



# Connecticut Department of Energy and Environmental Protection



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

# COST's 2019 Legislative Wrap Up

June 12, 2019

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Portland, CT



Connecticut Department of Energy and Environmental Protection

# 2019 Session Overview

- New Governor
- New DEEP Commissioner
- New ideas for emerging issues and legacy challenges



# Emerging Issues

- Offshore Wind
- Green Economy
- 5G
- Fracking Waste Ban
- Municipal Coastal Resiliency Funds
- Aquatic Invasive Species
- State Water Plan



# 5G – HB 7152

- Creates the Council on 5G Technology to identify state lands for deployment of 5G wireless facilities.
- Why is 5G important?
  - Can support 10x as many wireless devices as 4G.
  - About 20x faster than 4G.



# Fracking Waste Ban – SB 753

- Permanently bans accepting, receiving, collecting, storing, treating, transferring, selling, acquiring, handling, applying, processing, and disposing of hydraulic fracturing waste.
- This new state law preempts municipal ordinances.



# Coastal Resiliency Funds – SB 1062

- Allows municipalities to establish a climate change and coastal resiliency reserve fund.
- Funds can be used to pay for capital projects, planning efforts, land acquisition or other vulnerabilities, and municipal property losses due to extreme weather events.



# Aquatic Invasive Species – HB 6637

- Creates an Aquatic Invasive Species (AIS) fee - \$5 for in state vessels and \$20 for out of state vessels.
- Proceeds from the fee will go into the CT Lakes, Rivers, and Ponds account.
  - Funding can be used for eradicating AIS, education, and research.





# State Water Plan – HJ 171

- Multiyear effort by the Water Planning Council and a broad range of stakeholders.
- The plan is a framework for making better decisions around water planning and does not trump statute.
- Key values: consistent and informed decision making, high quality drinking water, water conservation, balance in-stream and out-of-stream needs.



# Legacy Challenges

- Recycling and Materials Management
- Stormwater Management
- Transfer Act
- State Budget



# Recycling and Materials Management

- Recycling markets changing rapidly, making recycling more costly for towns.
- DEEP, legislators, and other stakeholders responded by introducing several pieces of legislation aimed at curbing costs for towns and improving recycling markets. None of these measures were able to be passed into law.



# Recycling and Materials Management

- What was proposed in 2019:
  - Expanding the bottle bill.
  - Investigating possibilities for reducing the costs of packaging waste.
  - Eliminating designated recyclables.



# Recycling and Materials Management

So...where do we go from here?



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# Recycling and Materials Management

- DEEP Suggestions:
  - Seek out multiple bids from recycling companies.
  - Take advantage of the educational resources available through Recycle CT free of charge.
  - Some municipalities have shown a strong interest in stewardship models that shift costs and responsibility of waste to producers.



# Recycling and Materials Management

- DEEP will not be taking enforcement action if municipalities do not meet recycling goals.
- In the longer term, the markets will improve.
- In the short term, we need to have meaningful stakeholder conversations between DEEP and municipalities to develop solutions.
- Commissioner Dykes making permit efficiency and transparency a priority.



# MIRA Update

- MIRA negotiations are moving forward productively and they expect to enter into an agreement with Sacyr Rooney.
- Current plan is to renovate the existing facility and, over time, install technology to increase recycling.
- MIRA will continue to have discussions with its member towns over the summer months.





# Stormwater Management

- Two bills watched regarding stormwater management/MS4:
  - HB 7408: municipal stormwater authorities
  - SB 1060: DEEP to develop recommendations on best practices for MS4
  - Neither bill passed both chambers



# Stormwater Management

- Other means of financial assistance and support to municipalities:
  - Regional cooperative agreements. See Eastern CT Conservation District/SCCOG (<https://www.conservect.org/eastern/southeastern-connecticut-stormwater-collaborative/>) and Central Mass Stormwater Coalition ([www.centralmastormwater.org](http://www.centralmastormwater.org)).



# Stormwater Management

- Other means of financial assistance and support to municipalities:
  - Stormwater utility/authority. See New London (<https://wp.ms4.uconn.edu/2018/10/05/cts-first-stormwater-utility/>).



# Stormwater Management

- DEEP has partnered with UConn/NEMO to assist towns with MS4 requirements.
  - Mapping, templates for planning, ordinances, and reporting, on-call MS4 educator all available for free to towns.
  - DEEP will continue to work with UConn/NEMO to update best practices.

<https://nemo.uconn.edu/ms4>



# Transfer Act

- SB 1030 included two major changes to the Transfer Act.
  - Exempts one-time generators of less than 100kg of hazardous waste from falling under the TA.
  - Requires that DEEP commence an audit of a final verification within one year and complete the audit within three years.



# State Budget

- Maintained DEEP staffing levels.
- Included a \$0.10 fee on single-use plastic bags until such bags are banned beginning July 1, 2021.
  - Does not preempt municipalities from going above and beyond (e.g., banning plastic bags now, or levying a fee on paper bags).



# State Budget

- Bonding
  - Expect that ability of towns to use LoCIP funds for the removal of dead or dangerous trees near municipal roads will be in the bond package.
  - DEEP's request for Clean Water Funds in the new fiscal year matched the demand that we received from towns.
  - DEEP is working hard to prioritize projects that municipalities need completed.



# Questions?

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