
OLR Bill Analysis

sSB 1143

AN ACT CONCERNING SOLID WASTE MANAGEMENT THROUGHOUT THE STATE.

SUMMARY

This bill requires (1) any proposed revision to the statewide solid waste management plan or Comprehensive Materials Management Strategy to be submitted to the Environment Committee for review and approval and (2) the committee to hold a public hearing on the revision within 15 days after its submission (§ 1). It establishes a process by which a proposed revision that the committee rejects may be subsequently approved by the General Assembly.

The bill also requires the Department of Energy and Environmental Protection (DEEP) commissioner to (1) issue a request for information (RFI) on certain solid waste processing systems by October 1, 2023, and (2) report to the Environment Committee by February 1, 2024, her recommendations for issuing a request for proposals (RFP) on these systems (§ 3).

Lastly, the bill explicitly allows dealers (e.g., retailers) to have recycling receptacles at their place of business to collect beverage containers rejected by a reverse vending machine (RVM) that the dealer installed and maintains. An RVM is an automated machine that accepts empty beverage containers and dispenses in return cash or credit slips as part of the state's beverage container redemption law ("bottle bill") (Conn. Agencies Regs., § 22a-245-2) (§ 2).

EFFECTIVE DATE: Upon passage, except the RVM provision is effective July 1, 2023.

LEGISLATIVE REVIEW OF SOLID WASTE MANAGEMENT PLAN & MATERIALS MANAGEMENT STRATEGY

The bill requires the DEEP commissioner to submit any proposed revision to the statewide solid waste management plan (SWMP) or Comprehensive Materials Management Strategy (CMMS) to the Environment Committee for approval before implementing it (see BACKGROUND). Currently, the DEEP commissioner approves changes to the plan and strategy after a process for public hearing and comment (CGS § 22a-228, Conn. Agencies Regs., § 22a-228-1, and CGS § 22a-241a).

The bill (1) requires the Environment Committee to hold a public hearing on the proposed revision within 15 days after receiving it and (2) allows the committee to hold a meeting within 30 days after receiving the revision to approve, reject, or amend it.

If the committee rejects the proposal, the bill allows the commissioner to file it with the House and Senate clerks for consideration, by resolution, by the General Assembly. During its legislative session, the General Assembly must vote to approve or reject the proposed revision within 30 days after its filing. If the legislature is not in session when the proposed revision is filed, then it must be submitted to the General Assembly within 10 days after (1) the first day of the next regular session or (2) special session is called for voting on the revision. The bill also deems rejected a proposed revision that the General Assembly does not vote on within 30 days after its filing (presumably, this time period begins after the clerks submit the proposed revision to the legislature).

SOLID WASTE PROCESSING RFI

RFI Request

Under the bill, the DEEP commissioner must issue an RFI for information on systems to process solid waste generated in the state that is not otherwise diverted from the solid waste stream as provided in the SWMP and CMMS. She must do this by October 1, 2023.

The bill specifically requires the RFI to seek information on gasification systems that convert solid waste into gas through a chemical reaction, but do not involve burning. However, it prohibits the RFI from seeking information on systems that provide for (1) solid waste

incineration or combustion or (2) landfilling.

DEEP must receive information provided under the RFI by November 15, 2023, and any related presentation must be made to the commissioner by January 15, 2024.

Report

The bill requires the commissioner, by February 1, 2024, to submit a report to the Environment Committee with recommendations for issuing an RFP on these solid waste systems. The report must be based on her review of all information received as part of the RFI process and the following additional considerations on these systems:

1. potential environmental impacts to the state’s air, water, and soil;
2. consistency with the state’s greenhouse gas (GHG) emissions goals;
3. potential municipal costs to process solid waste in the state;
4. effectiveness at processing all solid waste in the state that is not diverted from the solid waste stream;
5. ability to convert existing state-owned or -operated facilities (a) without a state subsidy for the conversion and (b) while substantially decreasing any environmental or public health impacts of a converted facility to an environmental justice community; and
6. the reasonable likelihood of siting one or more facilities that use the systems in a community that is not an environmental justice community (the bill does not define this term but, presumably, it refers to the areas subject to the state’s environmental justice law, CGS § 22a-20a).

BACKGROUND

Related Bill

sSB 1172 (File 396), favorably reported by the Energy and Technology Committee, requires the DEEP commissioner to update the SWMP by

January 1, 2024, to include provisions (1) incorporating the findings and recommendations of a 2022 Public Utilities Regulatory Authority report on waste-to-energy facilities and (2) on planning and policy recommendations for these facilities (e.g., incentives).

SWMP & CMMS

By law, the DEEP commissioner must develop and adopt a SWMP to guide how the state handles solid waste reduction, reuse, recycling, and disposal. The CMMS is the 2016 update to the SWMP to help the state meet its statutory goal of diverting 60% of materials from disposal by 2024. It addresses things like modernizing solid waste infrastructure, managing organic material, construction and demolition debris, and developing municipal or regional recycling programs.

Set in law, the order of priority for managing solid waste in Connecticut favors source reduction and reuse. Then in hierarchical order, it prioritizes recycling and composting, then energy recovery, and lastly, landfilling.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 33 Nay 0 (03/24/2023)