

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-6606

AN ACT CONCERNING THE USE OF CERTAIN PRODUCTS MADE FROM

Title: POLYSTYRENE.

Vote Date: 3/3/2023

Vote Action: Joint Favorable Substitute

PH Date: 2/15/2023

File No.:

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SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

To eliminate the use of single use non recycled polystyrene containers and replace them with recyclable containers for less impact to the environment.

JFS Language:

In section 2 added chronic disease to the type of hospital that is exempt.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Department of Energy and Environment Protection:

Commissioner Dykes testified in support of the concepts. With the closure of the Materials Innovation and Recycling Authority in July 2022 Connecticut now has a shortfall in disposal capacity. Polystyrene lunch trays and take out containers cannot be recycled within the state's existing infrastructure, and we estimate that in 2021 Connecticut disposed of 10,843 tons of food grade polystyrene. There are many available products that could be substituted and are readily recyclable.

Manisha Juthani, MD, Commissioner, Connecticut Department of Public Health:

Commissioner Juthani submitted testimony acknowledging the potential health impacts of polystyrene containers. The discontinued use reduces demand on the containers that use fossil fuels to produce. The production releases greenhouse gases, chemical byproducts, hydrocarbons causing respiratory illness and distress.

NATURE AND SOURCES OF SUPPORT:

Philip Brencher, Sound School:

Mr. Brencher testified as a resident of Branford he has seen how polystyrene attracts and holds toxins that when released is ingested by marine life. There are alternatives like natural packaging or reusable containers.

Katie Digianantonio, Chairman, Sustainable Essex:

Ms. Digianantonio submitted testimony that 9% of the waste picked up is Expanded Polystyrene. There are sustainable alternatives for schools. Included were links to the destruction these items have on our environment. www.vox.com/energy-and-environment/21495/oil-gas-price-plastic-peak-climate-change.

Emma Hersom, Chapter Chair, ConnPIRG, Trinity College:

ConnPIRG testified that with this bill helps our progress towards a zero-waste society. We need to move long term beyond plastic and not just recycling and reuse plastic. We need to stop creating unnecessary and harmful waste.

Brianna Jackson, Trumbull Sustainable Youth:

Ms. Jackson a junior at Trumbull High School testified how repulsive she was by the Styrofoam containers used at her school and there are other products available. Students are ingesting cancer-causing chemicals every day.

Mari Jackson, Sustainable Trumbull:

Ms. Jackson testified that as a member of the town of Trumbull's Sustainable Team and the ReThink Disposal Ct. group. As a mother in the Trumbull public school system the kids report the absurdity of fully wrapped food being placed on a single-use polystyrene tray. No action related to purchasing reusable trays will occur until mandated by the state. With out legislation waste will continue even with alternative solutions.

Elizabeth Raisbeck, Co-Chair Gorton Conservation Advocates:

Ms. Raisbeck testified that as a non-profit citizens organization we support this bill. The entire school system in Groton has already given up Styrofoam trays effectively July 2021. There have been no complaints and compliance are very high and the taxpayers of Groton have absorbed the additional cost. We do not believe that hospitals and care centers should be exempt.

Kim O'Rourke, Recycling Coordinator, City of Middletown:

Ms. O'Rourke voiced her support to expanding polystyrene trays and containers not being accepted into the Connecticut recycling program. The city of Middletown switched from expanded polystyrene trays and we avoid any use of this material.

Virginia Walton, Recycling Coordinator, Town of Mansfield:

Ms. Walton submitted testimony on how the bill will impact schools and zero waste. Mansfield schools are working towards zero waste with various strategies including single use items. For schools not yet making the switch funds are available for the initial investment of washable safe food service ware. The center for Environmental Health is a useful guide

Jeannie Behr Getz, BYOTC:

Ms. Behr Getz testified in support, but BYOTC would like this amendment to strengthen the bill:

Line 5, Section 1. Strengthen with – unit, as applicable, of all non-essential disposal trays, cups, bowls, lids, sleeves, utensils, plates and hinged or lidded containers (clamshells) made from expanded polystyrene and straws made from petroleum or bio-based plastics. Me

Lines 73-75, Section 2 subsection 5(h). Strengthen with – The provisions of subsection (b) of this section shall apply to any patient care unit in a hospital and rehabilitation facility.

Megan Armstrong, Ledyard, Connecticut:

Ms. Armstrong supports the proposed bill believing it will better school communities by forcing a change in lunch trays and limiting the use of certain restaurant containers. I became interested in recycling thru my mom and in the research for a sixth-grade project. I have since made subtle changes to reduce my plastic footprint.

Alicea Charmut, Executive Director, River Alliance of Connecticut:

Ms. Charmut testified that single use polystyrene is a serious threat to our waters and aquatic environment. School-aged children. Teenagers and college students are more aware of the need to discontinue the use than most adults. Connecticut is experiencing a solid waste management crisis with municipalities struggling to pay for the cost of their solid waste programs. Mandating a discontinuation of these will reduce the bulk of solid waste.

Lori Brown, Executive Director, Connecticut League of Conservation Voters:

Ms. Brown testified that recycling facilities have found that polystyrene is a challenge and there is not a single recycling facility that will accept them. There are biodegradable alternatives and ecologically friendly choices available including starch, bamboo and other biodegradable materials. For more information you may follow the link CTLCV's Briefing Paper.

Julie DesChamps, Waste Free Greenwich:

Ms. DesChamps testified on behalf of Waste Free Greenwich on the Public Health, Environmental Justice and Environment waste this product produces. They also suggested the same amendment that BYOTC submitted.

Patrick Comins, Executive Director, The Connecticut Audubon Society:

Mr. Comins testified on how polystyrene fragments are ingested by wildlife causing starvation and or poisoning. There are alternatives to polystyrene for lunch trays, takeout cups and food containers. Some responsible businesses have already adopted these containers. Eight states already have laws in place restricting polystyrene.

Testimony was submitted in support by:

William Lucey, Long Island Soundkeeper
Amy Patterson Blaymore, Ct. Land Conservation Council
Anne Hulick, Clean Water Action
Annie Hornish, Humane Society of the U.S.
Bob Wall, Sustainable Fairfield Task Force
Ann Gadway, Sierra Club Connecticut
Susan Eastwood. Ashford Clean Energy Task Force

And over 43 others

NATURE AND SOURCES OF OPPOSITION:

Scott Dolch, President & CEO, Connecticut Restaurant Association:

Mr. Dolch testified on behalf of Connecticut's 8,600 restaurants and food services that this legislation would have a negative impact that singles out restaurants, catering and foodservice industry that rely heavily on takeout. A majority of restaurants have already made the transition to more environmentally friendly to-go containers.

Danielle Fortunato, Regional Director, Plastic Industry Association:

Ms. Fortunato testified her concerns as the only trade association that represents the entire supply chain of manufacturer of all plastic products and packaging. We cannot fix recycling overnight but there is an incredible number of resources to increase recycling.

Steven Lake, Plant Manager, Americas Styrenics:

As the plant manager of the only leading manufacturer of polystyrene we are also pioneers in its recycling. Our plant started back in 2013 with the first full production of circular polystyrene. Since 2014 we have recycled more than 20 million pounds and have expansion plans to increase our recycling capacity. The best path forward is not plastic prohibition but recycling.

Carol Patterson, Vice President, Foodservice Packaging Institute:

Ms. Patterson submitted testimony from Foodservice Packaging Institute the leading authority on foodservice packaging in North America. FPI's policies and programs support more recycling and or composting packaging however we oppose restrictions that limit the use of any foodservice packaging. A free-market approach allows restaurants and other establishments to determine the most effective product for their business model.

Erin Perpetua, President, School Nutrition Association of Connecticut:

Ms. Perpetua gave testimony on the impact that prohibiting Styrofoam trays will have on school food service programs. The past few years have been challenging from remote meal service, meals at no charge and back to paid meals and now we will be changing back to school meals for all. Many districts have made the transition away from Styrofoam trays but of the districts that have not transition many intend to do so in the next few years. Reusable trays are expensive, need stations for washing and require storage or utility spaces.

AnnMarie Treglia: Global Director, Dart Container Corporation:

Ms. Treglia submitted testimony on behalf of Dart. In 1990 Dart pioneered recycling of foodservice packaging and shape molded EPS. Dart has contributed grants and innovative devices to capture debris in the Great Lakes. There has been much misinformation regarding EPS and Litter, and we have included some facts for your information.

Reported by: Pamela Bianca

Date: March 8, 2023