294. There’s three important changes that the law needs to do to help businesses like mine survive. We’ve ran into situations where I’ve ran my business since 1994. I’ve been in the business since 1982 but the handling fee has not changed since 1982. So there is a cost of living increases in all ranging from my utility bills, to I don’t want to say unemployment, but I want to say wage increases. I have to endure those costs and find out ways how I’m gonna cover those costs with dealing with the same handling fee. So it turns out I’m not looking at forecasting for profit, I’m looking at what is my forecast for cutbacks. One of my cutbacks was my employee staff. I had 34 employees last year, I’m down to 26 because of cutbacks.
It is getting harder and harder to run this operation in the State of Connecticut and it’s to the point where if the change doesn’t change in the handling fee that helps support my business, the only way it can be changed is by this Committee pushing the Bill forward to try to get a vote on it, to try to get it to proper position to have this Bill pass.

We were looking for a handling fee for the past ten years increase. This is going back to when the bottled water was increase to the legislature in 2009, they did nothing back then. They just passed water and pushed the burden on us to deal with more volume at the same rate of pay. Today we’re at a point where there is very few redemption centers left in the State of Connecticut. We’re looking for help with the handling fee. If the handling fee is going to be helped we also have to help the distributors that give them part of the escheats giving them an 80-20 split would help them offset their costs associated with giving us the handling fee required to cover our ever rising costs to run a business in the State of Connecticut. And also give an opportunity for businesses to grow throughout Connecticut. I welcome the competition. I am the only redemption center in Fairfield County, that does not speak a lot for a highly densely populated area.

I also do like the idea of expansion. Expand the products that didn’t exist back in 1982 that do exist today that comprise of the same components aluminum, plastic and glass. The machines can handle it, I can handle it. I do accept the proposal of expanding the Bottle Bill. I heard my
time is up but if you have any questions I’d love to help.

REP. DEMICCO (21ST): Thank you, sir. I’m glad we accommodated you by running late [Laughter]. Does anybody have any questions for Mr. Miers? Representative Gresko.

REP. GRESKO (121ST): Thank you, Mr. Chair. I listened to your testimony just now saying that you supported the 80-20 split with the distributors and I would agree that ten years ago it was unfair that the State took that, but at that point they were getting all of the escheats money, correct?

FRED MIERS: The distributors from 1982 to 2009 was getting 100 percent of the escheats.

REP. GRESKO (121ST): So give me a ballpark figure how much do you think that they made over that span of time?

FRED MIERS: Back in the day the redemption rate was higher than it is today, I would assume it was at the 68 percent, 65 percent. The escheat rate was probably in the range of $20-$25 million dollars that the distributors were pocketing. Now you times that by the from 1982 to 2009 times that out, I don’t have a calculator with me.

REP. GRESKO (121ST): Let’s say it’s a significant amount of money, and they were responsible to be fair, they were responsible for setting up the system and making all the necessary expenses to set up this Bottle Bill system but that took “X” amount of years.

FRED MIERS: The mechanism for recovering of the containers.
REP. GRESKO (121ST): So that took “X” amount of years so what I’ve driving at is that after that system was established these escheats money up to 2009 was very lucrative for the distributors.

FRED MIERS: Oh, definitely.

REP. GRESKO (121ST): So maybe they can use some of that profit. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Anyone else have a question for Mr. Miers? No. Okay, thank you very much. So Mr. Terrie, Omar Terrie would he be here? I suspect not. Okay. Oop! I was misinformed, I thought you might have been gone. I’m glad you’re here.

OMAR TERRIE: I decided to stay, it’s that important.

REP. DEMICCO (21ST): Well good. Welcome and thank you for staying.

OMAR TERRIE: Thank you for having me. Chairwoman Cohen, Chairman Demicco, Members of the Committee, thank you for the opportunity to testify on SB 229 and HB 534. I am the Director of the Plastics Food Service Packaging Group at the American Chemistry Council.

PFPD represents the leading suppliers of plastic food service and packaging products including polystyrene food and beverage containers. On behalf of PFPDG and the American Chemistry Council I respectfully oppose this Bills.

ACC and its members take seriously the issue of litter and marine debris. To that end ACC is working domestically and internationally with government officials, retailers and anti-litter
groups and consumers to develop solutions to prevent litter and marine debris.

On January 16, 2019 global companies in the plastics value chain from manufacture to disposal, including many ACC members, announced the creation of the Alliance to End Plastic Waste. This new non-profit will invest $1.5 billion dollars over five years focusing on ending plastic waste by providing solutions to the largest sources of plastic in our ocean. One of those sources are “high leakage” countries where waste collection and management have not kept pace with growing populations and economies. Science Magazine estimates that almost 60 percent of plastic waste going into our oceans comes from just five countries, primarily in Southeast Asia. In the U.S., ACC and its members have committed to reusing, recycling or recovering all plastic packaging by 2040 and making all plastic packaging reusable, recyclable or recoverable by 2030.

One concern PFPG has with these Bills is that is misses the mark. Banning polystyrene won’t stop littering only change what people litter with. In fact, litter studies conducted following the enactment of bans have shown an increase in the litter of alternative materials that is greater than the decline in the banned material. This was a primary reason why the California Water Board rejected the use of bans as a compliance mechanism for waterborne trash reduction. Furthermore the City Auditor of Honolulu, Hawaii stated in a December 2018 audit to the city council, “Polystyrene food container are a small portion of litter and banning them would not meaningful reduce the volume of litter or trash.”
While alternatives to polystyrene seem attractive, the Committee should be aware of some of the unintended consequences moving away from polystyrene could entail. All packaging leaves an environmental footprint regardless of the material type, however some leave more than others. Take for example polystyrene versus paper based products. Polystyrene food service packaging uses less energy and resources to manufacture than comparable paper based products leaving a larger footprint. A polystyrene foam cup requires about 50% less energy to produce and creates significantly fewer greenhouse gas emissions than a similar coated paper-based cup with its corrugated sleeve.

It is also important to note that most compostable food service containers only degrade in a controlled composting environment essentially a large industrial facility where temperatures can exceed 140 degrees. These composting facilities and collection of foodservice packaging is not readily available in Connecticut, so these alternative products will likely end up in a landfill. In fact Oregon Department of Environmental Quality has found that compostable food service ware often has a larger environmental footprint than non-compostable items. For example, compostable materials may require more fossil energy use and release more greenhouse gases than their non-compostable counterparts.

REP. DEMICCO (21ST): Mr. Terri, I’m going to have to ask you to summarize, if your could.

OMAR TERRIE: Happy to do so. In closing ACC believes that reducing landfill disposal, marine debris and litter requires the implementation of a
variety of tools including conducting a full life-cycle analysis, allowing curbside drop-off of polystyrene because it is in fact recyclable in two methods but mechanical recycling as well as chemical recycling, utilizing waste energy program and helping to educate constituents. In addition to efforts that seek to increase recycling and improve solid waste collection infrastructure, opportunities to recover nonrecyclable plastics should be an option as well. WE urge the Committee to consider some of these suggestions rather than ban a low cost, wallet friendly material which can be recycled, reused and recovered. Thank you for your time and attention.

REP. DEMICCO (21ST): Thank you, sir and again thank you for hanging in there all afternoon and into the evening. And your testimony has been submitted to the Committee I presume?

OMAR TERRIE: Yes, sir you have it in writing.

REP. DEMICCO (21ST): Okay, great. Good cause I want to go back and review it. So I am just curious why is it, now you said that, did you say most polystyrene or some polystyrene is able to be recycled? I didn’t quite catch the nuance there.

OMAR TERRIE: So all polystyrene is able to be recycled. There are two methods to do so. The first is through mechanical recycling which is when you take the polystyrene, in this case a foam cup and you use a densifier to essentially combine and condense all of the foam cups together into a 40 pound solid block of styrene and then you are able to ship that back to a polystyrene produce who is able to recycle it that way. And the second is a chemical recycling which actually breaks the
polystyrene back down into its base component which is the styrene and able to eliminate all of the contaminants from it and turn it back into practically a virgin polystyrene resin so that contamination is no longer an issue and you are able to, in fact, make more of a circularly economy. The chemical recycling is a relatively new technology and we are still trying to scale it but it is definitely an alternative that can be utilized now.

REP. DEMICCO (21ST): So that is very enlightening for me. I guess my question would be is this an expensive process, is that why it is not used? Well I don’t know, maybe I’m wrong. Is this something that is done on a regular basis, you know, is there a lot of recycling of polystyrene that we are just not aware of, or that I’m not aware of?

OMAR TERRIE: So the recycling of polystyrene does not take place current in Connecticut however it does take place in other states. I mean I would be happy to provide that information to the Committee if it is interested to know which states and localities do so. The chemical recycling has hasn’t taken off yet just because it is a relatively new technology so they are just working out the kinks and once they are able to scale it, that will take place.

REP. DEMICCO (21ST): Thank you. Yes, is see Representative Michel has a question.

REP. MICHEL (146TH): Thank you Chair Demicco. Thank you for your testifying today. I missed part of it so I apologize in advance. But I think also, I mean we have to look at the reasons why we want to ban polystyrene single use, polystyrene products is also due to pollution as it breaks down easily. I’ll
just give you an example. I organize cleanups and particularly in wetlands and in, for example, the EPS polystyrene the one used for construction outside walls for these big buildings in Harbor Pointe in Stamford, I call them the polystyrene buildings, they are shaved as they install those polystyrene blocks and then you literally end up with this broken down polystyrene over in our catch basins and the water ends up in the Sound and then it is all over the shores of Stamford and probably in the last 15 years it expanded to other communities and probably other communities also have issues with polystyrene breaking down. The transfer stations like the one in Stamford and others, you know, the garbage is pushed into a truck, the truck comes out of the facility to weigh itself and goes back up to make sure that they got a full weight or not too much or maybe not enough and when they do these kind of operations, polystyrene becomes airborne, it is very light in weight and goes into the water. It’s one of the products that is the lightest and so in terms of pollution, it’s pretty bad all along our shores so I think part of ban would be to counter the pollution and it ends up in wildlife and all sorts of things. So that’s why I’m kind of curious. Is it more of a question or? Yes, I was going to ask myself that as a matter of fact. Do you have a comment about this? [Laughs] Thank you. Thank you, Mr. Chair.

OMAR TERRIE: Thank you, Representative Michel. So we agree wholeheartedly that polystyrene, any plastic does not belong in our oceans or on our beaches or in our waterways. So we 100 percent agree. I would suggest that a possible reason in Connecticut specifically why it might be an issue is
because it is not allowed to be a part of the recycling system yet. And so if it were allowed to be part of the recycling system and be put in the curbside bins that to my understanding the majority of the citizens of Connecticut have, then hopefully less would end up on the beaches. However I think it is very important to note, Representative that banning polystyrene will not change like people littering. It was stated in several testimonies today that people are trying to change behavior and that I think is the core and the heart of it especially considering the fact that polystyrene, oh excuse me, plastics really make up one to 1.5 percent of a landfill mass in the entire country and the largest portion of that, what makes that landfill is actually paper and that is according to the Environmental Protection Agency that is not us. So we are really not, because it is so light like you pointed out, it is easily seeable when it is floating on the water but it is not the only thing there.

REP. MICHEL (146TH): Through you, Mr. Chair. Polyene is plastic correct?

OMAR TERRIE: Yes, it is a form of plastic.

REP. MICHEL (146TH): Okay, I think I’ll stop my questions. I know there’s more people waiting but thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Mr. Terrie? Yes, Representative Gresko.

REP. GRESKO (121ST): Thank you, Mr. Chair. So your argument is that we shouldn’t ban the polystyrene here because it is cheaper to make and it’s not
recyclable as opposed to going to something that is potentially compostable or much more biodegradable than this polystyrene because it costs too much to make?

OMAR TERRIE: With respect, Representative my argument is that we should not ban polystyrene because, yes it is cheaper but it is also recyclable. It’s just currently not being recycled in Connecticut and there are two forms of recycling open to recycling polystyrene.

REP. GRESKO (121ST): And Mr. Chair if you would. You had said that by 2030 your group has a goal of I guess, in a way getting rid of all polystyrene in favor of something else that is more, more degradable or more sustainable? I’m assuming that direction is going to take you down an avenue that is gonna cost you more money, correct?

OMAR TERRIE: I am not the one that makes the products, I don’t want to speak on how much it will cost to make the change but as to our commitment we are committed to making the plastic food service reusable, recyclable and recoverable by 2040 and by making all plastic packaging reusable, and recyclable and recoverable by 2030.

REP. GRESKO (121ST): Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Representative Simms.

REP. SIMMS (140TH): Thank you, Mr. Chair and thank you for your testimony as well. Can you share with the Committee the two different biodegradable ways that you reuse this material?

OMAR TERRIE: Can you repeat the question, Sir?
REP. SIMMS (140TH): You mentioned that there is currently two ways of disposing of this material, can you share with the Committee those two disposable ways so that way we may be able to implement that here in Connecticut?

OMAR TERRIE: So there are two ways to recycle polystyrene currently on the market. The first is via mechanical. What you would do is you would collect polystyrene, a foam cup, like you would any other recyclable in your curbside bin, you would bring it to the material recovery facility which would sort it out and at the material recovery facility they would have a densifier because polystyrene is so much lighter than others, its 90 percent air, it does require being condensed and so a special tool called a densifier could be implemented to the, or be made available to the MRF so that it could be condensed and thereby become more solid and sent off to a broker or to a recycler to thereby be cleaned, recut and remade into plastic pellets or into a new type of resin.

And I do know that the Food Service Plastic Industry has a grant program for municipalities who are interested in looking into doing densifiers so that they can be more economically beneficial for the municipalities so that they don’t actually have to take on the burden of purchasing this equipment themselves.

REP. SIMMS (140TH): Thank you for that. So do you currently know whether or not Connecticut has any thing like that that can address these issues now?

OMAR TERRIE: To my current knowledge, no. I tried to do some research and I haven’t found anything to that nature. I don’t know if there is any specific
town that I am not aware of that has a densifier but statewide, no to my knowledge.

And I just want to follow up the second form of recycling is chemical recycling and that is where we breakdown the foam cup or polystyrene foam back into its liquid base and we’re able to take out the contaminates and make it virgin again for a circular economy and make it more recyclable.

REP. SIMMS (140TH): Thank you for that testimony. Thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Representative. Representative Gucker.

REP. GUCKER (138TH): How we doing this evening? We’re hoping not to break last Friday’s record at this point. Can you talk about this intensifier cause my concern is that anytime I’ve had to deal with polystyrene, any kind of wash thinner or, you know, I’m in the body shop business or I can talk to you about chemicals, I can tell you about, you know, some of the negative effects. So this intensifier you’re talking about melting the polystyrene down to a base.

OMAR TERRIE: Okay, so it’s called a densifier and there are several methods actually that the densifier can be used. One is an RMO densifier the other can be utilized with water and there is still a third that I’d need to get further information for. It is a hybrid actually.

REP. GUCKER (138TH): So with heat, I would think what, melting it or burning it down?

OMAR TERRIE: That is one intensifier that can be used.
REP. GUCKER (138TH): Okay, what about the side-effects or anything coming from that as far as the release cause anytime you’re dealing with polystyrene whether it be with a chemical breakdown or a heat breakdown, you always get usually a noxious fume that comes out of it?

OMAR TERRIE: So the health effects of polystyrene have been documented by the Federal Department of, the FDA and it is 100 percent safe to human beings. As for the melting process I need to get back to you as to the fumes that it produces and how effective, if effective at all how it is to human beings. So I can follow up with you on that specific questions.

REP. GUCKER (138TH): So thank you for your testimony.

REP. DEMICCO (21ST): Thank you, Representative. Representative Michel, sure let’s.

REP. MICHEL (146TH): I’ll try to be brief. Thank you, Mr. Chair.

REP. DEMICCO (21ST): A question.

REP. MICHEL (146TH): Yes. Isn’t polystyrene, you said something about the FDA but it’s a form of plastic and I’ve read in several studies that it is, is it not carcinogenic?

OMAR TERRIE: Polystyrene is not a carcinogen. Now the base from which it is made, which is called styrene is a liquid. There have been studies that that has carcinogenic properties. However when it is converted into the polystyrene that you and I hold today it is 100 percent safe to human beings. And actually there is more styrene naturally
occurring in beef and cinnamon than there is in the foam cup that you and I hold.

REP. MICHEL (146TH): I’m so glad I don’t eat beef. But, sorry guys. Okay, I’ll leave it at that but you’re saying that the solid form is not carcinogenic and forever?

OMAR TERRIE: In its current form that you and I use, yes. When its broken down through the thermoplastic process that Representative Gucker was talking to, I can’t speak to that and I am happy to get more information to the Committee through that process.

REP. MICHEL (146TH): Thank you very much. Have a good evening.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions? Yes. Representative Mushinsky.

REP. MUCHINSKY (85TH): My understanding from talking to the recycling coordinators is they don’t like to, they don’t feel it’s feasible to recycle your product because it is lightweight, there is very little resin in it and the very reason that it is good for insulation is the reason why it is hard to recycle it, cause it’s got a lot of sealed air spaces which makes it light and insulating but when you squish it all down there is very little value of resin there so most of them, when you talk to them, they say we don’t even bother with that because we don’t, just to ship the stuff, you don’t ship enough resin to make it worthwhile. The other technology you mentioned that is not here yet, maybe that will be a different story but this is from people on the frontlines. They just tell me they can’t do it.
OMAR TERRIE: So the whole point of the densifier technology that has been utilized now for decades is to take exactly what you’re talking about, it’s too light to really be helpful. You have to take and condense it into 40 pound blocks that can be transported via truckload to a recycler so that it can be recycled. And as to your point about the new technology, chemical recycling it is already here, it is just being scaled and so that is something that we are happy to look into for Connecticut if Connecticut is interest.

REP. MUCHINSKY (85TH): Okay, where is the nearest state where it’s being done now?

OMAR TERRIE: There is a facility in Tigard, Oregon that is utilizing it right now and working out the kinks. But it is operational.

REP. MUCHINSKY (85TH): Okay, so that’s the nearest place we’d be able to see it?

OMAR TERRIE: That is the nearest place that I am aware of. That doesn’t mean that there isn’t another one. I would have to talk to my members and I’d be happy to see if there is one on the East Coast that we can get you to.

REP. MUCHINSKY (85TH): Thank you.

REP. DEMICCO (21ST): Representative, you all set? Great. Thank you, Representative. Any other questions for Mr. Terri? All set, okay. Thank you, Mr. Terri. So the next person is Paul Poe to be followed by Erin Desantis. Welcome.

PAUL POE: Thank you. My name is Paul Poe. I am the Regional Manger for Dart Container Corporation. We are food service manufacturer. We make about
4,000 different types of products, all food service. Whether it is red Solo cups or foam cup, compostable cups, paper cups and so I am not here to badmouth any substrate because we make them all and I am just here to have a conversation and relay some information that you might find interesting.

There was quite a bit in the exchange you just had with Mr. Terri so I’m not going to go over some of it but I did want to address one thing that Representative Michel said. The two examples that he gave of foam insulation for a house and the block foam, those are not covered under this Bill as it is written now. And the shaving on the home, that is true Styrofoam and it has a flame retardant in it so that generally can’t be recycled like packing peanuts. So the two examples you gave they are still going to be in Connecticut regardless and you really have a hard time getting rid of block foam for insulation purposes, packaging things like that.

Some of the styrene issues were hit on. I am going to say that Dart has been making foam cups and products for over 50 years and there has never been one health related incident to someone drinking or eating off foam in 50 years. We are approved by the DFA, we wouldn’t have been in the stream of commerce for food service if it weren’t.

One of the things I did want to mention because it was brought up about the school switching to compostable trays and being a minimal cost. With there being no statewide municipal composting facility for food service, even though it may cost one penny more per plate, per student, that compostable tray is either still going to be burned or landfilled. So you are wasting your money or
you’re burning your money or burying it. So if you are not going to be able to handle products that are going to be needed that would substituted for a foam service product, you need to be able to recycle it, or compost it. And I’ll end on one final note, we make paper cups. We make them for big restaurants across the U.S. A paper cut is 10 percent polyethylene, it’s lined, 10 percent plastic and for a paper cut to be recycled it has to be boiled and that polyethylene has to be stripped off and then and only then can the pulp from that cup be re-pulped and made into a new product. A Styrofoam cup can be densified, chipped up, pelletized and turned into, if you’ve ever gone to Target or Walmart and seen their picture frames that look like wood but aren’t those are made out of recycle polystyrene. There is a place in Princeton, New Jersey called Princeton Molding and they make crown molding, the green stuff you see at Home Depot and Lowe’s and as far as recycling goes 65 cities in California including Los Angles and San Diego, San Diego is the most recent, Sacramento recycle polystyrene. There are more people in California that live in cities that recycle than live in cities that have banned foam and your closets neighbor Rhode Island, we established a program with the Rhode Island Resource Recovery Corporation four-five years ago and so Rhode Island actually because it is the only MRF, that they actually have a statewide recycling program, it’s a drop off in Johnstown but your next door neighbor recycles foam.

REP. DEMICCO (21ST): Thank you, Mr. Poe. Does anybody have any questions for Mr. Poe? I guess we’re all set. Thank you, sir. Thank you very much
So the next person is Erin Desantis, to be followed by Katherine Fiedler. Ms. Desantis. Welcome.

ERIN DESANTIS: Good afternoon Chairman, Chairwoman. I should say good evening. Good evening members of the Committee. Thank you for the opportunity to present testimony here today. My name is Erin Desantis. I am the Director for the Northeast Region of the American Chemistry Council.

As you heard the ACC is a National Trade Association representing chemical and plastics manufactures including member companies here in the State of Connecticut. You might be familiar with American Stryrenics, they are based out of Gales Ferry and they make a polystyrene resin. All told these companies are responsible for the creation of more than 7500 direct jobs and over 4,000 related jobs and an additional 5,600 jobs in plastics and rubber. They generate $934 million dollars in payroll and contribute $111 million dollars in state and local taxes. Our members are committed to the safety of their products, the public health and environmental sustainability.

In recent years we have seen the growth behind product bans including single use plastics and polystyrenes as we have here today. Several cities and many states have proposed these bans as a way to solve the litter or waste problem. And we can all agree that polystyrene should not be litter, it should not end up on the side of the road, it shouldn’t end up in our waterways but we know from experiences that bans are not a solution and merely substituting one type of food service product for another won’t eliminate the litter problem.
Instead of a ban we strongly support efforts to find a sustainable solution and to improve our environment through recycling, recovering and reusing plastics. And in recent years our member companies have really championed the concept of litter education and minimizing waste and recycling. And much earlier today you may recall the gentleman who is the recycling coordinator for the City of Waterbury, he actually referenced one of the programs that we started here in 2016 with DEEP, it is called the Wrap Recycling Action Program to increase opportunities for residents and businesses to recycle flexible foam wrap and it uses existing infrastructure, you’ve seen the cans. An audit of that program very shortly after it began found that there was an 11 percent increase in the amount of plastic bags brought back to stores.

We have also, in the Northeast, sponsored several other projects, Save the Bay, Clean Up Day, Green Up Day in Vermont and the Northeast Recycling Council Conferences. In conclusion I wanted to make sure that I encourage the Committee to think about the fiscal impact of a ban. I already spoke about job and taxes but these Bills will have a very significant cost for the state and taxpayers and consumers as it mandates the use of alternatives. A recent fiscal impact study found that a ban would raise a cost on schools by an additional $1.4 million dollars if you mandated the use of alternatives instead of Styrofoam trays. We can provide that study to the Committee. I know you haven’t had the opportunity to review it, it was just actually approved so we make sure that you call get a copy of that study. Not only does it talk
about schools but other public institutions. So new regulations like the proposed ban.

REP. DEMICCO (21ST): Ms. Desantis, I am happy to see that study, but it would actually, I’d actually really like to see that study but you said you were “in conclusion”, so.

ERIN DESANTIS: In conclusions, new regulations are reducing funding available for education and other policy initiatives that the State would like to implement. We’re committed to working with other organizations and government in trying to find a solution and I’m happy to take any questions.

REP. DEMICCO (21ST): Thank you. And your testimony was submitted to the Committee? Okay, great. So any questions from Committee members? Okay. Thank you very much and please send that study to us. Thank you appreciate it. Okay, next we move on to House Bill 7298 and on the list we have Katherine Fiedler and then Mark Bodman and I’m not sure Mark is still here, so Ms. Fiedler.

KATHERINE FIEDLER: Good evening. Thank you for the opportunity to testify today. My name is Cat Fiedler and I am the Legal Fellow for Connecticut Fund for the Environment and its bi-state program Save the Sound. CFE strongly opposition Section 1 of House Bill 7298. I am going to focus on Section 1, we have concerns about the rest of the Bill but right now I am going to focus on Section 1.

This Bill would require DEEP to approve or deny certain environmental permit applications within 90 days, otherwise those applications would automatically be granted. House Bill 7298 completely overrides its compromised language and
the hard work that was done between this Committee and DEEP last year which changed the automatic 90-day approval to a charge to make best efforts to complete review in that time.

The language of House Bill 7928 does not include the explicit language that existed previously that stated that applications are deemed approved after 90 days but at the same time the Bill requires DEEP to make a determination on an application within 90 days. At best this results in a gray area where it is unclear what the status of the application would be. At worse the application the application is automatically granted. Neither option is preferable to the existing compromise language. Ninety-day automatic approval bears no relation to the complexity of the permit application among many minor permits that might not require scrutiny or a detailed environmental review.

House Bill 7298 also applies to permits that must be reviewed in detail such as a construction and operation of a solid waste facility or transfer stations or sewage treatment plant. It is unacceptable that such permits would be approved without any review let alone consideration of the environment and public health.

House Bill 7298 does include attempted moderating language that this 90-day cut off applies to applications that are “complete and conform with applicable provisions of the General Statute.” But many of these permits are not simply check boxes that can be easily determined. For example permits for the construction and operation of solid waste facilities will often require public hearing and additional information as the Commissioner requires.
DEEP continues to experience significant cuts to its staffing, holding this 90-day permit approval deadline over the heads of the dwindling agency staff will not help them better achieve their charge of improving and protecting the natural resources and environments of the State or work any faster in reviewing permits where measured review is required. A compromise was already reached with DEEP last year so I urge you to reverse course, to Not reverse course and return to the harmful automatic approval provision. Thank you.

REP. DEMICCO (21ST): Thank you very much and thank you for hanging in there throughout the day. Does anybody have any questions for Ms. Fiedler? Representative Muchinsky.

REP. MUCHINSKY (85TH): Earlier today, a town came up from Fairfield County and they said that they had a 30-year wait for a sewage treatment handling system and I was wracking my brain trying to figure out what this was in reference to but there is something in this story that we’re missing and I don’t know if you are familiar with this case.

KATHERINE FIEDLER: I’m not familiar and without knowing the facts of the case I couldn’t guess what was going on with that permit application and why it hasn’t gone through in 30 years.

REP. MUCHINSKY (85TH): Yeah, so we’re missing part of that story but we could ask DEEP when we seen them if you’re not familiar with it. Okay, thank you.

REP. DEMICCO (21ST): Thank you, Representative. Any other questions for Ms. Fiedler? I’m just going to ask you a quick question, you focused on Section
1 of 7298 the other provisions of 7298 would you care to briefly comment on those?

KATHERINE FIEDLER: Sure, I’m just gonna have to grab the language or to know which section number I am referring to but, we are opposed to specifically Section 4 which makes recycling optional rather than mandatory. We think that we should not be reversing the course just because it has become expensive or difficult to do those recycling programs. We are also in strong opposition to Part 2 of Section 4 that suspends the activities to do the study. We think we should not stall our efforts with recycling in this State and continue moving forward rather than backward.

REP. DEMICCO (21ST): Okay, thank you. Any other questions? Okay thank you very much, appreciate it. So the next person, I don’t see him here Mark Bodman. Okay, let’s see David Southerland. I don’t see David here either. Okay, well if they come back we’ll be happy to entertain them. We move on to House Bill no Senate Bill 1003 and it’s Wayne Pesce, to be followed by Vanessa Villamil.

WAYNE PESCE: Good evening, Senator Cohen, Representative Demicco, Representative Gresko, Representative Harding and the rest of the Distinguished Members of the Committee. My name is Wayne Pesce and I represent Connecticut’s grocery retail community and their supplier network. I am here to testify on both Bills being looked at as far as single use plastic bags.

Over twenty Connecticut communities have passed ordinances or, are considering legislation requiring retail stores to either ban or charge a carryout fee on plastic bags.
The Connecticut Food Associations’ position is that fees have proven to be effective in reducing the proliferation of single use bags and protecting the environment. We know this from ordinances already passed in California, Washington, DC, from ordinances passed in California, Washington DC, Montgomery County, Maryland, various Colorado communities, Portland, Maine, Texas and most recently right next door in Suffolk County, New York. All of these communities were reacting to the environmental hazards of single use bags as well as major challenges these bags are putting on the recycling system due to the enormous volume being collected at curbside. In lieu of enacting a total ban of plastic bags, we propose the state of Connecticut should instead require stores to charge a fee on all carryout bags. Our goal is to reduce the use of front end bags by at least 80 percent over three years.

We want to debunk the myth that paper bags are a better solution as well. Paper bags are more costly to recycle than plastic bags and don’t biodegrade easily in landfills. Additionally, they are less likely than plastic bags to be reused and have a higher cost and larger carbon footprint associated with their production and distribution.

Over the last year or so we have been working behind the scenes with legislators, recyclers and environmental groups and others to solve this problem via state wide legislation. The purpose of this law would be to significantly reduce the amount of single use plastic bags distributed at retail and to encourage consumers in Connecticut to use their own bags and use those for their shopping. Behavioral change is a challenge in this
convenience-driven era, but the prospect of retail, government, consumers working together to diminish the production, distribution of these bags has great merit now and into the future. Thank you so much and if you have any questions, I’d be, I’d really like to answer a few specifically on House Bill 6011 that was not presented to this Committee which we believe is the strongest, most progressive Bill in the country and the Bill that should be being debated by this Committee and the State Legislature. Several sponsors are here on that Bill as well on this Committee.

REP. DEMICCO (21ST): Indeed, thank you, sir. I’m gonna ask Committee members if they have questions and then I have a couple of questions also. Okay, I thought Representative Gresko might have had a question. Okay. So I just want to understand, so the Connecticut Food Association is in favor of the ban on carry-out single use plastic bags but you are in favor of a fee to be associated?

WAYNE PESCE: We support a charge, I don’t use the word tax and I don’t use the word fee, I use the word charge on a bag that is available for consumers if they don’t bring their own bags. So the first choice would always be for consumers to bring their own bag so that there is no charge involved. What we’re proposing and really if you look at 6011 which is a Bill we worked very closely with a lot of environmental groups on, and the recyclers as well as several legislators who are involved in this process, we really try to bring a Bill forward that had a coalition of stakeholders that everybody had to get a little, so our Bill 6011 which by the way Representative Muchinsky who is not here right now, was a sponsor, Representative Michel and
Representative Reyes are co-sponsors of that Bill, we think again is the most progressive Bill in the country. We worked to get that Bill to a ban on plastics after two years and 80 percent source reduction on the Bill, a ten cent fee and the other thing that has not been talked about yet on this Bill is how do we take care of seniors and lower income WICK and SNAP recipients and the reason why we cannot support either of the Bills that are in front of us today is because in one Bill there is a plastic ban that pushes consumers to paper which just doesn’t make sense because now we’ve just shifted the burden to paper so we can’t support that Bill and we can’t support the Bill that bans plastic and gives the nickel back to the State because our costs will go up anywhere from about a penny to about eight cents on these bags. So we’re willing to work with anybody who wants to work with us to really reduce these bags because that is our first goal.

Our first goal is source reduction and our second goal is reuse. And then the question become how do we help people who can’t afford these bags? But it is not about, I said this before, when the state takes the nickel, what ends up happening or the dime or whatever it is the consumer gets hit twice because if you forget your bag, you pay for it and then the cost of your groceries gets knocked up to pay for the cost of the bag that we’ve inherited. If there is a charge on the bag that just covers our cost and allows us to get these bags out to folks that can’t afford them, like I said, seniors and WICK and SNAP recipients we can cover our costs and have a pretty strong Bill.
House Bill 6011 is a Bill that we urge you strongly to take another look at. Again that’s a Bill that we’ve looked at from a national perspective and I can tell you we worked very closely with the environmental groups and they supported that Bill so that is business and environmentalists coming together and the recyclers have supported that Bill and we’ve got some members of this Committee to support that Bill as well and sponsor it with us.

REP. DEMICCO (21ST): Thank you, sir. I believe Senator Cohen has a question for you.

SENATOR COHEN (12TH): Thank you, Mr. Pesce for your testimony. So in the Bill, the current Bill that you just testified on 1003 if that were to have a fee associated with the bags that went back to the retailers would you be in support of the Bill?

WAYNE PESCE: Yes, but that Bill does not cover seniors or SNAP or WICK recipients. So we’re in favor of something that allows for them to be part of the solution because that is, you know, as we’ve talked to a lot of people around the State, we’ve talked to a lot of people about what makes this Bill passable, we need to look at those folks to make sure we’re looking out for people who potentially can’t afford the bags and we would have to give out some free bags throughout the year to cover that particular constituency.

SENATOR COHEN (12TH): Right, so that constituency wasn’t included in the Bill because that Bill doesn’t have a fee associated with the bags. So you’re saying if SB 1003 had a fee that went back to retailers and accounted for our low income population then you would be in support?
WAYNE PESCE: That’s a Bill we could support, yes.

SENATOR COHEN (12TH): Thank you.

REP. DEMICCO (21ST): Thank you, Senator. Any other questions? Representative Michel please.

REP. MICHEL (146TH): Thank you, Chairman. Thank you and thank you to the Connecticut Food Association for working with the environmentalists on this. It is much appreciated and you did go from three years to two years and we really appreciate it.

WAYNE PESCE: Correct and we also went from a mil rate on a bag to a complete ban as well so we’ve moved off the perch a couple of times, this was something that there was a lot of give and take and I know Representative Gresko and several other legislators came to some of those meetings and a bunch of apples and oranges in a room and, you know, we figured it over a four to five month period, so we think 6011 is a very strong Bill and we are willing to work with this Committee on anything that helps solve the problem.

REP. MICHEL (146TH): Through you, Mr. Chair. Just one quick question, when, so we went down to three years and then the mil rate was taken out, shot. I’ll probably come down and talk to you after.

REP. DEMICCO (21ST): I don’t think we have anybody else, we all set? Thank you very, very much. Appreciate it. So next person is Vanessa Villamil, did I say that right. Vanessa, welcome.

VANESSA VILLAMIL: Madam Chair, Mr. Chair and Distinguished Members of the Committee. Thank you for letting me speak tonight. I am here Sierra
Club. But before I start speaking for the Sierra Club the Bill 6100. Oh, my name is Vanessa Villamil, representing Sierra Club. 6110 is an excellent Bill but that is not the one I am here to speak about tonight.

SENATOR COHEN (12TH): Bill 6011.

VANESSA VILLAMIL: Bill 6011, yes. So my name is Vanessa Villamil and I have been a liberal since I was old enough to know what that meant. My mother on the other hand is deeply conservative. As you can imagine we haven’t agreed on anything in many years. Much to my surprise however we are in complete agreement on the single use bag reduction Bill.

According to my mother it is high time that Connecticut passes a Bill that will get rid of the single use plastic and paper bags that are so destructive to our environment. Plastic is killing life and polluting our towns, both on land and in our waterways. When my husband and I went to Florida last year we visited a sea turtle hospital. Every single sea turtle in that hospital was there for a problem involving plastic. Frequently they were starving because the plastic they had ingested was taking up space in their stomachs. The sight of those sea turtles suffering from something that we have done broke my heart and increased by resolve to do as much as I can to remove plastics from my own life and help Connecticut do something significant to reduce our whole state’s impact.

Plastic is an issue we all agree on quite easily but what most people don’t understand that paper bags are at least as harmful as plastic bags. The sad fact is that paper bags take about four times as
energy to produce as plastic bags and of course trees are cut to make them and an obscene amount of water is necessary to convert wood pulp to a paper bag.

I could go on and on about how bad both paper and plastic bags are and if you are interested I would also be happy to give you an earful about the evils of biodegradable bags. But rather than going on for too long I would just like to say that we need to get away from single use everything. Any Bill that comes out of this Committee must seek to greatly reduce the usages of all types of single use bags. The type of Bill that has been found to work best is a hybrid Bill that is a Bill that bans plastic bags and has a charge for paper bags of at least ten cents. Five cents is not enough to change anyone’s behavior. Sierra Club will support Raised Bill 1003 with an amendment there must be a fee of at least ten cents on paper bags to stay with the stores. It is imperative that we ensure that people do not simply switch from one type of single use bag to a different type of single use bag.

Once Raised Bill 1003 has been amended you will have a Bill that both I and my mother can agree upon. I urge you to do so that maybe for the first time in many years there can be a peaceful Thanksgiving in my house. [Laughter].

REP. DEMICCO (21ST): Thank you for that. I hope so. Does anybody have any questions for Ms. Villamil? No, all right. Thank you very much, appreciate it. Thank you. So next person to testify is Jack Egan, to be followed by Jeanne Barr-Goetz. [Off mike response, “she might have left.”]
Okay, thank you. Next Ann Burman if she is here. Thank you, sir.

JACK EGAN: Thank you. I have a new found appreciation for the hard work you guys put in, thank you for having me.

Good evening, my name is Jack Egan a resident of Stamford and I need to put my glasses on. And I serve as a volunteer Chair of the Surfrider Foundation Connecticut Chapter. Thank you for hearing my testimony on Senate Bill 1003.

As part of our efforts to protect the ocean Surfrider has been working to mitigate single use plastic pollution in Connecticut for several years, helping to successfully pass local bag ban legislation in West Port, Greenwich, Norwalk and Stamford. We host regular beach cleanups like the recent one on March 3rd in Greenwich where 150 volunteers pulled out 1500 pounds of trash at Todd’s Pointe. Much of it was single use plastics. I know firsthand the magnitude of the plastic pollution problem we face in Connecticut.

I am here today to offer support of Senate Bill 1003 but only with amendments. The three we request are supported based on Surfriders vast policy work on this issue across the nation and right here in our State.

The amendments that we seek on line 37 is to add “a passthrough fee of 15 cents on all paper and reusable bags sold.”

Number two, on line 31 remove “allowance of 12 mil plastic bags being given out for free.”
And then the third amendment and final amendment is on line 30, is modify the definition of a reusable bag to “not allow plastic film bags of any thickness to be considered reusable and to be given out for free.”

Passing something is not better than passing nothing. If the something we pass wrongly incentivizes single use paper bags or thick film plastic bags or by offering these items for free, we may be curbing our plastic bag pollution problem but we would be doing so at the unacceptable expense of doing nothing to incentivize consumer behavior shift away from single use items and shifting from one source of pollution to another, plastic to paper and it would create issues for our businesses as paper bags cost more than plastic and heavier for workers to carry in bulk and paper bags take up much more space than plastic bags while in storage.

Data proves that for a plastic bag ban to be effective at reaching these goals there must be a pass through fee mechanism in place for paper bags in the allowable [Inaudible-09:10:39] bags. Pass through fees simply means that the business providing the bag would retain 100 percent of the fee for that bag and the transaction would be transparently itemized on the buyers receipt just like all other goods bought rather than being a hidden cost built into the expense of other goods purchased.

Lastly some Connecticut towns have advanced ordinances that ban plastic bags under 12 mil and allow bags at 12 mil to be given out for free. Since 12 mil bags are not yet available on the market this extensively gets the towns to a point of the local
plastic bag ban for now. However, at the State level in particular this creates opportunity for new market to be monetized for thicker plastic bags to be manufactured to 12 mil specification. Without an amendment to strike allowance of 12 mil bags to free should this Bill pass and a 12 mil bag be manufactured the unattended consequences would be dire. On behalf of the Surfrider Connecticut Chapter I thank the Committee for your important work in considering these amendments. Thank you very much and if you have any questions I would love to be able to attempt to answer them.

REP. DEMICCO (21ST): Thank you, sir and thank you for your suggestions and we will certainly consider them. Any questions from the Committee members? No, okay. Perfect, sir. Thank you, so next person is Jeanne, she is not here I take it. Jeanne left. Ann Burman? Okay, how about Lynn Hungaski. Pretty good, huh?

LYNN HUNGASKI: You did a good job on that. Pretty good.

REP. DEMICCO (21ST): Thank you for hanging around and sticking it out.

LYNN HUNGASKI: You are very welcome. I’m going to skip over a lot of what I had to say because it is very late. Oh, my name is Lynn Hungaski. I am representing Newton Environmental Action Team. We have been trying to pass a plastic bags ban for two years and it is as Liz Milwae said before, extremely difficult at the local level for a variety of reasons.

As I said before I am going to skip past a lot of what I had to say because it has been said before by


Mr. Egan, right before me. I agree with everything he said, Ms. Villamil as well. What I really want to say is to trade plastics for paper would be a travesty and would get us nowhere.

Most people have talked about the hazards of paper bags but they haven’t really given any detail. Paper bags take four times the energy to produce and an enormous of water. They take eight times the energy to transport because they are that much heavier than plastic bags. They are responsible for cutting down 14 million trees per year, 14 million and they are made with chemicals, and the chemicals when they are degraded with takes sometime but not as much time obviously as plastic, they get into our environment. If they are burned as they are in Newtown they get into the air that we breathe. I have asthma, thank God my children don’t, but we are looking at a society that is going to be that much more asthmatic if we keep burning our trash and we keep burning the paper bags as well as the plastic bags. That is a well known fact, it has been documented everywhere that asthma is on the rise and that is one reason for it. Paper bags also contribute to a higher carbon emission and that is something that we are all in agreement that we must reduce. If we don’t put at least a ten cent charge on paper bags at checkout, the minimum amount that has proven to be effective in discouraging their purchase and we are just encouraging people to switch to them, we will be jumping from the frying pan into the fire.

I therefore implore you to amend Raised Bill 1003 to include at least a ten cent charge for paper bags, remove the allowance for 12 mil plastic bags to be given out for free and to change the definition of
reusable bags so that no plastic bags can be given out for free. This also refers to so called biodegradable bags which needs specific conditions in order to biodegrade at all and even in the best of conditions take at least three to six months to biodegrade. Most composting facilities don’t want them for this reason. If you have any question, I’d be glad to answer.

REP. DEMICCO (21ST): Thank you very much. Thank you for your patience and for your testimony and suggestions. Any questions? Okay I guess we’re good. Thank you very much. So the next person on the list is Francis Brady. So, we’ll skip Mr. Brady and we will go to Tim Phelan, who I do not see here. So we will move on to House Bill 5385 and Kathy Flahrety is the first one on that Bill.

KATHY FLAHERTY: Good evening Senator Cohen, Representative Demicco and members of the Environment Committee. My name is Kathy Flaherty I am the Executive Director of Connecticut Legal Rights Project a Co-Chair of the Keep the Promise Coalition but most importantly for my purposes here today and the reason I’ve stayed so long is I am a member of the steering committee of the Cross Disability Lifespan Alliance. You have my written testimony, you heard Mary-Ann earlier this afternoon but I want to explain why I waited hours to testify.

I read all the testimony from people who are in favor of eliminating plastic straws. The bottom line is access to plastic straws is a disability right issue because people with disabilities, some people need them. They cannot drink otherwise. What used to happen to people before they had the ability to drink through straws people would die
because they would aspirate fluid into their lungs and they would die. You could say why can’t we use paper? Well for some people the paper disintegrates or they bite down on it and it doesn’t work. Silicone is expense. A lot of people with disabilities are poor and don’t have the ability to keep them clean. The metal ones like Mary-Ann testified about people can injure themselves, same with the glass straws. Bending straws were literally invented as an accessibility device so that people who are laying in hospital beds were able to drink.

So I would just encourage this Committee, when you’re contemplating what to do, especially the fact that your Bill says, “this doesn’t stop a town from banning them” well any town that do take action to ban straws are showing how they feel about their disabled community members because they are just showing that they’re not caring or they are not listening. This has been, you know, kind of seeing the way of activism across the country. She did refer you to the Washington State Bill because I actually asked an activist who was out in Washington State to look at your Bill because it looked really similar to theirs and the one thing that you have left out of there Bill but I totally understand why you do because I hear somebody say, we just don’t write legislation like that here, is the Washington State language says specifically, “In recognition that a straw is an adaptive utensil that may provide basic accommodation for persons with disabilities to eat and drink, a food service establishment must provide a single-use plastic straw upon request to persons with disabilities.” All I’ve got to tell you is even if you had that language in that
wouldn’t be good enough because it is the same reason why I have been here testifying about service animal Bill. You know you’re basically subjecting people with disabilities to being policed and they are just going about their everyday life.

I think the best way to reduce the use of plastic straws is to encourage people who don’t need them to not use them. I don’t think banning them is the answer. Thank you.

REP. DEMICCO (21ST): Thank you, thank you. I believe Senator Cohen has a question for you.

SENATOR COHEN (12TH): Thank you Ms. Flarety for you testimony and I appreciate your passion on the matter and again I’ll just reiterate just as I did before that I really appreciate testimony like this when we are coming up with these Bill proposals and as we move a Bill forward, you know, to certainly add an amendment of this nature is something that is in the best interests of everybody, right, we certainly want to support the disabled community. Would you, you’re saying that you’re against the Bill in any form however so even an amendment to make a special exception for disabled individuals would not necessarily satisfy?

KATHY FLAHERTY: Here is the reason, thank you for the question and I appreciate the opportunity to follow up quickly on that. The problem with it is that you are basically requiring people with disabilities to ask for a straw when they need something. There are ways to deal with this. You could have, because some of the articles that I shared with the Committee, the links have some of these suggestion in it, but you could have places say, these are, we have alternative straws here if
you really need one. But to basically have a person go, I mean there is a congressperson out in California who made a joke about the straw police but it really isn’t a joke. For somebody with a disability who needs to have that plastic straw to drink you are asking them to have to possibly disclose there are a person with a disability just to be able to go out for an iced coffee or a soda with their friends. Because if those are the only people who are allowed to have them, you are basically requiring them to be policed and to have, you know, frontline staff at a restaurant decide whether you look disabled enough to be able to get a straw and I just think it’s a problem. So like I said, I think a lot of what needs to happen is education. You know, I know for me, it is hard, you know I’ve made some choices about where I go and where I order drinks from and what I decide to drink by virtue of the fact, that, you know I get an iced coffee from Dunkin’ Donuts, you pretty much need a straw to drink it, especially if is made for you when you walk in. But, you know, if there are people who can voluntarily decrease their use of them, I think the other real problem is, is people sometimes people try to recycle them and they can’t be recycled because they jam up the machine so I think it is a matter of educating people to use fewer of them in the first place and then dispose of them properly.

REP. DEMICCO (21ST): Thank you, Senator.
Representative Michel.

REP. MICHEL (146TH): Thank you, Mr. Chairman. Thank you for testifying and spending a long time waiting to testify. Just want to ask if we remove the language that imposes for people to do that
special way of getting a straw for people with disability which I completely sympathize with that aspect, if we remove that part of the language and it would be just non-plastic but a straw, would you be against it?

KATHY FLAHERTY: Here’s the problem, for some people the non-plastic alternatives don’t work and I actually, in my written testimony I included a chart that somebody put together of the problems. It would be super easy to say, well just use a non-plastic alternative but for all the reasons I said, you know, honestly, things that are made out of corn, when you talk about disabled people, there’s lots of different things people have going on. You know, people know they can use plastic straws and that they are safe. Some of those non-plastic alternatives are made out of things that people might be allergic to. The paper doesn’t work and can cause a choking hazard to people and I totally, you know, I think the problem with something like this is you end up pitting people who are concerned about the environment against people with disabilities, not intentionally, but it is something that has happened around the country and I am not saying this Committee or any legislature that proposes these bans or any towns that propose these ordinances are intentionally doing that, I think it is a matter of unintended consequences.

REP. MICHEL (146TH): Okay, thank you.

REP. DEMICCO (21ST): Thank you, Representative. Representative Kennedy.

REP. KENNEDY (119TH): Thank you, Mr. Chairman. Thank you so much for your passion, your testimony, I do appreciate it. Just want to mention something
you brought up the special needs but I think there is one group of individuals we are forgetting, having been a hospice volunteer for several years, those patients. They may not be special needs but they are very special people and they cannot use anything but a plastic straw so it is just another one to consider those individuals, they are in a hospice having been an aide to many of them, they can’t as you well know, they can’t use a paper straw they will probably choke on it, they will swallow part of it and you won’t even really know. So, I really do appreciate you bringing that forward and I wanted to add that to the conversation that someone that is a patient in a hospice facility would have great difficulty without a plastic straw. So, thank you very much, Mr. Chairman. Thank you for your testimony again.

REP. DEMICCO (21ST): Thank you, Representative. I appreciate that. Kathy I just wanted to say I appreciate your advocacy over many years and I will say that just to follow up on the remarks that you made, that I don’t think it is intentional. I think that as the case many times particularly when it come to people with disabilities it is just a matter of lack of knowledge and we need to be educated and we need to be made aware of the difficulties that we just don’t automatically think of, so thank you for bringing that to our attention.

KATHY FLAHERTY: Thank you and I just want to say, I mean part of the reason I even know that this is an issue and, you know, is social media and other disabled activists on Twitter, I’ll be straight up because I never, I personally when I heard about these straw bans, I said, “That sounds like a great idea” yeah until I started listening to disabled
people and, you know, learning more about the issue so I appreciate the Committee taking the time to do that.

REP. DEMICCO (21ST): Thank you. Any other questions for Ms. Flaherty? No, okay. Thanks very much. So next is Daniel Vahey. Press the button and welcome. Thanks for your patience.

DANIEL VAHEY: Good evening, Senator Cohen, Representative Demicco and Representative Harding and other members of the Environment Committee. My name is Daniel Vahey and I am a high school sophomore at Fairfield Ford. I’ve come to the capital today along with two of my classmates to talk about how big the issues of plastic pollution is. I am here supporting House Bill 5385 and I would like to note that the Bill title does not quite accurately describe the contents of the Bill.

This Bill just says that prior to providing a plastic straw to a customer a restaurant must ask their preference, straw or no straw so it does not completely eliminate the option of the plastic straw.

We know that kids are not typically involved in the legislative process like us but we felt it was necessary to make our voices heard as we all share one planet and have equal responsibility in taking steps to protect it. The problems facing our environment at this time are set to cause catastrophic and irreversible damage to the planet. One of the culprits is plastic pollution. We have a jarring societal problem in which we are completely reliant on plastic. Our newspaper wrapped in plastic, prepacked salad in a plastic container, our drinks sipped through a single use plastic tube. We
throw all of this in the bins and forget about not realizing what becomes of our waste. The 300 million tons of plastic produced each year around the globe pose an immense danger to the environment. Of that, an estimated 7 million tons enter the world’s oceans each year causing damage to the world’s most valuable ecosystem. The plastic does not disappear, in fact according to the Federal Government’s very own Environmental Protection Agency every bit of plastic ever made still exists.

Cutting back on plastics needs to start now before the world’s oceans have more plastic than fish in them. This bill could help consumers start to think about the decisions they make and consider the impact they have upon our environment. In turn this could help to cut down our plastic usage. I strongly urge each and every one of you to think of our environment today and choose to protect it before it is too late.

REP. DEMICCO (21ST): Well timed, very nice. Does anyone have any questions for, oh? Senator Haskell.

SENATOR HASKELL (26TH): Thank you so much for your testimony and also for your patience in being here today. These can be brutally long days and I admire the fact that I saw you guys were doing your homework while waiting to testify earlier, I think that’s awesome. I represent a community right on the Long Island Sound and it is obviously such a crucial natural resource in Connecticut the reason why so many people decided to live here. Can you talk a little bit about the impact that single use plastics have on our Long Island Sound?

DANIEL VAHEY: Yes, actually plastic straws were found to be the fifth most abundant plastic
pollutant in the Long Island Sound and reducing the amount of straws our state uses would be crucial to cutting that down.

SENATOR HASKELL (26TH): Fantastic and thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Senator. Any other questions?

REP. HARDING (107TH): Comment? Thank you so much for coming up here, looks like you learned from somebody in your family cause you did very, very well. You were extremely articulate and passionate and the fact that, you know, Senator Haskell saw you doing your homework while you’re waiting to testify means that you really care about issues, so keep up the great work, thanks for coming up here today.

DANIEL VAHEY: Thank you.


REP. GUCKER (138TH): It’s great you and Will Haskell are almost about the same age at this point [Laughter] so he could probably tell you how to get better grades on your homework if you’ll talk with him. Also as another insider maybe you might no somebody in the legislature that could sign you up early and then bring you in with an elected official and get you up early rather than wait so you won’t have to do your homework here but thank you for your advocacy and thank you for sticking it out and you have a great family and thank you for coming.

DANIEL VAHEY: Thank you.
REP. DEMICCO (21ST): Representative you are giving away our trade secrets [Laughter]. Anyone else? No, okay. Thank you very much, nicely done. So, lets see, Lena Kufferman is next.

SENATOR COHEN (12TH): I’ll just say briefly to that these guys have the option of coming up but they wanted to stick it out, they wanted to see the whole process take place and I commend them for that, so well done.

LENA KUFFERMAN: Good afternoon Senator Cohen, Representative Demicco and Representative Harding. My name is Lean Kufferman and I am a sophomore at Fairfield Ford High School testifying alongside Daniel Vahey and Peter Belkin who will be testifying afterwards.

During my testimony today, I will be testifying in favor of House Bill 5385. I will be focusing on its ability to give consumers a choice, to help solve our pressing and horrifying problem of plastic pollution. More times than not, when I go out for dinner or for lunch, and am given a water it is automatically given with a straw. The straw is almost always unwrapped so there is no way that I can return it or undo my necessary unplanned harm to the environment. It is assumed that I want and I need a straw for my beverage when really that is not the case but this assumed necessity leads to the additional accumulation of 200,00 tons of plastic straws annually in our world’s landfills and oceans.

By extrapolating findings by the National Parks Service we can find that right here in Connecticut our populous uses approximately six million straws a day amounting to two billion straws annually and adding to nearly 1,000 tons to our landfills each
year. We have a problem. It is time to begin taking serious steps to correct this starting right here in our own State. This Bill allows our citizens to act as environmentalists in their own lives and will likely result in a greater sense of environmental awareness across Connecticut. By passing this legislation we can give citizens of Connecticut the chance to improve our environment with minimal sacrifice. Additionally with this legislation Connecticut can serve as a leader in global endeavor to preserve and save our planet. This Bill is not about taking choices away from the consumer, we are not trying to take away straws, but what we are trying to do is to give consumers choices, allowing them to make decisions to save our planet.

REP. DEMICCO (21ST): Another well thought out piece of testimony. So, does anyone have any questions for Ms. Kufferman? No, okay. Representative Gresko.

REP. GRESKO (121ST): Very briefly how do you feel this Bill will impact what we put in our landfills here, well we don’t have landfills here but where we send them.

LENA KUFFERMAN: Right, okay, so there is multiple steps to basically municipal waste in Connecticut one of that is, well I guess it would not be municipal waste is that it gets sent to our own recycling plant and then it gets sent to one of five energy, to I guess waste to energy plants, those being in like Bristol, Hartford, Bridgeport and some other cities and with that 25 percent of what remains basically goes to landfills and in the past few years a lot of our landfills have reached maximum capacity or have been shut down due to
sanitary reasons. So clearly we have a pressing problem in Connecticut and one of our only, if not our only major landfill plant currently is, I think spanning 60 acres and amounting to a 200 foot mountain all across those 60 acres. So we produce a huge amount of waste and given that plastic straws do amount to a very good portion of that it can lead to, it can lead to lessening that waste in the future and helping our pressing issue of landfills in Connecticut.

REP. GRESKO (121ST): Thank you.

REP. DEMICCO (21ST): Thank you, Representative. Representative Michel.

REP. MICHEL (146TH): Thank you, Mr. Chair. Thank you, all three of you for what you are doing. I worked on turtle conservation so straws to hurt turtles as well as wildlife so I thank you for your advocacy in this. Thank you.

REP. DEMICCO (21ST): So I would just tell you that I just got a text message from my wife who is watching at home and she said, “Those kids are great.” So I guess that puts the pressure on your colleague who is going to follow you but, any questions, any further questions or comments for Ms. Kufferman? No, okay. Thank you very much. So Peter Belkin is next.

PETER BELKIN: Good evening Senator Cohen, Representative Demicco and Representative Harding and Members of the Committee. My name is Peter Belkin and I am a sophomore at Fairfield Ford High School like my friends. And I want to be here to support House Bill 5383 along with my classmates because it is critical to all of our futures that we
address the problem of plastic pollution and its affects on our environment.

I know how important it is for this legislature to protect and improve Connecticut’s business climate as well as it’s environment and I also know that the primary downside to environmental legislation is often economic. So I want to address those issue with my testimony.

This Bill is simply not bad for business. In fact it will save businesses money all across the state. A study by the National Park Service given a choice about receiving a plastic straw 50 to 80 percent of consumers chose not to. In addition to reducing plastic waste this means that Connecticut restaurants will have to pay for significantly fewer straws. And while straws may not represent a huge part of a restaurant’s total spending every dollar counts when you are trying to run a small business. Additionally some of those savings will be passed on to consumers. All this Bill does is give customers more choices, more options, more chances to be environmentalists in their daily lives. And by giving them that chance we can help both the environment and small business in Connecticut. I urge you to vote yes on House Bill 5385.

REP. DEMICCO (21ST): Thank you, sir. Do we have any questions or any comments? Senator Haskell.

SENATOR HASKELL (26TH): Just a very brief question if you don’t mind. Thank you again for your patience and testifying today and for your passion. It’s so clearly on display in your testimony. I share your interest in reducing the number of plastic bags that end up in Long Island Sound. I’m wondering if you think there might be some
compromise or someway to address the very valid concerns that we heard raised today from those in the disabled community?

PETER BELKIN: Yes, so this plastic straw bill doesn’t outright ban the plastic straw. All it does is say that if a restaurant wants to give you a plastic straw it just has to ask your permission first which means that a disabled person could say yes to that and get their plastic straw just like everybody else, they wouldn’t have to say they were disabled, they wouldn’t have to say anything special, all they would have to say is yes. And also I wanted to address Representative Kennedy’s concern about hospice care which was that people in hospice may have trouble getting single use plastic straws which are very important to them and I would like to note that this legislation only applies to full-service restaurants so hospice care wouldn’t be effected in the slightest.

SENATOR HASKELL (26TH): Thank you very much I find that incredibly helpful in addressing those concerns. So thank you for your expertise in this issue and thank you, Mr. Chair.

REP. DEMICCO (21ST): Thank you, Senator. Anyone else? Well the future looks bright as far as I’m concerned so thank you. Let’s see who’s next here. So we move on to Senate Bill 997 and Deb Denette. Reverend Ernest Holloway. Pardon me, Reverend Ernestine Holloway. My apologies so thank you for being here.

REV. HOLLOWAY: You’d think I’ve learned already. Good evening Chairman, people of this Committee. I listened going back and forth cause I’m in other meetings testifying also and I listened and I had
some concerns. I represent CTRA, Connecticut Republican Assembly and Refuge Temple Council of Churches and I am a community advocate also. And I had some concerns about, I have dyslexia so I may not be able to call all the numbers because they all look alike after a while but I do want to talk about AN ACT CONCERNING THE RECYCLING OF GLASS, the redemption centers, the bottles.

You know, I understand that you want to recycle but they are going to pass that cost off to the consumer. Every elderly person can’t go to the redemption center. If they go the senior citizen bus once a month are they gonna hold those containers and wait a whole month to take it back? Eh, rats, roaches they may not be able to get to the sink and rinse them and all kinda stuff like that. I think that some of this is a great idea but not really thought out as fully as it should.

I find that, I understand you want to get rid of plastics, I hate them by the way, the plastic bags but I also know somebody said to me earlier well they can go to Aldi’s and pay for a bag, but if you’re making $10.00 an hour and you’re trying to stretch your money you may not have that 10 or 15 cents that you’re asking them for. So I think that you need to take that into consideration also. Everybody doesn’t have an extra 15 cents. I’m a single mom, I’ve got five girls and yeah, that’ what I say sometimes [Laughter] and two are mine and I raise the rest of them and I really scraped and there were days when I didn’t have $2.00 dollars over lunch. So you want to go up on this, 15 cents, 25 cents, then we’re gonna get some tolls. I just want to know where all this money that you guys are saying is gonna be, where is it gonna come from.
Cause I could barely make it here sometimes to testify on behalf of the constituents. They can’t pay me. So I want to know, you know, when you’re making these bills and laws and one day I plan to be here, so I’ll figure it out after while, are you taking the poor people in concern. That’s my thing.

You know, I understand they want to get rid of Styrofoam trays, I do too but guess what? A penny is a big thing when you got to buy like 5,000 or 6,000, multiple that by 12 or whatever the number is a year, that’s a lot of money. So I figure that we need to do the research before we start banning stuff. Can we find an alternate company that can meet the needs of the schools and give us those trays, cause when I was little, I don’t know what happened to em, but they had the cardboard trays? So can we compromise, no saying don’t pass a law, cause we need to get rid of plastics, but have an alternative already set before you tell a school, we’re getting rid of Styrofoam trays and then not economically sufficient to buy these. So these are things that we need to look at.

And then I also give a lot of seniors, I encourage them to get animals. When they say they’ve lonely, they don’t have family come to visit, you know in the senior citizen building, you start taxing cats and they can’t afford it, we’re gonna have a problem. We are going to have a lot of lonely older people. If we can figure out a way to do this, without taxing them, because they are taxed enough already, it would be a good thing. Now I’m not saying that we can’t come up with a solution, but what I’m saying is let’s not hurt our seniors because, guess what, they are the ones who go to the pounds to adopt dogs and cats. Their the ones who
go there to get the food to feed them, so if you do this and they can’t afford the fee, what do they have cause some of them all they have is the cat or the dog. So I don’t think anybody really thought that piece in it, I’m more practical and I deal with logic. And so when I heard the Bill and I’d seen in on the internet I started laughing now they brought in the kitty’s, we got a problem. They said what’s the problem and I said, the senior citizens. This is what keeps them alive, what keeps them going.

So I’m asking you, before you pass all this take them into consideration because they already paid their debt and they are paying with loneliness and this is the only think keeping them company, little dogs and little cats, they get on everybody’s nerves especially them yappy ones but if it makes them happy, lets make them happy.

REP. DEMICCO (21ST): Thank you Reverent Holloway. Thank you for that perspective. I’ll ask Committee members if they have any questions. Representative Gucker.

REP. GUCKER (138TH): Just want to say you did fine. I also have dyslexia so I understand the difficulties that it takes, but I want to thank you for your activism and showing up. Thank you.

REP. DEMICCO (21ST): Thank you, Representative. Representative Reyes.

REP. REYES (75th): Thank you, Mr. Chair. Reverend, good evening. Thank you very much for your patience. I know we’ve been following each other back and forth from different Committees but I do appreciate you coming here before this Committee and testifying on behalf of the seniors and the elderly.
But I also would be remiss if I didn’t assure you that there are plenty of people here that have thoroughly vetted these Bills and really have not overlooked anybody, they really haven’t. And this is why we have the conversations. But I really do appreciate you coming here to testify tonight.

REV. HOLLOWAY: What I, the only reason why I came cause we gave a lady a dog and I think one of my friends every year she gets dogs and she’s like I have to give this dog away and we gave her a dog and we gave her a cat. And we notice that they came alive, that they were, we went to go visit the dog. The dog didn’t know who we were anymore and neither did the cat but we looked at the lady, that sparkled that was dimming her eye wasn’t there anymore, it was bright. “I got to take care of my cat”, your cat goes walking, yes I take my cat walking, whatever. But it gave them life and that is just my concern and then you have therapeutic dogs that a lot of parents can’t get their kids to come outside like my daughter has a brain disorder but she will come outside for the neighbor’s dog. She would not come outside for nothing else but to get her to walk, got her a dog. Now if you tax me on that she’ll have to give that dog back, guess what, I wouldn’t have the money to do it, I just don’t. So it’s like a Catch-22. If we don’t do this, but I also think that you find something else to do than those things right there. Because when you hurt people and you take away things that bring them life, they die and that’s what I don’t want.

REP. REYES (75th): Well I certainly appreciate you testimony here tonight. Thank you, Mr. Chair.
REP. DEMICCO (21ST): Thank you, Representative. Anybody have any questions for the Reverend? No, thank you very much. Appreciate your testimony.

REV. HOLLOWAY: I don’t envy you guys. Thank you for your service and all that you do.

REP. DEMICCO (21ST): Thank you. So the next person, I don’t believe she is here any longer, Jean Mucchi, I don’t think she is around. Okay so at this point I will ask if there is anybody else who has not signed up who wants to testify? I guess that would be Ms. Basile. You did sign up? So first of all you need to state your name and then, here we go.

JO-ANNE BASILE: I am. Committee Chairs, Members of the Environment Committee for the record my name is Joanne Basile, I am the Executive Director of Connecticut Votes for Animals and I am here to tell you today that CVA is opposed to House Bill 7297 as drafted.

CVA has long been concerned that Connecticut’s dangerous dog law is woefully out of date. It is why CVA and other animal welfare organizations aggressively sought to be a part of finding a solution that was fair, humane and reflective of 21st Century animal control policies. We were involved with last year’s legislation to establish a task force on dog bites and we sought participation in this fall’s Department of Agriculture working group.

As many of you may know our request to join the conversation was turned down. While we believe the Bill does not offer a standard that CVA can support, I want to commend the working group members for specifically recognizing need for change and CVA
does specifically support the change to the rabies quarantine from 14 to 10 days and we also believe the idea to have criteria that is relevant in dangerous dog investigations and its proposal for local mediation is worthy of further discussion.

CVA’s concern, however, is that the bill does nothing to address the State’s lack of due process protections in these dangerous animal cases. The requirement that the ACO makes a disposal order or restraint order at the outset is contrary to our judicial principles of innocent till found guilty. The Department of Agriculture’s attorney this afternoon said that the burden is on the town, I don’t have the numbers but I understand the Department’s overturning a decision is a rate event. This because the process lacks an impartial third party to hear the case and obviously diminishes the likelihood of a fair outcome. There are a number of high profile cases around the state and those that have bucked the system have done so at a great financial cost because they have had to go out and hire attorneys. While HB 7297 tries to delineate criteria for judgement, the lack of specifics means animal control decisions remain highly subjective offering little improvement to current law. CVA believes that Sections of the Bill as noted above are moving the process in the right direction however the Bill still needs work to make Connecticut’s law more in line with current Best Practices and to ensure a fair safe process for all parties concerned.

REP. DEMICCO (21ST): Thank you, Jo-Anne and you submitted your written testimony?

JO-ANNE BASILE: I did.
REP. DEMICCO (21ST): You did, okay I will make sure to look for it. Thank you, I guess Representative Michel is going to close out the night for us. [Laughter] Here we go!

REP. MICHEL (146TH): Thank you, Mr. Chair. Jo-Anne you mentioned something about the licensing of cats, can you please elaborate on this, I know a little bit about this but what the risk with licensing cats.

JO-ANNE BASILE: The risk is and there is actually testimony that has been submitted by Susan Linker from Our Companions. The concern has to do with both community cats, those are the feral cats as well as the fact that it is just not a very efficient process and what happens is, is that you end up penalizing people. The cat’s are brought in because they have not been licensed, they end up in shelters or municipal pounds and then they get euthanized at very high rates. They found that actually in other places where this has been attempted it just isn’t worth it, right.

REP. MICHEL (146TH): Thank you, Jo-Anne. That was it! Thank you, Mr. Chair and the rest of the Committee.

REP. DEMICCO (21ST): Thank you, Representative. Does anybody have any further questions for Ms. Basile? No further questions. Okay.

JO-ANNE BASILLE: I’d only like to say that we do actually have some suggested solutions for the problem along with 7297.

REP. DEMICCO (21ST): That’s why I asked you. Do you have those suggestions in your testimony?
JO-ANNE BASILLE: Oh, in the testimony, no, no, no I don’t. I mean frankly what we would recommend is that you move forward with the rabies, changes to the rabies vaccination and then on the other issues you hold back and actually convene, I can’t believe I’m actually saying this, a working group, one that is in fact, has experts sitting at the table who in fact can bring to bear effective successful models that are happening around the country. You know, our neighboring states of New York and New Jersey actually have very effective dangerous dog laws so it would be something to certainly consider.

Our concern is that what has happened in the Bill as it’s drafted is that it makes just very minor changes and it perpetuates a bad, kind of situation that isn’t workable and is antiquated in it’s approach.

REP. DEMICCO (21ST): Well I look forward to your suggestions. I’m sure we will talk about this further but thank you. So with that, Any other questions for Ms. Basile. No, okay. So thank you. Again one last time anyone else? I don’t see anyone else here who wants to testify, so I think we are going to, I know we are going to declare this Public Hearing to be adjourned. Thank you all, very much.