

NEW HAVEN ENVIRONMENTAL ADVISORY COUNCIL

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February 27, 2023

To: Co-Chairs Lopes and Gresko, Vice-Chairs Hochadel and Palm, Ranking Members Harding and Callahan and members of the Environment Committee:

Re: HB 6664, AN ACT MANAGING WASTE AND CREATING A WASTE AUTHORITY

The New Haven Environmental Advisory Council, the city board that deals with environmental issues, strongly supports the packaging Extended Producer Responsibility (EPR) provisions of H.B. 6664 and urges your support.

This law would extend financial and managerial responsibility of a producer for its products and packaging beyond the manufacturing stage, from product design to postconsumer reuse, recycling, or safe disposal. The potential impact could be massive in Connecticut, where the recycling rate was less than 30% in 2020.

Globally, over 40 countries and provinces have packaging EPR programs – many of which have been in place for more than 35 years – and some track recycling rates as high as 80%.

Especially after the closure of the state's Materials Innovation and Recycling Authority (MIRA), local governments have experienced drastically increased recycling costs due to fluctuating and reduced markets, inconsistent materials collection across municipalities, and confusing labeling on packaging.

The passage of a packaging EPR law will provide options for Connecticut's local governments – to be reimbursed by packaging producers for their recycling costs, to have producers manage and pay for collection and processing of their recyclables, or to continue with their existing system.

The Connecticut Department of Energy and Environmental Protection (DEEP) recently issued a proposed update to the state's Comprehensive Materials Management Strategies report that estimates **an EPR bill could save residents \$50 million in recycling expenses by 2028 and reduce Connecticut's in-state waste capacity deficit by up to 190,000 tons each year.**

Packaging EPR does not raise prices for consumers. A study conducted by Resource Recycling Systems and funded by the Oregon Department of Environmental Quality analyzed consumer product prices before and after EPR legislation passed in Canada and found no evidence that prices increased; in Europe, where programs have been in operation for more than three decades, producers themselves report that prices have remained stable.

In Connecticut, producers are those who sell, or import for sale, products into the state; however, **small businesses that generate less than one ton of covered materials each year or have a gross annual revenue less than \$2 million are exempt**, as are municipalities.

Covered materials include packaging, paper products (e.g., magazines, flyers, brochures, etc.), and packaging-like products (e.g., foils and wraps, plastic bags, plastic cutlery, take-out food containers, etc.); exemptions include beverage containers covered under the existing bottle bill and paint containers recycled through the paint stewardship program.

Producers must comply individually or collectively via a Stewardship Organization (SO), which is required to be a certified 501(c)(3) nonprofit organization. Multiple SOs may be approved by DEEP on a case-by-case basis.

SOs must submit a stewardship plan that includes performance goals including minimum reduction, reuse, recovery, recycling, post-consumer recycled content, and contamination rates for all covered materials.

California joined Colorado as the second state in 2022 to adopt packaging EPR, and followed Maine and Oregon, which enacted their laws in 2021. A dozen other states will introduce similar legislation in 2023.

Thank you for encouraging waste reduction and resource reuse.

Sincerely,

The New Haven Environmental Advisory Council
<https://www.newhavenct.gov/government/boards-commissions/boards-commissions-listed/environmental-advisory-council>

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