



Comments of the Connecticut Chapter of the National Waste & Recycling Association on DEEP Implementation of Public Act 21-58: Bottle Bill Modernization

August 27, 2021

The Connecticut Chapter of the National Waste and Recycling Association (NWRA) is a trade association representing private sector commercial and residential recycling and waste companies and the materials recovery facilities (MRFs) they own and operate. Our industry is a mix of local, regional and national companies that compete vigorously in providing environmentally protective and cost-effective services to our customers – the citizens, communities and businesses of the state. Private sector waste and recycling companies collect a majority of Connecticut’s recyclables at the curbside and process the recyclables for sale to markets.

According to data compiled by NWRA and the Connecticut Recycling Foundation, in Connecticut, the private waste and recycling industry employs nearly 5,500 people. The annual economic impact to the Connecticut state economy, generated by the waste and recycling industry, is \$1.9 billion. When the activity of the waste and recycling industry and its involvement with other industries is calculated, the waste and recycling industry’s overall impact to Connecticut’s economy is \$ 3.7 billion annually. We look forward to continuing our collaborative work to keep Connecticut on the nation’s top ten leaders list in recycling and waste diversion programs and top five according to Eunomia’s March 2021, “The 50 States of Recycling.”

Our responses to the Proposed Topics and Objectives below:

Response to Proposed Topic 1 – One tentative objective is to increase the redemption rate. While we support any increase in recycling, we do not agree that DEEP’s job is to increase the redemption rate. Instead, DEEP’s job is to support all recycling infrastructure, including curbside collection and the MRFs. It is widely acknowledged by supporters of deposit laws that states that combine deposit programs, curbside collections and MRFs have the highest recovery rates.

Another tentative objective is supporting the “convenient access to redemption for all CT consumers”. While this is helpful to create a coordinated approach by redemption centers and collectors and MRFs, DEEP should not support redemption centers at the expense of the collectors and MRFs. Preserving the accessibility for consumers to single stream recycling should be considered an integral component to strengthen recycling rates. There is no more

convenient process than adding recyclables to single stream recycling carts collected at the curb.

Also mentioned in the objectives is to “promote economic development opportunities related to container redemption and ensure efficient and sufficient investment in redemption infrastructure.” The CMMS¹ clearly and unambiguously provides for the support and advancement in MRF infrastructure. The MRFs are an integral part of Connecticut’s recycling redemption infrastructure (about 45% of all of Connecticut’s containers are received and processed by Connecticut’s MRFs) and should benefit from the handling fee. The dialogue during the expansion of the Bottle Bill (BB) spoke of savings to municipalities, increasing Connecticut’s redemption percentage, and subsidizing the redemption centers, of which there are roughly 12 in Connecticut. What about the many private MRF’s, their employees and the hundreds of recycling collectors who collect and deliver the material and have invested millions of dollars in Connecticut’s single-stream system? MRFs provide similar services to redemption centers and they preserve MSW capacity in CT. If MRFs fail, then more recyclables will be disposed in the MSW thereby increasing the disposal shortfall capacity in Connecticut. Plastic and aluminum containers, which are statutorily mandated recyclables, weigh very little so town tip fees will not decrease significantly. Plastic and metal containers are used to subsidize the municipal programs and to operate the MRFs. Connecticut MRFs will struggle and be adversely impacted without the current materials in their system.

Response to Proposed Topics 2-8 – Under Public Act 21-58 Section 9(c), the deposit initiators are to draft the plan with input from stakeholders including resource recovery facilities, a point made by legislative intent in both the House and Senate to clarify that not just “municipal resource recovery facilities” be considered as stakeholders. DEEP’s statutory role is solely to approve a plan *if* the deposit initiators draft one for DEEP’s review. Simply put, Public Act 21-58 does not allow DEEP to publish a request for applications for a stewardship organization or requests for submissions for a stewardship plan.

Response to Proposed Topics 10 and 12 – Collectors and MRF’s are “requisite parties” and must be involved at every step in the development of the terms of the MOA between the wine and liquor industry and DEEP because they collect, manage, process and market the vast majority of glass wine and liquor containers generated in Connecticut.

Section 8 specifically calls for the “deposit initiators” to develop the EPR plan and that DEEP “identify the requisite parties to such an agreement” which would include collectors and MRFs.

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

DEEP's CMMS says private MRFs must use new technology and equipment to improve the processing and recovery of recyclables. MRFs need to invest in technology and have already invested in optical scanners and robotic sorters. At the public hearing on SB1037, DEEP staff agreed that BB expansion and increased deposit to 10¢ would decrease the MRFs' revenues and expanding to wine and liquor would benefit the MRFs and the towns because the weight would be removed from the system. There is currently a \$30 million dollar facility in Berlin, CT that began before BB expansion (financed with all private dollars) to handle glass and recyclables. This facility was the private sector's response to the CMMS and its answer to the problem of glass in the single-stream system and along with Urban Mining in Beacon Falls, the secondary market was being developed to handle glass which makes the MRFs and recycling haulers integral in the discussion.

To summarize, (1) haulers and MRFs must be involved from the ground up in the development of the MOA between the wine and liquor industry and DEEP; (2) the deposit initiators must work with the haulers and MRFs to draft an EPR plan for containers that utilizes the current collection and processing infrastructure in Connecticut; (3) DEEP is not permitted by Public Act 21-58 to publish a request for applications or a request for submissions; and (4) DEEP should not, assuming it can under Public Act 21-58, "push" EPR until we see how the expansion, increase to 10¢, and support for redemption centers impacts the state. Supposedly, according to PA 21-58 supporters, these alone will increase the redemption from 50% to 90%, which will prove there's no need for a stewardship program.

We look forward to continuing the discussion with the stakeholders and your careful consideration of our concerns.

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