

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-177—sSB 1143 (VETOED)

Environment Committee

**AN ACT CONCERNING SOLID WASTE MANAGEMENT
THROUGHOUT THE STATE**

SUMMARY: This act would have required (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 would have established a process by which a proposed revision rejected by the committee could be subsequently approved by the General Assembly.

The act also would have required 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 act would have explicitly allowed 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”) (§ 2).

EFFECTIVE DATE: Upon passage, except the RVM provision would have taken effect July 1, 2023.

**LEGISLATIVE REVIEW OF SOLID WASTE MANAGEMENT PLAN &
MATERIALS MANAGEMENT STRATEGY**

The act would have required 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 after a process for public hearing and comment; the law provides a somewhat similar process for a revision to the CMMS (CGS § 22a-228, Conn. Agencies Regs., § 22a-228-1, and CGS § 22a-241a).

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

If the committee rejected the proposal, the act would have allowed the commissioner to file it with the House and Senate clerks for consideration, by

OLR PUBLIC ACT SUMMARY

resolution, by the General Assembly. During its legislative session, the General Assembly would need to vote to approve or reject the proposed revision within 30 days after its filing. If the legislature was not in session when the proposed revision was filed, then the revision would have had to be submitted to the General Assembly within 10 days after the first day of the (1) next regular session or (2) special session called for voting on the revision. And if the General Assembly did not vote on a proposed revision within 30 days after its filing, the act would have deemed it as rejected.

SOLID WASTE PROCESSING RFI

RFI Request

Under the act, the DEEP commissioner would have been required to 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 had to do this by October 1, 2023.

The act specifically would have required 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 would have prohibited the RFI from seeking information on systems that involve (1) solid waste incineration or combustion or (2) landfilling.

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

Report

The act would have required 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 had to 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 act does not define this term but, presumably, it refers to the areas subject to the state's environmental justice law, CGS § 22a-20a).

OLR PUBLIC ACT SUMMARY

BACKGROUND

Related Act

PA 23-170 has similar provisions regarding (1) legislative review of proposed revisions to the SWMP and CMMS and (2) DEEP's RFI on solid waste processing systems (§§ 17 & 18).

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. Then in hierarchical order, it prioritizes recycling and composting, then energy recovery, and lastly, landfilling.