



August 27, 2021

VIA ELECTRONIC MAIL

Chris Nelson
Connecticut Department of Energy and Environmental Protection (DEEP)
79 Elm Street
Hartford, CT 06106-5127

Re: Bottle Bill Modernization – Comments

Dear DEEP Staff,

Murphy Road Recycling, LLC (MRR) writes to provide the below comments on the objectives for implementation of Public Act 21-58: An Act Concerning Solid Waste Management. MRR is a Connecticut company headquartered in Enfield that has been a leading Connecticut recycler for the past two decades. MRR provides municipal, residential, commercial and industrial recycling processing services for Connecticut communities and proudly employs over 90 Connecticut residents. MRR also operates four MRFs within Connecticut. Significantly, MRR is currently constructing the state-of-the-art “All American MRF” in Berlin, CT, which, upon completion, will be one of the most technologically advanced and sophisticated recycling facilities in North America.

MRR Comment on Overall Objective 1:

DEEP lists as a tentative objective to increase the redemption rate. MRR encourages and supports sound efforts to increase recycling in the state. DEEP also should encourage and support all such efforts, including efforts to expand and modernize the state’s existing recycling infrastructure – namely curbside collection and MRFs. The state’s ubiquitous recyclable curbside collection and network of MRFs have allowed Connecticut to excel at recycling. Connecticut is already a perennial leader in recycling compared to other states. In March 2021, Eunomia, supported by the Ball Corporation, released its “The 50 States of Recycling” report, in which Connecticut was named a top five state in terms of recycling across almost all metrics. The report supports the notion that a system based on curbside recyclable collection with efficient MRF processing supplemented by deposit programs yields the highest recyclable recovery rates. DEEP should continue to encourage and support the foundation of Connecticut’s recycling – curbside collection and MRFs.

DEEP lists as another tentative to support “convenient access to redemption for all Connecticut consumers.” MRR supports equitable access to redemption state-wide. However, DEEP should not prioritize access to redemption at the expense of the state’s curbside collection and MRF network. Studies prove that convenience is the driving force behind increasing recyclables recovery and curbside collection of single-stream recycling is by far the most convenient option for consumer recycling across the state. DEEP should first and foremost support convenient and equitable access to curbside single-stream recycling and MRFs.

Another tentative objective is to “promote economic development opportunities related to container redemption, and ensure efficient and sufficient investment in redemption infrastructure.” During legislative deliberation on the bottle bill, discussion was driven by supposed “savings” to the municipalities, needed increases to Connecticut’s redemption rates, and subsidization of the dozen or so redemption centers. However, little was made of the bottle bill’s impact on the many privately-owned MRFs, the towns that partner with the MRFs, and the hundreds Connecticut residents who depend on such MRFs and related recycling collection infrastructure for employment. Statutorily mandated recyclables – plastic and aluminum containers – comprise very little of the weight of the recyclables stream, yet have a disproportionately outsized impact on MRF revenue (and, therefore, municipal rebates) given their commodity value. Therefore, MRR fears that towns will not see the promised “savings,” but rather, MRFs will struggle without such valuable recyclable stream. DEEP, in its testimony on SB 1037 this past session, admitted that expanding the bottle bill would be detrimental to MRFs and their customers. The State’s CMMS specifically prioritizes support for and advancement of Connecticut’s MRF infrastructure.¹ In addition to processing the vast majority of Connecticut’s non-bottle bill recyclables, MRFs are foundational to the redemption infrastructure as well – receiving and processing approximately 45% of all of Connecticut’s bottle bill containers. MRFs provide similar services as redemption centers and preserve precious MSW capacity in the state. MRFs should receive a handling fee in acknowledgement for the large role they play in handling, processing, and returning to commercial markets millions of statutorily-mandated recyclables such as bottle bill containers annually.

MRR Comment on Overall Objectives 2-8:

Public Act 21-58 § 9(c) gives the stewardship organization the ability to submit a plan to operate a state-wide beverage container stewardship program. However, in developing this plan, the stewardship program must verifiably obtain input from stakeholders, including resource recovery facilities. Legislative intent in both the House and Senate makes clear that MRFs are to be included in this conversation as a municipal resource recovery facility. MRR requests that DEEP support the inclusion of MRR and other MRF operators in the development of the plan.

Additionally, it is clear that DEEP’s statutory role in implementing the stewardship program is a passive one providing oversight. Public Act 21-58 § 9(c) allows DEEP to approve the formation of a stewardship organization *if* such organization submits an application and Public Act 21-58 allows DEEP to review and approve a plan to operate a state-wide beverage container stewardship program that is developed and submitted to DEEP by the stewardship organization. Public Act 21-58 does not provide DEEP the ability to publish a request for applications for a stewardship organization or requests for submissions for a stewardship plan.

MRR Comment on Overall Objectives 10-12:

Recycling collectors and MRF operators are “requisite parties” to the MOA between the wine and liquor industry and DEEP because they collect, manage, process, and market the overwhelming majority of glass wine and liquor containers generated in Connecticut. Recycling collectors and MRF operators

¹ See CMMS at pg. 27 (“However, the state could benefit from advanced sorting lines and other improvements at existing and new facilities.”); CMMS at pg. 51 (“Goal 1, Objective 1.6 – Improve collection and processing systems for single stream recyclables.”); CMMS at pg. 52 (“Goal 2 – Develop and improve recycling and waste conversion technologies.”); and CMMS pg. 53 (“Promote development of new infrastructure in partnership with host communities.”)

must be involved at every stage in the development of any MOA. Their collective experience will be an invaluable voice in developing the MOA.

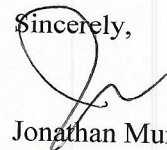
The CMMS urges private MRFs to invest in and use new technology and equipment to improve processing and recovery of recyclables. MRR has answered DEEP's request and is well on its way to providing a solution to recycled glass. MRR is in the middle of constructing a state-of-the-art MRF in Berlin (construction started prior to passage of the expanded bottle bill). This "All American MRF" will be one of the most advanced MRFs in the country and represents the largest investment in recycling infrastructure in New England to date. Importantly, the All American MRF will be able to sort and recycle glass that is anticipated to be a feedstock for Urban Mining in Beacon Falls, and potentially other glass recovery businesses – efficiently and effectively closing the loop on a once frustratingly difficult to handle recyclable stream. As you can see, recycling collectors and MRF operators are integral to the discussion regarding the wine and liquor beverage container MOA.

Summary:

Recycling collectors and MRF operators must be involved during the entire process of developing a MOA regarding wine and liquor beverage containers and a state-wide beverage container stewardship program. With both the MOA and stewardship program, the deposit initiators must work with and utilize the existing recycling infrastructure that has allowed Connecticut to already be a top 5 recycling state – namely, the curbside collection of single stream and network of MRFs. DEEP is not permitted by Public Act 21-58 to publish requests for applications or submissions in connection with Sections 9(a) and (c); but, in any event, MRR urges DEEP to allow time for the provisions of the expanded bottle and increase in the deposit fee to take effect before pushing to create multiple complex programs that will disrupt the current, and highly successful, recycling infrastructure. According to testimony heard in support of Public 21-58, the expanded bottle bill and increase to 10¢ will alone drive the redemption rate from 50% to over 90%. If that is indeed the case, the state does not need the stewardship program.

Thank you for your time and consideration. MRR looks forward to working with DEEP and its staff and continuing to invest in the future of Connecticut recycling.

Sincerely,



Jonathan Murray