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

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

Section 1. (NEW) (Effective from passage) (a) For purposes of this section:

   (1) "Packaging" means any material, substance or object that is used to protect, contain or transport any commercial commodity or product regardless of the recyclability or availability of a market for such recycled material, substance or object;

   (2) "Paper" means any kind of paper that contains print, except paper that, by virtue of its intended use, could become unsafe or unsanitary to recycle;

   (3) "Producer" means any person who: (A) Manufactures packaging or paper for use in a commercial enterprise and who sells, offers for sale or distributes packaging or paper in the state under the manufacturer's own brand, (B) is not a manufacturer of packaging or paper but who is the owner or licensee of a trademark under which such packaging or paper is used in a commercial enterprise, sold, offered for sale or distributed in the state, regardless of whether the trademark is registered, or (C) imports packaging or paper into the state for use in a commercial enterprise or for sale, offer for sale or distribution in the state; and

   (4) "Small producer" means any producer who: (A) Is a charitable,
tax-exempt organization, (B) had a gross revenue for the most recent
calendar year of less than one million dollars in the state, (C) produced
in the most recent calendar year less than one ton of packaging or
paper that was or will be used in a commercial enterprise or that was
or will be sold, offered for sale or distributed in the state.

(b) (1) On or before December 31, 2020, each producer, except a
small producer, or such producer's designee, shall, working in
consultation with the Department of Energy and Environmental
Protection, submit to the joint standing committee of the General
Assembly having cognizance of matters relating to the environment
and to the department a plan to increase the recycling of such
producer's products, decrease the disposal of such products and
decrease the costs to municipalities for the end-of-life management of
such products. Such plan shall be designed to avoid any negative
economic impacts to the state's waste haulers and recycling businesses
and shall provide details on the financing of any proposed programs
for end-of-life management for packaging and paper.

(2) Any plan submitted pursuant to this section shall identify each
producer participating in the program, the manner in which
participating producers will evaluate the effectiveness, implementation
and enforcement of the plan, a description of all financial aspects of
any proposed program, including how the program will be financed, a
description of the performance goals of any proposed program and
how such goals will be met in the first two years of such program, the
proposed recycling and processing facilities to be used by the program
and how the plan will advance the goals of the state's solid waste
management plan adopted in accordance with section 22a-228 of the
general statutes.

(c) On or before July 31, 2020, the Commissioner of Energy and
Environmental Protection shall submit an interim report, in accordance
with section 11-4a of the general statutes, to the joint standing
committee of the General Assembly having cognizance of matters
related to the environment concerning the progress of planning efforts
undertaken by the producers pursuant to subsection (b) of this section.

(d) On or before March 1, 2021, the commissioner may submit a recommendation to the clerks of the House of Representatives and the Senate to approve the plan or plans submitted by producers. If the General Assembly does not reject such recommendation by a simple majority vote in each chamber on or before June 30, 2021, such recommendation shall be deemed approved, and the commissioner shall work with producers to implement any recommended plan.

(e) In the event that a small producer operates under a franchise agreement, the small producer, the franchisor or any other party with whom the franchisor has a franchise agreement in relation to the same packaging or paper product shall be deemed to be a single producer for the purposes of this section.

Sec. 2. Subsection (f) of section 22a-220 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(f) On and after January 1, 1991, each municipality shall, consistent with the requirements of section 22a-241b, make provisions for the separation, collection, processing and marketing of items generated within its boundaries as solid waste and designated for recycling by the commissioner pursuant to subsection (a) of section 22a-241b. It shall be the goal to recycle twenty-five per cent of the solid waste generated in each municipality provided it shall be the goal to reduce the weight of such waste by January 1, 2000, by an additional fifteen per cent by source reduction as determined by reference to the state-wide solid waste management plan established in 1991, or by recycling such additional percentage of waste generated, or both. For planning purposes, it shall be the goal of each municipality to dispose annually of not more than seven hundred pounds per capita from residential sources of municipal solid waste by January 1, 2022, and not more than five hundred pounds per capita from such sources by January 1, 2024. The failure to meet such per capita goals shall not provide a basis for the commissioner to issue an order pursuant to this chapter. The
provisions of this subsection shall not be construed to require
municipalities to enforce reduction in the quantity of solid waste. On
or before January 1, 1991, each municipality shall: (1) Adopt an
ordinance or other enforceable legal instrument setting forth measures
to assure the compliance of persons within its boundaries with the
requirements of subsection (c) of section 22a-241b and to assure
compliance of collectors with the requirements of subsection (a) of
section 22a-220c, and (2) provide the Commissioner of Energy and
Environmental Protection with the name, address and telephone
number of a person to receive information and respond to questions
regarding recycling from the department on behalf of the municipality.
The municipality shall notify the commissioner within thirty days of
its designation of a new representative to undertake such
responsibilities. A municipality may by ordinance or other enforceable
legal instrument provide for and require the separation and recycling
of other items in addition to those designated pursuant to subsection
(a) of section 22a-241b.

Sec. 3. Subsection (j) of section 22a-220a of the general statutes is
repealed and the following is substituted in lieu thereof (Effective from
passage):

(j) If a collector hauls solid waste generated in this state, including
recyclables as listed in subsection (c) of section 22a-208e [from an
entity located in the state other than a facility that has obtained a
permit or authorization pursuant to this chapter and delivers such
solid waste or recyclables to a destination that is an entity other than a
facility that has obtained a permit or authorization pursuant to this
chapter,] then on or before [July 31, 2011] October 1, 2019, and
annually thereafter, such collector shall submit a report regarding such
solid waste, including recyclables, to the Commissioner of Energy and
Environmental Protection. Such report shall be on a form prescribed
by the commissioner and shall provide such information regarding
such solid waste as the commissioner deems necessary, including, but
not limited to: (1) The types of solid waste, including recyclables,
collected, (2) for municipal solid waste, the municipality of origin of
such municipal solid waste including recyclables, (3) the amount by weight, volume or other method acceptable to the commissioner of such solid waste, including recyclables, [delivered to such destination,] and (4) the name, address and contact information of the entity receiving such solid waste or recyclables.

Sec. 4. (NEW) (Effective from passage) The Department of Energy and Environmental Protection shall, within available resources, provide technical assistance to municipalities for organics management, waste reduction and improvements to recycling systems.

| This act shall take effect as follows and shall amend the following sections: |
|-----------------|----------------|----------------|
| Section 1       | from passage   | New section   |
| Sec. 2          | from passage   | 22a-220(f)    |
| Sec. 3          | from passage   | 22a-220a(j)   |
| Sec. 4          | from passage   | New section   |