

Connecticut Equity and Environmental Justice Advisory Council (CEEJAC)

Wednesday, December 14, 2022

Moment of silence for passing of Reverend Stanley Lorde

Mark Mitchell: cochair of CEEJAC alongside DEEP Commissioner Katie Dykes

Katie Dykes (DEEP):

Federal environmental justice initiatives

- Environmental Justice interagency council
- Justice 40 initiative
- Federal climate and economic justice screening tool
- Environmental Justice score card – federal agency tracking Environmental Justice initiatives

State level environmental justice initiatives

- CEEJAC
- Environmental Justice program started in 1993
- First Environmental Justice law enacted in 2009
- Developing Environmental Justice screening tool with uconn

Mission of CEEJAC, read by Katie Dykes:

- Governor Lamont's Executive Order No. 21-3 establishes within DEEP the Connecticut Equity and Environmental Justice Advisory Council ("CEEJAC"). According to the Executive Order:
- "The purpose and mission of the CEEJAC is to advise the Commissioner of DEEP on current and historic environmental injustice, pollution reduction, energy equity, climate change mitigation and resiliency, health disparities, and racial inequity, including but not limited to the following:
- **A.** Integrating environmental justice considerations into the programs, policies, and activities of DEEP to improve the health and environment of Environmental Justice Communities, in key areas including, but not limited to:
 - o (1) rulemaking
 - o (2) permitting standards and processes
 - o (3) compliance and enforcement
 - o (4) science and data
 - o (5) equitable program delivery; providing mechanisms for Environmental Justice Communities to have a meaningful opportunity to participate in any decision; and
- **B.** Providing mechanisms for Environmental Justice Communities to have a meaningful opportunity to participate in any decision to allow in such communities' certain types of facilities which, by the nature of their activity, have the potential to increase environmental and public health stressors and where appropriate, to limit the further placement and expansion of such facilities in these communities.
- **C.** Developing a model plan for community engagement and stakeholder outreach centered around meaningful participation
- **D.** Strengthening DEEP's partnerships with other governmental agencies, other states, tribal, local governments, and community leaders and organizations regarding environmental justice issues.

- Many state agencies are participating in the CEEJAC

Waste Subcommittee Discussion

Extended Producer Responsibility Packaging presentation on Dec 5, 2022

- Report Out from Discussion – by Adrienne Houël (CEEJAC) and Tom Metzner (DEEP)
 - What is EPR?
 - Requires manufacturers to be responsible for end-of-life management of the products they put on the market
 - Connecticut currently has EPR guidelines enacted for: mattresses, paint, electronics, and gasoline cylinders
 - Why Have Packaging EPR?
 - Saves \$50 million in taxpayer dollars
 - Reduces Municipal Solid Waste up to 190,000 tons per year
 - How does Packaging EPR affect consumers/residents?
 - Will not affect method of recycling for residents
 - Curbside
 - Transfer station drop-off
 - Multifamily housing drop-off location
 - How will EPR program work?
 - Manufacturers submit a plan to DEEP for how to finance and be operate the program
 - Other Benefits
 - Limits need for new waste-to-energy capacity
 - Example: Materials Innovation and Recycling Authority (MIRA) System in Hartford opposed
 - Improves opportunities and funding for recycling education
 - Improves transparency in the recycling system
 - Tracking system to ensure how each product is handled
 - Addressing Concerns
 - Up-to-date studies show consumer price impacts are not caused by packing EPR program
 - [Economic impacts to consumers from extended producer responsibility \(EPR\) regulation in the consumer-packaged goods sector | Academic Commons \(columbia.edu\)](#)
 - Guardrails around chemical recycling
 - Discussion on Packaging EPR
 - Best outreach and engagement methods with the public for this program
- Questions from CEEJAC about EPR
 - Katie Dykes – context of why DEEP is presenting this program
 - This policy is important to DEEP because with the closure of MIRA facility in Hartford, the state of CT has lost the self-sufficiency to manage the waste that we generate

- Ct relied on waste energy facilities, which are disproportionately placed in EJ communities
 - 800,000 tons per year is being shipped to communities outside of CT to be buried in landfills
 - Is there a path for Connecticut to regain self-sufficiency and reduce the 800,000 tons per year?
 - Are there policies that Connecticut can advance that will help to expand recycling and increase diversion from the waste stream?
 - How can the state implement these policies in an equitable way?
 - Packaging EPR is a method we're eager to present for discussion
 - Could reduce waste by a significant amount of tonnage per year
 - Potential to implement programs, plus organic material diversion from waste facilities (processing food scraps into new materials)
 - Packaging EPR is not the only program to tackle this challenge, but it is a meaningful program
- Sharon Lewis (CEEJAC Executive Director)
 - Review the definition of recycling in the proposed bill
 - Incineration of waste products poses a significant threat to EJ communities
- Tom Metzner (DEEP)
 - DEEP needs to be clear that burning anything is not considered recycling
 - You can process plastics through chemical recycling
 - Clarification on turning plastic to fuel
 - If fuel is burned, that is not considered recycling
 - If fuel is converted to a new product, that is considered recycling
 - Post-consumer recycled content standards
 - Food grade plastics can only be met through current technology through chemical recycling processes
 - Learning from the experiences of states that are using chemical recycling
 - Not currently taking chemical recycling off the table until we find a feasible alternative
- Sharon Lewis (CEEJAC)
 - Is there a combustion process for turning plastic into fuel?
- Tom Metzner (DEEP)
 - There is a thermal process, not a combustion process
 - Some are thermal and some are gasification, not combustion
- Sharon Lewis (CEEJAC)
 - Some states have passed EPR bills, but that doesn't mean they are good EPR bills
- Mark Mitchell (CEEJAC)
 - Does this involve commercial recycling EPR where producers are responsible for the waste?

- Tom Metzner
 - Does not include commercial recycling at this point
 - Does not include anything at transfer station
 - Focus is on residential waste
 - Issues brought up in last discussion
 - Chemical recycling
 - Sense that we should stick with what we have now
 - Cost issue
 - Fear that implementing EPR, producers may pass that cost onto consumers
 - This has been widely discredited by empirical evidence
- Mark Mitchell
 - Urban areas, education is key
 - 1/3 of population moves every year in urban areas
 - Knowing how to recycle is important
 - Multi-family drop-off
 - Where is it working?
- Tom Metzner
 - Education
 - Education has been lacking in CT
 - In the plan, the producers must submit a comprehensive education plan
 - Needs assessment included
 - Advisory council created
 - Guides education
 - Guides all aspects of implementation of the plan
- Mark Mitchell
 - Will this bill be proposed this upcoming legislative session in 2023?
- Tom Metzner
 - Will be similar to the EPR Packaging bill proposed in 2022
 - Need to address language with chemical recycling
 - Strengthening the goals
 - Conversations with stakeholders to get feedback

Water Subcommittee Discussion

Combined Sewer Overflow (CSO) Challenges presentation on November 29

- Graham Stevens: Bureau chief of water protection and land reuse; Cochair of water subcommittee
- Report Out
 - What are CSOs?
 - Sewer and stormwater systems combine into one pipe for the outflow
 - Located in older urban communities
 - Bridgeport, Hartford, New Haven, Norwich, among others

- Issue with CSO
 - In present day, this is an issue when rain events cause overflow of sewage to waterways, from the combined stormwater and sewer outflow system
 - Caused by excess water in combined sewer-stormwater systems
 - Basically, a Combined Sewer Overflow is a release valve for stormwater and treated wastewater from sewage treatment systems
- Solution
 - Build new pipes
 - Challenges with sewer separation and removal of private inflows
 - Sewer Right-To-Know Act passed in 2013
 - Modified recently, two legislative sessions ago
 - When the operator knows of a discharge, who do they notify and when?
 - CT DEEP now has an online system which shows real-time updates of these discharge notifications
- Who is responsible for fixing the issue?
- Best way to engage with the community on plans to address CSOs and status of projects?

Feedback

- Cierra Patrick (CEEJAC)
 - The importance of rain gardens
 - Public works department initiating rain gardens and rain barrels on residential properties (small scale solution)
 - Indicators for potential leaks
- Sharon Lewis (CEEJAC)
 - MDC put back-flow valve in home 25 years ago
 - Back-flow valve failed recently, caused flooding of water with sewage (up to 5ft+)
 - Extracted 43,000 gallons of sewage (nine-hour process)
 - Total of 73,000 gallons of sewage water
 - Extraction cost is \$0.70 per gallon
 - Uninsured, \$50,000 - \$75,000 owed to the state for water extraction and cleanup
 - Replacement pipe from street to house: \$8,000
 - Dumpster cost
 - Valuable personal items—home appliances—lost
- Graham Stevens (DEEP)
 - Create campaign for education on back-flow prevention
- Sharon Lewis (CEEJAC)
 - Education needed on:
 - Sewage insurance
 - No valuables in rooms below street level
- Mark Lewis (CEEJAC)
 - Condominiums educate residents on
 - Sewage insurance
 - Maintenance of pipes from street

- No education provided on how to maintain the back-flow valves
 - Education should be a part of the water bill
 - Sharon Lewis
 - Eversource should have funds for emergency situations for people who lack the resources to prevent sewage backflow issues
 - Theresa Hopkins-Staten (Eversource)
 - How to maintain the valve?
 - What are indicators in advance of its failure that people can look for?
 - We cannot ask people to live this way
 - What does this insurance cost?
 - Who offers it?
 - Sharon Lewis: \$40/year
 - Not available to renters, only to homeowners
 - Graham
 - DEEP would be interested in working with Sharon to activate campaign for Back-Flow Prevention

Next Steps in 2023

- Subcommittee meetings
- CEEJAC quarterly meetings (5:30-7:30pm)
 - March 22
 - June 21
 - Sept 20
 - Dec 13
- Legislative Session begins January 2023
 - Proposed updates and hearings to Environmental Justice legislation

Subcommittee Meetings

Katie Dykes

- CEEJAC is open to feedback and room for improvement to subcommittees and topics discussed
- Find ways to increase the participatory role for non-CEEJAC members (members of the public)
- Subcommittees
 - Water
 - Land
 - Energy & Tech
 - Air & Transportation

Announcements from CEEJAC Members

- Edith Pestana (DEEP)
 - Funding available to EJ communities from EPA – Four different grant programs
 - EJ Collaborative Problem-Solving Grants
 - \$30 million from Inflation Reduction Act
 - Up to \$500,000 to each community-based organization
 - Approximately 60 total grant awards
 - EJ Government to Government Grants
 - Grants to government agencies partnered with Community based organizations and tribes
 - Applications open in December; Awarded in Summer 2023
 - \$70 million total
 - Up to \$1 million to each organization
 - Assessment, Planning, and Project Development Grants
 - Grants to community-based nonprofits
 - Low barrier to entry with simplified application process
 - Launch in January 2023; award selection in late Summer 2023
 - Each of the three grant types (Assessment, Planning, or Project Development) have the following funds:
 - \$150 million each from Inflation Reduction Act
 - \$10 million each Fiscal Year (FY) base appropriations
 - Environmental and Climate Justice Implementation
 - Direct funding through EPA
 - Application opens spring/early summer 2023
 - Up to \$2 billion from Inflation Reduction Act

- Alex Rodriguez (Save The Sound)
 - Pollution Prevention Works: Story-telling Challenge for Students
 - Highschool, college undergraduate and graduate students invited to tell a story about how a community who reports to TRI has taken steps to reduce pollution
 - Video
 - Infographics
 - Other creative formats
 - Can win up to \$5,000
 - <https://www.epa.gov/toxics-release-inventory-tri-program/pollution-prevention-works-storytelling-challenge-students>

Public Comments

- Kim Rice – town council person in Stratford
 - EPR question
 - Will there be a requirement to educate towns?
 - How will towns be educated about EPR and its benefits?
 - Graham Stevens (DEEP):
 - EPR tries to put the burden on the manufactures
 - Their outreach will be extensive
 - STATE needs to find new ways to engage with the public about how the material will be handled
 - Kim Rice: There is a lot of ignorance around recycling in municipalities
 - What is DEEP doing to educate these towns?
 - Katie Dykes:
 - CT Coalition for Sustainable Materials Management launched in 2020
 - <https://portal.ct.gov/DEEP-CCSMM>
 - 90 municipalities have joined
 - All have been part of regular meetings to dialogue with DEEP about which solutions can move towns and citizens forward with waste management
 - Ensuring that equity and EJ are centered in how we respond to our waste crisis
 - Working group specifically on producer responsibility
 - More than 100 options that towns can implement
 - Kim Rice
 - Is it difficult to host a meeting to educate the towns on these issues?
 - Hearing a lot of people speaking negatively about recycling and that recycling is a myth – needs to be addressed
 - Katie Dykes
 - Providing grants to municipalities to start food scraps recycling programs
 - Some towns don't have the budget for a program
 - Solution: create a program for multiple towns to work together
 - Kim Rice
 - Nine instances of sewage backflow flooding issues within her home
 - after 3 backflow sewage issues, insurance was dropped
 - UI has a program that will replace boilers and major systems in home for zero interest
 - Theresa Hopkins-Staten (Eversource)
 - Energy efficiency program
 - Assists customers with low-interest loans to replace damaged appliances
 - Kim Rice
 - UI has 10-year finance program, added onto light bill, no interest