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Mayor

Environment Committee

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Testimony

Senator Lopes, Representative Gresko, Senator Harding, Representative Callahan, and honorable members of the Environment Committee, thank you for the opportunity to provide testimony on:

HB 6664 – An Act Managing Waste and Creating a Waste Authority

I applaud Governor Lamont and the Environment Committee for raising HB 6664, which seeks to transform the state’s solid waste infrastructure, while also saving towns and taxpayers money and furthering the state’s commitment to our deeply held environmental principles. This bill charts a new course and direction for solid waste infrastructure going forward, while also making an important commitment to responsible end-of-life remediation for the recently closed waste incineration site in Hartford’s South Meadows.

Reducing Packaging Material in our Waste Stream

The closure of the Materials Innovation and Recycling Authority (MIRA) facility in Hartford has presented the state with an opportunity to reimagine the way its solid waste is managed. First, this bill establishes an Extended Producer Responsibility (EPR) program for packaging and paper products in Connecticut. This policy approach shifts financial responsibility for post-consumer management of packaging from local governments and taxpayers to producers. EPR laws have been successfully operating for more than three decades across Europe and Canada. Maine, Oregon, Colorado, and California have also successfully enacted EPR laws while numerous other states are considering similar legislation this year.

Currently, municipalities and taxpayers are responsible for the cost of recycling and must bear the financial risk of volatile material recovery markets for plastic, metal and paper. Under this program, producers will have responsibility for the waste materials generated from their products. They will also be incentivized to use more sustainable materials, which would greatly benefit the environment. Producers will have an incentive to lower their overall costs by using nontoxic, reusable, recyclable packaging, as lower fees will be assessed on these materials.

Arguments in opposition to EPR programs often claim that they could result in price increases for consumer goods, yet there is no evidence to support such a claim. A study conducted by Resource Recycling Systems analyzed prices after EPR legislation was passed in Canada and found no evidence of significant price increases for everyday items between provinces with and without EPR packaging laws. Furthermore, the Extended Producer Responsibility Alliance in Europe reports that producers found no noticeable increases in costs to consumers in markets where EPR programs have been in existence for thirty-five years.

In fact, in the absence of an EPR packaging program, consumers actually must pay for packaging expenses multiple times over. First, they must pay for the packaging included in the initial cost of a product, and second, they must pay for the collection and recycling or disposal of all packaging through municipal taxes or other waste collection fees. The Department of Energy and Environmental Protection (DEEP) estimates that EPR for packaging materials will actually save taxpayers an estimated \$50 million in recycling expenses when the program proposed in this bill is fully implemented in 2028.

In 2020, the recycling rate was less than thirty percent in Connecticut. This is a stark contrast to countries that have existing EPR programs, where recycling rates are as high as eighty percent. The establishment of an Extended Producer Responsibility program for packaging and paper products is a commonsense policy that will benefit all for years to come.

Improved Processing of Organic Waste

Sections 4 to 7 of this legislation represent important proposals for improved handling of organic and food scraps waste. They would allow municipalities to make provisions to contract separately for collection and delivery of food scraps or other organic material to dedicated facilities for processing and use of such material. They also direct municipalities and haulers to begin providing source-separated food scraps collection within five years, by 2028 (participation by individuals would be voluntary). Relatedly, they also recognize transfer stations as collection points for source-separated organic materials, and direct large institutions such as hospitals, entertainment venues, educational facilities, and correctional facilities to source-separate food scraps for recycling if they generate over half a ton per week and are located within 20 miles of a suitable collection facility.

Diverting more food scrap and organic waste from the rest of our solid waste stream will yield a whole host of benefits. The high water content of such waste make it inefficient and expensive to incinerate or transport long distances. Once separated, organic waste can easily be converted into a variety of useful byproducts, including animal feed, polymers, compost, natural gas and electricity. Dedicated processing of organic waste will lessen human impact on the environment while simultaneously opening up new and promising areas of economic opportunity.

Winding Down MIRA & Incineration Plant Remediation

The second half of this bill, from Section 10 onward, reorganizes the current Materials Innovation and Recycling Authority (MIRA) by creating the Connecticut Waste Authority as its successor. As mayor of the host community for MIRA's largest facility site, the recently closed Mid-Connecticut Project waste-to-energy incineration plant, I wholeheartedly welcome these proposals.

For over 75 years, the people of Hartford have made environmental, financial and land use sacrifices for the sake of the solid waste disposal needs of all the towns of Central Connecticut. A landfill in Harford's North Meadows has permanently despoiled 96 acres of riverfront property, while a further 83 riverfront acres of the South Meadows remains home to the now shuttered and highly polluted MIRA incineration plant site. Moreover, during more than three decades of incineration operations, the high-density and majority minority population of Hartford has also been exposed to the air pollution and particulate emissions flowing out of the plant daily—all in addition to the vehicular emissions of two interstate highways which crisscross the city in all four cardinal directions.

Although MIRA's predecessor organization, the Connecticut Resources Recovery Authority (CRRA) considered a \$20 million site remediation plan in 2013 that would have razed all structures on the site to the ground, MIRA is currently pursuing a bare-minimum \$3.3 million mothballing of the plant that will leave substantial remediation work not only incomplete but not even properly studied or scoped. For example, under MIRA's current plans, all plant structures will remain standing for an indefinite period, and soil remediation beneath or nearby these structures them has never been studied or planned for.

I would be remiss not also to mention the economic costs that the MIRA plant has imposed upon our city. To say nothing of the lost opportunity cost that alternative development might have brought to the plant site, the MIRA plant is also exempt from property taxation. Our City Assessor estimates that, if privately owned and operated, the plant would have owed \$4.7 million in real estate and personal property taxes this year alone. Over the last few years, MIRA has made a voluntary payment in lieu of taxes to the City of just \$1.5 million, although this amount has been reduced to zero in the FY 2024 budget adopted by MIRA just

this month and it's continued funding is uncertain. The State of Connecticut does not and has never factored the MIRA plant site into its calculations for PILOT payments to Hartford.

In recognition of Hartford's many years of environmental, air quality, and economic sacrifices for the sake of regionwide needs, there must be a serious and comprehensive effort to clean up the MIRA incineration plant site and open it up to redevelopment opportunities that are informed by extensive local community feedback and input. This is a fundamental issue of environmental justice.

Although a comprehensive environmental and remediation analysis of the entire incineration site has never been performed, meaningful resources with which to conduct such an analysis and to begin the corresponding cleanup work are already in hand. Over the years, MIRA has accumulated substantial cash reserves of approximately \$54.5 million, which can and should be wholly dedicated to fulfilling MIRA's unmet obligations as an environmentally responsible public entity, i.e., to incineration site remediation.

Yet these substantial cash reserves are currently at risk. The funds are being actively depleted by MIRA, which is on pace to expend \$26.5 million of its reserves between FY 2023 and FY 2027 on above-market tip fee subsidies that serve no discernable public purpose. As the incineration plant was poised for shutdown in 2022, twenty-eight MIRA member towns, including Hartford, terminated their MIRA membership for solid waste services in favor of lower-cost private market options. With its incineration plant closed, MIRA now operates solely as a middleman service provider, outsourcing its waste to the limited remaining incineration capacity at other plant in Connecticut, or, much more frequently, arranging for its customers waste to be trucked to out-of-state landfills.

The private market can and does perform all these services with greater efficiency. For example, the City of Hartford has a private market contract to meet all its solid waste needs at a rate of \$106 per ton in FY 2024, which contrasts with MIRA's planned above-market subsidized rate of \$116 in FY 2024. Not all towns possess the same geographic and buying power as city like Hartford, yet nonetheless 27 other towns, of all sizes, have already found better deals elsewhere. Despite repeated requests of the MIRA to produce RFPs or hard quotes of market prices higher than their subsidized rates, a need for subsidization has never been documented. The time has come to stop relying on MIRA service as a default option, and to secure lower cost service for all municipalities that does not squander greatly needed reserve resources.

Critically, Section 13 of the bill would require that the Authority's reserves be used for the remediation of the incineration plant site. We should not miss the opportunity to use public resources already in hand to address the unmet needs and obligations at the plant site.

Further provisions of this bill specify the Connecticut Waste Authority's core duties as remediating and redeveloping the incineration plant site, operating the current MIRA transfer stations until alternatives are identified, and winding down of MIRA's current operations, including the marketing and sale of real and personal property. Of course, all actions of the new Authority must be consistent with the statewide solid waste management plan.

Taken as a whole, this legislation represents a paradigm shift in Connecticut's approach to solid waste management. By reducing packaging in our waste stream, diverting more organics for dedicated processing, and facing up squarely to our collective responsibilities at the legacy incineration plant site, we can move our entire solid waste system toward a more economically and environmentally responsible future.

Thank you for the opportunity to provide testimony on these important issues. I will be happy to answer any questions you may have.