

## Summary of Updated Recycling Requirements for Haulers ([Public Act 10-87](#))

When we recycle, we produce and manage our goods and products in a more environmentally preferable manner – and everyone benefits from a cleaner, safer environment. The responsibility for making recycling work in Connecticut is shared between municipalities, haulers, businesses, institutions, state and local government, solid waste facilities, and residents/general public.

Recycling has been mandatory in Connecticut since 1991. Early efforts to promote recycling (e.g. state funding for recycling infrastructure, grants and technical assistance to municipalities and recycling regions, various regulatory changes, etc.) dramatically increased Connecticut's recycling rate. However, over the past decade, that rate has remained relatively stagnant. As a response in 2010, the Connecticut legislature adopted Public Act 10-87 to clarify, expand, and invigorate recycling in Connecticut. The following elements of P.A. 10-87 relate specifically to the role of haulers.

### Additional CT Designated (i.e., Mandatory) Recyclable Items; [CGS Sec. 22a-241b](#)

The following is a list of CT mandatory recyclables. \* **The materials in bold text are new from PA 10-87.**

- **Plastic containers PET (#1 plastic)\***
- **Plastic containers HDPE (#2 plastic) \***
- **Boxboard (shoe boxes, cereal boxes, etc.) \***
- Glass & metal food & beverage containers
- Scrap metal
- Newspapers
- Corrugated cardboard
- Residential covered electronic devices
- **Magazines\***
- **High grade colored office paper\***
- High grade white office paper (**residential\*** & non-residential)
- Waste oil (crankcase oil)
- Leaves & grass clippings
- Lead-acid storage batteries
- Ni-Cd rechargeable batteries

### Separation of Designated (i.e., Mandatory) Recyclable Items; [CGS Sec. 22a-241b](#) and [CGS Sec 22a-220a\(f\)](#)

Haulers must ensure separation of designated recyclables from trash. Specifically, existing law was clarified. Please be aware that:

- Designated recyclable items (listed above) must be collected in containers that are separate from trash containers. However, it may be acceptable to commingle different types of designated recyclables depending on how haulers collect these materials (i.e. single stream, dual stream).
- Designated recyclable items must remain separate from trash.
- Haulers cannot collect designated recyclable items and trash in the same container and “sort them out later.”
- No one shall combine previously segregated designated recyclable items with trash.
- Any hauler who knowingly mixes other solid waste with designated recyclable items shall be liable for a civil penalty of up to \$2,500 for each violation and up to \$10,000 for a subsequent violation.

### Equitable Collection of Designated Recyclable Items; [CGS Sec 22a-241/](#) and [CGS Sec 22a-241\(a\)\(1\)](#)

As of July 1, 2012, contracts between haulers and customers (commercial or residential) for the collection of solid waste must also provide for the collection of designated recyclable items (unless the business already has an existing contract with another hauler for such collection).

- Such collection of designated recyclable items from residents shall be included in a hauler's charge for solid waste collection.

- If a business declines recycling collection, the best way to demonstrate that you (the hauler) complied with the requirement to offer recycling collection is a signed statement from the business customer. See [Sample Form](#) at the end of this document.
- Haulers are required to provide each business customer with written or pictorial instructions on how to separate designated recyclable items.
- Municipalities providing trash collection for residents and businesses must also offer recycling collection for those residents and businesses.

### **Registration and Annual Reporting to Municipalities; [CGS Sec 22a-220a\(d\)\(1\)](#) and [\(2\)](#)**

Haulers are required to register **annually** in the municipality in which they operate and disclose the name of any other municipality in which they operate.

- Upon registration haulers must disclose name and address of the hauler; name and address of the owner of the company; types of waste hauled; source of waste hauled (i.e. residential, commercial, or other); anticipated location of disposal facilities or end-users; and any additional information the municipality requires to ensure the health and safety of its residents.

Haulers are required to report to the municipality beginning on or before July 31, 2011 and annually thereafter on a form prescribed by DEEP.

- Such report shall include the types of solid waste collected including mandatory recyclables generated within the borders of a municipality; the name, location and contact information for the first destination where such solid waste, including recyclables, was delivered by the hauler during the previous fiscal year; the types and actual or estimated amounts of such solid waste, including recyclables, directly delivered to (1) an out-of-state destination or (2) an end user or manufacturer in the state; and any other additional information the commissioner deems necessary.

The reporting form is available from the municipality(ies) in which you operate and on the DEEP website at [www.ct.gov/dep/solidwastereporting](http://www.ct.gov/dep/solidwastereporting).

### **Reporting to DEEP; [CGS Sec. 22a-220a\(j\)](#)**

Data regarding Connecticut recyclables and Connecticut solid waste which were collected by the hauler but which did not pass through a Connecticut permitted solid waste facility must be reported to DEEP.

The reporting form is available from the municipality(ies) in which you operate and on the DEEP website at [www.ct.gov/dep/solidwastereporting](http://www.ct.gov/dep/solidwastereporting).

### **Identifying the Origin of MSW and Recyclables; [CGS Sec 22a-220a\(k\)](#)**

Upon delivery of each load of MSW or recyclables to a Connecticut solid waste facility, haulers are required to identify (to the receiving facility) the origin of each such load as follows:

- If coming from a regional solid waste (SW) or regional recycling facility – the name (and location) of the facility ; or
- If coming from out-of-state (and not from a regional SW facility) – the state in which the MSW or recyclables were generated; or
- If not coming from a regional SW facility, and not coming from out-of-state, the Connecticut municipality in which the MSW or recyclables were generated.

If the load is from more than one Connecticut municipality, haulers should report an estimate of the % from each municipality.

### **Revision of Zoning Regulations; [CGS Sec 8-2a](#)**

Zoning regulations shall not prohibit the use of recycling receptacles for designated recyclable items; shall not require that recycling receptacles comply with certain area provisions; shall not restrict access to or the size of recycling receptacles; and can require aesthetic screening or buffering.

### **Public Gathering Venue Recycling Requirement; [CGS Sec 22a-241k](#)**

Public gathering venues (e.g., hotels, sports arenas, supermarkets, retail stores, restaurants, etc.), while the public congregates there, must provide recycling collection containers where designated recyclables are generated and at the same locations where trash containers are provided as of October 1, 2011.

### **Some Existing Hauler-Related CT Solid Waste Requirements Not Amended by P.A. 10-87**

- The door of any private vehicle used to haul solid waste shall be clearly marked with the business name and address of the hauler ([CGS Sec.22a-220a\(e\)](#)).
- A hauler shall be liable for a civil penalty of not more than \$2,500 for each violation and not more than \$10,000 for a subsequent violation if the hauler ([CGS Sec.22-220a \(f\)](#)):
  - Dumps more than one cubic foot of solid waste at one time in an area not designated for such disposal by a municipality; or
  - Knowingly mixes other solid waste with items designated for recycling.
- Each municipality shall notify haulers of recycling requirements. After such notice, haulers are required to notify the [municipal recycling contact](#) about any customer believed to be discarding designated recyclables with solid waste ([CGS Sec.22a-220c\(a\)](#)).
  - Upon request of the municipality, a hauler shall provide a warning notice to customers suspected of violating separation requirements.
  - Haulers shall also assist the municipality in identifying persons responsible for creating solid waste loads containing significant amounts of recyclables which were detected by the receiving resource recovery or solid waste facility.
- The owner or operator of a resource recovery facility or solid waste facility receiving a load of solid waste containing a significant quantity of designated recyclables, shall notify the driver of the vehicle delivering the load and the municipality where the load originated ([CGS Sec.22a-220c\(b\)](#)).
  - The owner or operator of each such facility shall conduct periodic unannounced inspections of loads delivered to that facility to assist municipalities and the commissioner of DEEP in accurately assessing compliance with [CGS Sec. 22a-241b](#) and [CGS Sec. 22a-208v\(c\)](#). Such owners or operators shall conduct additional inspections upon the request of the commissioner of DEEP.

For more information on recycling in Connecticut, visit the DEEP website at <http://www.ct.gov/dep/recycle> or call (860) 424-3365.

**SAMPLE FORM**  
**Documentation of Existing Recycling Contract**

This sample form, "Documentation of Existing Recycling Contract", may be used by recycling and trash haulers to document their compliance with [CGS Sec22a-241](#).\*.

I, \_\_\_\_\_ (name of business official),  
of \_\_\_\_\_ (name of business), located at  
\_\_\_\_\_ (full business address), have  
my trash collected by \_\_\_\_\_ (name and address of hauler)  
and have received an offer from the hauler named above to also pick up my recyclables. I am hereby  
declining the offer of that service.

I have a contract with another hauler, \_\_\_\_\_  
\_\_\_\_\_ (name and address of other hauler) to  
collect my recyclables for my business.

\_\_\_\_\_  
**Signature of Person Confirming Business Has a Recycling Contract**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

\* [CGS Sec22a-241](#). (Effective July 1, 2012) (a) For the purposes of this section, "customer" means a business and "collector" means any person offering solid waste or designated recyclable item collection services. (b) Each contract between a collector and a customer for the collection of solid waste shall make provision for the collection of designated recyclable items, either by providing for the collection of designated recyclable items by the same collector who is party to the solid waste contract or by including an identification by the customer of the collector with whom such contract exists. The provisions of this section shall not be construed to require a customer to contract exclusively with one collector for the collection of both designated recyclable items and other solid waste. Each collector shall provide each customer with clear written or pictorial instructions on how to separate designated recyclable items in accordance with the provisions of section 22a-241b.