

CHAIRPERSONS: Senator Christine Cohen,  
Representative Dorinda Borer

SENATORS: Haskell, Kushner, Miner

REPRESENTATIVES: Berger-Girvalo, Betts,  
Callahan, Chafee, Demicco,  
Dillon, Dubitsky, Fishbein,  
Gresko, Gucker, Harding,  
Harrison, Hennessy, Horn, Michel,  
Mushinsky, O'Dea, Palm, Parker,  
Piscopo, Rebimbas, Reyes, Ryan,  
Smith, Wilson, Young

REP. BORER (115TH): So, I want to welcome everybody to our Environmental Public Hearing. I'm Dorinda Borer. I'm Representative Co-Chair of the Environment Committee. And this is our first public hearing. We have so many significant issues that we are raising through the Environment Committee. So, I know that all of my colleagues join me and are anxious to hear the input from our agencies, input from our public so that we can, you can help us by sharing your education and your research on the topics, so that we can consider all of that when we go to vote on these priorities.

So, I am going to remind everybody, please keep yourself on mute until you are recognized and use the raise hand feature. We learned a new trick this morning, if you cannot find your raised hand feature through your Zoom process because some, you know, have a have a different device that they're using, you can hit ALT Y, and that'll raise your hand.

So, just bear with us as we recognize your hand being raised. And we will call on you in the order that you raise your hand. And I want to thank Wendy Gaia, who is our traditional Clerk for the Environment Committee has had a death in her family and we all send our condolences to her while she's grieving. And going through the process this week,

we have Wendy that's pitching in. So, thank you, Wendy for all you do.

So, before we get started, I of course want to hand it over to my terrific Co-Chair, Senator Cohen.

SENATOR COHEN (12TH): Thank you, Madam Chair. Just grateful to be here. I think it's exciting kicking off our first hearing. You know, albeit virtually, certainly an unusual session. But I'm just thrilled to be a part of the legislative process and really interested and, you know, hearing voices on all of these items that we have today, some returning items, and familiar to this Committee and some new items.

So, I'm just looking forward to a good discussion today, as we move forward through this legislative process. Thank you.

REP. BORER (115TH): Thank you, Senator Cohen. Senator Miner, did you have any opening comments you'd like to add.

SENATOR MINER (30TH): I'm out of the vehicle and in the office. I look forward to hearing what everybody has to say. -- I recycle. Thank you.

REP. BORER (115TH): Miner's in the House.

SENATOR MINER (30TH): Miner's in the House.

REP. BORER (115TH): Miner's in the House. Okay, and then Representative Harding. No he, I know he was having a challenge joining this one, so we will -- when he joins we'll see if he has any comments and Wendy if you could just mute everybody as they enter. Thank you.

Okay, so we are going to get started with our first speakers and I know I just want to acknowledge that I know on the published list we had DEEP first, our

Commissioner Katie Dykes, DEEP first and then DOAG, they have agreed to trade places.

So, we are going to start with Bryan Hurlburt, who is the Commissioner of DOAG, as our first speaker and then after DOAG will be DEEP.

SENATOR COHEN (12TH): While we wait for the Commissioner to come in, Madam Chair, maybe worth noting as well that I know Senator Abrams had signed up to testify and her name is not on the speaker order that is on the CGA website that she would, as a legislator, be right behind the two Commissioners. So, it was worth noting while we have that moment to do so.

REP. BORER (115TH): Okay, we will do that. And then I also see Representative Harding before we start with our speakers. I

REP. HARDING (107TH): Yes. Good morning. Thank you, Representative Borer, Madam Chair. I look forward to nice discussion and hearing from all the stakeholders today about the proposals.

REP. BORER (115TH): Awesome. Thank you, Representative Harding. Okay, Wendy, are we -- do we have DOAG?

WENDY FRITZ: Our attendees were not showing up, and now they all showed up at once, so just give me one second.

REP. BORER (115TH): Okay, that's okay.

WENDY FRITZ: And DOAG will be showing up as Bryan Hurlburt or?

REP. BORER (115TH): Yes.

WENDY FRITZ: So, just one sec.

REP. BORER (115TH): Okay.

SENATOR COHEN (12TH): So, Wendy it'll be likely Kaylee Royston, Bryan Hurlburt and Carol Bricks.

WENDY FRITZ: Okay. So, Mary is here, and I just let her in. She can speak and --.

REP. BORER (115TH): Are you referencing Senator Abrams.

WENDY FRITZ: Yes.

REP. BORER (115TH): Okay, she's going to go through. Regarding the order is DOAG which is the Brian Hurlburt and Kaylee and then Deep, which is Commissioner Dykes and then Senator Abrams.

WENDY FRITZ: And I don't see DOAG yet. People are still filling in.

REP. BORER (115TH): They did say they were in the waiting room.

SENATOR COHEN (12TH): Commissioner Hurlburt, are you on? He's telling me he's in. He just texted me.

WENDY FRITZ: Okay, and they are filling in. Just one second.

REP. BORER (115TH): Okay. I don't see him, but I do see one that says hearing room. I don't know.

WENDY FRITZ: We're just having we're having a technical issue. My assistant Kirk is telling me too, we're just having problems getting people from the waiting room and so okay bear with me.

REP. BORER (115TH): Okay. No stress, we know it's challenging.

SENATOR COHEN (12TH): One possibility is and the Commissioner is texting me this as well, if we want

to go ahead and hear Senator Abrams and she's in the room, currently. Is she with us?

WENDY FRITZ: Yeah, she's in the room.

SENATOR COHEN (12TH): Oh, you are Kya O'Donnell today, Senator Abrams.

REP. BORER (115TH): Yeah, why don't we do that, why don't we go ahead if that's okay with everybody with Senator Abrams' testimony while we're still admitting DOAG and DEEP. Just to move things along.

SENATOR DAUGHERTY ABRAMS (13TH): Thank you. Thank you so much. I'm Senator Mary Daugherty Abrams, not Kya O'Donnell, who's my aide who set this up for me. So, I just want to introduce -- start by introducing myself. Thank you, Senator Cohen, and Representative Borer for allowing me to speak today. I'm also doing a Public Health Public Hearing. And so, I understand the challenges that you're facing now. So, thank you so much for letting me go ahead.

I'm here to speak about HB 6384, specifically, about this section of that Bill that has to do with the drawdown for Lake Biersack in Middlefield, Connecticut, and I will keep my remarks short. I'm sure you're going to hear from experts who can tell you why this drawdown is so important in a much better way than I can.

But I will say this, I've grown up in this area. So, I'm familiar with Lake Biersack in Middlefield for most of my life, and I have to say how impressed I am at the stewardship of this group of people for this lake at this time. It hasn't always been the case, unfortunately. And I think for people like the Members of this Committee, and myself, who care about the environment, who want to protect our natural resources, and our beautiful spots here in our state, we can ask for nothing more than for communities to step up, and being willing to

shepherd and steward or something like Lake Biersack.

So, that's really what I want to say that when you hear their testimony later today, when you read their written, written testimony, know that this is a group of people who give up their time, their resources, and really care for this lake and want to do the very best they can to keep it in the best condition they can.

And for this particular issue with the drawdown, they need our help, and they need a change in the legislation to make it happen, and to continue to improve the lake.

So, I thank you so much for your time, and I hope that you will be able to put this Bill through.

REP. BORER (115TH): Thank you, Senator. Does anybody have any questions for the Senator?

REP. BORER (115TH): Seeing none, we thank you for your testimony. We thank you for your time.

SENATOR DAUGHERTY ABRAMS (13TH): Thank you so much.

REP. BORER (115TH): Thank you. Okay, are we ready for DOAG, are they --? They sent a text, saying that they were admitted as audience rather than participants is that -- could that be?

WENDY FRITZ: That is how they should be, and then I will move them.

REP. BORER (115TH): Okay.

WENDY FRITZ: That is Bryan Hurlburt?

REP. BORER (115TH): Yes.

SENATOR MINER (30TH): I'm hearing the same thing from other participants that signed up to testify, so I don't know if they.

WENDY FRITZ: They will go into attendees and then we move them. And I don't see them in attendees. So, we may have to just make a call to IT or a text to IT.

REP. BORER (115TH): Okay, do you see DEEP, do you see Commissioner Dykes?

SENATOR COHEN (12TH): I see I see Kaylee Royston.

WENDY FRITZ: I see her three times and that may be --.

SENATOR COHEN (12TH): That's probably the Commissioner. So, if you could let them in or all three of those and then I would let perhaps DEEP as well, which maybe Alvarez. Ah, there he is.

WENDY FRITZ: If they would just renamed themselves and Elvis as well, you said?

REP. BORER (115TH): So, Bryan if you could just rename yourself, because your name is Kaylee right now.

WENDY FRITZ: That's the problem, thank you.

REP. BORER (115TH): And then whenever you're ready, you are, you are on.

COMMR. BRYAN HURLBURT: All right. Well, thank you, everybody. And thank you for getting us in today, especially working through these challenges, as we do the first Zoom public hearing for the Environment Committee in my first public hearing in this format as well.

Senator Cohen, Representative Borer, Senator Miner, Representative Harding, the Honorable Members of the

Environment Committee, thank you for raising two Bills on behalf the department or for and for the opportunity to testify today in support of them. Senate Bill 840 AN ACT CONCERNING CONNECTICUT SHELLFISH RESTORATION PROGRAM, AND THE CONNECTICUT SEAFOOD COUNCIL and House Bill 6385 AN ACT CONCERNING ENHANCEMENTS TO CERTAIN AGRICULTURAL PROGRAMS.

For the record, my name is CMMR. BRYAN HURLBURT. As duly noted on the screen now that I am the Commissioner of Agriculture. I am joined by Carole Briggs, the DOAG staff attorney, and Kaylee Royston, the DOAG legislative liaison, I may ask one of them to respond to a question during the hearing. I just want to recognize that at the front end.

Before I get started, I would also like to thank the Committee for raising the remainder of our agency Bills at the previous Committee meeting this morning. And we just respectfully request that the that the Bills be drafted as raised. Specifically, the hemp proposal as we have gone through an extensive review process with our federal partners. We'll talk about that at a future public hearing though.

I have submitted my testimony in advance for the Members. And to that end, I won't read the entire submitted testimony, but I'll read segments from it to highlight the reasons behind the requested Bills in the language that we have before us today.

In regards to Senate Bill 840, AN ACT CONCERNING CONNECTICUT SHELLFISH RESTORATION PROGRAM AND THE CONNECTICUT SEAFOOD COUNCIL, we are seeking to increase the population of oysters in Long Island Sound and the ability to pursue non state dollars to purchase and distribute shell on the designated natural oyster sea beds. There are numerous benefits to restoring shellfish beds in Long Island Sound, including enhancing the native natural sea beds the beneficial filtrations the aura stores

provide an increasing cultural resiliency to adverse weather events.

Sections 1 and 2 of this Bill would allow the Commissioner of Agriculture to contract for the use of a shell recovery vessel to collect and deposit the shell on the shellfish beds. Section 3 of the Bill updates the membership of the Connecticut Seafood Council to accurately reflect the current seafood businesses in Connecticut. And also, it brings it in line with our other commodity councils such as the Farm Wine Development Council. The updated membership includes an agriculture finfish producer, a seaweed agriculture producer, and a small-scale aquaculture producer to the existing membership, which will better fully encompass the entire agriculture industry that we currently have.

House Bill 6385 AN ACT CONCERNING ENHANCEMENTS TO CERTAIN AGRICULTURAL PROGRAMS was submitted as a Department Bill. Sections 1 and 2 of this Bill add chicken eggs as an additional product covered under the definition of fresh produce for WIC programs and seniors over 60 who use the Farmers Market Nutrition Program. This program provides check booklets \$15 for each WIC participant and \$18 for seniors to purchase Connecticut grown fresh produce at authorized Connecticut farmers' markets. In addition to extending participants purchasing power, this program also stimulates demand for Connecticut farm products.

Section 3 updates Connecticut grown language to be clear and consistent across all platforms. This language will create a simplified easy to interpret signage for farmers and consumers and streamline marketing efforts. It's our expectation that by simplifying the brand components that we'll be expanding the number of farmers who use the Connecticut grown label and therefore increase the recognition of it as a local option for Connecticut consumers. This will be as part of a larger effort

that the department is launching in regards to our Connecticut growing campaign later this year.

Section 4 allows the Commissioner to issue fines of \$50 for a first offence and up to \$200 for each subsequent offence to the statutes referenced in Section 3. Current language provides a range of fines from \$25 to \$50 for the first offence, and 100 to \$200 for subsequent offences.

Section 5 creates a consumer protection provision for those who purchase eggs from farms, chicken eggs from farms, eggs would need to be clean, stored at a temperature of 45 degrees or less, for example, in a cooler on adulterated and labelled. These standards are in line with traditional Farmers' Market practices and are not intended to create an undue burden on our farmers.

Section 6 deals with improper seed labelling. This proposed change brings a level of parity for the infraction compared with similar violations.

Section 7 allows the Commissioner of the Department of Agriculture or the Commissioner of Agriculture's designees to issue citations in accordance with Sections 51-164N for any infraction or violation established in the general statutes under the Commissioner's present authority.

This authority has been extended to other agencies in the past. However, this section alone does not address the entire issue that we are seeking to resolve. We need to first update the Commissioner's powers in 22-4C and second to update the citation statutes 51-164N to correctly list the statutes that DoAG can issue citations under.

The Office of the Attorney General identified a need for additional clarity pertaining to the authority of the Commissioner or the Commissioner's designation under 24-22-4C. That added clarity represented in the proposed language would allow the

Commissioner or the Commissioner's designated agent the authority to issue Malan infractions and violations, one that penalty is authorized by statute within the jurisdiction of the department. This is parallel to the Department of Consumer Protection Commissioner's authority for their designees.

The submitted language gives the Commissioner the authority to issue citations for violations and infractions issued under statutes within the jurisdiction of the Department of Agriculture. In many cases, the department statute was not renumbered and not updated and CGS 51-164N or was not added when the statute was passed.

The Department of Agriculture is charged with enforcing many statutes where the penalty is an infraction or violation, including our hemp law and produce safety laws. These citations are by definition for non-criminal offences and could be handled by the judiciary infractions bureau if issued as citations.

If the subsidy language is not approved, DoAG will continue to use the civil penalty method of enforcement. This is extremely time consuming and cumbersome and is rarely used to the amount of legal work required. As an example, the department has one pending case that was started in 2019 and is still currently in court.

Section 8 of the proposed Bill aims to increase the check booklet amounts for the WIC participants and seniors over 60, who use the Farmers' Market nutrition programs to not less than \$20 as referenced in Sections 1 and 2 of this Bill. Increasing the check booklet value will decrease the number of WIC and senior participants served, but will likely increase the fund usage rate and redemption rate of the check booklets.

I just want to make sure that the Committee acknowledge that this modification will reduce the total number of voucher booklets available to eligible participants, but may increase the funder usage.

DoAG included several concepts in our original request which were not included in this Bill and I respectfully request the Committee consider the following additions as substitute language moving forward. Based on our experience through COVID-19, we included two provisions to modify the aforementioned Farmers' Market nutrition programs to make it easier for participants to redeem their vouchers by removing participants signature requirements and allowing proxy redemption benefits. These efforts were put in place by executive order at the onset of COVID and have ensured that high risk individuals using these programs have access to fresh nutritious food in a socially distant responsible manner.

In addition, we requested an opportunity that future farmland easements be able to be subdivided. Not all farmers or future farmers have the ability to purchase 100 plus acre farm even at a more affordable rate for a preserved farm. By allowing DoAG to subdivide that same 100 acres into four 25-acre farms, we're making sure that farmland is more practically available and accessible for those farmers in search of land.

And just to highlight the efforts of the department over the past year in 2020, the department preserved permanently protected 13 farms for 1,015 acres across the state. And importantly for those interested in the farmland preservation work that we do, 47% of every dollar spent on farmland preservation was a state partner or local dollar, I'm sorry, a federal partner or local dollar. So, it's a tremendous value for the state dollars that we have.

We also requested the inclusion of urban farming practices as eligible purposes for the farm viability and matching grant programs. As more farm start-up across the state in rural, suburban, and now more urban communities, it is good policy to specifically include these terms as eligible practices and farms in the statute. I'm currently including applications as a priority for our grants under my discretion. Future Commissioners' administrations could remove that from their priority, and I'm seeking to permanently include urban farms expressly in our statute.

We also included the option for processing of rabbits in the consumption as we had proposed in the 2020 legislative session. Allowing for the processing of rabbits would allow additional food source, increase opportunity for farmers and provide Connecticut consumers with another Connecticut grown product.

We included a number of technical revisions and clean-ups within our statutes. For example, we requested to remove the Connecticut marketing authority from our statute since the department no longer oversees CMA. We requested amending vendor certificate statutes to expire at a three-year term instead of a two-year term, which will align them with the other certificate timelines. We requested to include the definition of livestock dealer for traceability inspection purposes, and also removing the hyphen from Connecticut grown language, to again make sure that we are consistent across the Connecticut grown campaigns and statutes.

Thank you very much for raising these Bills and providing me the opportunity to testify. I'm happy to answer questions that the Committee Members may have on the two aforementioned Bills.

REP. BORER (115TH): Thank you. Before -- I do see some hands raised before I turned to questions. Was

Kaylee or Carole also going to speak on the same proposals or are they just here to answer questions?

COMMR. BRYAN HURLBURT: They're just here as assistance manager.

REP. BORER (115TH): Oh, okay all right. I just want to make sure we give them the opportunity to speak. Okay, so we have Representative Dillon first in the queue.

REP. DILLON (92ND): Thank you very much, Madam Chair. It's good to see you Commissioner and I want to thank you for continuing the benefits of the Food Box Program to the -- those who have food insecurity, even though for some reason, Sonny Perdue cut out Connecticut farmers which I hope was fixed. Most of the people who were -- who benefited from that New Haven live in County Walker's district, although many of them live in mine. They don't know you, but they really benefited. And I appreciate all of your good works in that regard. That's number one.

Number two, I agree with you on the, on the nutritional food market and the proxy. And it really exposes a gap, I think, in our approach to the disabled during COVID-19. As a result of a decision made pursuant to a court case many years ago, we have just on the west side of our city, many 100 people who participate in Department of Developmental Services Programs, and we have other people with community placement who participate in DMHAS, that was considered a very progressive thing to do.

Unfortunately, the state in its wisdom did not prioritize them for vaccination, which means that they're isolating and regressing, although I suppose many of us are, but, but it's very difficult for those people. And they're relying on others to get them their food. If we don't make the executive order permanent, not only are we compounding a

misguided failure, I believe, to prioritize the disabled for a pro vaccines, we're also I think, risking a problem with food. Maybe I'm overreacting to this, but I'm, I was very, very concerned. And I just want to highlight that because you testified on that.

The next I want to, well, I don't know if I should ask you four questions at once. That's a lot, but as you know, I'm very concerned about the oysters. It took, I believe, four decades to restore the oyster beds. We're not Rhode Island, but we've done pretty well at a farm bureau meeting after the pandemic. Last year, Bloom brothers, Mr. Bloom testified that he lost 80% of his business when our restaurants closed. And I don't know whether your proposal is going to provide some support for that category of oysters and oystermen. But I wanted to restate my concern about that and obviously, I support urban farming so and was actually involved in a group that did that some time ago. So those are my reactions to your testimony. And thank you.

REP. BORER (115TH): Thank you, Representative Dillon. Was there anything Bryan you wanted to add before we move on to Representative Michel. I think it was more comments that rather than questions. Correct?

REP. DILLON (92ND): Madam Chair, I do. I am concerned about the effect of the proxy issue on the disabled. And I don't know if that is part of what the Commissioner is looking at. But I'd like to hear about it.

REP. BORER (115TH): Okay.

REP. DILLON (92ND): Because I could not get them prioritized for vaccines, and I can't imagine what's going to happen to them now.

REP. BORER (115TH): Okay.

COMMR. BRYAN HURLBURT: I'd be happy to respond to it. And thank you, Representative Dillon, first, for acknowledging the role the department has played in the farm and family food box program. Just as a quick note for Members of the Committee, this has been a great effort working with our regional coordinators from emergency management, from our local pantries and non-profits on the ground and with the vendors that are coming in. I agree. We should have more Connecticut farmers participating. That's a challenge we'll continue to work on. But it has been a great relationship with everybody.

The Farmers' Market Nutrition Program, the point that you're making, exactly what we're trying to solve to make sure that folks still have access that was granted under the executive orders during the early pandemic response and carry that out in for future programs.

We didn't see any cases of fraud, it worked well. It allowed the individuals that were most at risk for COVID to stay home and sign over their check booklets to a family member or caretaker and allow them to spend those checks at farmer's markets which benefit them and the farmers who builds those into their business plan.

I'll touch base with you offline, Representative Dillon, regarding what we did during the COVID response in regards to restoration of the natural shellfish beds in the state. A very innovative program working with UConn Sea Grant to restore those programs -- to restore those beds. Not nearly enough, which is why we're pursuing the opportunity to do more of that. But also as a way to pay producers while their market decreased, and have them keep activities going, to make sure that they kept their employees on staff that they were working and that they were being productive and the natural, and the restoration of the seed beds was an added benefit to that. So that's, that was a great

success story that we can touch base with you on, on afterwards.

And Representative, you mentioned four items, those were three and unfortunately, my Wi-Fi paused out for a second. So, is there a fourth that you would like me to address?

REP. BORER (115TH): Representative Dillon?

REP. DILLON (92ND): Thank you. I simply wanted to state my support for urban farming. I was formerly involved with a group that does that in our region. And the only challenge really they've had is decent soil because in certain areas, there are problems with lead. So, you have to really do a lot to make sure that you can get compost that maybe there's some possibility, but they paid for that. But we find it very exciting, and I appreciate your support for urban farming. Thank you.

COMMR. BRYAN HURLBURT: Thank you.

REP. BORER (115TH): Thank you, Representative Dillon. I know you've been involved in this program very long time. Representative Michel.

REP. MICHEL (146TH): Thank you, Madam Chair. Thank you, Mr. Hurlburt, Commissioner Hurlburt for your testimony. First, I'm talking about HB 635. I wanted to know how much money goes into the Farmers' Market Nutrition Program.

COMMR. BRYAN HURLBURT: It is approximately a million dollars, Representative.

REP. MICHEL (146TH): Thank you. And I have a couple of questions. I'll try to be brief. How many chicken farms do we have in the state? Sorry, it's the second time I'm talking about chickens today.

COMMR. BRYAN HURLBURT: We don't have a registry of chicken farms. And we don't have a catalogue of necessarily all the independent chicken producers, the folks that would be making chicken eggs available. I'm thinking of as you drive through different parts of the state on some of these back roads, you have a cooler with a handmade sign that says you know, chicken eggs, you know, \$4 per dozen, but they aren't necessarily registered with us. So, I don't have a number for you today.

REP. MICHEL (146TH): And do we have any semi-industrial operations, or is it just your moms and pops that serving just members of the village, or are we talking about big operation still in other towns?

COMMR. BRYAN HURLBURT: This proposal would be for the smaller operations, but we do have Hillandale farms in southeast Connecticut, which is a very large producer of eggs.

REP. MICHEL (146TH): Okay. And then so to continue following up on these, the addition of a chicken eggs? Well, first, is there waste? Do we have a waste of chicken eggs from those farms? Is there known -- I mean, is there information or numbers that there is such waste from those small or bigger producers?

COMMR. BRYAN HURLBURT: Representative, I'm not sure I understand the question.

REP. MICHEL (146TH): So, I'll move to the next one that might actually help. Then my question would be, adding chicken eggs to this program, and I'm all for nutrition, and I'm a big supporter of plant-based agriculture, of course, but I'm just curious, could this could this actually increase production of eggs or could this participate in increasing chicken operations or this is too limited or can you elaborate on this?

COMMR. BRYAN HURLBURT: It would allow for a new market opportunity for folks to participate in. There's nothing that forces that that the checks be used for chicken eggs, there's nothing that forces farmers to produce chicken eggs, you know, you could be a vegetable operation and have, you know, \$10 of the \$15 be used for vegetables. And then the consumer could go you know if they're at a Farmers' Market down a couple stalls and purchase a dozen eggs or they could go down a couple stalls and purchase another eligible product. But there's nothing that requires certified farmers or Farmers' Market to mandate that either the consumer has to accept the eggs or that the farmer has to produce the eggs.

REP. MICHEL (146TH): Okay, I'm just trying to see if we'd be increasing chicken operations with this, where I have some concerns when we're trying to curb emissions and pollution. This could, if we -- but I don't, I don't necessarily see that. I could probably keep talking with you offline about this.

And then regarding SB, what is it, SB 840? Was there any talk about getting just some sort of study to see the impact of increasing shell fishing in Long Island Sound? Anything of the sort, like in scientific approach and ecological approach showing because I see the members of the council as the largely, mostly, you know, harvesters and dealers, and I do see the Sea Grant Program and UConn being involved. But I'm just curious before this would take effect, is there any chance we could get a study first, just see the impact on Rhode Island Sound? What are the projections? How much increase are we going to have?

And I did, I think voice some concerns in the last time about the potential for maybe spreading disease, and I'm sure most harvesters know what they're doing. But just if there's a program also for that because we just, you know, we wouldn't want to increase production and then suddenly have a

dramatic event. And so if you can talk about this, please. Thank you.

COMMR. BRYAN HURLBURT: Thank you, Representative. We work closely with the University of Connecticut to get Sea Grant, we're going to be set up at every point at every point campus. They are the technical advisors for our producers across the state and work with the individual operations on that. The latest UConn economic impact study, and Kaylee, we can make sure we get this to Representative Michel, that has agriculture as one of the fastest growing components of agriculture in the state of Connecticut. There is a tremendous demand for agriculture products. So, you know, our oysters and clams are renowned for their quality for their taste. Our Connecticut shellfish men and women are great entrepreneurs making sure that they're getting these products out and about and had to pivot extremely in response to COVID-19.

Just to give you an idea of how well received Connecticut oysters are, a Connecticut producer actually has a customer restaurant chain in Texas that they ship their oysters to. Obviously, Texas is on the Gulf Coast and has access to plenty of their own oysters. But they see to it that that Connecticut oysters are the quality product that they want to share.

So, we can get you that economic impact study and share that with you it has more information on the industry for you to review and we'd be happy to answer questions on it.

In regards to the spreading of disease or pests and management regarding that, this is another reason why actively managing our natural shellfish beds becomes critically important. If they are not managed properly, it is more likely that disease and pests can spread at those natural beds and then spread to the commercial beds that are managed by either the state or the municipalities. And so, an

active management program is in the best interest for disease management in that particular instance.

REP. MICHEL (146TH): Thank you Commissioner Hurlburt. I just to respond, I appreciate the economic impact study. I'd be looking for an environmental impact study as well. And on the management of shellfish beds, I would agree with you that more controlled management is important. But again, some study of something, some impact study not only on economies but also on the environment would be welcome before expanding the shellfish.

But I appreciate. Thank you, Commissioner Hurlburt. And thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Michel. And Kaylee, if you don't mind, if you can send that impact study to myself or Senator Cohen. We'll send it out to all of the Committee Members. I'm sure everybody be interested in that. Okay, Representative Chafee.

REP. CHAFEE (33RD): Thank you Madam Chair. Thank you, Mr. Hurlburt for providing testimony. I have question regarding the land sub-divisions provision of the Bill. You said that it would allow 100-acre farm to split into four 25-acre pieces. What is the current minimum, 100 acres?

COMMR. BRYAN HURLBURT: Now, thank you, Representative. I appreciate the question and opportunity to follow up on this. Currently, when we, when the application comes in our farmland preservation program, they submit the entire parcel and it's and it comes in as a block or unit and then that moves through the process. And there isn't necessarily the opportunity to subdivide that for future owners or interested participants. And so, if say, a dairy farmer wants to protect a 400-acre cornfield, which is not unlike what we typically see in this program, we listed as 100-acre or a 400-acre field. As we look to use this program to increase

access for new and beginning farmers, a 400-acre field even at the reduced price after the state has purchased the development rights, still is too large of a farm and still too expensive a farm for that new and beginning farmer generally speaking.

So, what we're suggesting here is that should we have an agreement with the landowner, that we can add a deed amendment that would allow for the parcel to be subdivided in the future, that we are able to do that this would not be going backwards or retroactive to any of our current protected farms, it would only be where both the state and the current landowner are in agreement that by subdividing this, we could make smaller parcels and therefore make them more available. And as I said, more practically available to new and beginning farmers in the future.

REP. CHAFEE (33RD): Okay, all these subdivided parcels would still have to be farmland after the subdivision?

COMMR. BRYAN HURLBURT: Correct. This would not be the opportunity to take a 25-acre piece out to make a subdivision for housing or cul-de-sac or cut through. That would have to be done prior to the application or work through with the application with our farmland preservation team. And that it's not atypical that, you know, you have 100-acre parcel of land and you reserve you know, 10-acres or you don't submit those 10 acres for whatever reason into the program.

REP. CHAFEE (33RD): Okay, thank you for the clarification.

COMMR. BRYAN HURLBURT: You're welcome.

REP. BORER (115TH): Thank you, Representative. Representative Mushinsky.

REP. MUSHINSKY (85TH): Okay. I just want to make sure I understand what did you say Commissioner that the Farmers' Market booklets will serve fewer people as a result of the changes in the Bill?

COMMR. BRYAN HURLBURT: Essentially yes, that is correct, Representative Mushinsky. The last section that was added to the Bill increased the booklet amounts, but not the total budget available for the booklets. And so, but if we increase the amounts, we would have fewer booklets to distribute and therefore fewer individuals potentially served.

As I did mention, though, for those people who do redeem their, their checks, they may have access to additional booklets and therefore could have more spending power as an individual, but the total number of individuals served would likely decrease.

REP. MUSHINSKY (85TH): Okay, because I don't know which is better to give people a less expensive booklet or to serve more people with a smaller booklet. That's I guess that's a judgement call for us. You must see some advantage to doing it this way.

COMMR. BRYAN HURLBURT: That actually wasn't part of our submitted Bill. That was added in drafting.

REP. MUSHINSKY (85TH): Okay. Second question is, if you're going to be farming rabbits for food, is the department either your department or DEEP following the rabbit hemorrhagic disease, I had filed a Bill on this and it got lost it may have not hit the button correctly. I was trying to get the state ready for this, it's out west right now, but it's moving our way, it's moving east gradually and it will arrive here and it's fatal to wild rabbits and domestic rabbits. So, is the department working with DEEP to get ready for this?

COMMR. BRYAN HURLBURT: I'm not aware offhand, Representative Mushinsky. I would imagine that USDA

Animal Plant Health Inspection Services have probably been in coordination with DEEP as our natural resource agency. But we can follow up with that and see where it's at and what information has been shared.

REP. MUSHINSKY (85TH): Okay. There, I understand that in Europe, there's a vaccine for it, but it's not well used in the USA. Anyway, we have to, you know, it's like this pandemic that we're in now, we have to get ready for this because it does appear to travel rapidly. And it's going from west to east. So just a heads up on that.

And the third thing is, a holdover from last year, I had a Bill to have to allow you the Commissioner to issue a Connecticut record recognition of nationally certified therapy dogs, and the owner would pay for the fee for the medallion or document or whatever it is that you give out. Are you willing to do that if we make it a Commissioner may issue?

COMMR. BRYAN HURLBURT: I think that actually may be better discuss that the next public hearing that well, I hope, the Environment Committee will raise an act concerning animal welfare that we've submitted.

REP. MUSHINSKY (85TH): Okay that's you're right, probably would fit that Bill better, so thank you for that. Thank you, Commissioner.

COMMR. BRYAN HURLBURT: Thank you, Representative Mushinsky. Good to see you.

REP. MUSHINSKY (85TH): And yourself.

REP. BORER (115TH): Thank you, Representative Mushinsky. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. Madam Chairman, I just, you know, I'm trying to follow along here like everybody else, in a very

different format, from what we're used to. And I guess I'll just asked the Commissioner, am I correct that you offered testimony on language that is not currently part of this agenda? Yes, or no?

COMMR. BRYAN HURLBURT: Yes.

SENATOR MINER (30TH): Thank you. And so, you know, part of the problem that I think we're all grappling with is that we, we have a limited ability to do this remotely. And with respect, I would suggest that if we're going to go down this road of trying to shoehorn items into Bills that are not and were not part of an original disclosure at the time the Committee raised them, it is going to deteriorate this process rather quickly. There's a lot about what you asked for that I respect and would like to help you try and accomplish within the framework of everything else we have to accomplish. But I, I am fearful that if we go the rest of the day today asking questions about parts of a Bill that aren't part of the Bill that's on the agenda, we're going to end up in a place that's going to be very hard to control.

So, in the future, I would just ask the two Chairs that seeing as they have kind of custody and control of this process, that they try and keep us focused on the agenda that we have, and not on all the other things that some of us would like to do. I have a long list of those as well. But I think it would be good for us to put them on.

So, Commissioner, I appreciate your being here. I am supportive of your initiatives, relative to the shell-fishing industry. I think we can do what it is that you're asking for and not negatively impact the environment to the extent that I think Representative Michel may be concerned about it.

And beyond that, I think there are some appropriations questions that probably should be dealt with in another Committee with regard to the

Connecticut food system. And maybe that's where some of the other Members of this Committee in the Appropriations Committee can work collaboratively to make sure that the proteins that you think are of importance and maybe some others that people are asking for, could be paid for with a more robust voucher system, if we were to put the money in there. That really is frankly, in the Appropriations Committee. So, thank you for being here.

REP. BORER (115TH): Thank you, Senator Miner. Senator Cohen. You're on mute, Senator.

SENATOR COHEN (12TH): I was going on and on, thank you, Madam Chair. And thank you, Commissioner for your testimony. I appreciate it. And there is a lot here. I also thank the good Ranking Member for his comments.

I will know, you know, we in this sort of his comments are in line with mine a bit in that we, you know, when the Committee raised these concepts, they raised the concepts very broadly. For example, we raised an act concerning certain enhancements to agricultural programs, and that's concerning certain enhancements to agricultural programs.

You know, the Bill was been drafted. And, you know, what I'm hearing from you, Commissioner is that there are pieces, you know, with respect to enhancing agriculture programs, or agriculture programs that perhaps you had suggested, that are not inclusive in the language of the Bill. And I would be interested in hearing what those are about, but certainly don't want to get too broad in scope, that we're putting things in Bills that are not germane to the Bill themselves. And so, we have to be really careful about that. And I agree with the Senator Miner's comments.

But I did want to ask, along those lines, aquaculture, you know, when we had raised the

concept, again, and concerning certain enhancements to aquaculture programs, we have been discussing more broadly about some of the topics that we would be including in that language, and received some language from the Department of Agriculture with respect to the seafood Council, for example, which is in there. Some other initiatives that have come to us and I know, certainly the Commissioner has had an interest in in the past.

And I'd be curious to hear what your thoughts are, you know, we know that there's a struggling aquaculture community out there, especially in light of the COVID-19 pandemic, and some of these folks who are oyster fishermen, for example, so 99% reduction in revenues, you know, as a result of restaurant closures. Obviously, some of that's coming back at this point, but still, something to contend with as we navigate through this pandemic. And as we look to programs that will highlight aquaculture in the State of Connecticut and look to, you know, some of these enhancements. There has been conversation from the Farm Bureau, I don't know what they're signed up today about expanding 490. And I just wondered what your thoughts are on that, Commissioner, if you might just comment.

COMMR. BRYAN HURLBURT: Happy to. I believe you're referring to, Senator, the 490 expansion that would include agriculture operations in their land-based equipment that was raised and had a public hearing in the 2020 session.

I did, I did testify in support of that Bill at the time and would likely be able to do the same this year, that would establish more parity between our aquaculture and Terra Firma Farm operations. And I think that it is --it would be well received by those operations that would seek the property tax relief that other farms have access to.

SENATOR COHEN (12TH): Okay appreciate that. Thank you, Commissioner.

COMMR. BRYAN HURLBURT: Thank you.

REP. BORER (115TH): Okay, Commissioner. So, I don't see any other hands raised. But I just did want to make a couple of follow up comments and around the Farmers' Market. And I really applaud your efforts to expand what could be sold at the Farmers' Market. It's such a great program for to bring nutritional produce to our families at a cost-effective way.

I just want to go back to increasing the coupon booklets doesn't necessarily mean that we're going to reduce the number that received them because to Senator Miner's point that would be a fiscal, that would be something that will go to Appropriations. So, I don't know, I mean, I don't know if you're asking or we're asking, I guess I'm asking, I would be interested in seeing that increase to those who currently receive the coupons, because I don't know how you're going to start to reduce who receives the coupons. So, I think we'd be interested to see what the fiscal note is to increase those coupons, for those that currently receive the coupons. I would not be interested in seeing us reduce the number of people who receive the coupons because it's such a vital program.

So, I guess, you know, maybe that analysis will tell us which way to move forward on that. And part of that would be great to see the redemption percentage rate as to how many do redeem them. And then as far as the proxy, I think the proxy is really important because we do have elderly and disabled that cannot get to the market and they send their home health aides or they send their grandchildren to go for them. I've, I've been one of them in the past.

But I'm glad you mentioned the issue around fraud, because we also have, right sometimes in some of our, our areas, you know, people have had their coupon books stolen. Right. So, I'm glad to hear

that there's a good accounting program in place that really monitors that.

COMMR. BRYAN HURLBURT: Yeah, thank you, Representative. Madam Chair, just as a side note, that Section 8 that increase the booklet amounts was not a requested change from the department. While items one through seven were the additional components that I added at the end of my testimony were requested by the department, that piece wasn't. So, I do not have at this time a policy recommendation for the Committee on there.

I just want to acknowledge that if there isn't a change in an increase in the amount of the allocated funds available through the state senior and WIC programs that we would be inherently reducing the number of booklets that we would produce and therefore could distribute.

So, we can circle back on that. But I just want to make it clear that that was not an agency proposal or recommendation.

REP. BORER (115TH): But you would be reducing the number of booklets because you're using the same total \$1 million a lot. But if we as a Committee would like to see those increase, because it's what today, \$15 \$18? What is it today? I think it's went up to \$18.

COMMR. BRYAN HURLBURT: \$18 for seniors and \$15 for WIC.

REP. BORER (115TH): Correct. So, \$18 once a year is an it's an awful small amount for a great program. So, I think that's something that we'll continue to talk about as a legislature. And does it mean that if we increase them, we're going to reduce the number of folks? I think we need to see what that cost is to increase the value of the coupons and then make a decision from there. But we

don't necessarily have to stay within that \$1 million and do either or until we see the cost.

COMMR. BRYAN HURLBURT: Absolutely, but the language before us did not increase the total fund. And so, as presented, that would be the outcome of course, if he would make changes yeah, the fund yes.

REP. BORER (115TH): That's when we'll see the fiscal, that's when we'll look at the fiscal note right. So, that's what our state department does. Okay great, Representative Dillon, did you have a new question or is your hand raised from before.

REP. DILLON (92ND): Madam Chair, I have a new question. A comment. I am, I guess I was concerned that Senator Miner's concern because I wasn't sure which specific issues he objects to. But I simply would like to say that there was an executive order from Governor Lamont that made it possible for vulnerable people who were directed to stay home, that someone else could get them their food. For many people who felt that the legislature should make those decisions and they objected to some of the executive orders which are expiring.

So, this is the Committee that's going to have to make the decision about whether or not those people who are vulnerable, who were staying home because of the pandemic have access to this program. And so, I can get it to remain and if the executive order expired, then I don't know where else that language would be done unless we take it up in Appropriations. But I certainly would not want to be disrespectful of the Environment Committee because it has cognizance of that program. And if there are other issues, I certainly respect Senator Miner's concern, but there's an urgency to the issue of the expiration of the executive order, in my view.

Thank you very much.

REP. BORER (115TH): Okay, so we have one last speaker. Senator Miner, would like to go for a second time and I would just remind everybody that the questions, the questions are to the speaker, right for dialogue. And the debate will happen when we're actually in the meeting. Senator Miner.

SENATOR MINER (30TH): Thank you Madam Chair. I just as a point of clarification because I want to agree with you on your comments, and I want to acknowledge Representative Dillon about her concern.

I think there are a number of issues that are before us having to do with COVID that are going to have to be fleshed out in a number of different venues. And, you know, I've got constituents that would rather go to a Farmers' Market than their local grocery store. And it's not necessarily because of what they get at the Farmers' Market.

It's because it's an open-air facility and COVID is still here. So, I am more than willing to work with you through the right venue. I was trying to make a point here in the Environment Committee that we have, we have really tried to manage this hearing process and our meeting process in a way that I think is thoughtful, and respectful. And as much as we might want to do a lot of things, if they're not before us, if we head down the slope of adding them to testimony, I've been around the building a long time, and I can tell you where it's going to end up. And so that was the only point of my question. I respect Representative Dillon's concern, and I share her concern, as I do yours, Madam Chairman. Thank you.

REP. BORER (115TH): Thank you, Senator Miner. Your point is taken. It's about the process. Okay, I don't see any other questions for Commissioner Hurlburt. So, with that, we thank you for your testimony. And thank you for the dialogue. More to come. Thank you. Okay, Wendy, are we -- do we have DEEP in the queue?

COMMR. KATIE DYKES: I'm here, Representative Borer.

REP. BORER (115TH): Okay, all right. Thank you, Commissioner Dykes, we're going to start off with you.

COMMR. KATIE DYKES: Great. Well, good morning. I want to thank the Committee Chairs, Senator Cohen, Representative Borer, Ranking Members, Senator Miner and Representative Harding, Honorable Members of the Environment Committee for this opportunity to testify today virtually. It's great to see all of you and great to be part of this process remotely this year.

I want to just briefly present a few comments in support of written testimony that the department has submitted on Bills that you're hearing today. First and foremost, in support of House Joint Resolution 53, which supports the adoption of the Long Island Sound Blue Plan. I appreciate the Committee raising this resolution.

Again, as I testified last year, the Blue Plan, the process of adoption of the Blue Plan has been just a terrific success, I believe, in bringing together vast number of stakeholders and advancing a tremendous amount of public participation and data and scientific knowledge that will help enhance our opportunities to protect and support existing human uses of the Sound and the habitats and natural features of Long Island Sound in a way that will support our economic and environmental objectives.

The Blue Plan, of course, is a marine spatial planning initiative. And just to say briefly, you know, the goals of any marine spatial planning process are to account for and coordinate the activities of all coastal and ocean interests, for the sake of decreasing user conflict, engaging communities and stakeholders that are affected by

these coastal and ocean interests, and preserving critical ecosystem functions and services.

And so, the intent of the Blue Plan, as a marine spatial planning process for Long Island Sound is to plan and account for both the existing human uses of the Sound and the habitats and natural features that are needed for marine life to thrive in the Sound. I know that we're just really excited about this process and the opportunity to bring this forward again in the 21 session for adoption.

The Blue Plan, you know, is a real comprehensive inventory of the Sound's natural resources and uses and I know that it will really help us enhance the ability for us to consider these various uses and avoid conflicts in as we manage the Long Island Sound into the future.

So, I also just want to briefly highlight testimony that we've submitted in support of House Bill 6386, which would establish an extended producer responsibility program for gas cylinders.

As you know, DEEP has been very active in working with municipalities across the state on ways to expand and scale-up sustainable materials management solutions. And one of the key areas of focus of that effort that we've undertaken through the Connecticut Coalition for Sustainable Materials Management was focused specifically on Extended Producer Responsibility, or EPR.

EPR programs place the responsibility for management of materials on manufacturers and distributors of those materials, as opposed to on tap municipalities and taxpayers. And there are a lot of advantages for using EPR approaches, we have had many successful EPR programs put in place. I'm here in the State of Connecticut already, I believe gas cylinders are especially we highlighted through this CCSM process. There's very significant support from CCSM members, for us extending extended producer

responsibility models to management of materials like gas cylinders, particularly because these materials are or at least cylinders can pose a safety risk to the haulers, to waste energy facilities, and others who are handling these when they go into the municipal solid waste stream.

We also identified support for establishing extended producer responsibility programs for tires. And I know the Bill also refers to smoke detectors, both tires and smoke detectors we believe are, you know, we have a lot of experience and have had dialogue with other states that are establishing EPR programs, and believe we'd be glad to work with the Committee if there's appetite for advancing EPR authorization for those materials as well, instead of just authorizing a study this year.

But those are examples of, all three of these are examples of materials that can be difficult to manage. And in the case of tires, for example, often illegally dumped and that imposes more costs on municipalities, as well as damage to our environment and managing those materials.

And then finally, DEEP has submitted a testimony in support of Senate Bill 837. And I'll just speak briefly. We really support this concept to minimize the use of PFAS containing a firefighting foam to reduce future releases of PFAS. And we've made tremendous progress in working with DESPP and others to identify PFAS free alternatives to firefighting foams.

And as well, we've been making progress on a take back program with the \$2 million that were allocated at the 2020 State Bond Commission Meeting. So, you know, we'll be glad to work with Committee on this Bill and aligned to areas that we've making progress.

We've submitted written testimony on also Senate Bills, 838 and 839. And but in the interest of

time, I'm, I'll close my comments here. I'm delighted to take any questions on anything that Members may be interested in today.

And I also, I'm sorry, I neglected to introduce members of my team, Deputy Commissioner for Environmental Quality, Betsy Wingfield is with us, as well as David Blatt and others who I may invite to answer any questions as well.

REP. BORER (115TH): Thank you, thank you, Commissioner, and thank you for your testimony I know for a lot of these Bills, we heard this testimony last year and now as everybody knows, we needed to start from square one, so thank you for repeating your testimony. I see Senator Miner has his hands raised.

SENATOR MINER (30TH): Thank you, Madam Chairman. And thank you, Commissioner for your testimony on the gas cylinders. And the two other items in that Bill. I wanted to talk a little bit about PFAS because for almost as long as we've been talking about this, I'm hearing from communities where volunteer fire services have an inventory of this firefighting foam. They would like to get rid of it. They would like the state to take it. I know there was money appropriated through the Bond Commission, could you tell me what that program stands to date?

COMMR. KATIE DYKES: Great. So, our, you know, our priorities are obviously to ensure that we can come up with alternatives that are safe for use. That's really been a key priority in moving forward to Take Back Program but we've been working very closely with DESPP and there have been some recent announcements as we look to move forward with the Take Back Program.

I'd like to invite Deputy Commissioner Wingfield if you want to share some of the details of that work on response to Senator Miner's question.

BETSEY WINGFIELD: Thank you, Commissioner, and thank you for providing us the opportunity to provide input today. So, Senator Miner, we have been actively working with DESPP. Just last Friday, they published some guidance on a fluorine free foam that it we have determined along with DESPP is appropriate for use so that local fire departments can now purchase a fluorine free foam for use moving forward. We are actively getting quotes on a collection program to address the take back issue. We feel we have pretty good inventory from local fire departments. And we are move forward with that this spring. Our goals are to make it as simple for the local fire departments as we can and conduct that take back program and address that issue. So, that is significant development in the first and second quarter of this year on that issue.

SENATOR MINER (30TH): Thank you. So, I'm hopeful that we'll have maybe a little more of an outline of where we're headed in terms of the Take Back Program before we move this Bill out of Committee. I understand the environmental and public health reasons for us taking this step. I've been a volunteer fireman for plenty of years and remember walking through home late in basements. I suspect I've had this stuff all over me.

That having been said, if we don't have a program to take it back, I can't imagine this passing the legislature. So, the real issue if we have a solution of another foam, the real issue is, what do we do with what we have. And I would argue that it's just like everything else that we know is hazardous to have in the environment. We don't give people an alternative, a can is going to deteriorate in the basement of a firehouse. It is going to be a problem.

So, I look forward to the information and hope that it comes in a robust fashion. So, we can set municipalities and volunteer fire service companies

that are in some cases, standalone non-profits that don't want the liability. So, thank you.

REP. BORER (115TH): Thank you, Senator.  
Representative Michel.

REP. MICHEL (146TH): Thank you, Madam Chair. Thank you, Madam Commissioner for testifying. I just have, I think, because I've been receiving emails about the gas cylinders. And so, if somebody could just elaborate a little bit more, because I know that, like, maybe I have three, two, I'm not using for example. So, I wouldn't want to recycle them. Right. But there's also this exchange program where you keep bringing it into the gas station, you pay a fee, and then you get a full tank. How is that supposed -- Is that interfering with this? What? What's, what's the idea here? I'm getting a little bit lost. I know there's a council also. So, can you, can somebody elaborate on this program?

COMMR. KATIE DYKES: Yeah, so under an EPR program, essentially, the cost of handling the materials and the responsibility for designing a convenient and accessible program for recovering these materials is organized by the by the manufacturers. We find that that can be a very cost effective and efficient way to manage for these materials. And in some cases, there may they may -- So, you know, we've worked with industry members and participants aligned with other jurisdictions that have implemented EPR type programs. And so, you know, this authorization would enable us to design work with them to design programs similar to how we've done with other materials in the state.

BETSEY WINGFIELD: But I think what's really key, Representative Michel, is that in terms of tanks being used and refilled, I mean, it's when we get to the end of the useful life of the tank where the EPR program would kick in, and where we want to make sure that there's an appropriate process for managing that.

REP. MICHEL (146TH): That that was kind of my understanding, I just wanted clarification. Thank you very much, Deputy Commissioner and Commissioner. Thank you. Thank you, Madam Chair.

REP. BORER (115TH): Thank you. Thank you, Representative Michel, I actually don't see any other questions. I know, we're going to hear more. And there's more testimony coming up on the Blue Plan. So, there'll be more elaboration at that point. But I want to thank you for your testimony, and for all the work that you're doing.

COMMR. KATIE DYKES: Absolutely Thank you so much for the opportunity.

BETSEY WINGFIELD: Thank you, great. Thank you.

REP. BORER (115TH): Thanks. Wendy I see next our next speaker is Kelsey Wentling from the Connecticut River Conservancy and then following Kelsey will be Patricia Taylor. Is Kelsey with us?

KELSEY WENTLING: I'm here. Good morning.

REP. BORER (115TH): Okay, great. You're on Kelsey.

KELSEY WENTLING: All right, thank you. Good morning, Senator Cohen, Representative Borer, Honorable Members of the Environment Committee. Thank you for the opportunity to testify today. My name is Kelsey Wentling. I use she/her pronouns and I'm here today on behalf of Connecticut River Conservancy. And I'm here to support with changes House Bill 6386, EXTENDED PRODUCER RESPONSIBILITY EPR FOR TIRES, SMOKE DETECTORS AND GAS CYLINDERS.

We've been working closely with Representative Gresko on tires and I appreciate his dedication to this effort. I'll also be speaking to House Bill 6384 concerning aquatic invasive species; the bulk of my testimony will be focused on tires.

On my very first day here at CRC, I joined a group of volunteers in Colchester, Connecticut, and we removed over 60 illegally dumped tires from a ravine. These volunteers were just one group of many groups doing the exact same thing that weekend during our annual source to sea cleanup.

Volunteers, municipalities, and state agencies, we all know that illegal tire dumping continues to be a problem. And to deny this is to deny the reality of volunteers and public servants doing the work on the ground. We're tired of cleaning these up. And it's not just us. Illegal tire dumping is devastating to the environment. Just two months ago, Science Magazine published an article that explicitly linked tire derived chemicals as the sole cause of acute mortality in salmon in the Pacific Northwest. Imagine the impact of these tires when they're embedded in our rivers are left on the side of the road.

Tires that do make their way through the waste system are trucked to Maine, shredded, and burned as tire derived fuel or TDF. Proponents of TDF tout this as recycling and say that it replaces fossil fuel energy, which strikes me as the ultimate form of greenwashing. If Connecticut is serious about meeting climate goals, we cannot be sending truckloads of heavy material to Maine to be burned.

Finally, I want to speak to the burdensome costs of tires on your constituents. The CCSMN reported that municipalities voted tires is their number one priority for EPR. This is because towns and cities are forced to pay the cost of cleanup when tires are dumped illegally. Some suggests a hauler license or state-run program will solve our problem here in Connecticut, but a quick Google search will alert you to the persistence of illegal tire dumping in states that have enacted such legislation. These programs increased cost to the public sector and they do nothing to disincentivize illegal dumping.

There are many people involved in figuring out how to get rid of a tire, towns, state haulers, consumers. The only people not held responsible are also the only people with a say in how tires are made in the first place.

The environment and the people of Connecticut cannot and should not carry these costs anymore. EPR returns these costs to the producer, which is proven to eliminate illegal dumping, increased true recycling and create private sector jobs.

Regarding House Bill 6384, I'm glad the Committee recognizes the urgent need to allocate funding to manage aquatic invasive species. However, I don't believe this Bill will go nearly far enough to incorporate language Representative Palm had previously introduced. Last summer the Connecticut AG Experiment Station recorded over 774 acres of hydrilla in the Connecticut River. I've spoken with Marina owners, anglers and boaters who literally cannot access their boat slips, their favorite fishing spots, or boating trails because mats have invasive hydrilla are so thick. Invasive hydrilla also prevents light penetration through the water column, which limits oxygen production and can lead to fish kills.

This Bill should be revised to include funding to finalize a comprehensive plan for hydrilla management in the Connecticut River, and funds to start taking steps to manage this threat to our rivers.

Finally, the language in this Bill should be adjusted to reflect work being done not just in lakes and ponds, but also in the state's rivers.

Thank you and I'm happy to take questions.

REP. BORER (115TH): Thank you, Kelsey. That was exactly three minutes.

KELSEY WENTLING: Yes.

REP. BORER (115TH): So, we didn't have to ring a bell. And just on that note, I just want to remind all of the speakers that are in the attendee in the waiting room ready to speak that there is a three-minute limit. And Wendy, I sent Wendy a note, if you could just be our timekeeper that would help as well. Okay. Does anybody have any questions for Kelsey? Representative Palm?

REP. PALM (36TH): Thank you, Madam Chair. Kelsey, thank you so much for your testimony and for the wonderful work that you and the Conservancy do. My question is specifically about the Northeast aquatic nuisance species panel report, which you kindly sent me some time ago, when I was researching a drill. One of the things that are brought up was that water sources are intervals, which I think is a different kind of spin on the reason we need to eradicate a drill off. Can you speak really briefly on the interconnectedness of the waterways? Because we're looking at lakes, rivers, tributaries, but they are connected. Are they not?

KELSEY WENTLING: Exactly, yeah. So, no water body exists in isolation. Lakes and rivers are connected, but then also, as you mentioned, drinking water supply. So, when and, and not just connected physically, but we also have boaters who are travelling between lakes and rivers. So, if they're putting in somewhere, they take an aquatic invasive with them and put in elsewhere. They spread that around. Water fallow did the same thing and invasive species because they disrupt native species have an impact on water quality. So, it's of concern, as you mentioned, for drinking water supply as well as recreational water.

REP. PALM (36TH): Thank you, thank you Kelsey for that and for your testimony on the tire Bill as well. Much appreciated, thank you.

KELSEY WENTLING: Thank you.

REP. BORER (115TH): Thank you, Kelsey. I don't see any other questions for Kelsey. So, we want to thank you for your testimony and for all that you're doing around this topic. Thank you.

KELSEY WENTLING: Thank you.

REP. BORER (115TH): You are welcome. Our next speaker is Patricia Taylor from the Environment and Human Health.

PATRICIA TAYLOR: Thank you.

REP. BORER (115TH): I'm sorry, following Patricia just so that we could have everybody kind of queued up is Karen Luther from the Northeast. Okay, Patricia.

PATRICIA TAYLOR: Thank you. Good afternoon Chairman Senator Cohen, and Representative Borer, Ranking Members and Members of the Environment Committee. Thank you for allowing me to testify today. My name is Patricia Taylor, and I'm Director of the Plastics and Waste Project for Environment and Human Health Inc.

EHHI would like to express a concern about raised House Bill number 6386. Section 3 is our cause for concern. This part of the Bill authorizes the Commissioner of Connecticut's DEEP to identify beneficial end uses for recycled tires, and the legislation does not require the DEEP to have any restrictions as it exercises its mandate. There need to be restrictions concerning the protection of human health within this mandate.

Many of the components of tires are toxic. Tires contain numerous carcinogens and irritants. Because of this Connecticut DEEP needs to avoid unintended harmful health consequences as they implement this

plant recycled tires. Past efforts by the state recycled tires have allowed for tires to be shredded and placed in children's playgrounds, and to be used as infill in synthetic turf fields. This has proven to be unwise and has put our children, students, and athletes at risk.

It cannot be forgotten that tires were designed to be used on cars, not placed where our children play. Components of tires contain carcinogens, and so recycling them poses real challenges. Tires can only be reused if people's health is not harmed because of their repurchasing. As the state plans to recycle tires, Connecticut DEEP should be restricted from placing recycled tire products in any place where people's health will be negatively impacted.

Thank you for your attention. And again, I would point to the fact that you may be able to put such a restriction in your definition of what recycling the tires might include is a beneficial use. Thank you.

REP. BORER (115TH): Thank you, Patricia. We've had we've had a number of discussions about the opportunity for what can be developed through the tires that are recycled. Does anybody have any questions for Patricia? Okay, with that we thank you for your testimony. Our next speaker is Karen Luther, to be followed by Scott Cassel.

KAREN LUTHER: Thank you for having me. On behalf of the Northeast Hearth Patio and Barbecue Association, I'm here to testify in opposition to House Bill 6386 and make further as drafted and make further recommendations for amendments.

The Northeast Hearth Patio and Barbecue Association is a trade association representing more than 40 individual member retailers and related companies and Connecticut. These are independent and fairly owned hearth shops in the state which sell grills and outdoor living equipment and in addition to

hearth products. Grills in our outdoor product sales often include grill tanks and many of our members in Connecticut have an onsite pump station to fill 20, 30 and 40-pound tanks or have an affiliation with a local pump station.

These shops are very concerned about added costs and fees especially if they cannot be passed on to their consumers. Northeast HBPA suggests the Committee amend Section 2-6 and either exclude the word refillable or vote no on the entire HB 6386.

Paragraph B5 states provide for reasonable state admin fees. Paragraph C2 states no fees will be charged to the consumer and Paragraph D states the council shall establish and implement a fee structure.

Consideration of who absorbs these fees and where this money comes from needs to be considered at a time when all budgets states municipal business and homes have been hit hard. Including 20-pound propane cylinders commonly used for residential barbecues, or any refillable propane cylinder in this legislation defeats the objectives of the Bill. 20-pound barbecue propane tanks ever used and refilled regularly for them throughout their life, often for decades. The exchange market is accessible for consumers where they can exchange or return 20-pound tanks.

A separate collection program would create additional waste by encouraging citizens to dispose of these containers rather than reuse them, including refillable barbeque tanks and this legislation would increase costs especially the cost of small businesses because of the increased expense from reporting requirements.

20-pound barbecue containers are portable and come into and out of the state which would complicate recording. 20-pound barbecue tanks do not need to

be included in this legislation because unwanted tanks are not a large problem.

Most hearth retailers who deal in propane currently collect and recycle unwanted tanks for free for small minimal charge. Exchange locations located throughout the state collect unwanted tanks. These tanks also create value consumers return empty tanks and exchange them for a full one at a cost that works for them, including 20-pound tanks in this legislation discourages the reuse of these tanks. Exchange programs have the smallest environmental footprint and tanks are inspected and recertified for decades, then recycled. There is no need for disposal of refillable tanks that can be reused regularly before they're recycled.

For these reasons, we respectfully request that the Committee amend section two six and exclude the word refillable or vote no on HB 6386. Thank you very much for your consideration.

SENATOR COHEN (12TH): Madam Chair, I think you're on mute.

REP. BORER (115TH): I was on mute. Thank you. I asked if there was any questions, I didn't see any but now I do. Representative Michel.

REP. MICHEL (146TH): Thank you, Chair Borer. Thank you for your testimony. I was just wondering if there was an actual life for a tank? Like, is there specific limited amount of years or?

KAREN LUTHER: Yes, there is, thank you for the question. There are, there is a life for a tank and that changes pretty regularly. I think there's an expiration date right now in Connecticut of, I think it's soon anyway and but then then exchange programs and hearth retailers that deal in propane will take those tanks back and have them recycled, including the gas within for either a small fee or for free.

REP. MICHEL (146TH): I'm still confused. Is there like a general life -- is a tank valid for like 20 years?

KAREN LUTHER: Yes, it's valid for -- there's another woman on this call who can answer that question better, but it's about 10 years.

REP. MICHEL (146TH): Good Thank you, I'll spread the question Thank you so much. Thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Michel. Representative Dubitsky.

REP. DUBITSKY (47TH): Thank you, Madam Chair. I thank you for coming in and testifying. You know, we out here in Eastern Connecticut, we lose power quite often and our generator is run by propane. And we've had a set of tanks for many, many years that we've refilled many, many times. Is there a limit to the number of times you can refill a 20 gallon or 20-pound propane tank?

KAREN LUTHER: No, it just has an expiration date.

REP. DUBITSKY (47TH): And that's stamped on it?

KAREN LUTHER: Yep, it's stamped right on the top on the side.

REP. DUBITSKY (47TH): Okay, so when I next time I bring my tag to the re-filler, if he looks at the expiration and say your tank is now expired, what do I do?

KAREN LUTHER: Every single time you bring it, they look at that expiration date and they'll either take that tank for you and you buy a new one. Or they take that tank for you for a small fee. Most of the time, they'll just take that tank for you at an exchange place like Blue Rhino or those exchange

centers, they take the tank, no fee, and give you a new full tank.

REP. DUBITSKY (47TH): Okay, that's one of those exchange tanks. We want to own the tank so, what do I do with what a tank that I own?

KAREN LUTHER: Is that tank less than 50 pounds?

REP. DUBITSKY (47TH): Yeah, 20 gallon or 20-pound tank.

KAREN LUTHER: Yeah. So that same thing, if it's a 20-pound tank, you can take that to a to an exchange place, and they'll exchange that tank for you and give you a full tank.

REP. DUBITSKY (47TH): Okay. Well, that Sounds like a reasonable way to handle tanks.

KAREN LUTHER: Yep.

REP. DUBITSKY (47TH): So, you can refill.

KAREN LUTHER: So, there are retailers who deal in propane will do the same thing. Sorry to interrupt you.

REP. DUBITSKY (47TH): Okay, so you can refill them indefinitely until they're expired and then you just get a new one.

KAREN LUTHER: Exactly.

REP. DUBITSKY (47TH): And what happens to the old ones?

KAREN LUTHER: The people who took them there, they are then recycled.

REP. DUBITSKY (47TH): Okay, thank you very much.

KAREN LUTHER: That's the leftover gas that's in them is also recycled great.

REP. DUBITSKY (47TH): Okay. Thank you for your responses. Thank you, Madam Chair.

KAREN LUTHER: Thank you.

REP. BORER (115TH): Thank you. Thank you, Karen. Just one follow up to that. So, they exchange them at the Rhinos, at the Rhino place and then, what does that place do with them?

KAREN LUTHER: Those once they have those expired tanks, they send those back to be recycled and the gas within is also recycled.

REP. BORER (115TH): In Connecticut, they send them back in Connecticut.

KAREN LUTHER: I don't know where the -- who takes them. The manufacturer takes those tanks and recycles those tanks, the tanks that are exchange that are expired or than recycles the gas within is also recycled.

REP. BORER (115TH): Okay, all right, thank you. Thank you for that follow up. I don't see any other questions. So, thank you again our next speaker is Scott Cassel and Scott, will be followed by Summer Stebbins.

Can we have Scott? I actually saw Scott. Oh, Scott you're on mute. I do see you.

SCOTT CASSEL: Thank you.

REP. BORER (115TH): We're all doing it. Go ahead.

SCOTT CASSEL: Thank you, Madam Chair. And Madam Chair Borer and Members of the Committee. My name is Scott Cassel. I'm the CEO and founder of the

Product Stewardship Institute and I'm here to express support for HB 6386.

PSI is a 20-year-old national nonprofit organization, and we work to reduce the health and environmental impacts from over 25 consumer product sectors. In collaboration with the Connecticut Product Stewardship Council, PSI has developed a best practices policy model to manage unwanted gas cylinders, and HB 6386 is consistent with PSI's best practices model.

Gas cylinders, such as propane canisters used in barbecues and camping stoves are very dangerous when disposed of improperly. Many people leave them at parks and campsites or toss them in the trash can includes the reusable refillable. As a result, cylinders have caused repeated explosions and fires and trash and recycling facilities. Connecticut State and local governments have been left to pay for and manage the tens of thousands of cylinders, large and small that get disposed over littered in the state each year at taxpayers' expense.

These issues are not new to PSI local governments or cylinder manufacturers. In fact, PSI started working on this issue nearly 20 years ago. We held several stakeholder meetings to discuss these same problems with Worthington Cylinder, Coleman, Bernzomatic, Manchester Tank and other cylinder producers. We all listen to stories of fires, explosions and injuries that recycling and waste facilities. We discussed all safety and recovery options short of legislation. Worthington even held its own stakeholder meeting in 2007 and pledged to conduct a pilot project to collect and recycle cylinders taking them out of the waste stream. These companies were offered the opportunity to address the issue for the past 20 years and did little or nothing about it. So, it's time to address this issue.

HB 6386 is a sound piece of legislation; it will alleviate the financial and management burden on local governments. It will reduce waste by increasing reuse, recycling, and refilling. It will not increase disposal and it will protect workers in the environment.

The proposed system for gas cylinders is similar to the successful gas cylinder EPR program that is operated in Ontario for over 12 years for single use and refillable cylinders. Ontario has included the refillable propane cylinders in their program, because 10 to 15% of these cylinders still end up in the waste stream causing explosions and fires. Smoke detectors and tires are similarly costly to manage and pollute Connecticut's environment. These products should also be managed through a standard EPR system similar to Connecticut's for other EPR systems on paint, electronics, mattresses, and thermostats.

HB 6386 represents a positive change in the way waste is being managed not only in Connecticut, but around the United States. Thank you.

REP. BORER (115TH): Thank you, Scott, for that great testimony. Is there any questions? I don't see any hands raised. So, we want to thank you again for -- Oh, sorry, Representative Gresko. Representative Gresko, do you do you have a raise hand function? Okay.

REP. GRESKO (121ST): Oh, there it is. Yes, I did.

REP. BORER (115TH): Yes, okay works for us, though.

REP. GRESKO (121ST): Real quick. So, take me through a lifespan of a refillable cylinder. I buy it, I use it for how many years, I take it back to the -- my area or my U-Haul does it and they refill it and we go back and forth back and forth. And then it you know the guy who's refilling my tank you know 15 years later goes hey, this thing has seen

its last days. Do they take it? Would the U-Haul take it or they just -- the participating outlets are just refillable. They don't recycle at this point.

SCOTT CASSEL: So, let me just say that there is a very good network for the larger barbeque tank, refillable containers. And certainly, they are much preferred over the single use. That's why the refillable at the 20-pound barbecue tank. But there are still about 10 to 15% is Ontario's experience. And Jan Heaton Jones, from the Chair of the Connecticut Product Stewardship Council will talk about this some more, that they get many of these tanks still at their household hazardous waste collections all over the state.

So, they are left with the cost of managing them. They're also disposed of sometimes in the recycling system. And they blow up the recycling facilities. There was one you know just yesterday they happen all Maryland, Maryland. Yeah, a horrible explosion. Luckily, no one was injured by it. But there's still there's less cost for those because there's a good system in place, but there's still leakage in the system. And there needs to be this type of accountability for it. So that's why Ontario includes both the single use usually the one-pounders as well, the camping stoves as well as the refill doubles.

REP. GRESKO (121ST): Thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Gresko. Are there any other questions? Seeing none, thank you, Scott, for your testimony. Thank you for being with us here today. Our next speaker is Summer Stebbins followed by Christian Fox.

SUMMER STEBBINS: Hi everyone, thank you for this opportunity. As introduced, my name is Summer Stebbins and I am the GIS analyst for the Connecticut Agricultural Experiment Station,

Invasive Aquatic Plant Program. That name is always a mouthful. On behalf of Greg Bugbee, the principal investigator of the invasive aquatic plant program, I provide the following testimony in support of House Bill 6384, specifically Section 1.

We have worked on Lake Beseck for a number of years and the invasive aquatic plant program is quite -- the invasive aquatic plant problem is quite severe. They have several different invasive species affecting the lake that are also becoming a larger problem statewide. Lake Beseck has the fortunate opportunity to draw the weight down in the winter via the dam and the current legislation allows for six-foot drawdown every other year for what is considered a deep drawdown.

The current issue is that the legislation requires the light to be refilled starting December 31<sup>st</sup>. This does not allow sufficient time for the freezing and control of nuisance aquatic vegetation, particularly invasive aquatic plants. In partnership with the Lake Beseck Environment Committee and aquatic ecosystem research, we installed sensors in the exposed sediment during the 2019 drawdown to determine the temperature of the sediment and the temperature of the air. And it takes just the right conditions to get proper freezing and the drying you need to control the vegetation.

This Bill extending the drawdown period from December 31<sup>st</sup>, to January 31<sup>st</sup>, would allow one more month of time to meet these conditions and achieve adequate control of aquatic vegetation. This is an effective control method that does not involve chemicals, nor does it have much cost associated with it.

Greg Bugbee, the principal investigator of the invasive aquatic plant program strongly supports this Bill and hopes it is moved forward by the Environment Committee. Thank you very much.

REP. BORER (115TH): Thank you and thank you for the work that you do at the AG Centre. It's really very valuable. We had a forum, as you know where we had Jason, director, White speak and talk about all the great programs that you do to help not just Connecticut but nationwide. So, we really appreciate having you here in Connecticut. It's really a jewel for all of us.

Okay, I don't see anybody have any questions for Summer. Okay, thanks for your testimony, seeing none, I actually, I apologize I inadvertently switched to people. So, our next speaker is Catherine Iino from the town of Killingworth, and then after Katherine is Christian.

FIRST SELECTWOMAN CATHERINE IINO: Hi, can you hear me?

REP. BORER (115TH): Yes, we can.

FIRST SELECTWOMAN CATHERINE IINO: Great, thanks. Thank you very much, Representative Borer and Senator Cohen and the whole Committee. Now of course, I can't see you guys. I really appreciate your considering the important question of how our state will dispose of some of the more troublesome items in our waste stream in an environmentally and fiscally sound manner. I'm speaking of course to HB 6386 and I'm speaking today on behalf of the Connecticut conference of municipalities and of my town Killingworth.

CCM supports the introduction of extended producer responsibility for tires, smoke detectors and gas cylinders. All three of these items pose environmental problems, as we've heard, and all three are expensive for municipalities to deal with. I'd like to give you a little bit of perspective on how it looks from our small town.

I have testified before on the need for honest responsible systems for disposing of smoke detectors. And I'll just say Killingworth has about 2800 homes. The National Fire Protection Association recommends that there'll be at least five smoke detectors in an average two story three-bedroom house. So, let's take that as an average house size. And smoke detectors are supposed to be replaced every 10 years. By the simplest of arithmetic, residents of our small town should be disposing of about 1400 smoke detectors each year. But as we know, because they contain a small amount of radioactive material, they're not supposed to be discarded with household waste. They're not accepted for recycling and they're not accepted, accepted in our hazardous waste collections.

You can go online to try to get guidance. DEEP refers people to a service that will dispose of smoke detectors for a fee, provided you ship them in ways that meet the standards of acceptable levels of radiation. Here's just one sentence from the instructions. Add up the microcarriers that you have identified on each of the alarms to assist in determining your shipping method. None of us believes that anyone is using this service. As I think Senator Miner said, if we don't give people a good option, they're not going to. They're just going into -- they're going to sit around or they're going into our waste stream.

As you know, we already have a collection system for mercury thermostats. And it's time that we create a similar producer sponsored system for smoke detectors.

I was happy to hear Commissioner Dykes say that they would be willing to work on not just doing a study that would take another couple of years but would actually look into implementing a program faster. There are a lot of smoke detectors out there.

DEEP also dresses the disposal of propane tanks on its site. To its credit, it's very straightforward in presenting the options but unfortunately the options for disposal aren't great And DEEP's guidance is clear on the risks then on the ways to dispose of them, says among other things, scrap metal yards may take unwanted tanks, but they face very high explosion risk and damage cost should one of those tanks get into their system.

Those risks are also borne by haulers, material recovery facilities, waste energy plants and municipal transfer stations themselves. In addition to the serious danger this poses for workers, the costs of safety precautions, repairs and insurance are borne directly and indirectly by the trap towns.

Realistically, old cylinders are being abandoned in parks and deposit at a town transfer stations whether or not they're permitted. This creates liabilities and extra work. For example, scrap yards require us running a transfer station to puncture cylinders or remove valves before sending them on. And parts of Connecticut I understand have no markets for all cylinders at all.

Some propane companies are already accepting empty tanks, as we've heard, and I don't believe that this legislation would preclude them from continuing to do that. I particularly commend the requirement that such a stewardship program would quote minimize public sector involvement in the management of discarded gas cylinders.

And then there are tires. Killingworth, our small town of Killingworth, population 6500 is spending about 5000 years, sorry, \$5,000 per year, disposing of tires brought to our transfer station. That's what we've been spending, the cost per cubic yard has actually recently doubled. And that doesn't include the cost of picking up tires dumped illegally by our roads and in our woods. We know that these tires can disrupt wildlife habitats and

contaminate watersheds. Killingworth has two water company reservoirs and they're a blight on the natural beauty of our town.

I'm told that Connecticut disposes of more than 3.4 million tires every year. Voluntary system of collection at tire dealerships just isn't working. A system of tire stewardship will benefit municipalities of all sizes and the environment of the state as a whole.

Measures set forth in HB 6386 will benefit responsible individuals, cash strapped towns and Connecticut's precious natural environment, I hope that you will pass it. Thank you.

REP. BORER (115TH): Thank you. I believe, Senator Cohen, has some questions or comments.

SENATOR COHEN (12TH): Yes, thank you and Madam Chair and thank you, First Selectwoman, you know it's always a pleasure to have you before the Committee and it's certainly been a pleasure working with you as one of my first lead people in the district that I represent. And some of the folks here may not know that the smoke detector Bill, to which this Committee is no stranger is a direct result of your lobbying efforts to me and getting me to understand some of the trouble they've caused. Certainly, as we asked folks to be replacing their smoke detectors on a regular basis, then there's the ionization type, obviously, that have radioactive material. And we want to be mindful of that from an environmental perspective.

You mentioned tires, you know, as part of this Bill legislation, obviously, the cost to the town. Is the town charging for their residents to dispose of the tires at the transfer station.

FIRST SELECTWOMAN CATHERINE IINO: We do not.

SENATOR COHEN (12TH): You do not. Okay all right that's helpful. Thank you so much again for testifying and I appreciate your advocacy on this

FIRST SELECTWOMAN CATHERINE IINO: Thank you.

REP. BORER (115TH): Thank you, Senator Cohen. Representative Dubinsky has questions.

REP. DUBITSKY (47TH): Thank you. I appreciate you coming in. I don't know if you heard earlier testimony about how people with reusable tanks get them refilled. But essentially, when they're empty, you go, you get it filled up, you bring it home, you can do that multiple times. Under the Bill that you're advocating for, how would that change? How would -- what would I as a consumer do differently when my tag reached its expiration date?

FIRST SELECTWOMAN CATHERINE IINO: I am not an expert in this, but my understanding is that it would not change that that would still be permitted under this Bill I would defer to one of our Representatives, though, to confirm that.

REP. DUBITSKY (47TH): Okay, so you you're not aware of any difference?

FIRST SELECTWOMAN CATHERINE IINO: That seems to me to be the ideal way to handle them, but certainly not all of them are handled that way now.

REP. DUBITSKY (47TH): Right, so then you think this Bill will change that.

FIRST SELECTWOMAN CATHERINE IINO: I hope so.

REP. DUBITSKY (47TH): How would you do that?

FIRST SELECTWOMAN CATHERINE IINO: Well, it would create a requirement that that the manufacturers take responsibility for having such a system in place. And I believe it also addresses the smaller

tanks which are not refillable. And those I gather are, well, I know that, you know, we have a couple lying around in our garage that we don't know what to do with the moment.

REP. DUBITSKY (47TH): Okay, all right, thank you for your time.

FIRST SELECTWOMAN CATHERINE IINO: Thank you.

REP. DUBITSKY (47TH): Thank you, Madam Chair.

REP. BORER (115TH): Thank you, do we have any other questions. Thank you, First Selectwoman for your testimony today and for your advocacy. We really appreciate it.

FIRST SELECTWOMAN CATHERINE IINO: Thank you.

REP. BORER (115TH): Thank you okay our next speaker is Christian Fox and Christian will be followed by Shawn Swearingen. And Wendy if you can just mute everybody, except for Christian. Is Christian on?

WENDY FRITZ: Just one second. We'll make sure everybody's muted and everybody who's not supposed to be in this out that kind of thing. Just one sec.

REP. BORER (115TH): I don't see Christian.

REP. GRESKO (121ST): Christian has raised his hand in the attendees maybe he needs to get shifted over.

WENDY FRITZ: Oh yeah.

REP. BORER (115TH): Okay, Wendy is shifting him over.

WENDY FRITZ: Alright, shifting. Transporting now. Actually, I'm promoting him.

REP. BORER (115TH): Promoting. Okay Christian, are you with us now?

CHRISTIAN FOX: I am. How are you?

REP. BORER (115TH): There you are I see Okay, the floor is yours.

CHRISTIAN FOX: Great. Thank you very much. Dear Members of the Environment Committee, thank you for the opportunity to provide testimony as part of the HJ 53 and the Long Island Sound Blue Plan. My name is Christian Fox, and I am here to present testimony on behalf of my colleague Holly Trinketh, who is director of the Watershed project at the Nature Conservancy Connecticut, and serves as the Connecticut Co-Chair of the Long Island Sound studies Citizen Advisory Committee by providing this testimony on behalf of that Committee.

The Citizens Advisory Committee is made up of volunteer representatives from both Connecticut and New York, including municipalities, nonprofit organizations, and businesses that together represent the diverse interests in the natural, cultural, and commercial resources the Sound provides. Leveraging this diversity, the Committee works collaboratively to promote the goals and actions of the Long Island Sound studies guiding document, the comprehensive conservation and management plan, or CCMP.

The CCMP puts forth a vision for Long Island Sound that has abundant and diverse wildlife, flourishing commercial fisheries, accessible harbors, and a regional consciousness that protects and sustains the ecosystem. The Blue Plan helps achieve this vision by providing tools needed to ensure that Sound science and inclusive management are used to restore and protect the many benefits the estuary provides.

In fact, an update of the CCMP implementation actions provided approved by the US EPA in January, specifically calls for supporting critical science

and mapping for the Blue Plan is an integral component of successful cross jurisdictional management of Long Island Sound now and for the future.

The Citizens Advisory Committee applauds the Connecticut legislature for passing Public Act 1566, which called the Blue Plan in 2015. Now, five years later, the Blue Plan team has produced a plan which is built on a foundation of the best available science and stakeholder input through a process that has been transparent and inclusive of the many voices that depend on the Sound. The tools included with this plan are easily accessible, and serve every profession and interest, allowing us all to make smarter, more informed decisions. The Blue Plan represents a collective vision for healthy, vibrant, well managed estuary. The Blue Plan serves the needs of many diverse communities that value and rely upon Long Island Sound.

On behalf of the Long Island Sound studies Citizens Advisory Committee. I urge you to approve HJ 53 and adopt the Blue Plan.

Thank you very much. Sincerely, Holly Trinketh, Co-Chair of the Long Island Sound studies, Citizens Advisory Committee and myself, Christian Fox on her behalf.

REP. BORER (115TH): Thank you. Thank you, that was great testimony does anybody have any questions for Christian? Oh, see you did such a great job. Nobody has any questions for you. I don't see any. So, thank you for your testimony today.

CHRISTIAN FOX: Thank you very much.

REP. BORER (115TH): And somebody say -- Oh, I see a hand raised up Representative Michel.

REP. MICHEL (146TH): Thank you, Madam Chair. Sorry I was trying to do the right.

REP. BORER (115TH): That's okay.

REP. MICHEL (146TH): Thank you, Chris for the - Mr. Fox for the testimony. Just to elaborate on one of the things you said it's going to, I think you said something along increasing opportunities for fisheries. So, I know it's been worked on for a long time just for some -- how does it increase opportunities for fisheries? And how does it contribute to the ecological aspect of Long Island Sound.

CHRISTIAN FOX: Great, thank you very much, Representative Michel. The Blue Plan protects access for fisheries, it protects the areas that fisheries rely upon both commercial and recreational by assuring that they are proactively represented in the permitting process for new in water projects. So, for instance, if a bridge were to be built across Long Island Sound, that bridge would want to be built in a way that did not negatively impact commercial fisheries, and negatively impact recreational fisheries. In addition to that commercial fisheries, will also now receive corrective notice of projects like this that they may want to be aware of ahead of time.

REP. MICHEL (146TH): Thank you, Mr. Fox. Thank you, Madam Chair.

REP. BORER (115TH): I don't see any other questions Christian, so thank you again for your testimony.

CHRISTIAN FOX: Thank you very much.

REP. BORER (115TH): Sorry, I was on mute. Our next speaker is Shawn Swearingen, followed by and Shawn will be followed by John Sheerin. And Christian, if you didn't hear me before, while I was on mute, I was thanking you for your testimony.

SHAWN SWEARINGEN: Thank you, Madam Chair, Members of the Committee. My name is Shawn Swearingen. I'm a director with the Alliance for Telomer Chemistry Stewardship ATCS. And I'm testifying on behalf of Senate Bill 837.

ATCS is a global organization that advocates on behalf of C6 fluorotelomer-based products. Our members are leading manufacturers of fluorotelomer-based products. Our mission is to promote the responsible production use and management fluorotelomer-based products while also advocating for Sound science and risk-based approach to regulation.

Fluorotelomer-based products are versatile chemistries with wetting and spreading features, as well as unique properties that repel water oil and stains. Unique characteristics make fluorotelomer a critical component of first responder gear, medical garments, paints, and coatings upholstery Class B firefighting foam among other uses that families and businesses across the world rely on.

On behalf of the members of ATCS, we respectfully request that -- we ask for a few amendments to SB 837. The first, expand exemption for petroleum fires to include our chemical plants and some fixed foam systems. And in a definition for fixed foam systems, as well as the removal of the take back provision pending additional input on the structure. AFFF foams are the most effective foams currently available to fight. High hazard flammable liquid fires, Class B fires, and military industrial chemical, fuel depot storage, aviation, and other applications.

AFFF have proven effectiveness and large-scale tank fires field in fires, and other high hazard Class B fires. Their unique film foaming and fuel repulsing properties by rapid extinguishment local burn back resistance protection against paper release, which helps prevent reignition, protect firefighters

working as part of the rescue and recovery operations.

Chlorine free foams can and do provide an alternative to fluorinated foams. In some applications, such as spill fires and smaller tank fires. However, they are not currently able to provide the same level of fire suppression capability, efficiency, flexibility, and scope of usage. A broadening the exemption to include chemical fire as well as a fixed foam system resistant capturing all the emergency uses AFFF foams are the most effective foam.

We recommend the Bill sponsor and legislature in limiting and ending the use of phones for training purposes, while preserving the emergency use of these foams for public safety and health.

To the third item on the take back revision, we'd agree to it in principle but ask for Additional clarity and direction from the Commissioner on the municipal program.

Thank you for your time and consideration, and I'm available to answer any questions that I can.

REP. BORER (115TH): Thank you, Shawn. Does anybody have any questions for Sean? I don't think we do. So, thank you very much for your testimony. Thank you.

SHAWN SWEARINGEN: Thank you.

REP. BORER (115TH): Our next speaker is John Sheerin, who will be followed by David Latourell.

JOHN SHEERIN: Good afternoon.

REP. BORER (115TH): Good afternoon.

JOHN SHEERIN: Good afternoon Chair Cohen, Chair Borer and Distinguished Members of the Committee.

My name is John Sheerin and I'm testifying today on behalf of the US Tire Manufacturers Association concerning House Bill 6386. A Bill that would direct the Commissioner of Energy and Environmental Protection to identify and beneficial end uses to promote the recycling of discarded tires in the state and establish a commercial tire haulers license.

The US Tire Manufacturers Association is the national trade association representing 13 major manufacturers that produce tires in the United States. US TMA members appreciate the opportunity to provide our views regarding HB 6386. In our remarks are going to be limited to the section of the Bill relating to scrap tires, as we have no position on the other sections.

US TMA know, sorry. Thank you. US TMA notes that while the Bills title suggests the creation of an EPR program for tires, this legislation doesn't do that, but rather takes a more meaningful step toward addressing the previously identified issues with illegal scrap tire dumping.

US TMA opposes EPR systems for managing scrap tires. EPR systems add cost and bureaucracy for tires without any significant benefits and the ultimate effect would be the replacement of a generally well-functioning scrap tire management system with a less efficient system that would not address the issue of illegal dumping. But specifically, as to the Bill, US TMA supports the scrap tire provisions included in HB 6386. We support Section 4, which directs DEEP to develop a transporter license program. 36 states have implemented tire hauler permit requirements or licensed programs to curb illegal dumping. 31 have record keeping requirements for haulers and of those 16 have complete manifest systems. These tools are well established and effective in reducing illegal dumping as established by other states.

Additionally, we support financial assurance mechanisms for scrap tire transporters commonly used in other states, education, enforcement efforts that are necessary for regulations to be effective. We encourage DEEP to benchmark proposed regulations with other states, which can be done through collaboration with the scrap tire workgroup and unincorporated association of State scrap tire regulators and experts. US TMA would be glad to help facilitate that collaboration.

US TMA also supports additional research to develop scrap tire markets in Connecticut. Section 3 of the Bill directs DEEP to prepare a report to identify recycling uses for scrap tires. To ensure such a report and its recommendations are meaningful, we strongly encourage DEEP to solicit and include the perspectives of all stakeholders in the scrap tire value chain. When compiling the proposed report.

We welcome the opportunity to work with Connecticut policymakers and help grow and develop sustainable and circular scrap tire markets and develop a licensing program to address the illegal dumping of scrap tires. We believe this approach will yield far more meaningful results than an extended producer responsibility mandate.

Thank you for the opportunity to present our views. We look forward to working with the Committee and other Connecticut policymakers to make appropriate improvements to the current scrap tire management system. Thank you very much.

REP. BORER (115TH): Thank you, John. And while I'm looking to see if there's any other questions, can you just you mentioned the other states that have the record keeping system? What is the benefit of the record keeping system?

JOHN SHEERIN: With a record keeping system, you can track where scrap tires are being generated, who's transporting them and where they are being, what

their disposition is, at a recycling facility or other management facility. In this way, you can determine which generators are properly managing their tires, which transporters are properly delivering them, and which processors are correctly receiving them.

REP. BORER (115TH): Thank you, thank you for that. Any other questions for John? I don't see any hands raised, so thank you very much John for your testimony.

JOHN SHEERIN: Thank you.

REP. BORER (115TH): Our next speaker is David Latourell. I hope I said that right and David will be followed by First Selectman Matthew Knickerbocker.

DAVID LATOURELL: Good afternoon. As mentioned, my name is David Latourell. I'm the Director of Safety and Transportation for Paraco gas, and I thank you for allowing the opportunity to testify today concerning House Bill 6386. Specifically, with the request that we exclude the word refillable from Section 2 in regards to certain gas cylinders.

Paraco gas is the largest privately held propane marketer in the Northeast region, the United States and one of the primary cylinder exchange suppliers, both here in the state of Connecticut, Connecticut, where we are based with our Waterbury cylinder refurbishing location and the Northeast region.

Understand that there's a couple of different factors in here in regards to the different types of gas cylinders, and specifically to the 20-pound or the grill cylinder industry. There are already existing hundreds of permitted storage locations both from retail cylinder exchange locations such as blue Rhino America gas and Paraco gas, as mentioned earlier, as well as dispenser operators that filled containers that store unused cylinders, as well as

propane marketers that have that capability. So, in essence, there already exists a substantial industry initiative to ensure that the refillable containers complete the very long-life cycle that they are designed for, which I can speak more to about some of the questions that were asked earlier.

But ultimately, our industry also recognizes the challenges that go along with the improper disposal of cylinders by customers who are not exhausting the propane gas that are supplied in the cylinders. And to be clear, again, any of these containers that are recycled when they're completely empty of all flammable materials do not pose any threat at all to the environment or to the waste stream. However, if they are improperly disposed by consumers that don't reuse, use up all the propane in the disposable intended one use cylinders, that is where this problem generally tends to focus. And we recognize that as an industry, and we are working actively with some national associations through the Propane Education Research Council, and the National propane gas association to provide additional materials for education of consumers to properly dispose of containers, whether they are empty completely, or if aids contain gas.

And so ultimately, I'd like to support this Bill, however, I recommend strongly to this group that they exclude the word refillable on House Bill 6386. Thank you very much for the opportunity today.

REP. BORER (115TH): Thank you, thank you, David. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman Thank you, David, for being here. So, I think what we're attempting to get at is, there doesn't appear to be a statewide, perhaps understanding amongst consumers as to what all the options are, that would be better than just putting in a black plastic bag and sticking it in your trash.

You know, it's one thing to drive on one of these garbage trucks and to be able to look at the camera and see a 20 pounder go over the rail. It's another thing to not know that it's there, and then compress it. We've got operators that operate other equipment at municipal facilities that don't necessarily know everything that's in that pile in it. And when it gets crushed, it goes off.

On a couple of occasions and some of the fillers will take these tanks back. You merely need to just bring them but I can tell you when I've attempted to do that, it's not that easy.

And so really what we're trying to do here is to find the most efficient way, safe way to have a statewide program for all these tanks, and to my mind, it doesn't mean that the solution has to be the same for refillable as it does necessarily for non-refillable.

So, is your opposition the fact that the tanks are included at all? Or is it that because of the uniqueness of a refillable tank, perhaps the solution might be different.

DAVID LATOURELL: Thank you for the question. Senator, I agree with your point. We're representing an opposition of the refillable cylinders because we think there is a robust system in place right now. Understand that, again, trying to educate every consumer is always a challenge. We all already are impacted with the disposables as well. So, we recognize some of the challenges that go with that.

So, we just think that by including the 20-pound options in this Bill dilutes the value of and what you're trying to accomplish in association with also the tires, and the smoke detectors. So, we feel very strongly as to other members of our industry that what is already in existence is functional for the State of Connecticut and I will speak for Paraco

being based here in Waterbury, Connecticut, we will always go and pick up refillable containers, and we end up picking up disposables too, unfortunately, but we handle those appropriately. The refillables have a long lifespan, they do not have an expiration date. They just have a mandated requalification recertification process. It's required under the Department of Transportation and Compressed Gas Association. This is a long-standing industry of exchanging and recycling our containers and we think it stands on its own merits.

Some of the other items in this Act are challenges as well. But we just right now, focus on excluding the term refillable because we think it's covered properly right now.

SENATOR MINER (30TH): Well, thank you. Thank you, Madam Chairman. I maybe I could just ask you, if we move forward, if we could have a longer conversation as a supporter of the Bill in general. I want to try and understand what solution may better fit refillables. Because I don't disagree with you, I think they're different animals. But I think to just exclude them and imagine that they're already handled is probably not exactly where we are. So, if I could maybe I'll have my aide reach out to you, or vice versa, and we can have an offline conversation. But I appreciate you being here. And I do appreciate your thoughtful testimony.

DAVID LATOURELL: Welcome to conversation.

SENATOR COHEN (12TH): Thank you, Senator Miner. Representative O'Dea, did you have a question? Or did you get an answer?

REP. O'DEA (125TH): I was just going to associate myself with the remarks of Senator Miner, I greatly appreciate the testimony. And, you know, I have concerns, but I'm also looking for the best type of a measure because I've got a bunch of tanks that

some are heavier than others. I know that they are empty and I don't have a good way to measure.

But anyway, that's my own problem. But thank you very much, sir, for your testimony. Thank you, Madam Chairwoman.

SENATOR COHEN (12TH): Thank you, Representative. Representative Gresko.

REP. GRESKO (121ST): Thank you, Madam Chair. So, I have a 20-pound refillable tank in my garage. How do I get rid of it?

DAVID LATOURELL: So, as already mentioned, you can take it to any of the retail exchange locations, and it can be exchanged for replacement for the value of the propane and not have the container. Right now, almost every propane marketer in the State of Connecticut and Northeast would accept them, as well as dispenser operators. And all those locations are properly permitted storage for the authority having jurisdiction as well.

If it does end up, potentially at a recycling center or the waste stream, we already have some existing relationships with recycling programs and facilities to go and pick those up as well. But there are multiple options out there.

And I think what's been communicated within our industry is that we definitely want to share and provide more communication to customers to be able to do that of what actually exists out there. More so than what's been already completed for the retail format.

And quite honestly Representative we should not be storing that propane cylinder in your garage.

REP. GRESKO (121ST): It's empty.

DAVID LATOURELL: Perfect, then it doesn't pose a threat.

REP. GRESKO (121ST): Even I know that. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Representative Callahan.

REP. CALLAHAN (108TH): If the -- I guess I'm confused, because I've attempted to bring - I've two expired tanks, like Representative Gresko. I've got a tank sitting around. I can't find anyone to take it. When I bring it in, do I get a long face from the, from the retailers that sell me the propane, they don't want to take that tank back. So, is it - how big of a burden is it on those people?

DAVID LATOURELL: Well, I can't speak to every individual. But ultimately, this, this, the permitting for the dispenser, and the storage allows for that. So, it shouldn't be, I think possibly what we've seen in the industry is when people recognize that the container can no longer be filled because it's out of qualification, it needs to be inspected by a registered inspector. Some of these locations have to or try to attempt to sell a new container to a consumer. And that deters a consumer on occasion. But I'm not aware of many dispenser operators, or storage facilities that will not accept the container. But there are obviously the opportunity out there. But we're more than happy to try to arrange to get those taken care for you, Representative.

REP. CALLAHAN (108TH): Thank you, sir. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Representative Harrison. Representative, I, I don't think we can hear you, but I don't see you on mute. You can try again. There you go. Oh no. Your sound is not working, so I'll give you a minute to

figure that out, while we go on to Representative Wilson.

REP. WILSON (66TH): Thank you, Madam Chair. And thank you, David, for your testimony. My personal experience has been that every couple of years, the local Boy Scouts do a scrap metal recycling drive and they have always taken my old tanks. And I presume that they take them to a scrap metal dealer and get cash. That's why they're doing the drive. Is that -- is that proper?

DAVID LATOURELL: I think you're -- you're hitting on sort of what the highlight here of this is. And it's actually the difficulty of being able to determine if the container still contains a flammable gas. If it is empty of all flammable materials, and it's taken to a scrap yard, it's a non-issue whatsoever. However, if there does contain some flammable gas in it, then you have this potential for some of the testimony earlier that if it was released, a fire could happen.

So, it depends on -- I'm not sure what the Cub Scouts were doing, but ultimately also comes into is that as a regulated hazardous material. There are certain rules and regulations that entities, business entities have to follow when transporting them, which are very different than what consumers have to.

So, not speaking out of turn for the Boy Scouts, again, if these containers are empty, they're not a threat. It's when they're not properly emptied, and disposed of improperly by customers that don't use up all the supply and aren't aware of that.

So, I wouldn't speak to say that Cub Scouts are doing it improperly, they may be just arranging with a local market or propane marketer to do it. Or they could be taken to a scrap dealer that some of them have become proficient determining if there's

gas there or not. But there's two separate items there.

REP. WILSON (66TH): Yeah, and I agree with you. I'm a former volunteer fireman. So, I certainly understand and with the tanks that are picked up by the Boy Scouts in their drive, the first thing they do is check to make sure the valve is open. And they want to know how long the valve has been open. So, I'm 100% sure that there's no longer any gas in the tank. And I think that that's their criteria. So, thank you very much for your testimony.

SENATOR COHEN (12TH): Thank you Representative. Representative Harrison, can we try again? I'm sorry. I don't know why it's not working for you. Sorry about that. Okay we'll have to do a little troubleshooting on your end.

But I don't see any other questions, I will just say, I mean, I -- you know just to piggyback on this conversation, you know, we know that our municipal transfer stations and our material recovery facilities are having issues with these 20-pound containers, regardless of the fact they're refillable.

And again, you know, this goes, perhaps goes back to education. I mean, they're left behind a state park. So, it becomes an issue for the state as well. You know, and I suspect they're left behind and in municipal parks as well. So, it's really an issue. So, I guess we need to figure out a solution to that. If it's not, you know, in the content of this Bill, what would be the solution for these refillable cylinders? I don't think simply leaving them out as Senator Miner mentioned, is the answer because it you know, it would lack you know, deference to the fact that this an issue for our municipal transfer stations and some of these recovery facilities. So, I don't know what the solution is, but it begs more conversation, I believe.

So, thank you so much for your testimony today. And we'll be moving on to First Selectman Matt Knickerbocker. I believe Mr. Knickerbocker is with us.

FIRST SELECTMAN MATT KNICKERBOCKER: Yes, I am. Thank you very much Madam Chair and thank you Senator Cohen and Representative Borer for this opportunity and to the Ranking Members and Honorable Members of the Committee. I appreciate the opportunity. I'm Matt Knickerbocker. I'm the First Selectman for the town of Bethel. I am also Co-Chair of the CCSM, which you've heard much about, Co-Chair of the EPR Working Group, past president of the Council of Small Towns and Chairman of HRRRA, the Houston Public Resource Recovery Authority.

So, I've been doing a deep dive into waste and recycling issues for a couple of years now. I am speaking today in favor of HB 6386. We are strongly supportive of this Bill; it does need a couple of minor modifications. So, I would encourage the Committee to work through some of this testimony that they've heard today, but by all means, this is an issue that is long overdue. It's something that would benefit all of our municipalities, which have literally suffered tens of millions of dollars in increased recycling and disposal costs over just the last three years.

And I have submitted to them written testimony. And so, I'm not going to reiterate that other than to say we're in favor of all three of these product groups.

But I do want to address the last couple of speakers. I believe that there's a major disconnect someplace because in terms of full disclosure, I am not an attorney, but I did not read HB 6386 as being taking away anything from the current replacement programs at the Paraco gas representative and Ms. Luther described.

Refillable containers will continue to be refilled up to the point of their expiration date. But as a Senator Cohen and some others have already pointed out, something has to happen with them after that date. And I can tell you, if I'm not going to ask you to share that for me to share my screen. But I can show you a picture of a mountain of expired cylinders that we have in our transfer station that we don't know what to do with.

If there are recycling programs out there, then I would certainly love to hear from an industry representative because our personal experience is that the metal cut -- the metal dealers don't want to deal with them unless you drill a hole in them to ensure that they are absolutely 100% empty, and we're certainly not going to let any town employee do that and put themselves at risk.

We do find them in the parks. We find them discarded in various places we find them mixed with trash. So, I would encourage this Committee to not remove the refillable containers. The refillable program at your local dealer will continue to operate just as it is today. There's no threat to that whatsoever. But we do need to have some kind of an EPR program where there is a certain recycling program available to take these off the retailer's hands. We don't want to have retailers stuck with them. And obviously, some retailers don't know what to do with them either. Because I've already heard that some throw up their hands and say, well, it's your problem now.

So, I believe that is there in case there any questions rather than reiterate the testimony that you've already heard. But ending the pollution of fires, putting together a safe recycling program for cylinders and of course smoke waters. We have had a member of our HRRRA organization, get fined significant way when a smoke with a radioactive material went through somebody's trash, it wasn't

caught and that had to be ferreted out at the, at the murf level and it was an extremely expensive mistake for that, that municipalities.

So, I hope I would have answered some of those questions and I would be happy to answer any more if you have them. Thank you for the opportunity.

SENATOR COHEN (12TH): Thank you, Mr. Knickerbocker. It's appreciative to hear of a municipal perspective on this from both yourself and First Selectwoman Cathy Iino, as well. I see Representative -- Senator Will Haskell, your name tag they're incorrect.

SENATOR HASKELL (26TH): I'm sorry about that. I don't know how to fix it. But thank you so much, Madam Chair and First selectman Knickerbocker. It's great to see you. I so appreciate the work that you're doing with both Cost and CC SMM. I just wanted to give you an opportunity to address one piece of your testimony that I think we've heard a little bit about from municipalities today, but really bears strong consideration. And that's the fact that China's decision to no longer accept any more recyclable materials from the United States has really caused the drop in revenue for the towns.

Can you talk a little bit about what that has looked like in Bethel, perhaps other Cost members and why this is important, not just from an environmental perspective, but also from a taxpayer perspective, given the towns are now not seeing the revenue they once did?

FIRST SELECTMAN MATT KNICKERBOCKER: That's a great question, Senator. I'm glad to talk about that. Recycled materials used to be a -- at worst, they were neutral revenue items, you would make as much money as you would expand to getting rid of it. In some cases, they were profit centers for some of our member communities. And since the China's soared

since December of 2018, when China stopped accepting these the markets have plummeted.

So, just to give you a couple of examples, city of Stamford in 2018, generated \$95,000 in revenues to offset some of the costs of their operation. That is now a \$700,000 annual liability. Town of Fairfield, their operation went from a \$50,000 per year profit center to \$525,000 clogs. And this is the case across the board. And this is not just a Connecticut problem, this is a national problem.

City of Boston I read recently spends two to \$3 million in an area that used to be at least cost neutral or maybe a slight profit. Now the town like Bethel, we do not have taxpayer funded municipal pickup. So, the costs are kind of buried, it's a little hard to isolate them. So, the private haulers deal with this, but I calculated last year 2019 a little bit more than a year ago, that the hidden costs of these contracts coming up for renewal has exceeded a quarter of a million dollars for Bethel ratepayers. And most of that burden falls on businesses, which is extremely concerning in this particular environment where businesses are struggling so hard to stay ahead of the cost of dealing with COVID and keeping their customers coming in the door.

So, with any town that has subscription service, like ours, private contractors, those costs are a little bit harder to isolate that easily a quarter of a million dollars, just in the town of Bethel alone. So, thank you for that question. It is a it is a big issue.

SENATOR HASKELL (26TH): Thank you so much, Matt, and thank you, Madam Chair. Looking forward to supporting this Bill and as always grateful for your input and your work on this issue.

SENATOR COHEN (12TH): Thank you, Senator Haskell. Senator Kushner.

SENATOR KUSHNER (24TH): Thank you, Madam Chair. And I want to also commend you. It's great to have a First Selectman who is just so well informed about the details of city government. And it's -- and the impact of the work that we're doing here on not just government, but down on the local level. It really does. It's incredibly helpful. But I also appreciate the perspective you bring about protecting our environment and having a long-term view of how these things really do will affect us all in the future.

So, I have nothing more to add, except that I appreciate your hard work. And thank you for your service to our district and to the town of Bethel.

FIRST SELECTMAN MATT KNICKERBOCKER: Thank you very much.

SENATOR COHEN (12TH): Thank you, Senator Kushner. I don't see any other questions. So, thank you, Mr. Knickerbocker, for being with us again today, you were with us on Monday. I'm just so appreciative of all your work on CC SMM that has really been helping to inform some of this legislation as we move forward. So, thank you.

FIRST SELECTMAN MATT KNICKERBOCKER: Thank you for all your good work.

SENATOR COHEN (12TH): Next we have Chris Phelps from Environment Connecticut. Chris, are you with us?

CHRIS PHELPS: Yes, yes, I am.

SENATOR COHEN (12TH): Welcome.

CHRIS PHELPS: Thank you, Senator. And thank you Members of the Committee. I'm Chris Phelps with the Environment Connecticut. I'm the State Director for our organization. And we've submitted testimony

supporting Senate Bill 837. Regarding PFAS-containing firefighting foam. And sorry, excuse me.

As you know, I'm sure this Bill would ban the use of firefighting foam that contains PFAS chemicals in it for training purposes, and create a take back program as has been discussed, and also, ultimately ban additional uses of the phone in future years.

We strongly support this legislation as we've testified on similar Bills in prior sessions with a couple of specific suggestions that we make in our written testimony, which hopefully, you have. The first is that we urge you to make the prohibition on training uses of PFAS firefighting foam, effective upon passage of the legislation. That really is a pretty, the lowest of low hanging fruit for dealing with this problem, and something that I think would be relatively non-controversial. And so, we urge you to do that.

And also, to clarify that the ban, the future ban, on the use of PFAS foam, for other purposes include all such uses that are not preempted by federal law or regulation. There's an ongoing effort, as I'm sure you're aware, to reform federal law on that point, as regards airports. But really, we have the opportunity at the state level to go ahead and mandate this the transition to non PFAS-containing firefighting foam for non-preempted uses, and we ought to just do that.

We also encourage you to move up the timetable for that so that that prohibition would take effect in July of 2022.

I'll stop there in terms of the content of the Bill itself, I think that's pretty straightforward. And just note that, you know, our support for this legislation is really grounded in the growing concern about the environmental, the wildlife and the human health impacts of the growing amount of PFAS-containing chemicals are getting PFAS chemicals

in our environment that we were exposed to that are building up in our bodies. As I'm sure you're aware of these are often referred to as forever chemicals because they don't break down in our environment. Once released, they don't break down in our bodies. And they're associated with a host of health problems from cancer to liver damage and more.

You know, earlier the industry representative spoke a few people before me referenced Sound science on the issue and said that they care about sound science. And so do we, the science of these chemicals -- around these chemicals is really strong in growing that they are a huge problem precisely because they last forever in the environment. And the more we release, the more they build up in our bodies, in our environment, as I've said. And that makes it incumbent upon policymakers to eliminate unnecessary uses of these chemicals in products whenever and wherever we can. Because once they're released, they are not going away again.

I'll close by just reminding the Members of the Committee something I know you're very well aware of. In 2019, there was this very similar, almost identical Bill in another Committee of the General Assembly. That ultimately died and did not go anywhere.

Ironically enough, as you know, a few weeks after that Bill died, there was a massive spill of PFAS containing firefighting foams at Bradley Airport. And there were press conferences on the banks of the river because that contaminated the Farmington River. The Department of Energy Environment Protection, literally told people for a period of time not to touch the water, not simply to not swimming it, bathe in it, drink it, fish in it, but not to touch the water. That's how serious exposure these the problem exposure to these chemicals can be.

And unfortunately, for a lot of reasons, some of which outside of any of our control, the legislature still has not been able to get this legislation across the finish line to deal with this problem. If that Bill had passed in 2019, it would not have been able to prevent that spill from happening at that time. But it just reinforces the urgency to act, need to act quickly this issue to begin getting control of this problem of, this growing problem of contamination of these chemicals in our environment in our bodies.

And I urge you to act swiftly to pass this Bill and to move on to consider other sources of PFAS in our environment and they're ubiquitous across so many consumer products and we really need to get a better handle on this at the local level, the state level, and the federal level. And I hope you will support this Bill and similar legislation to deal with this problem.

I'm sure I'm probably at or beyond three minutes. So, I'll stop there and answer any questions you might have for me.

SENATOR COHEN (12TH): Thanks, Chris, I really appreciate your input. And yes, this is something that has happened. The firefighting foam has been before the committee before, and we just raised recently raised a concept around toxics and packaging. So, we'll have a more in-depth public hearing process on that as well where I anticipate we'll be having more discussion about PFAS.

And certainly, you know, we're no stranger to the recommendations out of the PFAS Task Force and, you know, that deals directly with this AFFF fighting foam, and, you know, the need to take action. And so, I appreciate that.

We also have to think about the health and safety though, typically not the public health aspect, typically not the purview of the Environment

Committee, but certainly something that's come up with our firefighters across the state and really across the nation as this is a national conversation right now.

So, I appreciate your testimony tremendously. And I don't see any questions or hands raised. So, thank you.

CHRIS PHELPS: Senator, may I speak to that last point very briefly, about the -- I know there are other people who are lined up to speak so I don't want to monopolize your time. But I think it's an important point that you just highlighted about the public safety challenges here. We want firefighters to be able to use foam that is effective for putting out fires, for example. We also want firefighters to not be and first responders to not be exposed to these toxic and deadly chemicals in the process of protecting the public safety. And that's why I think this Bill is well crafted to really point towards ending the use of AFFF foam as there are effective alternatives available for it.

And that is the transit -- I know DEEP is working on that transition in partnership with stakeholders as well, because that's the key, we want to be able to put out fires. We want to be able to do it safely in all respects. And so, I agree with the point. And the good news is there are safer alternatives, I think is the point I wanted to make. Thank you though for the few minutes.

SENATOR COHEN (12TH): Yeah, and my understanding is these are really, we're talking about petroleum-based buyers at this point, and how to safely extinguish them. But we certainly shouldn't be using something so toxic for training purposes. So anyway, appreciate your testimony.

CHRIS PHELPS: Thank you.

SENATOR COHEN (12TH): So, next on the list is Leslie Anderson, Propane Gas Association of New England. Leslie, are you with us? And after Leslie will be Louis Rosado Burch of CCE.

LESLIE ANDERSON: Good afternoon, can you hear me Senator?

SENATOR COHEN (12TH): Yes, welcome.

LESLIE ANDERSON: Thank you. My name is Leslie Anderson. I'm the President CEO of the Propane Gas Association of New England. And I thank you for the opportunity to speak to you today. The Propane Gas Association of New England is a regional trade association.

We represent the propane industry in the six New England states and we exist to serve that industry by promoting safety, education, and public awareness of the uses of propane. Our membership includes propane companies and suppliers including numerous small companies in Connecticut, many of them are family owned and operated and many for several generations.

Propane is a clean alternative energy and it's the use of propane accelerates decarbonization. Including the 20-pound barbecue tank size propane cylinders, or indeed any refillable propane cylinder in this legislation, we believe defeats the objectives of the Product Stewardship rule and laws. The barbecue cylinders are reused multiple times throughout their long lifetime, and that often lasts for decades and decades at a time.

The exchange market continues to grow for these tanks as well as the dispenser locations where customers can own their own tank and bring it back and have it filled themselves. And you'd likely have an exchange cage that will accept your barbecue tank if you want to get rid of it now at your local convenience store or your hardware store.

We believe creating a separate program would create additional waste by encouraging citizens to dispose of these containers rather than reusing them through an exchange program. We also believe that refillable propane cylinders, including the refillable propane cylinders in this legislation would increase the consumer costs as the industry would have to have increased expenses from the administrative and bureaucratic recording requirements of this Bill.

Propane tanks are portable, many of them come from out of state, or they leave our state which would complicate record keeping statistics. And instead of including refillable tanks in this legislation, we ask that you give us the opportunity to solve the problems that have been presented to us related to this fill ourselves.

Today, our industry currently collects unwanted tanks from several municipalities for free. And we have exchange locations where you can bring your unwanted tanks back to the exchange cages. There are dispenser operator locations throughout the state that will accept your unwanted tanks. You can take your tank to U-Haul and pay them \$9.99. And they'll take your tank if you have one that you need to get rid of. So, there are lots of outlets for those currently available.

What has become apparent to me through this, the talks that I've had with the Product Stewardship group that I thank for including us, as they were working on putting this Bill together, is that we could do a better job as an industry for outreach and education. And my goal is for anybody to be able to Google How do I get rid of my propane tank and for locations to come up in Connecticut where they can take them. I'm doing that by working with one of the previous speakers, David Latourell, who you heard from just previously from Paraco Gas. And he is well on a committee that I serve on for the

Propane Education Research Council is an advisory committee for our national group. It's the group that maintains propane.com, and does all the safety and training outreach across the country for our industry.

We're going to work with them and develop additional outreach materials to make it easier for people to find out through a simple Google search were to get rid of their unwanted tanks and to get rid of them in a way that encourages those tanks to be reused and requalified to go back out.

Tanks do not need to be disposed of, they are reused requalified and then they are ultimately recycled and they may end up as a tank again. So, it's a much different animal in the refillable industry than it is with other products in Product Stewardship, where it's end of life and disposal. And we think that that's important to be separated.

One thing I did want to add is that David Latourell is going to work reach out to the Selectman, Selectman, Knickerbocker, I don't know if he's still on the line. But Dave is going to reach out to him, Paraco picks up tanks for free from municipalities, currently, and he's going to arrange to have those tanks picked up.

I have a call as the Propane Association in New England about once a year, I get a call from a municipality in one of my six states asking what to do, you know, they used to send it to a scrap metal person, or they have a few tanks that they need picked up. And I've always been able to answer those calls and find a company that was willing to go and pick up any 20 pounders that they had available. So, I really think that if we do a better job as an industry of educating people about how to get rid of a tank that is unwanted, that would be the route for us to go.

And we're asking for an opportunity to do that, and not to be included in this legislation. And I would strongly think that if there is some reason that the committee decides not to exclude us, that refillable prototype pain tanks should be treated as a separate area in terms of Product Stewardship. But our hope is that that will not move forward, and that you will give the industry a chance to take care of this. We're not manufacturers from out of state. We are the people that are in your small town and supply you with propane every day.

So, I think that we can really solve this problem ourselves, rather than having that be part of a larger Product Stewardship Bill.

And I thank you for your time. I'm happy to answer any questions that you may have.

SENATOR COHEN (12TH): Thank you, Ms. Anderson. Representative Gresko.

REP. GRESKO (121ST): Thank you, Madam Chair. I do think that the individual customer who has a 20-pound refillable tank knows enough to refill it until the time comes that it needs to be recycled. So as far as that goes, I'm wondering and two questions, if your industry would be willing to be part of the EPR process if we choose to move forward with that avenue, you've indicated that you're doing what you can now as far as repurposing, recycling, reusing. So, would the industry be interested in being part of that EPR system?

LESLIE ANDERSON: And what do you mean by the APR system?

REP. GRESKO (121ST): EPR.

LESLIE ANDERSON: So, producer responsibility.

REP. GRESKO (121ST): So, that's really the avenue that we are considering going for these 20-pound

propane tanks that are at the end of their usefulness.

LESLIE ANDERSON: We would not like to be covered by that. We think we can address it ourselves now that we have been made aware of the holes in the system, you know, the problems that are out there. I think that since we've been a member of the calls for the Product Stewardship Institute, we've already started having calls with our national group to develop additional outreach, so that we can make sure to educate people. I don't think we need to be part of a Product Stewardship Bill.

REP. GRESKO (121ST): I guess I didn't freeze that. So, you wouldn't be interested in being part of the of that solution if we went down that road.

LESLIE ANDERSON: We would prefer not to be part of that solution. If you do go down that road, I think refillable containers should definitely be treated differently and should not be logged in with other gas cylinders.

REP. GRESKO (121ST): And then my last question is actually Representative Harrison's question. And she had audio problems before. She referred to an incident where, I guess in her district to individuals moving can't take a propane tank on a moving van, and thus had issues of what to do with it.

LESLIE ANDERSON: Right, that's, that was interesting. That was something that I learned also as part of this, that that's a common problem that people run into. So, I want to make sure when we do our outreach, that if you Google, what do I do with my propane tank, I'm moving, you know, a bunch of answers come up. And, you know, one of those is ask your neighbor if they want it, you know, the second one is, take it to your local exchange location that you have and they can put it in the cage there and

it'll be recycled. Another is, take it to the local U-Haul, they'll take it back there for \$10.

You know, so what we're going to try to do also is work with our industry to develop a list of propane marketers that will accept them at their offices so that we can have a location where you go, and you hover on the state, and it says for Connecticut, and then it shows you know, a bunch of dots where you can take your propane tank back and have that done. But we want to develop that ourselves as an industry. Because we do believe that one of the reasons that we're a green alternative energy is because we want not to be impacting the environment, we want to recycle and requalify and reuse as many of these tanks as we can. As we do that.

And the exchange business has really pushed us that way. Right? We had a previous question about requalifying the tank, if your tank is 12 years old, you've got to have it have a visual inspection before you can use it for the next five years. And not every location does that. But if you use an exchange tank, you don't have to worry about it, you've dropped off your tank, you get a new one each time after you get into that system.

So, we're really, I think trying and trying to make the industry greener and greener as we move forward. And we believe we can solve this problem for the 20-pound refillable tanks on our own.

REP. GRESKO (121ST): Thank you, Madam Chair.

LESLIE ANDERSON: And if anyone has a town with a problem, please reach out to me as the Propane Association of New England and we will find a company to come and help you to get rid of your 20-pound tanks.

SENATOR COHEN (12TH): Thank you for that. Thank you, Representative Gresko. I thought Representative Harrison had a question. I suspect

that she was having issues before. Oh, Representative Harrison, does your -- is your sound working.

REP. HARRISON (69TH): I think so. So yeah. Thank you, Madam Chair. And thank you Representative Gresko for reading the chat. But yes, that's been a big problem down in our district or municipality is people are moving. And it doesn't matter if you say the tank is empty, whatever, the moving company is not putting it on the truck, which I understand. So, they're left with what do I do with this and they bring it to the transfer station. Transfer station was collecting them for a long period of time, until they realized there was no way for them to also, you know, get rid of them.

So back to the same thing. I appreciate it. We probably need better education or we need to come up with ways to solve this issue for people. And maybe it's good to know that there's some other problem out there that other people weren't aware of.

So, thank you, Madam Chair. And thank you for listening to what our problem is.

LESLIE ANDERSON: Thank you.

SENATOR COHEN (12TH): Thank you, Representative and thank you again Ms. Anderson for your testimony today. Okay next we have Louis Rosado Burch followed Tessa Getchis, followed by Mitch Hubert.

LOUIS ROSADO BURCH: Thank you, Senator can you hear me ma'am.

SENATOR COHEN (12TH): Yes, welcome.

LOUIS ROSADO BURCH: Okay, thank you. I'll go ahead and jump right in. Good afternoon, Honorable Committee Chairs, Co-Chairs and Esteemed Committee Members. My name is Louis Rosado Burch, Program Director at Citizens Campaign for the Environment.

We appreciate the opportunity to testify today in support of Senate Bill 837, House Bill 6386, Joint Resolution 53, and Senate Bill 839 with recommendations to establish a true EPR framework for waste tires and gas cylinders.

I'd like to start just from a very high level to point out, there's a lot of great concepts on the agenda this year. Unfortunately, as we will likely hear over and over this session from legislators throughout the building, there's just not enough money in the budget to take on some of the really important big-ticket items that we're facing.

Municipalities in particular, are facing solid waste recycling crisis. We just heard Monday from CCM that some have seen their solid waste costs grow as much as 800% in just a few years. And we know that state agencies like DEEP do not have the budget are very limited budget for enforcement and other important work protecting our health and our environment from pollution.

And so, as we confront these challenges, we will continue to advocate and encourage the Committee to continue advocating for polluter pay strategies to find these solutions.

Specific to the agenda today we support Senate Bill 837. This is consistent with the Governor's PFAS action plan and PFAS is a major emerging public health issue for all the reasons that Chris Phelps mentioned previously. We believe that the Environment and Public Health Committees should be committing significant time and resources into investigating this problem. Including we'd like to see New York style all day public hearings on PFAS contamination.

We should be working to establish an MCL or drinking water standard for PFAS and the Attorney General should be suing 3M and DuPont to fund this important work.

We're also in support of Senate Bill 839. But the Committee should be implementing the full scope of C and Q recommendations on pesticides. I hope somebody will ask me more about this.

Regarding House Bill 6386, we strongly support EPR approaches to managing hard to recycle items. We believe we need not study EPR we've demonstrated in a number of ways that EPR approaches work here in Connecticut, we need to move full speed ahead implementing EPR programs for gas cylinders, smoke detectors and scrap tires. We also need an EPR program for consumer packaging.

To Kelsey's point from CRC, you know the Bill establishes a tire hauler license. This will cost taxpayers money and will not likely solve the illegal dumping problem that we've seen. The Bill should establish a full scale EPR program for waste tires. And it should further be amended to provide clear guidance to Patricia Taylor's point to ensure that end users do not create unnecessary risk to human health and the environment. Specifically, the law should specify that recycled tire crumb should never be recommended for use on school athletic fields, public parks and playscapes given everything that we're finding out about the toxic chemical constituents of tire crumb.

And I would just conclude by simply saying that CCE is in strong support of House Joint Resolution 53 to approve the Long Island Sound Blue Plan for all the great reasons that Christian Fox talked about earlier today.

So, with that, I will conclude my oral testimony. Thank you for the opportunity to comment and I'm happy to answer any questions that Committee Members may have.

SENATOR COHEN (12TH): Thank you for your testimony I see Representative Michel's hand up.

SENATOR MINER (30TH): I want to get back to the district. I have to jump off.

REP. MICHEL (146TH): Thank you, Madam Chair. Thank you, Mr. Burch, for your great testimony as always. Can you please elaborate on the health concerns about PFAS and where do we find PFAS and what should the state be doing basically?

LOUIS ROSADO BURCH: Thank you, Representative Michel. We've heard a lot of you know reference to PFAS forever chemicals. These are -- the reason I say this is an emerging public health crisis is because these chemicals are found quite literally throughout the consumer, the consumer product sector, as well as in a number of industrial uses. They are quite ubiquitous. They're in our clothes. They are in many different types of food packaging. The firefighting foams that we're talking about here today are, you know, significant concern for groundwater and surface water contamination.

But, you know, there's a multitude of peer reviewed published studies that indicate, you know, that high levels of PFAS in the bloodstream, you know, can contribute to decreased immune response in children. Long term exposure to PFOA may contribute to kidney and testicular cancers, birth defects, elevated cholesterol levels, adverse developmental impacts for fetuses and newborns.

And there's also a great deal of research that's coming out now, indicating that high levels of PFAS in the bloodstream may weaken human immune response, including compromising the body's defenses against the novel Coronavirus. Harvard University researchers recently concluded that certain PFAS can actually increase patient's risk of having more severe outcomes when infected with COVID-19. And some research that's coming out has also revealed that early exposure PFAS chemicals may even lead to vaccine resistance.

And so, you know, once again, as I mentioned before, this is something you know, we see states now lining up that have legacy contamination issues because of PFAS. The State of Minnesota has an \$815 million settlement with 3M and A \$35 million settlement in the State of Alabama, the states of New Hampshire, New York, New Jersey, and Vermont have all recently filed suit against these companies. We believe this is something that the state should be doing some real investigation about where the sources and greatest groundwater impacts of PFAS contamination here in Connecticut and put together a plan to really go after and address some of these legacy contamination sites.

REP. MICHEL (146TH): And Mr. Burch if I may ask also regarding crumb rubber. Same question. In terms of like, basically, health concerns, where do we find them? And what do you suggest the state should be doing?

LOUIS ROSADO BURCH: Yeah, so one of the things that we've been talking about a lot over the last several years is the use of recycled tire rubber, also known as crumb rubber, also known as tire crumb for use on children's athletic fields and other protective play surfaces that are used on playgrounds and that kind of thing. We know now that several of the constituents of this crumb rubber are considered chemicals of high concern to children, due in large part to their potential to leech and off gas, otherwise exposing children to these types of toxins.

Something to note is that New York State looked at this issue, the Empire State consumer project examined several different types of crumb rubber and rubber mulch as part of its 2015 children's products safety report, and identified high levels of arsenic and cadmium, as well as lead.

Environmental human health has also done a great deal of research on this subject, examining ways, you know, in which really the industry that funds this material, and that profits from this material, have used to really twist the truth, for lack of a better term, cast a shadow of doubt over that science, using industry funded junk science to really downplay those health concerns.

And actually, EHHI did a great report where they looked at some of the science that these companies were referencing, and found that actually, many of the very studies that industry has been holding up, have identified the presence of toxic and carcinogenic chemicals, including lead. 14 of the 22 studies, reviewed found varying levels of lead in the fields that they tested. You know, and we once again, view that as an inappropriate use of that material, you know, specifically in areas where it can come in to prolonged exposure to young children and developing youth.

REP. MICHEL (146TH): Thank you very much, Mr. Burch. I have more questions, but for the sake of time and respect my colleagues I'll probably reach out offline. Thank you.

LOUIS ROSADO BURCH: Thank you, Representative Michel.

SENATOR COHEN (12TH): Thank you, Representative. Representative Demicco.

REP. DEMICCO (21ST): Thank you, Madam Chair. Lou, thank you for your good testimony. I thought I heard you made reference to the need to do something with the Bill concerning electronic pesticide regulation. Did you want to add something to that?

LOUIS ROSADO BURCH: Yeah. So, I should first say that we absolutely support what this Bill does. The system needs more significant modernization and you all should absolutely move forward with this

legislation, if not given the opportunity to go farther. Okay. The current system in place that DEEP for pesticide records is onerous, literally requires hours of manual sifting through documents to find relevant information, I think Tara Cook Littman will more than likely speak to this issue in greater detail.

But, you know, once again, this is really only a portion of what needs to happen in terms of you know, meaningfully improving compliance and enforcement of Connecticut's pesticide regulations.

In 2019, the Environment Committee approved House Bill 5999, which would have created a funding source for enforcement as well as other modifications to the program. It would have earmarked monies that are coming in something like something to the tune of about \$3 million a year that are generated through pesticide, certified pesticide applicator permits and other type of enforcement activities. And we believe that those funds should be directed to strengthen the state's pesticide program, including, you know, establishing electronic filing system for applicators, certifications, rather than having DEEP staff go through these paper documents and manually data entry them into some type of database. Why not actually create an electronic portal that these pesticide applicators can use to update their applications and have that information be filed electronically in real time.

Additionally, the CEQ report that was released in 2017, recommended reinstating the environmental monitoring program to monitor pesticides that are present in our soil and water resources and wildlife and to close online purchasing loopholes for restricted use pesticides.

I just think it's important to point out that this Bill was voted favorably out of the Environment Committee, as well as out of the Finance Committee with no amendments. And so, keeping in line with

you know, what we've been saying about the state turning to polluter pay strategies to deal with these types of environmental problems, we believe that the state should be ramping up enforcement and penalties on permit violators and using that, that money to fund these types of improvements.

REP. DEMICCO (21ST): Great, thank you for that explanation. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you. Representative O'Dea.

REP. O'DEA (125TH): Thank you very much, Madam Chair. Mr. Burch, you had mentioned some studies that have indicated some of the tire remnants on the turf fields causing potential danger to athletes. Could you send us those studies?

LOUIS ROSADO BURCH: Sure. I'll be happy to send some information your way, Representative O'Dea. Good to see you, by the way, sir. And I'm actually going to refer you all to - I have some information that's going to be coming on an ongoing basis. The good folks at environment, human health were kind enough to host a webinar last week with some researchers from the Netherlands that have been doing some really groundbreaking research and have found even more chemical constituents of concern to human health in the environment. I believe those studies have not yet been made available. But as soon as they do, I will most certainly send them your way.

REP. O'DEA (125TH): Thank you very much. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you. Representative and thank you, Mr. Burch. I just would remind you to flow as the flow of materials go through our regular Clerk Gaia McDermott and she can get those to the committee. So, thank you for sharing your

knowledge with us. Representative Dillon, did you have a question?

REP. DILLON (92ND): Yes, Madam Chair. Thank you very much for your testimony. I wonder if you could provide us with more information on the 2019 initiative. I don't remember what the fiscal note was, but that if I recall your testimony correctly, and I don't have it in front of me here, and it passed Environment Committee and it passed the Finance Committee as well. Is that true?

LOUIS ROSADO BURCH: That's accurate, ma'am.

REP. DILLON (92ND): Okay.

LOUIS ROSADO BURCH: I'll be happy to send that over. And with links to the CEQ report that go into greater detail.

REP. DILLON (92ND): It's a Council on Environmental Quality recommendation. Yes?

LOUIS ROSADO BURCH: Yes, ma'am. Yeah.

REP. DILLON (92ND): Yeah. Okay. I mean, further information would be great. Thank you very much.

LOUIS ROSADO BURCH: Thank you.

SENATOR COHEN (12TH): Thank you, Representative. I don't see any other questions. So, thank you again, for your testimony.

LOUIS ROSADO BURCH: Thank you, Madam Chairwoman.

SENATOR COHEN (12TH): All right up next we have Tessa Getchis, followed by Mitch Hubert, followed by Larry Marsicano. Tessa, are you there?

TESSA GETCHIS: I'm here.

SENATOR COHEN (12TH): Welcome.

TESSA GETCHIS: Thank you very much. Good afternoon, Members of the Environment Committee. And thank you for the opportunity to present my testimony regarding House Joint Resolution 53 on the Long Island Sound Blue Plan. My name is Tessa Getchis, and I am an Extension Educator at Connecticut Sea Grant and a faculty member in the UConn Department of Extension.

I served as a member of the Long Island Sound Blue Plan ecological experts' group and this working group was charged with the identification of ecologically significant areas within Long Island Sound. Those are where protected species and habitats exist. And as part of the Blue Plan process, I was also called upon to identify and characterize spatial information for shellfish, shellfish arrays and aquaculture management, which are my areas of expertise.

The shellfish industry is one example of an important human use on Long Island Sound. And it's also a growing industry that needs to consider how that growth fits within the context of many other human uses and how their projects can be cited with minimal environmental interactions. And through the Blue Plan process, additional spatial information have been created to aid both the applicants and the regulators in the site selection and project review process. This is really important as it makes available the most up to date information, science-based information, and may provide users with more confidence in their decision-making processes for new projects, and also investments.

So, with that said, I support approval of the Long Island Sound Blue Plan and urge the legislature to provide the funding to not only maintain but improve the data portal that was developed through this initiative. The Blue Plan is intended to preserve existing human uses and protect habitats and species and ensure that the individuals and organizations

proposing work in Long Island Sound. First, consider where these important resources exist to not only avoid use conflicts but to prevent negative environmental impacts.

So, thank you for the opportunity to testify today.

SENATOR COHEN (12TH): Thank you, Ms. Getchis and thank you for all of your work with that. Any questions from the Committee? Seeing none, thanks again for being with us today. All right, we've got Mitch Hubert. Mr. Hubert, are you with us?

MITCH HUBERT: I'm with you. Honorable Co-Chairs Cohen and Borer and Members of this Committee, my name is Mitch Hubert, and I thank you for the opportunity to address you this afternoon. I hold degrees in both biology and chemistry, and I've been working in the firefighting foam industry for more than 40 years, both as a formulation chemist and as a firefighter. I'm here today as Technical Director of the Firefighting Foam Coalition to express our support for Senate Bill 837 with some amendments.

Our coalition is made up of foam manufacturers from throughout the world, who fully support efforts to reduce the use of PFAS-containing foams, and are working feverishly to develop and improve non fluorinated alternatives.

Unfortunately, there are still some fire scenarios and industry segments, where current technology utilized and fluorine free foams fall short of providing the type of performance that can assure that large catastrophic fires can be successfully fought and extinguished, and which provide a measure of safety for our firefighters and other first responders.

Your Bill recognizes this fact and provides an avenue for continued use of fluorinated foams for high hazard petroleum fuel application where alternatives are not available. The FFFC supports

the overall concept of foam users working with state regulators to identify facilities that have a continued need and use for these fluorinated forms.

However, in addition to petroleum-based fuels, there are other fire scenarios involving non petroleum fuels, where the use of fluorinated forms may still be required. This is particularly true of the use of foam and fixed systems were polar fuels such as acetone and alcohols and other water miscible chemicals are being handled.

Currently, there are no fluorine free foams approved by factory mutual or Underwriters Laboratories for this specific application. FFFC would propose that the Bill provide an avenue for the continued use of fluorinated foams and some of these fixed systems similar to that which you're already allowing for the petroleum-based fires.

The proposed legislation would require most foam users in the state to have transitioned to fluorine free foams in a little over two years. This could provide - could prove challenging, especially under current conditions. Fluorine free foams are not dropping replacements for the fluorinated foams, and may require equipment and operational and infrastructure changes to implement their transition successfully.

Recently proposed foam legislation in the European Union and in New Zealand provide for a five-year transition period. FFFC will propose extending the phase out date for the firefighting uses of foam from July of 2023 to January of 2025.

FFFC has worked to develop legislation and other states to ban the use of PFAS-containing foams for testing and training and limits their use for too high hazard applications. Where alternatives are not fully effective.

We look forward to working with your committee. And I'm happy to answer any questions that you might have at this time.

SENATOR COHEN (12TH): Thank you so much, Mr. Hubert. And thank you for your timely wrap up of your testimony. You read it, three minutes. Perfect. I do have a question. Oh, I see Representative, I will stay my question. Representative Piscopo. Go right ahead.

REP. PISCOPO (76TH): Thank you, Madam Chair. My question goes to training for electric vehicles. You mentioned that it would dispose use for petroleum-based fires. Is there an extended training you go through for hazard with an electronic vehicle involved in a collision? Is there a different training and it does it use these foams?

MITCH HUBERT: To be honest with you, I don't know exactly how they handle the batteries on electric vehicles. You know, certainly the firefighting foams are water based. So, I guess it kind of depends on how conductive the foam might be. I know that work was done years ago with high expansion foam and looking at electrical resistance. But I don't know of any current work that's done with any low expansion foam. So, I don't know how they handle those types of incidents.

REP. PISCOPO (76TH): Thank you. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Representative Gresko.

REP. GRESKO (121ST): Thank you, Madam Chair. I urge not only your testimony but individuals before you about the petroleum fires that would still need the fluorine, fluorine containing chemicals foam to extinguish on and that being a federal that federal jurisdiction especially at our Bradley Airport.

But my question, I guess, is kind of in reverse. If I'm a firefighter, and I get called to one of these events, and I don't -- I've seen on when I've been watching television the advertisements that hey, if you're a firefighter, and you have been exposed to this foam, and you've unfortunately developed any one of a litany of health ailments. So, if I'm the firefighter and the instance comes up where it's going to be either put the fire out with the foam or what or do it so in a manner that I know I'm really I'm purposefully endangering my health. I mean, I would have a hard time making a decision. So, I mean, is there is there in the future that maybe with a petroleum-based fire, a fluorine free alternative can be used. Is research being done?

MITCH HUBERT: Yep. Certainly, all the foam manufacturers throughout the world are working on this, you know, and the technological problem is that all these fluorine free foams are detergent based, right? They're all hydrocarbon surfactants, with no fluoro-surfactants, to provide the fuel shedding characteristics that we see with the fluorinated foams.

And so, the challenge is, how do we find the right surfactant package so that we don't wind up emulsifying or picking up a lot of fuel. We know that at the immediate interface of a fluorine free foam and the fuel below it that that that interface, there's contamination of that foam blanket.

And so certainly, for all spill fire scenarios, we would recommend the use of non-fluorinated foams because there's certainly less chance for these foams to become submerged below the fuel surface and pick up a lot of a lot of fuel. The challenge that that comes in, and the reason that we say high risk, high hazard, petroleum industry is, if you have a large fuel storage tank on fire, and you utilize current technologies for dispensing foam onto those fires, you wind up with high flow monitors and

relatively low expanded foam. And so that foam winds up plunging below the fuel surface. And of course, it floats back up because it's less dense. It has picked up some fuel, right, Dawn takes grease out of your way. And that's the challenge that all of the foam manufacturers are working on today.

REP. GRESKO (121ST): And halon is not an alternative it's too -- it's too --?

MITCH HUBERT: Yeah, the kind of the answer on every fire protection question should start with, it depends. If it's a small fire, halon or dry chemical or carbon dioxide are certainly very effective depending upon the geometry of the fire. But for large flammable fuel fires, you simply can't put a high enough concentration of halon or a high enough concentration of Co2 or a high enough concentration of dry chemical to put that fire out.

And additionally, if it's out, any type of re ignition source would allow it to flash back. And you know, that's why they use foam on these large fuel surface fires.

REP. GRESKO (121ST): Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Mr. Hubert, I just a follow up on that because it does seem that what you're telling the Committee is a little bit contradictory to what we're -- we heard from DEEP this morning, as well as what we've seen from DESPP, the Department of Emergency Services and Public Protection, that I think they recently released something that there was, in fact, a suitable alternative and the testimony of DEEP requested the Committee actually move up the dates in this Bill to, you know, for the immediate removal of its use, and for training purposes, and then move up the date of use altogether, from 2023 to 2022.

So, I'm guessing based on your testimony that you wouldn't do that, at least, perhaps for the training

purposes, you're okay with it being immediate upon passage. But I'm just I am a little bit curious because what we're hearing from this testimony from you today is a little bit different from my understanding and my limited understanding albeit of what we know from the recent DESPP bulletin from February.

MITCH HUBERT: Yeah, you know, I think that the discrepancy, and in where people say, a fluorinated foam can be eliminated. A fluorinated foam can't be eliminated, really comes into the fire scenario. And you know, if you're dealing with the municipal fire responders, your city firefighters, or your county firefighters, most of the flammable liquid incidences that they come upon, are things like traffic accidents, or maybe even an overturn, tank truck or something like that. In those cases, the fire that that results is a -- it's a spill fire and so you don't have the issue of having that foam becoming really contaminated.

So, you can very easily transition every municipal fire service, unless they're involved in a mutual aid with a mark terminal or refinery, they could switch immediately to fluorine free foam. And yes, training purposes, we've been saying it in the Firefighting Foam Coalition for years that there are non-fluorinated alternatives. And there are other training alternatives. But for those really, really big fires where you have fuel in depth, the fluorinated foams still struggle. They can help and do work in in some instances, but in other instances, they just don't work. And certainly, when you get into the polar fuels, as I said, there, there are no non-fluorinated foams that can pass Underwriters Laboratories sprinkler fire test, or factory mutuals sprinkler fire test. And so, if you have a fixed system that's utilizing an alcohol resistant AFFF to protect alcohol or a quench tank or something else, you don't have an alternative right now, you know, we're hoping they're on the horizon. But you just can't take those things away

from the people because, in essence, you'll be in conflict with other laws within your states. Because you have other laws that say, you must have fire protection for this. And the only suitable fire protection is those sprinkler systems.

SENATOR COHEN (12TH): Yeah, I mean it puts the Committee in a difficult position. Because, you know, typically DESPP would be our authority in providing recommendations on something of this nature. And it's good to hear from you. But obviously, it's a bit different from what we're hearing from them. So, we will have to work out that conflict as we move forward with this legislation.

MITCH HUBERT: Well, thank you and the Firefighting Foam Coalition Is very happy to work with anybody who wants to better understand where fluorine free foams work and where the fluorinated foams are the actual agents of choice.

SENATOR COHEN (12TH): Okay. Thank you so much, Mr. Hubert for your testimony and your willingness to work with us.

MITCH HUBERT: Thank you, Senator Cohen. I appreciate it.

SENATOR COHEN (12TH): Okay. Next, we have Larry Marsicano, Aquatic Ecosystem Research, followed by David Hudson, followed by Steve Gentry.

LARRY MARSICANO: Good afternoon, Senator Cohen, Representative Borer and Members of the Environment Committee. My name is Larry Marsicano, I am one of the principals at Aquatic Ecosystem Research, certified Lake manager and someone who has been involved in the study and management of lakes in Connecticut here for over 30 years.

I'm here on behalf of the town of Littlefield in support of 638 for AN ACT CONCERNING AQUATIC

INVASIVE SPECIES EFFECTS ON LAKES AND RELATED FUNDING. Section 1 of that Bill is essentially the same concept that came before you last year in the form of Senate Bill 98, an Act concerning the drawdown schedule on Lake Beseck, a Bill that to my knowledge did not receive any opposition. The Bill is to modify Section 22A-339H of the Connecticut General Statutes that describes how the drawdowns in winter are done in Lake Beseck.

We have submitted written testimony this year as we did last year. You will also find lots of additional testimony from the community that Senator Abrams described to you earlier today. Our testimony will provide some of the scientific rationale for modifying the timing of the refill such that on the years the lake is drawn down six feet, it remains there until January 31<sup>st</sup> instead of December 31<sup>st</sup> before it gets refilled halfway, which then remains till March 1<sup>st</sup>, after which it gets sub-refilled up to full.

In short, the management of aquatic invasive plants with winter drawdowns requires not freezing temperatures but sub-freezing temperatures. And that's based on research done here in Connecticut and elsewhere. There is a much higher probability of those sub-freezing temperatures occurring in January than in December. So, your attempt here is to expose the uncovered area during the six-foot draw down to the January sub-freezing temperatures before starting the refilling process.

I do want to address Section 2 of the Bill as well as with my -- another hat on as a member of the American Federation of Lakes. You have received written testimony from the Federation in support of that language in Section 2, the CFL and its members were advocates and strong supporters of the legislation that created the Connecticut lakes, rivers, and ponds preservation on account under Public Act 18-101 and 19-190. This year is going to

be the first year that grants from that account will be awarded.

And I'm aware of a number of beautiful grant applications being submitted by entities representing a wide range of lakes by the deadline which happens to be this Friday. We remain grateful to those of you who supported that legislation, we are supportive of the Transparency Act, Section 2 of the Bill will create. We recommend that the text be changed to make clear that there is an annual reporting requirement. We also support the language recommendations from the Commissioner of DEEP regarding additional means for funding projects control and eradicate aquatic invasive species. While the funds provided by Public Act 19-190, advanced aquatic invasive species cyanobacteria plants, they are clearly not sufficient to meet the overall needs in the state.

SENATOR COHEN (12TH): Can you just wrap it up? It's been a -- you've gone over that three minutes.

LARRY MARSICANO: Yeah, that's it. I'm happy to answer any questions that you have.

SENATOR COHEN (12TH): Okay. Thank you so much for your testimony. Does the committee have any questions? Representative Gucker.

REP. GUCKER (138TH): Well, that was quick I just stuck my hand. Good to see you again Larry. I know we've worked in the past and you've always been a great steward for lakes. And I do remember the testimony that went on with Lake Beseck and it was unfortunate that COVID kind of derailed that last year.

I kind of want to ask you more along the lines up. And I know it's in another section, dealing with some of these, the magnesium and the chlorides and the sulfide that we're using for the icing of these roads and how it's affecting the lakes. I know at a

recent meeting, we were talking about these calcium products, maybe adding to the infestation of breeding zebra mussels, but then also the salinity levels that are climbing. I know it wasn't part of your testimony.

REP. GUCKER (138TH): I kind of want to ask you more on the lines up, and I know it's another section.

LARRY MARSICANO: Yeah, there's very few lakes that we have studied, that we aren't seeing the salinity or conductivity going up. And usually, it's either sodium or calcium. And, you know, if you increase sodium, you create a more hospitable environment for cyanobacteria, if you increase the calcium, you create a more hospitable environment for zebra mussels. And these are typically getting into lakes via you know, the icing products used on roads and you know, it's kind of a, you know, it's a Catch-22 you got to make the roads safe, but can you reduce usage, so you're not seeing the rate of increase in our, not only in the lakes, but also in our public, you know, in our groundwater too. So, it's not only recreational lakes, it's affecting, you know, potable water supplies.

REP. GUCKER (138TH): Oh, well, thank you very much for your testimony. It's always great to see you. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Alright well, thank you, Mr. Marsicano. I don't see any other questions.

LARRY MARSICANO: Thank you.

SENATOR COHEN (12TH): All right, we have David Hudson, followed by Steve Gentry and Paul Newberry. David, are you with us?

DR. DR. DAVID HUDSON: I am.

SENATOR COHEN (12TH): Welcome.

DR. DAVID HUDSON: Good afternoon, and thank you, Madam Chairman. Good afternoon Co-Chairs, Senator Cohen, Representative Borer, Vice Chairperson Senator Slap and Representative Gresko, Ranking Members, Senator Miner and Representative Harding, and Esteemed Members of the Environment Committee. Thank you for allowing me the opportunity to testify today. My name is Dr. David Hudson, and I'm the research scientist at the Maritime Aquarium at Norwalk and I serve as an associate editor for the peer reviewed journal bio invasions records.

I'm thankful for the passing by this Committee on issues important to the health of Long Island Sound, particularly the marine debris legislation a few years ago that addresses the ghost fishing issues in Long Island Sound. Some of you have also had the chance to visit us at our facility or in the field as Representative Gresko has in horseshoe crab tagging.

Today, I'd like to submit for the record our testimony on two Bills being considered by the Environment Committee proposed House Bill 6384 and proposed Senate Bill number 837 on behalf of the Maritime Aquarium at Norwalk, Mystic Aquarium, and the Beardsley Zoo.

Our present CEO, Jason Patlis, will submit our testimony on House Joint Resolution 53 in support of the Blue Plan.

Maritime aquarium at Norwalk, the Mystic Aquarium and the Beardsley Zoo are not for profit institutions whose missions are tied to inspiring people to protect the natural world on land in Long Island Sound and across the global ocean. We are among the state's largest family attractions together attracting about 1.5 million visitors a year and we're getting leaders in conservation education.

We testify as accredited zoological and aquatic institutions and support a proposed House Bill number 6384 for its stated efforts to examine address, and decrease the effects of invasive aquatic species on the state's lakes.

Our testimony on proposed Senate Bill number 837, will be submitted as written testimony.

Non-native to an inch ecosystem, invasive species pose serious environmental and economic threats to their new habitats. Invasive species have been shown to have a significant impact on water infrastructure at the federal level, and the local level. Of note to species the Asian clam *Corbicula fluminea* and zebra mussel *Dreissena polymorpha* are responsible for hundreds of millions of dollars in damages to the US alone. This is concerning as both of those species are present in Connecticut waters according to US Geological Survey.

Each of our institutions is actively involved with research and conservation projects locally and beyond to better understand protect the environment. For example, staff, including myself, the Maritime Aquarium are actively monitoring for invasive species that can affect the function of Connecticut freshwater marine systems.

In 2018, we identified the Chinese mitten crab *Archer sinensis*, which is, has been since been witnessed many times, particularly in the Housatonic river, and is responsible for infrastructure damages of over \$100 million in countries where it is invaded. And this invades up rivers. The presence of invasive species in Connecticut is a concern for all three of our organizations, proposed House Bill 6384, promises more resources to projects covering aquatic invasive species, given the need to better understand and control invasive species and mitigate their negative effects. This collective group strongly supports the proposed Bill.

Thank you very much for your time.

SENATOR COHEN (12TH): Thank you, Mr. Hudson, and for your precisely timed testimony, once again, the little things that make the Chairs happy during the hearing process. Are there any questions from the Committee? I do have a question. And I appreciate your support of the language in the invasive Bill. And I'm just curious, you know, this has been brought up before in terms of the rivers as well and hydrilla. And do you -- what is your opinion on whether this still goes deep enough to me, you know, an expansion to take care of other waterways in the state?

DR. DAVID HUDSON: Right. I think any, any increases to, to funding in this area are going to be helpful for the systems and for the folks who are trying to get, get this work done on the ground. But to go for lake associations, and for those of us at small nonprofits.

You know, as an invasive species biologist is what got me into being a marine scientist and aquatic scientist. I'd always like to see more effort put forth on this because it can have a major negative impact on our on our fisheries, and on our infrastructure in particular, which we're putting in a pretty concerted effort to, to restore at this moment, particularly with river systems and bring dams down.

So, I'd like to see additional support, as that goes forward. That said, you know, we're one foot in front of the other.

SENATOR COHEN (12TH): Thank you. Representative Harding.

REP. HARDING (107TH): Yes, can you hear me?

SENATOR COHEN (12TH): Yes.

REP. HARDING (107TH): Great. So, thank you for testifying. And I also have share a passion in regards to the local lakes. And I'm fortunate enough to have two beautiful lakes in my district in Candlewood and Lilnona. And so, it's and both of them are in fighting aquatic invasive species in different ways. One more so than the other, Candlewood more so than the other.

So, one thing I dislike to the current system we have now, you know, and I know it's brand new with the boat stamp system that we've implemented in the past year, I was looking to see as, has anything been realized from that in terms of addressing, you know, some of the issues regarding funding to address these issues.

DR. DAVID HUDSON: So, I think it's still, I think it's still pretty nascent when it comes to the types of efforts we're trying to get across. I know, I'd like to see more of a centralized system for grants. It's hard for us to find the state level grants on and I often tell my CEO, we find these, you know, when they're when they're in the final processing. And I think that having a place for us to or a clearinghouse or listserv or something that can bring these to bear, I will help us to better coordinate across organizations. I think that's a really key part of this. When we're working with small organizations, and working across organizations, universities, that ability to collaborate far in advance will really help to enhance that work.

REP. HARDING (107TH): I appreciate and I appreciate you testifying and all your work and look forward to continuing to work with you and want to thank the Chair for indulging me. thank you.

SENATOR COHEN (12TH): Thank you, Representative Harding. Alright. Well, thank you, Mr. Hudson. I don't see any further questions. I appreciate your testimony.

DR. DAVID HUDSON: Thank you, Madam Chair.

SENATOR COHEN (12TH): Alright. Next up, we have Steve Gentry. And tell me, do you want testify together, or are you testifying separately?

STEVE GENTRY: Mr. Newberry will be doing the testifying and I will be here to try to answer questions as well.

SENATOR COHEN (12TH): Okay, let me say who will be after both of us so we can prepare. It will be Eric Weiner, followed by Alicea Charamut. Alright, please proceed. Welcome.

PAUL NEWBERRY: Thank you, Senator Cohen. Can you hear me, okay? Am I connecting, great?

SENATOR COHEN (12TH): Yeah.

PAUL NEWBERRY: Sorry about that. Senator Cohen, Senator Miner, Representative Borer, Representative Harding, and the Honorable Members of the Environment Committee, thank you for the opportunity to present testimony regarding House Bill 6386. I'm Paul Newberry Compliance and Regulatory Manager for Worthington Industries Pressure Cylinders. Also joining me today my colleague Steve Gentry, Regulatory Affairs Manager.

We present today on behalf of Worthington Industries, one of the last remaining us manufacturers of low-pressure gas cylinders. We implore you to not support this Bill, as we believe it would have an unintended but severe impact not only on our industry, but on the many industries we support.

These products play an important role in meeting your constituents' needs. However, the handling of these products as a hazardous material, as required

by the United States Department of Transportation, DOT, is complex and requires several parties working together.

We would like to work with you and the industry on solution. This Bill we feel fall short. Over the several -- over the last several years, producers from Asia have been selling cylinders into the United States at dramatically lower prices, driving many out of business or forcing production outside the United States. These foreign manufacturers don't have a face in the United States and we are concerned that in addition to the harm they've had on our industry, it is not clear how the Bill will hold foreign manufacturer cylinder -- manual foreign cylinder manufacturers responsible.

This Bill covers many varieties of gas cylinders that must be handled and disposed in their own unique ways. Recycling of our products has been gradually increasing for many years. But because of the DOT hazardous material designation and the decentralized waste management across the country, it's extremely complicated.

We are committed to continue to encourage safe disposal while increasing recyclability. Understand that it will take time for parties, manufacturers, suppliers, retailers, municipalities, and customers to learn to all work together.

If House Bill 6386 is passed, it will mount further stress on many industries that are already at their breaking point with a COVID-19 pandemic. And it may lead to the citizens of Connecticut not having access to the products they need when they need them.

With your support. We would like to continue to work with the sponsors to make improvements to the safe disposal of cylinders outside of this Bill.

We respectfully request your no vote on House Bill 6386. Thank you.

SENATOR COHEN (12TH): Thank you, Mr. Newberry for your testimony. Are there any questions from the committee? Okay, seeing none, thank you again for being with us today.

PAUL NEWBERRY: Senator Cohen, if I may just take a quick moment for some clarification on some of the previous testimony on requalification of cylinders.

SENATOR COHEN (12TH): Mr. Newberry, typically if there are questions, we would take them from Committee Members, but we have the we have a three-minute rule on testifying. So, if you want to further communicate with us on some clarifying -- Oh, Mr. O'Dea may save the day for you. Representative.

REP. O'DEA (125TH): Thank you very much, Madam Chair for allowing me to ask a follow up question. Sir, if you could just give me, what are the clarifying or marks you wanted to make regarding our testimony in your understanding of things.

PAUL NEWBERRY: Well, I just wanted to be clear about the requalification. At the time, a manufacturer refillable cylinders have a requalification timeframe of 12 years. So, you may refill that cylinder as many times as you would like within that 12-year timeframe. At the end of that 12 years, the cylinder must be requalified. And that is done by a certified re qualifier by the Department of Transportation. And these re qualifiers can be found utilizing the Department of Transportation application that finds re qualifiers in your area.

Once the cylinder is requalified, the cylinder may be used again. Depending on how it's requalified, it may be another five years, it may be another 10 years, depending on the test that it is subjected

to. My point is, as many of the others have testified, the cylinder has an indefinite life as long as the requalification requirements are met at the time of requalification.

So, I am in agreement with most of my other colleagues that have testified that the refillable cylinders have a good management system in place right now. But there may be some refinements that we can do as an industry. But I think we're well on the way.

SENATOR COHEN (12TH): Thank you, Mr. Newberry and thank you very much. Thank you, Representative O'Dea for asking that question. Representative Wilson.

REP. WILSON (66TH): Yes, thank you, Madam Chair. So, as we go through the conversation, it brings other questions to mind and what is the approximate replacement cost of a tank versus a recertification cost?

PAUL NEWBERRY: Mr. Gentry, do you have any information on the on those costs?

STEVE GENTRY: Yes, I do. And I really don't believe this is the time or place to give cost with not knowing who all's on the phone with us requiring requirements for antitrust guidelines. I don't think that I should share the prices that different people charge to requalify cylinders versus what people like to sell new cylinders with. And respectfully, I like to answer the question that way. They are very available. If you look online, what people charge and you can go to your local Lowe's or whatever. And you'll see what new cylinders cost.

REP. WILSON (66TH): Alright, I guess I'll have to take that answer. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Alright, I don't see any other questions from the Committee, so thank you both for testimonies today.

PAUL NEWBERRY: Thank you very much.

STEVE GENTRY: Thank you very much, Senator.

SENATOR COHEN (12TH): All right, we have Eric Weiner, followed by Alicea Charamut.

ERIC WEINER: Great afternoon.

SENATOR COHEN (12TH): Good afternoon.

ERIC WEINER: My name is Eric Weiner. I'm calling to support SB 837 regarding the elimination of PFASD chemicals in firefighting foam.

There's been some good speakers this morning around the need to eliminate this type of firefighting foam. I would like to just share with you a local perspective.

I live on the bank of the Farmington river, a couple 100 feet from where the picture behind me was taken. And this is a river that was contaminated in June of 2019 after a 40,000-gallon spill of a AFFF at Bradley. That occurred at the Signature flight support hangar at the airport. Signature had a similar spill at the San Jose Airport in California in 2016.

This spill caused quite a lot of angst amongst my fellow residents in Windsor. We had a public forum with representatives from DEEP and DPH and others that have more than 100 people turned out. It affected the use of the river kayakers, canoers, swimmers were encouraged not even to touch the water. Over my right shoulder on the banks of the river is normally a canoe and kayak rental business and their business was suspended during the time of this incident. Farmer -- fishermen were told not to

fish in the sea and do not eat the fish ban was only removed within the last couple of months. Farmers draw water out of the river that's used to irrigate their crops.

So, it's not just about the effect at an airport. There are a huge number of downstream effects, but not the least of which is contamination in people's wells. And it's becoming recognized throughout the country in the world that groundwater contamination from PFAS chemicals is a major health hazard.

So, as you consider this Bill, think beyond just the scope of fire departments, using the foam to fight a fire, consider the downstream effects of these toxic substances throughout the food chain and the water cycle. And I hope this is the first of many steps that the legislature can take regarding eliminating PFAS toxins from our environment that you'll next be looking. I hope at firefighters' turnout gear, use in textiles, food service cookware, certainly drinking water in landfill leachate.

Thank you. I'm available for any questions.

SENATOR COHEN (12TH): Thank you, Mr. Weiner. Any questions from the committee? Seeing none, thank you for your testimony today.

ERIC WEINER: You're welcome.

SENATOR COHEN (12TH): All right, we got Alicea Charamut of Rivers Alliance, followed by Will Fabrizio, followed by Christopher Wagner. Welcome, good to see you again.

ALICEA CHARAMUT: Thank you. And I'd like to thank the Committee for all your hard work and for pushing forward through these times and making this work because this is very, very interesting times.

Anyway, I am going to speak specifically today on 6386 and 5626. We support extended producer

responsibility programs mainly because and particularly for tires, it shouldn't be on everyone else to figure out what to do with some of these products at their end life. And in many cases, it is the producers who are better situated to figure out how to use their products or how to -- what beneficial end uses there are for their products.

But I do want to bring specific attention to a fiscal note from 2018 on a similar Bill that showed a \$50,000 or \$500,000 revenue stream to the State of Connecticut to run a state hauler program, a licensing program. I'm not sure where these numbers came from, but they had based this on a \$500 fee to 1000 tire haulers. And we don't -- we probably don't even have 50 tire haulers in the state. So, to assume that we can generate that much revenue, we can't even generate enough revenue to cover the you know fiscal or the benefits for one employee you forget about an entire an entire position to run this program.

The other issue I wanted to address was 5626, oh, I'm sorry, the Bill is not 5626, but the AIS Bill that would create transparency for the lakes, ponds, and rivers. AIS program that was the boat stamp money goes to and that was recently expanded to rivers as well.

And I'm not sure if the Committee plans to bring up other AIS Bills, but I did want to voice hope that hydrilla in the Connecticut River could be addressed in any AIS Bill that the Committee brings up.

I worked on the Connecticut River for many years, I watched hydrilla spread. I row on the Connecticut River. I know the problems it's causing. I've watched it happen in real time. And the money that's coming in from the boat stamp funds will not address it. And we have to look at our waters is one water. We can't just look at certain waters and eradicate it there and expect that we are we're

going to get a handle on our AIS issues in Connecticut.

And I'm happy to take any questions.

SENATOR COHEN (12TH): Thank you for that.  
Representative Palm.

REP. PALM (36TH): Thank you, Madam Chair. Thank you, Alecia, for your testimony. Can you talk a little bit about what the effect is on municipalities of hydrilla if it goes unchecked? I don't need you to give us a direct economic impact. But how is this connected to what towns have to do to manage this? I represent Harding which has, you know, many miles of river frontage, perhaps among the most in the state. So, in your opinion, is this a problem for towns and cities as well?

ALICEA CHARAMUT: It's definitely an issue for any municipality that that puts resources at the riverfront. Haddam Scott, the state park there, which is a draw for people from around the state, the experience, and this could very well happen in Haddam. My experience in Middletown is that the docks at Harbor Park in Middletown are getting completely hung hemmed in by hydrilla. And it's not just the hydrilla mats that are there, the hydrilla mats catch the silt that comes down.

So, you not only have your municipalities that are dealing with these hydrilla mats in the areas where they have river access, they're also dealing with siltation that is -- they won't have and it's not just municipalities, it's also marinas, they won't have those deep areas for boats to dock. And it's and more than that, the municipalities and the marinas don't have anyone specific that can help them address it at the state level. The state at this point is really just saying clean check dry.

There's no solid advice that they -- that the state has for marinas or municipalities to manage hydrilla

at this point, and let me tell you, it spreads fast. This is not something that's going to show up in five years. This is happening this summer or next summer.

REP. PALM (36TH): So, given that our waterways are connected, what does the coordinated plan look like to you? I feel as though we've got different people and within the state government and advocacy, advocacy groups working separately, but do we have a kind of a coordination for the management and to look at the various ways to manage this whether through herbicides through mechanical harvesting through you know, things like fentin mats? Who's quarterbacking this team, I guess is my question.

ALICEA CHARAMUT: Well, that's another -- that's a problem as well, because in about 2016 or 2015 DEEP eliminated the position of any dedicated person who was working on invasives in general. So, there isn't one person in the agency that that folks can reach out to get answers on this. A lot of times, it was their local watershed organization, who may or may not, you know, have the resources or the scientific knowledge depending on the invasive because they're all very different, there are some that can be managed by laymen and some that can only be managed by highly trained scientists. And right now, there is no central place for people to go.

For a while, the agricultural experiment station which does great work, but they were only working on lakes and ponds. And if we're not managing our waters holistically, you know, as Kelsey Wentling mentioned earlier, it's not just the Connecticut River or lakes and ponds that people can recreate in this stuff is going to end up in our drinking water supplies as well. And it's also not just recreation, that this impact the energy plant in Middletown, this stuff is getting is completely gumming up their intakes for their energy production. So, it touches a lot of different areas and has an economic impact for our riverfront areas,

whether it be recreation or other ways we use water here in Connecticut.

REP. PALM (36TH): Thank you for that.

ALICEA CHARAMUT: Not to mention the cyanobacteria generation. Yeah, because that's a huge danger too.

REP. PALM (36TH): Thank you for tying those pieces together, because I think this is one of the few problems that has an economic impact, a health impact, an environmental impact, impact on our tourism, on our recreation, you know, the safety of our drinking water. This Committee deals with a lot of Bills that while there's overlap, often have one primary concern, the effect on business, the effect on the or the impact on the environment. I think one of the reasons I feel such urgency about hydrilla is that it affects all of those things, and probably things we haven't mentioned.

So, thank you for your holistic approach, which is what I hope the state will ultimately do. So, thanks, Alicea, for all your work. That's it, Madam Chair, for me. Thank you.

SENATOR COHEN (12TH): Thank you, Representative. Representative Mushinsky.

REP. MUSHINSKY (85TH): Hi Alicea. I wanted to ask you about the tires again. About 20 years ago, I had put a tire fee in statute, and it was supposed to come up with solutions for recycling the tires. And within a couple of years, we had a budget, difficult budget, the money was taken and put in the general fund. And can you compare? So, that was the end of the tire recycling project. But can you compare collecting money for an in-house solution to tires and putting it outside in the industry and making them responsible through extended producer responsibility, which one do you think will last longer?

ALICEA CHARAMUT: So, I believe extended producer responsibility will last longer because the tire fee doesn't address the value scrap tire. If there were more uses for scrap tire, the value of scrap tire would obviously be higher. And you wouldn't have as many - and let me tell you, it's not the reputable haulers that are dumping these. And anybody that tells you illegal dumping, is not happening, I can tell you, I've been boots on the ground, I have found brand new tire dumps of hundreds of tires by Riverside. I've seen it with my own eyes. And I am not the only person.

If those tires had value, there would not be a reason for disreputable haulers to take the money for them, and then dump them somewhere because they would get more money for those tires on the other end.

And in my mind, industry is just is much better position to figure out how to use these products on the other side. They have engineers, they're the experts. And to push that off on to the -- on to, you know, an agency where that doesn't have that expertise to me, just doesn't make sense.

And when you have some sort of feel like that, whether it be you know, when the tire is bought it to run something like a, you know, a hauler program or manifest program, that money is going to go in the general fund, and then it's DEEP continues to get cut had traditionally been continue, continue to get cut, and then there's no money for enforcement. So, we're just right back where we were before.

REP. MUSHINSKY (85TH): Okay, I came to the similar conclusion, I have also hauled dozens and dozens of tires out of my local rivers as well. And I'm, you know, basically fed up with it and never want to have to pull another tire out of the river again. And I think initially I was more naive than practical on how to solve this problem. But I've concluded as you have, the extended producer

responsibility is probably where we should go. And thank you for giving us your two cents worth as a person that's also been at the receiving end of the tires.

ALICEA CHARAMUT: Thank you, ma'am.

SENATOR COHEN (12TH): Thank you, Representative. Representative Chafee.

REP. CHAFEE (33RD): Thank you, Madam Chair. Thank you for providing testimony today. I have a question. Do you have any figures? What does the recreational activities along the river -- What kind of impact does that have on the state's economy overall?

ALICEA CHARAMUT: You know, I wish I had actual numbers on that. You know, my experience is pretty anecdotal. You know, spending a lot of time on the river, I worked for the Connecticut River Conservancy before I came to Rivers Alliance. But, you know, just between voting, fishing, you know, the amount of use the river gets is, it's a beautiful thing, how many people love the river and spend time on it. And the Connecticut River Conservancy may have some of those numbers? I don't.

REP. CHAFEE (33RD): Okay because I was just curious, what is the long-term impact of hydrilla going to be on that if it goes unchecked.

ALICEA CHARAMUT: It's going to have a huge impact on marinas. And it's going to be problematic for the municipalities because it's very expensive to manage. So, putting it off on the municipalities and the marinas, it's going to be unmanageable for them to be able to keep clear. And then what happens is people take matters into their own hands, they rip it out, it goes downstream. And that's how it spreads, it spreads much easier than milfoil.

REP. CHAFEE (33RD): Thank you, kind of similar question, but more, more holistic on the ecosystem on the river. What kind of impact is there going to have on you know, native species, native fish species and plant species?

ALICEA CHARAMUT: So, a very good example of this is the floating Meadows of Mattabesset River in Middletown. And I know I keep coming back to Middletown, but I've spent a lot of time on those waters.

REP. CHAFEE (33RD): I'm from there, so I appreciate it.

ALICEA CHARAMUT: Yes, the Mattabesset is an ecological treasure, it is absolutely beautiful. You have bald eagles, you have several different kinds of fish, a lot of people fish, the area is extremely valuable for paddlers. And it is absolutely taking that over. So, you know, you can lose some of the other native grasses, it will completely out compete them. And for a while it might be decent habitat for some fish. But it gets so dense that you end up with oxygen depletion. And it gets so dense, you end up with potential, potentially an issue with cyanobacteria. And that's going to keep people out from recreating because there, they won't be able to touch the water.

REP. CHAFEE (33RD): Thank you for that. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative sounds like the rivers need their own Blue Plan. Okay, Representative Borer.

REP. BORER (115TH): Thank you, Senator, actually, my questions were answered. So, thank you for that through the other legislators' questions, but I just did want to make a comment. I wanted to acknowledge, you know, my agreement with you about treating invasive aquatic species more holistically,

because a lot of the rivers flow into the lakes or the lakes flow into the rivers, and the rivers flow out to the ocean. So, we have to look at it more as a wildfire than a brush fire, right? Because once it you know, it's not like you can contain it in one spot. As it flows, it just drops the seedlings or multiplies. And before you know, it takes over everything. So, I appreciate all your work on this.

And, you know, we talked a lot about the marinas, but you know, we want to continue to emphasize that some of these invasive species are very dangerous to our recreational activities. If you have children swimming amongst, you know, no, we're talking about hydrilla, but amongst milfoil or lily pads or you know, whatever the case may be, then they certainly can get caught up in those. So, we have to do it from a safety perspective as well. So, thank you.

SENATOR COHEN (12TH): Alright, thanks so much Alicea for your testimony. Always a pleasure.

ALICEA CHUMBURAT: Thank you very much.

SENATOR COHEN (12TH): Okay next up, we have Will Fabrizio, followed by Christopher Wagner, followed by Chris Herb.

WILL FABRIZIO: Thank you, Senator. And thank you Committee Members for allowing me to testify. So, my name is Will Fabrizio. I'm the Director of production in northeast service for Paraco gas. As part of that job title is oversight of our production facility that's in Waterbury, Connecticut. And it was a facility that was created to specifically address refurbishment recycling disposal of all sizes of refillable propane cylinders. So, this testimony is in relation to HB 6386.

Including refillable cylinders, specifically 20-pound refillable or barbecue cylinders dilutes the true objective of the Product Stewardship Bill.

focus should be on single use non refillable. Refillable cylinders are designed to be reused over and over again and have a life cycle of several decades. The propane industry focuses heavily already on recovering, reusing and properly disposing of these cylinders.

And actually, several times in this meeting has been brought up about cylinders at the end of their lifecycle. So, if we look back over the past three years, only half a percent of all cylinders that we sell actually are at the end of their lifecycle, the rest of our recoverable recyclable and reusable at our facility.

Over the past 20 years, the exchange markets continue to grow dominant over the pump station market in Connecticut, exchange cages are readily available in almost every gas station home improvement store across the state. Industry pushes the exchange process completely to create value in the propane cylinder once it's empty of propane. And the cost of exchanging a cylinder is often only 33% cost of replacing cylinder and gas.

Right, so we want to encourage the end consumer to reuse the shell in a responsible way and keep it out of the landfill.

And looking at Paraco sales for the past three years over 98% of all transactions that involve the refillable cylinder was an exchange of a shell for a full cylinder resulting in zero waste. Even damaged cylinders are accepted in exchange in most locations since we're already set up to repair them, refurbish them and resell them. We also work, the industry does to collect the cylinders when they do end up at transfer station Paraco collects at zero cost and many other marketers do it well, from transfer stations, fire departments, recycling centers and many other town sites in a timely manner. And again, we bond as bad as you do to ensure that these cylinders were properly reused or disposed of.

Adding refillable cylinders to the Product Stewardship Bill to duplicate efforts that the propane industry already engages in would add unnecessary and expensive administrative costs that would ultimately end up costing consumers more without adding additional benefits.

I also wanted to add, you know, I've been listening to this whole meeting and several times it was mentioned that town recycling centers landfills things like that had cylinders that they couldn't get picked up. We at Paraco Gas are more than happy to pick them all up for free. We do it at no charge. So, if anyone on this call, has a town site, Fire Department, fire marshal's office, anything like that where there are cylinders and you'd be picked up we'd be more than happy to come get them. That's all I had.

SENATOR COHEN (12TH): Thank you so much, Mr. Fabrizio. Does anybody have any questions? All right, seeing none. Thank you for your testimony testifying today. Next, we have Christopher Wagner followed by Chris Herb followed by Sean Moore. Christopher, are you with us? I see you welcome.

CHRISTOPHER WAGNER: Yes, I am. Thank you. Good afternoon, Senator Cohen, Representative Borer, Ranking Members Miner and Harding, and the Esteemed Members of the Environment Committee. My name is Christopher Wagner. I serve as the Director of Compliance and Regulatory Affairs for AmeriGas Propane LP, and I'm testifying on their behalf today.

AmeriGas opposes House Bill 6386 in its current form, and recommends that the 20-pound refillable propane cylinder be excluded from section two paragraph six.

The propane industry has a highly effective established program and process already in place for

the recovery and replacement of 20-pound cylinders. This program incentivizes the consumer to return cylinders to a pre-established location throughout the state of Connecticut and the United States.

The incentive in participating in a cylinder exchange program is that the consumers receive replacement cylinders at a substantial discount from an outright purchase. cylinder exchange program are non-discriminatory and allow any consumer to return any 20-pound propane cylinder from any manufacturer or distributor in any condition into an exchange network for a new or newly service replacement cylinder.

Further, cylinder exchange programs allow consumers to relieve themselves of unwanted extra cylinders doing the same process. We regularly have consumers visit our AmeriGas propane exchange cabinets to drop off multiple cylinders and only replace them with a single cylinder or no cylinder at all.

Our cylinder exchange business model is highly reliant on consumers bringing their empty or near empty containers back to us at a designated exchange location to keep the process moving.

20-pound cylinders are highly reliable, and have an extensive lifespan when properly and consistently maintained. The cylinder exchange programs in place across the United States today and used by consumers within the state of Connecticut provide an excellent resource to the citizens of Connecticut in maintaining the longevity and safety of their cylinder for outdoor activity usage.

The cylinder exchange program is not exclusive to the general consumer, but in fact widely utilized by governmental bodies, community organizations, fire departments, police departments and departments of parks and recreation.

In the case that a 20-pound propane cylinders accidentally left behind by the consumer, that cylinder can be returned to an American propane exchange location regardless of brand listing. As with the normal exchange process, this can be done by a simple drop off, or if the entity needs a propane cylinder through exchange.

AmeriGas regularly demonstrates its commitment to product stewardship in partnership with governmental entities in the reasonable recovery of excess abandoned 20-pound propane cylinders. Our most recent example of this is a partnership in a large scale with the US Environmental Protection Agency during a Superfund site remediation in the state of New Jersey where roughly 1500 20-pound propane cylinders were identified during the initial site characterization. AmeriGas willingly offered partnership to the Environmental Protection Agency in the recovery and removal of all 20-pound propane cylinders, even though no cylinders identified on the site were attributed to AmeriGas operations. AmeriGas strongly believes --.

REP. BORER (115TH): Mr. Wagner, we're at the three minutes mark. If you can wrap up your testimony that'd be great.

CHRISTOPHER WAGNER: Absolutely. Thank you. AmeriGas strongly believes that our data speaks to the effectiveness of the current exchange program. We at AmeriGas and likely other cylinder exchange programs operating in the state of Connecticut certainly look forward to partnering with any municipality within the state of Connecticut and managing the 20-pound cylinder inventory issues that they may currently have within their system. And we encourage the Committee to either modify the existing House Bill to remove refillable propane cylinders, or vote no.

Thank you, Madam Chair, Ranking Members and Members of the Environmental Committee. I thank you for the

opportunity to testify and would be happy to answer any questions.

REP. BORER (115TH): Thank you, Mr. Wagner, you do have a question from Representative Gresko.

REP. GRESKO (121ST): Thank you, Madam Chair. If this return recycling process that you just outline it was so efficient, as you're saying that and me being a propane tank, 20-pound propane tank user who knows enough how to go and get it refilled, and the testimony by municipal leaders and individuals who are having issues with the final destination of these use recycling used propane tanks -- Why is there a problem that if I know enough to go and get a refill, how come the customer doesn't know enough to take it to the proper recycling place that you say is efficient?

CHRISTOPHER WAGNER: Thank you, Representative. Cylinder exchange cabinets are located throughout the State of Connecticut. And at each of those locations, there are markings that are present on those cages that alert consumers that cylinders may be returned to those locations. As was stated earlier in testimony by Ms. Leslie Anderson of the Propane Gas Association of New England, we certainly can improve in our consumer safety information so that when a Google search or other search is performed as to how to get rid of propane cylinders, that the number one answer pops up, take to your local exchange cabinet, and drop off.

As was stated earlier, there are certain locations that allow for and are capable of taking those cylinders at a fee and from a useful life cycle. There are also numerous locations that have the ability to just simply requalify. Of course from a cylinder exchange program perspective, the easiest, most efficient, most effective means for a consumer to replace an out of date cylinder with a new cylinder or rid themselves of that cylinder entirely is through dropping it off at a cage that is already

able and capable of dealing with that, and ensuring that that cylinder is requalified appropriately.

REP. GRESKO (121ST): And I'll ask the same question I asked previously, and that if we were to move ahead with this Bill in establishing an EPR program, your industry would not be interested in participating.

CHRISTOPHER WAGNER: I don't necessarily agree that we would be unwilling to participate, I think that we look forward to any type of partnership that we can, within the State of Connecticut or elsewhere to ensure that cylinders are effectively managed.

We do believe that this is in appropriately placed within this Bill as a product stewardship process because we think that through better communication, we can effectively identify the opportunities for the consumer to either replace their existing out of date cylinder with a indeed cylinder, or through the normal process, just rid themselves of unwanted propane cylinders.

REP. GRESKO (121ST): Thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Gresko. And I just have one question before we move on. I know we've discussed the importance of improving education around this. What is the education today to consumers about what to do with their cylinder?

CHRISTOPHER WAGNER: In large part today, both through the Propane Education Research Council, as well as the industry itself, it's based on markings that are on the container that identify proper disposal methods and things to do. But of course, that information is or exists along with a number of other safety related messages on the containers, we certainly could do a much better job with communicating that information and making sure that it's the top of a search engine search.

I briefly did a search on how to get rid of a propane cylinder based on earlier testimony and saw a number of different messages that came up. And the propane industry certainly has worked to do to make sure that our information is at the top of that search engine, and that it effectively tells them a method by which that they can get rid of that cylinder.

REP. BORER (115TH): Thank you, I appreciate that. That's only if they search right, so I mean, if these cylinders, many of them are outside and they have a label on them and we said before that they can last for 10 years typically those labels are pretty, pretty bad after a couple of years, right from the weather.

CHRISTOPHER WAGNER: Well, actually every time that a cylinder is refilled, that label must be inspected as part of that process and if the label has worn, it needs to be replaced. In cylinder exchange type programs, they actually utilize a sleeve on the outside of that cylinder and that sleeve is supposed to be removed for full inspection of the cylinder and each refill that occurs. So, a new sleeve from an exchange program will be placed on every cylinder that is returned to the process.

REP. BORER (115TH): Okay. Alright, any other questions? Alright, thank you, Mr. Wagner.

CHRISTOPHER WAGNER: Thank you very much.

REP. BORER (115TH): Our next speaker is Chris Herb who will be followed by Sean Moore who will be followed by David Greenstein.

CHRIS HERB: Hello, my name is Chris Herb. I'm the President of the Connecticut Energy Marketers Association. We represent 600 family-owned heating fuel retailers, and including propane, propane companies in Connecticut.

So, I submitted written testimony in advance on House Bill 6386, specifically Section 2. And I'm going to depart from that entirely and get right to what I see the issue that has been raised in try to kind of cut through this.

I think Representative Gresko did an extremely good job cutting right down to what is real versus what our industry perceived as something that was capturing more of the tanks that are getting into places that we don't want them to be.

So, let's first start off with what the issues that have been identified. That these tanks are showing up in state parks, municipal transfer stations, and in other unwanted places. The first thing you've heard today is that our industry is willing to pick those up for free. We clearly based on previous testimony of transfer station employees and First Selectman; we clearly need to make sure that we have better communication with municipalities to let them know that there is a free private solution that is available today, virtually everywhere. So, from a state perspective, and from a municipal perspective, we have a solution that is just a matter of making sure it is communicated widely, which is fairly easy to accomplish; number one

Number two, then we have the issue of individuals not knowing. That whole discussion that you just had about how do individuals know we all have a propane tank, how do we know what to do with them, and where they should go is the next problem that needs to happen. We our industry was only made aware that this was happening just a couple of months ago. And you heard testimony earlier today from the Product Stewardship Institute that said that these 20-pound tanks are only about ten to maybe 15% of them are getting out. So, we don't have this huge problem, you have an industry willing to solve it, we have systems in place to cancel that. And we can do it at no cost.

Adding a new government bureaucratic process that will absolutely have cost that will be passed on to consumers, I think is not the way to go. We believe that right now it is education, we need to make sure that those part time minimum wage employees at these retail stations, whether they're gas stations or other grocery stores know that nonproprietary tanks can be returned to these exchange tanks will take any of them.

We need to make sure that the transfer stations know that we will come get them when there's a critical mass of about 25 tanks, we will come get them for free.

We do not need additional bureaucracy, additional cost to be layered on to something that is just merely a communications issue. If we were made aware of this earlier, I think we would have been able to solve it, we're only talking about 10% of these tanks not going to the places that they were intended to be so that they can be reused, recycled, so we want to be a part of that, but we do not think that, um, legislation is necessary at this time. We think we can solve this privately.

REP. BORER (115TH): Okay. Representative Gresko.

REP. GRESKO (121ST): Thank you, Madam Chair. So, Chris, you would say that in previous speakers before you have said that your existing product stewardship program is efficient and is working well. Yeah, you just said that you didn't know there was a problem until a couple of months ago. So, this is the whole extended product responsibility idea for the industry don't produce what you produce, and then let the municipality and or whomever clean up after the fact. Those tanks that are left at state parks are left there because they're not worth anything.

So, if I took that, if I went to the state park and took it into one of the exchange places that that you provide, and thank you for that, am I getting any money back for it? No. You take it back. Sure. But this is the whole process. The idea in that, you know, we have to threaten legislation and for the industry to acknowledge the fact that municipalities are having a problem and that, you know, tank blew up in Maryland yesterday.

CHRIS HERB: So, I would address that by saying that I've been working with this association for 20 years and I have not received a call from a transfer station to ask if someone would pick up their propane tanks, even though we've been representing that industry for 70 years.

So, I would say that that I will defend the statement that we were not aware of this problem until we were approached just a couple of months ago. We convened our members, we looked at existing systems that were in place that have not been in place for the last 70 years. But over the last 20 years, there's been these exchange programs that are out there now knowing that 10% of them are not being captured, which we did not, we were not aware of. We believe that we can bring that solution to the table.

So, I think we accomplish the goal that you're trying to do without having to adopt legislation at this time, especially because this is new week. We have not convened meetings in the past to discuss this. But proper education, you've heard our discussions with our national groups to put out, you know, not just relying on Google, going directly to consumers, providing them with materials on how they can get rid of unwanted tanks and going to retailers to make sure that they understand that the people who actually conduct these programs are willing to accept them. I think that there's just a failure of communication, that that is easily solvable.

REP. GRESKO (121ST): I think you've been made aware of the problem more than just a few months ago, but that's another conversation. Thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Gresko. Representative Chafee and Representative Chafee, am I saying it right, is it Chafee?

REP. CHAFEE (33RD): Perfect.

REP. BORER (115TH): Okay, good. Thank you.

REP. CHAFEE (33RD): Thank you, a lot of the discussion has been around the exchange programs. But me personally, I bring my attention to detail in the past, you know, the expiration date has expired, they tell me I need to buy a new tank. Is that correct? Or will they take the tank and give me a new one for the price of the sell?

CHRIS HERB: So, for the places where you're doing your own refill, not the exchange that you're in your situation, it depends on where you're getting it filled, whether they'll take it or not. And again, there was previous testimony about places that may charge a fee to take those tanks, but what we do know is that the current exchange programs even if your tank isn't involved in it, nonproprietary, you have you have an off the shelf Home Depot tank, if you bring it to those exchange cages, they will take those. So, that that is a way to get rid of it at no cost to yourself.

REP. CHAFEE (33RD): Okay.

CHRIS HERB: But we need it. But usually for you to even have to ask that question means that we have not communicated that well enough. And in I know that Senator Miner has expressed that when he's gone to Ocean State job lot to bring his tank back the employee is hesitant. Well, that's incumbent upon us to make sure that we're communicating better that

these processes are already in place that they can be utilized.

REP. CHAFEE (33RD): What was that decision that is up to the individual merchant to decide whether they're going to exchange the tank for.

CHRIS HERB: It is up to so for the tank that is not is not intended to be exchanged, the one that's end of life that you discussed, those would be -- we would need to make sure that the attendance, the part time employee is aware that we are willing to accept those.

REP. CHAFEE (33RD): Okay, thank you.

REP. BORER (115TH): Are there any other questions for Mr. Herb?

REP. GRESKO (121ST): Thank you, Chris.

Chris Herb: Thank you.

REP. BORER (115TH): Thank you, thank you for your testimony. Okay, our next speaker is Sean Moore, followed by David Greenstein followed by -- followed by Jennifer Heaton-Jones.

SEAN MOORE: Good afternoon Chair Cohen, Chair Borer and Distinguished Members of the Committee. My name is Sean Moore and I'm testifying today on behalf of the US tire Manufacturers Association or US TMA regarding House Bill 6386.

My comments today are limited only to sections of this Bill pertaining to tires. US TMA understands the seriousness of the illegal tire dumping issue that we've heard discussed today. We support Sections 3 and 4 this Bill and we value the opportunity to be at the table to help solve Connecticut's scrap tire problem.

US TMA is a National trade association representing the 13 major companies producing tires here in the US. Well, there's no tire manufacturing in Connecticut, our industry does have a sizable direct economic impact in the state totaling almost \$278 million annually. Nearly 1900 Connecticut jobs are directly supported by tire manufacturing, direct industry wages total more than \$140 million. And the industry generates \$75 million annually in state and local tax revenue.

You heard earlier from my colleague John Sheeran, but I'd like to just take a moment and focus on our industry's commitment to sustainability and how this Bill fits into that. For US TMA, our member companies, safety and sustainability are really at the core of everything we do, encompassing everything from tire design sourcing raw materials, designing more benign facilities, our emphasis on worker health and safety. It's why our members have invested Billions of dollars to design tires that enable vehicles to operate more safely and efficiently. And it's why we've taken the lead on promoting viable and sustainable and use markets for tire recycling.

Since 1990, US TMA has supported tougher state laws and regulations to ensure more robust scrap tire management. We've convened state and local governments to identify precise problems and more importantly solutions to those problems. And we've partnered with NGOs and other stakeholders to fund research and advanced sustainable, circular and use markets for scrap tires.

In reading through the written testimony submitted for today, several folks mentioned a lack of scrap tire markets in Connecticut. It's for precisely this reason that we believe Section 3 of this Bill is so critical. Perhaps it's true that no major markets exist in the state today. That's where deep should identify opportunities to grow those markets, and we'd like to collaborate on that report. But

markets are key and the state has the ability to facilitate market development in a way that tire manufacturers do not.

There's not been any mention today of the fact that Connecticut DOT recently began using rubber modified asphalt in 2019 and 2020, much like your neighbors in Massachusetts, New Hampshire, and Rhode Island. In fact, more states are catching on to the fact that in addition to being a sustainable and circular market for recycling tires, there's a lot of research that suggests rubberized asphalt produces safer, more durable roadways. There's also -- that's also the reason it's the preferred road surface material in the state of California. But there are other burgeoning markets for scrap tires.

Both California and Minnesota have identified important environmental benefits from using tire aggregate and stormwater infiltration galleries. I've expanded upon these growing markets and more in my written comments, but I would just like to reiterate our commitment to being a part of the solution. US TMA and its members shareholder at 100% of scrap tires will enter sustainable, circular, unused markets and we believe Hb 6386 is a positive step toward making that vision a reality.

I sincerely appreciate your time today. And I'm happy to answer any questions you might have.

REP. BORER (115TH): Anybody have any questions for Sean? Representative Gresko.

REP. GRESKO (121ST): Yeah, I'm getting to be a pain. I'm sorry. But you said storm water infiltration galleries as an end use for recycled tires. Could you just explain what that is, briefly?

SEAN MOORE: Sure. So, the recycled tires would essentially be shredded into I think it's about two-inch chips. And then they replaced aggregate that's

typically used as rock or sand as a filter for stormwater before it flows into surface waterways.

REP. GRESKO (121ST): And that doesn't leach out anything?

SEAN MOORE: The research that Cal Recycle has done suggests that it actually removes pollutants from the surface water and research from the University of Minnesota suggests the same and I've provided links to those studies, in my written comments, but I'm happy to pass those along to you as well.

REP. GRESKO (121ST): Well, I can find them in the comments, thank you. Thank you, Madam Chair.

REP. BORER (115TH): Anybody else have any questions? Alright, Sean, thank you so much again for your testimony.

SEAN MOORE: Thank you very much.

REP. BORER (115TH): Thank you. Our next speaker is David Greenstein, you will correct me, I'm sure. Followed by Jennifer Heaton-Jones, and then Bruce Sweicicki. David.

DAVID GREENSTEIN: Hello, dear Committee Chairs, Senator Cohen Representative Borer Ranking Member Senator Miner and Representative Harding and other Esteemed Members of the Environmental Committee. My name is David Greenstein, and I'm Vice President of Lakin Tire East. I've held this position for over 20 years, and as background Lakin Tire East has been responsibly recycling discarded tires in the state of Connecticut since 1978. We employ approximately 175 people and occupy and operate in two buildings in West Haven that equal 100,000 square feet.

Over the years Lakin has invested millions of dollars in transportation equipment and software as well as sophisticated tire shredding equipment. There are currently three other tire collection

entities in the state. Lakin, though, currently disposes of approximately half of Connecticut's annual scrap tire generation of about 3 million tires. To put into context, Lakin Tire East since its inception, has successfully collected and recycled over 45 Billion tires generated by the State of Connecticut.

We, at Lakin Tire East do not believe that illegal dumping of tires is a significant issue due to tire jockeys, scavenging through retailers scrap tire holding bins, a de minimis percentage of tires may get discarded illegally. We believe that better enforcement would also help discourage this illegal activity.

Lakin does believe that there would be value in the state establishing a manifest system that tracks the chain of custody of discarded tires. Such a system would not only continue to ensure that legal disposing of scrap tires but also reduce the illegal activities of illegal tire jockeys.

Currently, the State of Connecticut does not have any recycling and use opportunities. In fact, the entire New England region is lacking sufficient tire recycling options. The only options today is tire derived fuel. In the past, DEEP has not been a proponent of tide derived fuel. If this option were to be discontinued today, the state would have literally no options for its scrap tires.

The current Bill speaks to a product stewardship, but does not define what that means. If a product stewardship aided in the realization of new end markets, but did not disturb the current collection infrastructure, Lakin would consider such a proposal. Given Lakin Tires' extensive history and recycling, we'd like to be included in the process.

Lastly, Lakin Tire will propose to DEEP within the next month, the installation of a tire mulch line. This proposal sets forth the installation of

equipment to turn scrap tires into artificial mulch. Lakin Tires' parent company, Liberty Tire Recycling is in much need of mulch. Edison is currently in a sold-out position. It is Lakin's hope that DEEP considers the application expeditiously. The proposed motion applied for approximately 4 million tires annually. This would be the only end use market in the state of Connecticut since the closure of the Exeter Energy Plant close to ten years ago.

Thank you for this opportunity to speak before the Committee.

REP. BORER (115TH): Thank you, David and while I'm waiting to see if anybody else has any questions just a couple quick questions on the mulch. So, would that turn only your tires into mulch or would you accept tire from others?

DAVID GREENSTEIN: Well, given that we currently recycle approximately 50,000 tons, it would just be for our it would be for four-fifths of our incoming tires.

REP. BORER (115TH): Okay. And what else can that recycled rubber be used for what kind of mulch? So, I seem to recall, and maybe you could clarify for me challenges with crumb rubber. So, is this crumb rubber or is this different? So, crumb rubber on turfs or playgrounds, what is, what's the status with those concerns?

DAVID GREENSTEIN: So, currently there have been numerous university and governmental studies with regard to the safety of mulch, not only in playgrounds, but also as to be effectively leache, which my predecessor speaker spoke to, and all evidence has come up that there is no harm to the environment with respect to the leache or the use of mulch in playgrounds.

REP. BORER (115TH): Okay, thanks I know that it was addressed before. I just wanted to hear your position on it, and is there anything else you can do with the recycled rubber besides mulch.

DAVID GREENSTEIN: Rubberized asphalt, molded goods. Those are all rubber processes.

REP. BORER (115TH): Where would you use rubberized asphalt?

DAVID GREENSTEIN: You could use it anywhere in the State of Connecticut.

REP. BORER (115TH): Does anybody use it in the state of Connecticut that you know of?

DAVID GREENSTEIN: I am not aware of anybody using it currently in the State of Connecticut but the predecessor speaker did say that there was possibly a pilot project.

REP. BORER (115TH): Yep. And I'm sure Representative Gresko, who I'm going to go to soon had some information on that. And just one last question. Have you ever had any conversations with the State of Connecticut on using rubberized asphalt? I mean, I like us to you know, use recycled products if they're safe when we can put our money where our mouth is.

DAVID GREENSTEIN: Yeah, we have not had conversations with them about using rubberized asphalt.

REP. BORER (115TH): Alright, thank you. Representative Reyes.

REP. REYES (75TH): Thank you, Madam Chair. And I'd just like to thank the good gentleman for his data and information. I just wanted to make an observation and they maybe ask a question on the municipality of Waterbury as a result, and we have

many pockets of unfortunate areas of dumping especially of tires. And sometimes it makes it to the waterway, sometimes it doesn't. But at the end of the day, we do have quite a few, quite a bit of tires.

And my question for the gentleman is, he mentioned enforcement of law and then it's a twofold question. So, is it that we're not enforcing the laws around the books and what we like -- what would he consider a just law if it's not that we're not enforcing what's on the books? Thank you very much.

DAVID GREENSTEIN: Yeah, the vast majority of states today have a manifest system in place, essentially cradle to grave. So, when the retailer disposes of the tire, he needs to give it to a licensed hauler. The hauler has to bring it to a proper production facility. The production facility then has to show proof that it is manufactured and disposed of in an appropriate way, and if this chain of custody is adhere to that, that will certainly help. There's also law enforcement New Jersey, for example, specifically went after illegal dumping, just to elaborate a little bit more on what I termed as a tire jockey. The tires that are put in these bins outside do have value. So, there are many of these guys will come in a pickup truck, grab 100 tires, take out the 15 or 20 that are good, and they have no place to dispose of the remaining tires, so they get at least dumped.

REP. REYES (75TH): Thank you, sir. And we have - I'll just speak for the municipality. We have illegal dumping fines throughout the whole city. Are you basically saying if we enforce those laws, or are you specifically targeting a law or for the tires, for rubber?

DAVID GREENSTEIN: Yeah, I'm sorry for not being clear. I think it's two-fold. One, there is the manifestation system, and that should reduce the illegal dumping. But there should be also or there

could be as the State of New Jersey initiated separate legal enforcement to track people, criminals who are illegally disposing of discarded tires.

REP. REYES (75TH): Thank you, sir. Thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Reyes. Representative Gresko.

REP. GRESKO (121ST): Thank you, Madam Chair. So, the end product after you recycle, you finished processing the tire that comes into your facility? Where does it go?

DAVID GREENSTEIN: Today?

REP. GRESKO (121ST): Yes.

DAVID GREENSTEIN: Today it goes up to Maine to a paper and pulp mill which uses a tire derived fuel. We, that is the main outlet. We briefly for the last three years, we're bringing it to a facility in Colony, New York. Our two-inch material was used as feedstock for crumb rubber. That facility has run into economic and processing difficulties. So, they're no longer able to take our product. So, our product is now tire derived fuel not only in Maine, but in Pennsylvania as well.

REP. GRESKO (121ST): And what about -- I know that a few years ago when this when this idea came up, there was a company out of Bridgeport called Flexi Pave, that came in and gave us all porous, little parks that were -- that they made out of recycled tires. You might want to look to them for a potential customer. But I guess my question would be is, if the DOT, hypothetically, this year, decided to expand their pilot system, would you be able to provide them with you know all the recycled tires they could want?

DAVID GREENSTEIN: Well, the question is a little bit chicken and egg. Liberty Tire Recycling is a company with a tremendous amount of resources. And we would make the investment in equipment to provide Connecticut with all of the crumb rubber they needed for rubberized asphalt, if in turn, they made that commitment.

REP. GRESKO (121ST): That's what I wanted to hear. Thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Gresko. Any other comments for David? David, so you're located in my district and employ a lot of local folks. So, I appreciate that. And I know you've always been willing to work with me when it comes to the district and any exposure there's been. You've rectified any situation. So, I appreciate that. And I know that you're going to be willing to work with us going forward on this situation.

DAVID GREENSTEIN: Absolutely, and I appreciate it.

REP. BORER (115TH): Thank you. Alright. So, our next speaker, Jennifer Heaton-Jones, who will be followed by Bruce Swiecicki and then followed by Roy Littlefield. So, Jennifer, we had you last at the waste forum the other day for a reason because Oh, I'm sorry, I was on mute. Sorry about that, Jennifer. I was saying our next speaker is Jennifer Heaton-Jones, followed by Bruce Swiecicki and then followed by Roy Littlefield. And I was saying, Jennifer, that we had you at the end of our waste forum the other day, for a reason because you pumped us all up.

JENNIFER HEATON-JONES: Thank you.

REP. BORER (115TH): So, looking forward to your testimony.

JENNIFER HEATON-JONES: Thank you. Honorable Co-Chair, Senator Cohen and Representative Borer and

Distinguished Members of the Environment Committee, I am the Executive Director of Housatonic Resources Recovery Authority, which represents 12 municipalities in western Connecticut. I oversee ten municipal transfer stations. I am also the Chair of the Connecticut Product Stewardship Council representing municipalities across the state of Connecticut.

We support RB 6386, with modifications to establish complete EPR framework for tire smoke detectors and gas cylinders. We consider these difficult to manage material. The current collection system does not work. If it did, I would not be here today.

Regarding tires and smoke detectors quickly, at what point do we stop talking about the issue and just create a real solution? The EPA has been studying the impact of tires for over 40 years. No more research or voluntary systems, we need producers to take responsibility.

But my main focus today is cylinders, all sizes, single use and refillable. I want you to imagine a resident standing at their trash and recycling bin with their spent what they believe to be empty propane tank, which bin does it go in? The answer is neither. But they don't know that. Residents do not care if it's refillable or single use. They just want to get rid of it, not exchange it or refill it.

Propane tanks, including 20-pound refillable tanks are known to explode on our trucks, parks, at waste to energy plants. These explosions are not only an extreme health and safety risks to our workforce, but they have financial implications to our towns via tip fees.

We are asking you to create EPR so we have a reliable, easy, and convenient method of disposal across the State of Connecticut for consumers, our

residents for their unwanted spent cylinders at the end of life.

I want to be clear that we support exchange refillable programs. In fact, we hope this Bill will create a stronger and more viable network for all refill bubbles. The Blue Rhino Program is great for exchange, for refill, but they do not address the single use or the refillables that are unwanted. Those items become our problem. We are burdened with them. Do you really want to ask retailers to accept spent rusty old tanks? What's in it for them without the profit of exchange or refill? Retailers are not the answer for unwanted tanks.

Municipalities are willing to take them we're willing to collect them, but we should not be shouldered on the cost. Please remember the industry was approached 20 years ago with this same problem. And they did nothing. They are offering a voluntary concept. They don't last, they are not secure. They're not reliable for municipalities. We do need EPR to protect us. The same manufacturers are currently participating in a very successful Canadian EPR program.

That's all say for now. Thank you. I'm happy to answer questions.

REP. BORER (115TH): Thank you, Jennifer. Guess, who we got a question from?

REP. GRESKO (121ST): I promise I will shut up after this.

REP. BORER (115TH): Representative Gresko.

REP. GRESKO (121ST): So, if the town's going to tell you, if the towns are having difficulty now in getting rid of these tanks, why would it change with a voluntary system?

JENNIFER HEATON-JONES: Well, let me be clear, there's a difference in disposal between single use and refillable tanks. I think that's really important for us to distinguish. Municipalities can more easily find vendors willing to take 20-pound tanks, but there is a cost the average is \$5 per unit. And I also want to say that yes, Paraco takes 20-pound tanks. They actually service many of our communities, but they do not take single use cylinders. And let me be clear that it's not free. They charge us for 20-pound tanks even though they have value. As you heard they can be recertified and requalified to be recirculated back into the market.

Many towns don't take advantage of their service because either it costs them for disposal or for the footprint needed to cage and store the units. If it was currently free, we wouldn't be proposing this program as a service.

The single use one-pound cylinders are much more difficult and are more regulated. No one wants them. So that's why the towns are talking about they have a difficult time managing them. Scrap yards don't want them. Those that do are far and few because they have -- they have to guarantee that they have no fuel in them for their third-party vendor who shreds them. So, there are additional costs for processing, for them to be de-valved or puncture two holes. That's why many of them are asked -- many scrap yards ask our towns, particularly our transportation operators to actually do the de-valving and puncturing the holes, but OSHA doesn't allow for dismantling a modification of gas cylinders.

And to be clear, there's a difference between scrap yards who collect and sell to scrap processors who shred and recycle. So, for example, Sims the world's largest scrap processor, does not want these tanks because they do explode in their shredders. They direct -- they directly service many of our

towns now Sims does, but they charge us \$40 per unit for every tank, they find it alone. So, sometimes end up using household hazardous waste vendors who are licensed to transport those DOT 39 tanks, also known as the single use tanks, but that option is twice as expensive.

And I do want to point out that the Matt Knickerbocker comment, he represents the town of Bethel, the First Selectman in Bethel, he testified earlier that he has this pile of tanks at his transfer station. His town is one of my member towns, those tanks that he's talking about are one-pound cylinder tanks, they're not 20-pound tanks. His transfer station operator pulls them out of the waste and recycling container or allows residents to leave them in fear that they'll be illegally dumped. Those tanks will be taken care of better hazardous waste event in April, but they cost us \$10 a unit.

Paraco offering to take them for free is great. But all due respect, they are offering a band aid not a permanent solution for a problem we have across the state. They're offering them for free service now, but for how long? So, our transfer stations. I'm going back to your direct question; our transfer stations have an extremely difficult time getting rid of them and don't offer them because there's no reliable service. And it's not free.

Sorry, I'm I get a little bit passionate about this subject.

REP. GRESKO (121ST): Thank you, Madam Chair.

REP. BORER (115TH): Senator Miner.

SENATOR MINER (30TH): Thank you. And by way of disclosure, I have been listening on the telephone, because I left my office in Hartford. And I'm shocked [inaudible]. Now that I have you know, I've been listening to the same thing you folks for the majority of the day, and I do get a sense that there

were solutions that we could come up with, that may not be the same for all products. And so, I'm hoping at the end of the day, we'll remember everything that's been said, and try and hold people's level of responsibility. And if, for instance, if the refillable community can --.

REP. BORER (115TH): Senator Miner, hang on one second. Hey Jen, are you playing the meeting because he's echoing back on your screen.

JENNIFER HEATON-JONES: No. Alright, I'll mute myself but --.

REP. BORER (115TH): Okay. Sorry, Senator Miner, you're echoing.

SENATOR MINER (30TH): So, if we are able to actually codify some language that perhaps allows this segment of gas canisters, to participate in a different way, I think what I was after it initially was not having this cost the state any money, not having it cost the town any money and not having any gaping holes in it that we ended up dealing with at some point in the future. I don't know if we can accomplish that. But I do think that the industry appears in their Take Back Program, to have attempted to get a long way down the road. I think they realize now that that they haven't gotten as far down the road as we would like them to be.

I faced the same kind of frustration when I go into how my tank filled on a Sunday morning, and the date on it says expired. It's not as easy as I think we've heard today to get the tank recertified. It's not a matter of me, driving it to another facility in Litchfield County and getting it looked at and then you're good to go for another 10 years.

So, we have some issues here that we, I think we're all honestly trying to fix. The question for me is how broadly do we share or do we expect others to

take on the responsibility of what I would call the one time for always.

I'd have a hard time supporting language that makes the 20-pounders responsible for the one-pounders. I haven't heard any testimony yet today from those that market those products, maybe I missed something in the transportation between Hartford and Litchfield, and I'm certainly going to be on the listen farther.

But that's the segment that I think we all, at least I got involved in this conversation about first, I'm not saying we shouldn't do something about the others, I just, I just think we all need to kind of calm down, take a breath, and see if there are some solutions that may just be a little different. That's all.

Thank you. And I do appreciate the work that Jen and others have put into this issue.

REP. BORER (115TH): Thank you, Senator Miner. So, Jen, I don't see any other questions, but I do have one for you. So, we have had our mattress Product Stewart program and our paint care. And now we're looking at smoke detectors and tanks, and gas cylinders, and tires. Anything else that's on the horizon that we should be, you know, anything that jumps out at you that we should be looking at and already start to working on?

JENNIFER HEATON-JONES: Well, when we look at the State of Connecticut and our concerns with solid waste management and recycling and what we are going to do to build infrastructure, we may and share all looking at the Bottle Bill, you may want to consider how we have a full network of maybe EPR for all packaging. It could possibly be a better solution, a stronger solution, a reliable solution for the State of Connecticut financially and environmentally.

So, I don't think that EPR is necessarily perfect for every single product and everything that we have, certainly for items that we consider difficult to manage, like the three items that we talked about today. Products are difficult to manage to some degree, we do have a collection system that works we have haulers, we have Merce. But the economic system does not work for Connecticut. And we need a robust market.

As I had mentioned on Monday for maybe minimum content legislation to support all of what we're doing, not just say, Oh, we need collection systems, but we need markets for the collection system. So that it's a circular economy, not a linear economy of us taking making and wasting. So, I'm sorry, I don't have any other items besides.

REP. BORER (115TH): That's okay. No, that's helpful, I was, I was thinking you're right on the packaging, I was just trying to think of what those big items are you know I know we have a waste pickup and most municipalities. Do we have it in last municipalities? I know we do.

JENNIFER HEATON-JONES: It should be in every town because it costs nothing for the municipalities to have these programs, mattresses, paint, or e-waste. And, you know, paint is a great example of, it was established in 2014. In our 12 municipalities, we've saved over \$800,000 on disposal just for paint through EPR. So, EPR can work well for municipalities. It works well for our residents to have secure disposal, and it's not going into our environment. So, I hope you'll continue to consider that as a solution. authorities coming up and I believe they

REP. BORER (115TH): Oh, thank you and I see Laurie from South Central Regional Water authorities coming up and I believe they administer and manage some of the e-waste in our area.

JENNIFER HEATON-JONES: Alright. Thank you. Thank you, Senator Miner and Gresko, have a good day Thank you to the Environment Committee for your time.

REP. BORER (115TH): Thank you, thanks for all you do okay our next speaker is Bruce Swiecicki, I hope I have that right, followed by Roy Littlefield followed by Peter Auster.

BRUCE SWIECICKI: Thank you, Madam Chairman. you pronounce it three times just perfectly. I appreciate you.

REP. BORER (115TH): Okay.

BRUCE SWIECICKI: I appreciate the Committee, allowing me to provide some testimony on the Bill that's before you HB 6386. My name is Bruce Swiecicki, I'm the Senior Technical Advisor for the National Propane Gas Association. And I am pleased to have the opportunity to offer comments on HB 6386.

First of all, I want to say, I'm very heartened by listening to Senator Miner and his perspective on the differences between some of the propane cylinders we're talking about here. There certainly is a difference and I'm hoping to emphasize that with my testimony today.

We're requesting that the committee amend Section 2, 4 and 6 and exclude the word refillable from the text of the Bill, or vote no on HB 6386. The Bill should only be granted to get the DOT 39 single use cylinders that cannot be refilled.

The NPGA represents, you know most of the marketers in this country and their job is to refill cylinders. We're a national trade association, we have approximately 2500 company members. And we represent all 38, well, 50 states and we have 38 state and regional associations that are represented in all of the Association.

The NPGA Cylinder Exchange Council has been operating for over 20 years and that's a relatively new segment of the propane industry. And by that, I mean it's maybe 30 years older or so and it was founded by the first owner of Blue Rhino and they're certainly one of the largest still happening. But it was provide -- it was formed to provide a forum for companies and I'm talking about the cylinder exchange constant now which I staff. The Council is primarily concerned with refillable 20-pound grill cylinders, in fact, that is between the 20-pound wheel Cylinders and 33-pound forklifts owners, which are another segment. Certainly the 20-pounders are the greater number of cylinders that we address. And that's what we're concerned with.

So, in addressing HB 6386, it must be acknowledged that the national grill cylinder exchange industry already in place has done an outstanding job. And I think Ms. Heaton-Jones has addressed that and talked about the ability of the cylinder exchange outlets which are virtually located across every state at the big box stores, I think convenience markets and everything.

We take in cylinders and we either refurbish them, or we scrap them. So, it's been working very well and it's only going to get larger. Customers know they can return their old cylinders in exchange them for new ones at a reasonable cost. When viewed in this manner, it's difficult to argue that the cylinder exchange segment is in fact, not been an effective means for product stewardship that has proven itself retained.

So, some additional reasons to support our request is that 20-pound grill tanks are not the problem. The problem really is in the single use owners, the one-pound disposables. Including 20-pound propane cylinders, or indeed any refillable propane cylinder defeats the objectives of the product stewardship

system that we've already instituted with cylinder exchange companies in operation across the country.

Gross owners it's been mentioned before, are used, and reused many times, they are required to be requalified periodically according to the US DOT requirements. Typically, that's done with the visual inspection that is good for five years. And that's done before the container can be filled.

What we found is just a quick informal survey of our members is that through their cylinder exchange process, we've been capturing about 2% of the cylinders that come in, are removed from service, because they're no longer suitable for service. So, they are scrapped. So, the exchange market is continuing to grow. Meaning that the public has accepted it, the public uses it. And it certainly is probably one of the better ways we can ever institute to get cylinders into the stream and out of the stream when they're required to be their service lines, as you have continued to or have ceased to be usable.

Including refillable grill cylinders in this legislation will increase consumers' cost as the industry would have to increase expenses from the administration and the reporting requirements of the Bill. Real cylinders are portable and many come from out of state or leave the state and that complicates record keeping requirements. And the exchange grill cylinder business is based on consumer value, consumers are encouraged to simply return their empty containers and exchange them for full containers. The cost of exchanging cylinders is typically less than obtaining a new full cylinder.

So, that's the essence of my testimony today. I do thank you again for the ability to present this. And I request that you remove Section 2, 4 and 6 and exclude the word refillable from that particular Bill or vote no on HB 6386.

So, thank you, and if you have any questions, I'm willing to respond to those.

Thank you.

REP. BORER (115TH): Thank you, thank you for your testimony. We do have a question or comment from Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. And I thank the gentleman for his testimony. I mean, one of the things that I think people should take away from this exercise today is that the State of Connecticut is looking for a sustainable solution Sustainable.

And I think other people have testified, or there have been other comments, that no matter how good we think the program might currently be, it doesn't at least appear to us that it's sustainable. And when it comes to refillable canisters, they have, at least in the eyes of the municipalities, they are an expense. And they are a risk.

I hear the -- I hear you say that there's an interest in trying to improve. And I've heard others say that may take a little bit of time. You know, we didn't plan on COVID, either. This proposal was before us last year, maybe not exactly the way it is now. But this issue has been an issue for some time in the arena that many of the people that have testified today have been working in for years.

So, I don't see how, and I don't want to dishearten you with my comment, I don't see how we take recycled refillable containers out of this Bill. What I do, and what I do want to consider is an alternative solution. But sustainable is the key. And to the extent that you and the others that have asked to be taken out of the Bill, can come up with a sustainable solution. I can tell you that I for

one am all ears. But I know Representative Gresko has got a couple of tanks in his garage that are going to haunt him for the next month and a half.

And so, we got to figure out a solution here. And I and I know people have come to this public hearing knowing that that's what we have to do. So, while we may not have it today, there is an opportunity for us to continue to communicate. I'd like you to just I guess think about that.

Okay, maybe comment.

BRUCE SWIECICKI: Well, thank you. Yes. When you talk about sustainability, I guess I'm really not clear in terms of what the parameters are that define what sustainability is. I mean, the cylinder exchange, business has been going for about 30 years now. I think that's demonstrated sustainability. It's a business operation. And I'm not saying that our members don't make money they do. But it also serves the public still. Yes, we do expend fuel, you know, the trucks have to drive, they have to drive back and forth. And they have to pick up cylinders, deliver cylinders. But that's a fact of life right now in the world that we live in. So, in terms of sustainability, I think I would think 30 years has demonstrated a pretty good amount of sustainability in that regard.

SENATOR MINER (30TH): Thank you, I guess my point, maybe I wasn't clear. My point is, clearly the public doesn't understand they can bring any 20-pound cylinder to one of the lock cage systems. Clearly, the public doesn't understand that just because the tank has an expiration date on it, it can be renewed. Clearly, the industry doesn't understand that just because you say it can be renewed, doesn't mean that the filler, or the consumer knows how to get it. recertified so there are some huge gaps. And that's what I mean by sustainability. I don't mean the fuel that the truck runs on.

BRUCE SWIECICKI: Okay.

SENATOR MINER (30TH): I understand that you -- that the industry is tried and is trying. You know, we talked about 20 pounds cylinders. I bought a seven-pound cylinder. Why did I buy a seven-pound cylinder? Because I don't want to buy a one-pound cylinder. Right. And so, all of those, we're trying to move people away from the throw it way to this reusable canister, I would call it.

And so, I support what it is you're trying to do. I don't know how you do it better, without making a commitment as to how you're going to get us there. I'm not asking you for that today. And I recognize that it's going to cost money. And so, if we don't develop an EPR program or something like that, that ensures the money will be in place, the commitment is only as good as the people that made it on the day they made it and that's how we don't get to sustainability. And that's my problem. Typically, that's my problem. How do we get to sustainability?

BRUCE SWIECICKI: Okay, I appreciate that Senator and certainly will --we've got folks on the line and they're watching this and we will take that to heart.

SENATOR MINER (30TH): Thanks. I hope I cleared up Representative Gresko's issue, but I tried.

REP. BORER (115TH): It's a good dialogue. Thank you. Representative Tom O'Dea has a question for you as well.

REP. O'DEA (125TH): Just real quick. Thank you, Madam Chair. Quick question, I'm sorry, Bruce how do I say your last name?

BRUCE SWIECICKI: Swiecicki.

REP. O'DEA (125TH): Swiecicki, I do have a number of 20-pound tanks for my generator. I also have a number of the one-pounders and I got a I guess you'd call it a ability to transfer the propane from 20-pounder to the one pound, there's a -- What do you call it? The pitch plug? Is that - I mean, I bought it off Amazon, I think is it legal?

BRUCE SWIECICKI: We certainly don't advise performing that transfer operation. I'm a member of the committee on technical liquefied petroleum gases. No, the transfer should really only be done by somebody that's been trained and is familiar with the hazards and the operation of liquids. So, I would not encourage you to do that. I don't know if you heard that background noise going on.

REP. O'DEA (125TH): I heard. Is it legal?

BRUCE SWIECICKI: I don't think there's anything to prohibit it as far as I know.

REP. O'DEA (125TH): Are those two those small one-pounders that you by the Walmart or wherever, they're supposed to be, quote disposal, but they can be refilled. Is that? Is that accurate?

BRUCE SWIECICKI: Yeah. Well, no, that that would be a violation of the OT provisions. Those are DOT cylinders. DOT specifies their one-use cylinders. So, if you're going to refill that, I believe you would be violating the hazardous materials regulation on the DOT.

REP. O'DEA (125TH): I'm glad I've never done that. Alright, so those are supposed to be disposed of properly at the facility and not reused so we are clear. Okay, thank you.

BRUCE SWIECICKI: Now, can I clarify to there are other cylinders being manufactured, the one-pound variety and they are refillable? Okay, there's a company that makes those. So it's important to

realize the markings and whether or not they're refillable or not before you perform an operation.

REP. O'DEA (125TH): Thank you very much. Thank you, Madam Chair.

REP. BORER (115TH): Thank you. Representative Gucker.

REP. GUCKER (138TH Thank you. Thank you, Madam Chair. I want to try to ask a couple questions, but also clarifying. I do have a pretty good handle on the cylinder question only because of my business. I restore antique motor vehicles for a living. So, I deal with argon bottles, I deal with acetylene bottles, I deal with oxygen bottles, and of course I have, you know, the barbecue grill as well.

And I do understand the debate stampings of these containers for a reason because as metal gets old and fatigues and some gases are actually corrosive, that they would cause some bottles to fail. And I believe, if I remember correctly, it's the term or ten or really 12 years on the lifespan of a bottle before you have to have it recertified and rechecked. Which is the reason why it's always good to go back to the gas manufacturer to do a bottle trade in situation which is what I deal with all of my bottles.

Now when it comes down to the smaller bottles dealing with you know, these gas grills, the material is different the material it's just it's a lightweight steel almost a ten as opposed to a heavy cast spun bottle, which then we get into the riskiness of not just the corrosive nature of the chemicals but actually sitting outside with a material that's not really meant to last the whole long time.

That being said, you know, these refilling I know is done by weights especially when you go to the propane dealer. He puts it on a scale in ways that

as he spelling it, and I can understand the danger of trying to transfer from a five pound or 20-pound bottle into one of these one-pounders so you can do your plumbing. And even those one-pound bottles are also very lightweight tin.

Now going forward, is there a reason why these bottles once they're out of date for the propane or the gas bottles that if the nozzles were taken off that they just couldn't be put into the normal steel recycling stream and say the nozzles recycled for brass?

BRUCE SWIECICKI: I think and I'm not an expert on the recycling and cycling of metal, but I do know that in terms of the propane cylinders, they need to be entirely emptied of all the propane and that includes the vapor. So, it's not always easy to do that. But even now, I mean in the grill cylinders, for example, when exchange companies get cylinders back into their plant, and they refurbish the cylinders. Yes, they oftentimes they'll take the valves off, they'll revalve them, and they'll put them back into the stream. Now, those that are no longer usable, and they're going into the scrap heap, eventually, I mean, they'll have to take the valves off of those as well and take them out of service. And then they're sent into a recycling plant. I would think so.

I don't know if that answers your question. I hope it did.

REP. GUCKER (138TH): Yeah, no, that's kind of where I was going. And couldn't that be something that was done with these 20-pound bottles at once they've reached their life expectancy, because as much as even technically, when you buy motor oil for your car to do an oil change, let's say doing oil change in your own your own garage. Technically, the place that sells you the motor oil is supposed to take back the old motor oil, but I don't see too many people going into the grocery store, you know, where

they may sell a quarter to an oil to trade that in, that they would have the facilities to do so even though they have to. And that's the same way with some of these. I think somebody spilling locations to where if they go back to get their bottles refilled, and they're out of date? Where are they going to go with a lot of them don't have the facilities?

BRUCE SWIECICKI: No, I'm sorry to interrupt. Yeah, yeah, I know regarding Yeah, they're on a date. Oftentimes to refill if they're bringing them back to a propane plant, they're, they're suitable and they've got re-qualifier identification, and where they can requalify him right there on the spot, you know, and then certify them for another five years of use. So, that's a possibility. If you're bringing it back to an exchange location, and you pick up a new cylinder, then when that cylinder that you turned in makes its way back to the company, then they'll do the same evaluation and determine whether it can be requalified or scrapped or put back into service.

REP. GUCKER (138TH): Now getting down to these one-pound bottles that you buy at the Home Depot or the local hardware store, and I agree you shouldn't be getting the you know, the refilling it yourself, because you don't know how if that bottle was, you know, if you're going to put too much into it and blow the seams out of it, or if it's even compromised, being a little bit lost. Is there a way that those files could maybe be manufactured so that once they're deemed somewhat empty, that, you know, there's a valve that can be removed? Or, or some way of just deflating them you know, airing? Because a lot of times many of those bottles, it comes on as soon as you put the nozzle into it and that's how you pressurize the head. Would that be something we should maybe look into a way of maybe manufacturing these bottles differently so they can be recycled?

BRUCE SWIECICKI: Well, that's this possible. My understanding is, there is equipment available that is used to extricate all the red and remaining propane on those one-pound cylinders, before they are scrapped. Now, I would never advise somebody a homeowner to try to remove the valve from the cylinder. You know, that's just inviting trouble. But there is equipment that folks who are trained have the ability to do that.

REP. GUCKER (138TH): Alright, well, I thank you for that. And I agree with you, because there's some residents, I have worries that they couldn't change a light bulb, let alone deal with something like this. At the very least I appreciate your answers. I just want to you know, maybe give us some, you know, some alternatives to maybe, you know, is it maybe something we do with the manufacturing process, you know, maybe is there a way that if the smaller bottles if you don't have these areas that can take them back that maybe regionally if they do collect them like we saw Selectman Knickerbocker was talking about the mountainous piles of bottles that he has in his recycling or in his plant, that maybe we can, you know, formulate some sort of plan to get those out and get them back where they belong and get them back into at the very least if they are no good recycling the steel for steel and recycling the brass nickel brass. Yeah. Thank you for your testimony. Thank you.

BRUCE SWIECICKI: You're welcome. Thank you.

REP. BORER (115TH): Thank you, Representative Gucker. Bruce, I don't see any other hands raised. So, we want to thank you for your time today.

BRUCE SWIECICKI: Thank you, Madam Chair. Thank you to the Committee.

REP. BORER (115TH): Our next speaker is Roy Littlefield who will be followed by Peter Auster, who will be followed by Margot Burns.

ROY LITTLEFIELD: Thank you, Madam Chair and Members of the Committee. My name is Roy Littlefield and I'm the Director of Government Affairs for The Tire Industry Association and we come today with our concerns with HB 6386, specifically dealing with tires in the Bill.

The Tire Industry Association to give you a background as an international nonprofit organization representing all segments of the tire industry, we have 13,000 members around the world, and in all 50 states and our membership is primarily -- is primarily comprised of tire dealers.

In the State of Connecticut, we have 99 member businesses. We are concerned that this Bill, although well intentioned, simply not doing enough to address issues of illegal dumping and enforcement. We did -- we do believe the Bill does take some meaningful steps to address this, we would be supportive of Section 4.

But overall, when it comes to tire recycling, I think we have a very successful story, not only in the United States, but in Connecticut, we used to have quite a problem in the United States with illegal dumping, we had stock piles all over the country with thousands of tires that were just put into piles that we didn't have uses didn't have ways to recycle them.

And we've come up with many different markets now many different beneficial ways to use these tires, to recycle these tires. And it's really, really a success story that we wouldn't like to see hindered by any type of legislation. We're certainly here to help with any solutions in the state. And when we want to be here to fix any dumping problems. You know, we certainly don't want to discount anything. And any work that people have done, certainly on the cleanup side of things. But we have come a long way as an industry, we continue to make improvements.

So, we hope that we can work with the Committee going forward. Thank you very much. Thank you, Roy.

REP. BORER (115TH): Thank you, Roy. And we understand, we've heard some objection from the industry. But I would appreciate any solutions that you want to put forward regarding how we could solve this problem. Senator miner.

SENATOR MINER (30TH): Thank you, Madam Chair. So, it seems to me that if a consumer goes to have four tires replaced, more often than not, they are faced with a per tire charge by the tire installer to get rid of the tires. We're not sure about is whether or not that let's call it \$5 a tire, \$20 ever does anything in terms of trying to manage the tires, end of life costs. Would you agree with that?

ROY LITTLEFIELD: I think that unfortunately, in some cases, it does not go to where it should. But we certainly are encouraging in all cases where there is any type of collection that it does be used in beneficial ways for the market.

SENATOR MINER (30TH): Fair enough. And so, if we were to look at a different program, that said you can't charge at the time of sale, a install charge and end of life use, yet somehow embedded in the price of the tire in the State of Connecticut, there was an end of life amount of money. And that was used internally worldwide to ensure that we have a robust program of documentation, that we have a robust program during the end-of-life use of tires, wouldn't that be a better approach?

ROY LITTLEFIELD: Yes, and you know, w we have been a part in other states of trying to support fees that go towards these beneficial uses. So, we'd certainly, certainly be supportive and be willing to work with you on that.

SENATOR MINER (30TH): Thank you.

REP. BORER (115TH): Representative Dillon.

REP. DILLON (92ND): Thank you, Madam Chair. And thank you very much for your testimony. I wonder if -- and earlier, some of the earlier testimony referenced the issues around crumb rubber. And I wonder if you could address the issue of safety of crumb rubber. I know that that was quite controversial. And there were reports done a couple of years ago and I -- there was a discussion a year or two ago about it.

ROY LITTLEFIELD: Yes, thank you so much for that comment. We do support the use of crumb rubber in athletic fields and in playgrounds, we have looked at over 100 industry studies that show that this is a safe product. The EPA is looking at this, again, they looked at it several years ago and determined it was a safe product, they're now conducting another study on this product, it is a two-tiered study. Part One, which was, which was released about two years ago is the classification side of the study, which looks at the properties of a tire, which not going to lie is a big scary list to a lot of people.

But now what we're looking at is the exposure level study, which is really going to look at the health impacts that this has on athletes who are playing on these fields. This was a study that was supposed to be completed in the spring of last year, but was pushed back with COVID. So, the EPA is still looking at this. But personally, from the from the research we've seen, and the studies we've been a part of, we believe it is a safe product, we would certainly love to put more tires in the roads and things like that. But this is a market that has been successful for recycling this product. And we will continue to support it.

REP. DILLON (92ND): I wonder if there's any information that the committee wouldn't have

already? If I recall it, and there was the issue was arsenic and cadmium could it was a heavy metal, and I don't know whether that translated into exposure to the athletes or not. But I do remember the discussion very vividly, there were very strong views held. And so, if you could provide us with any information about that, that would be helpful, especially to the extent that it might touch on some of the issues that are before the committee.

ROY LITTLEFIELD: Sure, absolutely. And just to give a quick little update in the state of California, as you know, with Proposition 65, you have to have a label on pretty much anything that could cause cancer. And we actually looked at tires out there, and it was determined that because the safe harbor levels are low enough, that that you are not posed that risk. So, tires out there did not have to have that label.

REP. DILLON (92ND): But you would have documents that you could provide us with some of which you mentioned your industry studies, but also that might be separate, you know, being from our ongoing studies.

ROY LITTLEFIELD: Sure, sure. We have some independent studies we can share with you as well.

REP. DILLON (92ND): Thank you, and thank you, Madam Chair.

REP. BORER (115TH): Thank you, Representative Dillon. Thank you, Mr. Littlefield. I think that is all our questions that we have for you. Thank you for your testimony. Our next speaker is Peter Auster, followed by Margot Burns and Margot will be followed by Diane Lauricella.

PETER AUSTER: Alright, good afternoon, can you hear me, okay?

REP. BORER (115TH): Yes, Yes, we can.

DR. PETER AUSTER: Great. Thank you. My name is Peter Auster. I'm a Senior Research Scientist at Mystic Aquarium and Research Professor Emeritus in the Department of Marine Sciences at the University of Connecticut and thank you for your the opportunity to testify today regarding HJ 53. The resolution proposing the adoption and Long Island Sound Blue Plan.

I'm a marine ecologist with diverse research interests locally in Long Island Sound and the wider region including the Gulf of Maine Georges Bank, the adjacent deep sea. I also work in tropical and subtropical reefs, ecosystems around the globe. In short, I describe what I do to my family as a hangout underwater and let's study fish. But more specifically, but I didn't get a laugh on anybody with that.

More specifically, I conducted published research results focused on both the basic ecology and conservation of these diverse communities and habitats. I've also worked on committees planning themes, advisory councils and working groups in multiple governmental forums, from local to international, using research to inform developmental policy and management of natural resources, our natural heritage.

I had the privilege of working with many colleagues here in Connecticut on elements of the inventory of natural resources in development of the ecologically significant areas contained in the draft Blue Plan. I also attended multiple meetings of the Advisory Committee to better understand the deliberations related to the process and development of products for implementation of the plan.

After this experience with the nuts and bolts of planned development, I'm here today to voice my strong support for HJ 53 and encourage you to adopt the plan. Most importantly, the presentation and

quality of natural resource and human use data, the associated information and rationale, as well as the scope of the existing regulatory regime was integrated into the plan to serve as a first stop resource, first stop resource to inform stakeholders and decision makers about risks and tradeoffs.

While we don't have perfect knowledge, and the plan helps navigate such pitfalls, we certainly know enough to develop reasonable alternatives and make informed decisions about use the public comments, while reducing those conflicts that have been on display in so many previous development efforts in the Long Island Sound area.

Indeed, I suggest a Blue Plan is one of, if not the best demonstration of a collaborative approach to implement critical aspects of marine spatial planning.

My experience over many years is readily demonstrated that human uses can have profound, devastating and often unanticipated effects on marine and coastal natural resources.

That said, through research and experience, we have and can continue to learn where the guardrails can be set, and that we can make better decisions when coming from a common foundation of knowledge. The Blue Plan provides that foundation to build on for the future. Again, I encourage you to vote to adopt the plan.

Thank you for your time and consideration.

REP. BORER (115TH): Thank you. Thank you, Peter. Representative Palm.

REP. PALM (36TH): Dr. Auster, hi. Good to see you. Do you know of any other states along the eastern seaboard that have a similar plan? And if so, how ours compares.

DR. PETER AUSTER: So, Rhode Island has the special area management plan that was developed to work with Offshore Wind. Massachusetts has a plan. I'm not familiar or at this point in my old age, I don't remember all the nuts and bolts of how it works.

REP. PALM (36TH): But I just, it often we look to other states, either as good models or the opposite. I just was wondering and it's the thing that I can certainly look into. But I appreciate so much your testimony on it. Because I think so often, people like you who are researchers, and represent cultural and scientific organizations can sometimes be in conflict with business interests.

And I -- it's what I love about this plan is that this is a unification of all the different independent impulses, I guess, you know, and coming from your background, it means a lot to hear you say as much as you do. So, thank you for that. It was very helpful.

DR. PETER AUSTER: Thank you, and again I've been involved in other kinds of spatial planning efforts at the regional scale here in New England in the mid-Atlantic, and this process has been much more collegial and collaborative than I've experienced elsewhere.

REP. BORER (115TH): Great to hear. Thank you, Representative Palm. Thank you, Peter, for your testimony. I don't see any question. Any other questions. So, thank you for coming in and participating today. Thank you.

Our next speaker is Margot Burns, followed by Diane Lauricella. I'm not sure if I got that right. And then Colin Thank you.

MARGOT BURNS: Can I start?

REP. BORER (115TH): Yep.

MARGOT BURNS: Hello, everyone. Thank you, Co-Chairs, Senator Cohen and Representative Borer and the Honorable Members of Environment Committee for the opportunity to provide testimony because concerning House Bill 6384. I am testifying today on behalf of the lower Connecticut River Valley Council of Governments. My name is Margot Burns and I'm the Environmental Planner. RiverCog is in full support of Section 2 of the proposed Bill and is neutral on Section 1 of House Bill 6384.

Another Bill to address RiverCog's sweltering concerns is House Bill 5626 put forward by Representative Palm.

RiverCog would like the committee to consider in addition to House Bill number 6384 and under Section 22A-339G for the general statutes, control of native invasive plant species. This section states the Commissioner of Energy and Environmental Protection shall make recommendations and take appropriate actions for the control of non-native invasive plant species.

A pervasive aquatic invasive plant hydrilla verticillata poses an unprecedented threat to devastate the Connecticut River and its freshwater and brackish tidal coves and tributaries. RiverCog helped establish this as a new variety of a plant not found elsewhere.

RiverCog ask that in addition to the request of Bill number 6384, that a section also be added to provide the establishment of a fund for the development of a coordinated management plan for eradicating hydrilla in the state's waterways, including the creation of the task force to develop and implement such a plan that utilizes the best available integrated strategy to accomplish such eradication.

A recent environmental review team program report and the Connecticut Agricultural Experiment Station Connecticut River survey have established that

hydrilla has been found to be present in large and ecosystem threatening amounts in the Connecticut River from Agawam Massachusetts, south to the town of Essex, Connecticut, it has been acknowledged as the most feared of aquatic invasive species. It is most feared because of its ability to reproduce and spread through multiple means, including cuttings, winter buds, and tubers. It forms thick mats of vegetation impenetrable to both boats and wildlife and be moderately soft collared.

An important factor for the Connecticut River variety is that today, tubers have not been found, it is hoped that this may be a factor that significantly enhances our ability to mitigate and eradicate it.

Hydrilla not only threatens the mastery of global ecological importance, but also the recreational enjoyment of our beloved Connecticut River. It threatens other water bodies that provide public drinking water, recreational opportunities, tourism economy, and property values.

If not controlled, hydrilla is spread by both natural and human means be a waterfall bow in visits by recreational boaters. RiverCog's 17 municipalities are very concerned about the existing and potential impacts of hydrilla. If allowed to spread, the damage will be devastating. We urge state action.

RiverCog thanks the committee for its time and attention to this most significant issue.

REP. BORER (115TH): Thank you, Margot.  
Representative Palm.

REP. PALM (36TH): Thank you so much, Margot, for your testimony and to RiverCog for the wonderful work that you guys do, especially in the film. I would urge all my colleagues who haven't seen your educational film produced by the resource

conservation development area, it's called Appropriately Invading the Connecticut River. And it's really the story of hydrilla. You did a wonderful job. I know you were part of that team.

Your testimony you talk about an integrated strategy. What would that look like to you? I asked a previous testifier about this too. But we seem to have a lot of different disparate groups working on a management plan, looking at the various ways to study and plan for eradication. What would that -- what would your dream, your dream vision for that be?

MARGOT BURNS: My dream vision would include all people, everyone that's been working on it so far along the river, which is the Connecticut River Conservancy, Fish and Wildlife, the County Refuge, let's see, the Connecticut Agricultural Experiment Station and the Department of Environmental Protection, and also just experts from all level of governments and different departments like the Army Corps of Engineers, EPA. I mean, I would think really big and pull in a hopefully national experts on it, because we're not the only place that is battling hydrilla.

But there have been some very great good instances of very good control that are going on out there. One right across our border and the New Croton River in New York, which is part of the New York drinking water supply.

REP. PALM (36TH): One of the things that concerns me right now is that by focusing overly or exclusively on lakes, we're missing the interconnectedness of this 406-mile-long river, of which, you know, we are the terminus down in [inaudible]. So, in your opinion, there's a federal impetus as well or at least regional, you mentioned a couple of federal agencies, would you like to see them in this mix?

MARGOT BURNS: Well, yes, of course. And you know this is not just a Connecticut issue, I feel it's a New England and New York issue also you know we're all the states are worried about it as it can be transported by recreational boats and our Connecticut River boats travel to Lake Champlain and Lake George and all the other beautiful lakes, that we have in New England. So, it is a worry for others not only ourselves. And it is, it is such a -- the Connecticut River is a big place and I think that it will take federal support to help us, you know, with this issue. So, I'm hoping that we can put a task force together that brings experts from all over New England in the federal state and local level.

REP. PALM (36TH): Did I understand you saying a minute ago that there hasn't been evidence of the I believe they're called turians under -- or did I misunderstand?

MARGOT BURNS: The tubers.

REP. PALM (36TH): Yeah.

MARGOT BURNS: The root structures, and we have not found those up to date on the Connecticut River variety. And Greg Bugbee at the Connecticut Agricultural Experiment Station is the scientist that conducted the survey of the whole Connecticut River from Agawam Mass down to The Sound for the environmental review team project that we did for not only hydrilla, but other aquatic invasive plants, too.

And so today, we haven't found them and they are one of the toughest, if not the toughest part of controlling hydrilla. So, if those are not present, that, you know, we are hoping that that fits well for us. That will make eradication and mitigation easier. We won't know that until we do research and you know, try, and get some pilot projects together,

going for control. But we're hopeful, very hopeful about that.

REP. PALM (36TH): And that seems like one of the most important things to establish, right? Because if the variety of this plant is different in the river than in the lakes, it may require a different kind of treatment.

MARGOT BURNS: Yes, absolutely. Yes, this is the first time this genotype's been found this varieties been found in the United States. As far as we know, we did do genetic testing on the material on this variety out of the University of Wisconsin, and with help from the National Remains Panel, Northeast Aquatic Nuisance Species Panel.

REP. PALM (36TH): Thanks, I only have one more question. And that is, in your opinion, is there such a thing as a safe herbicide? I know that people talk about benthic matte barriers and other kinds of biological predators like the sterilized carbon and whatnot, and they all seem to have the concomitant negative, they introduce another element that may not, you know, be beneficial. Is there such a thing as a safer herbicide in your opinion?

MARGOT BURNS: Well, I'm not really qualified to say whether an herbicide is safe or not. Although, I know that in other hydrilla projects, that herbicides have been researched, and used very effectively in drinking water supply areas, and other places. So, I think that we can't discount them. I'm the first one to say that I would not want to go to that approach. But when it comes to hydrilla, I think it's something that we have to take, you know, a serious look at and do our homework about, you know, of which they do in every case that anything like that is used. So, I don't worry about it. And in this case, or in many cases where you know, scientific research is done. As long as like, you know, your T's are crossed and your I's are dotted and you know, you've done all

that you can do to ensure safety, then I'm not -- I'm not concerned about it.

REP. PALM (36TH): Thank you for your candor. I wasn't trying to throw you a curveball. I'm just concerned about when we talk about chemical herbicide answers, I always get a little bit nervous. But I know that this problem is raging out of control. So, I just wanted to know if people in your group were open to that as part of the possible solution.

MARGOT BURNS: We have to leave all options open. It's a -- I think, so that people are able to do the research that's needed to be done. We just don't know.

REP. PALM (36TH): Thank you, Margot. That's all, Madam Chair, thank you very much.

REP. BORER (115TH): Thank you, Representative. I don't see any other questions in the queue. But Margot, I have one and I know it's not what we're talking about at the moment, the hydrilla, but because you're very knowledgeable in the area, maybe you do know, purple loosestrife. Are you familiar with it? So, five years ago, six years ago, it was everywhere. You know, it was beautiful, but it was extremely invasive, there was no way to combat it. I know you can't have a study about releasing beetles at the base of the purple loosestrife. And it was all this discussion about purple loosestrife. And then it kind of disappeared. You know, sometimes these plants just, I don't know, they just disappear when we spend all this time and energy in research. And it's just wondering, like, is there something an evolution that happens that kills these plants off after a while?

MARGOT BURNS: Well, what I actually haven't noticed that it's been killed off so.

REP. BORER (115TH): It was everywhere, and now I don't like; I don't see it anywhere.

MARGOT BURNS: I don't know that much about the control of purple loosestrife, although that there is the beta and a biological control of it. And I know that not by experience, but just from hearing about projects that they have done a release the beetle in different areas and things and that it has worked rather well.

But you know, when it comes to invasive plants, some plants are, you know, just a little bit invasive, and some are moderately invasive, and then others are just so invasive, that they take over everything. And those are the ones that we really have to worry about in my opinion. And to know that, you know, there's research out there that, you know, speaks to the death by a thousand cuts that ecosystems can take, you know, take a little bit, and take a little bit more and, and take a little bit more until something finally comes along to tip the scale.

And hydrilla is one of those invasives that's kind of like getting your leg cut off versus a, you know, a paper cut. So, in my opinion, you know, that's how bad that hydrilla is, from my experience from seeing it on the river, that I, you know, I've been out there for 10 years working on water, and invasive, invasive hydrilla just spread like wildfire. So quickly. Amazing.

REP. BORER (115TH): I appreciate that. And I'm very grateful for, I know we said it before, but the Agriculture Experiment Centre in UConn and all the research they do around these topics, because they do make a lot of progress. Representative Chafee.

REP. CHAFEE (33RD): Thank you, Madam Chair. Thank you for providing your testimony today. I just had a few questions on the scope of the problem. So, my understanding is all the way from the mouth of the

river in Old Sabre Old Line area up to Agawam, Massachusetts. Is that correct?

MARGOT BURNS: Yes, I would not say so much in Sabre Old Line because of the salt wedge at the lower mouth of the river. And it, the hydrilla although we don't know how salt tolerant it is, other varieties are moderately salt tolerant, and we have seen it in some places, but it does -- it doesn't really show up until you get down to up to Essex and line I think is where things start getting bad.

REP. CHAFEE (33RD): What was first discovered in the Connecticut River?

MARGOT BURNS: I thought -- the first time that I have read about it is being found in 2016 during a bio blitz in Glastonbury.

REP. CHAFEE (33RD): Is the river just completely infested at this point, or is it more sporadic depending on what the riverbed is like in areas or how prevalent is?

MARGOT BURNS: It seems to like the shallower areas better 10 feet or less is what I heard Greg Bugbee say that he finds it most prolifically. So, in the mud flats of the river where the eelgrass are the common name for freshwater eelgrass where it grows and in the calls where it's very shallow. That's where it's most prolific, Wethersfield Cove, Kini Cove, Selden Cove, let's see Chester Creek, all of those different coves along the river, Post Cove, Pratt Cove. And the [inaudible] is actually the poster child, in Middletown.

And if you do go to watch the video that Christine spoke about, which can be found on the Connecticut RCMD YouTube channel, and it's in the links are in my testimony, my written testimony, you will see that it's very strong visuals of what the hydrilla is like in the coves.

REP. CHAFEE (33RD): Once it takes root, does it completely choke out the native species like eelgrass.

MARGOT BURNS: Well, that's what we're very worried about the choking out that eelgrass, which is a very important aquatic vegetative plant in the river. And it remains to be seen, it's very, very thick, in places where it does grow, like in Southern Cove, and in Salmon Cove. And we think that it will crowd that out. So, we're not totally sure about that, yet we need to do more surveys and more research on it. But indications are that it's a definite possibility.

REP. CHAFEE (33RD): I'm not sure if this is your area of expertise or not, but I believe certain fish species spawn in the eelgrass. I think, [inaudible]

MARGOT BURNS: Well, I'm not a fisheries biologist. But I do know that the eelgrass beds are very important as nursery areas for the different fish species that live in the Connecticut River, or just visit to grow up here and then leave to go to the, back to the ocean. But yes, I would even with my -- with not being a fisheries biologist, I would say yes, that they definitely are.

REP. CHAFEE (33RD): So, it poses a serious threat on the ecosystem.

MARGOT BURNS: Yes. We feel that it does. Yeah.

REP. CHAFEE (33RD): Okay, thank you for the information your time and thank you, Madam Chair.

MARGOT BURNS: Thank you.

REP. BORER (115TH): Thank you Representative. And Margot, I think that's all the questions for you, so thank you so much for your testimony and sharing your knowledge with us.

MARGOT BURNS: Thank you very much.

REP. BORER (115TH): Thank you. Thank you. Our next speaker up is Diane Lauricella, I see you in the queue followed by Collin Antaya and then Robert LaFrance.

DIANE LAURICELLA: Thank you, Chair. I wanted to thank Chairman Senator Cohen and Representative Borer and Members of the Environment Committee, my name is Diane Lauricella or Diane Lauricella dependent upon which mood I'm in order to pronounce that.

Thank you for the opportunity to comment today. And I thank you all for the work that this committee does for our state. This is my first time testifying in front of this dedicated committee.

As a brief introduction, I'm a former hazardous waste regulator with then DEEP rather founding president of Norwalk River Watershed Association, a member of the GC3 Equity and Environmental Justice working group and a current member of the Connecticut and Norwalk Zero Waste Coalitions. I felt the need to introduce myself in order to set the table for my comments.

Briefly, I just wanted to support Senate Bill 837. I am on the PFAS Task Force and because my city has a quasi-private water company that currently has a PFAS contaminated wellfield we and I suspect that the past use of firefighting foam training may be the source. So, I highly support for training purposes for a start on PFAS.

My focus today will be on raised Bill House Bill 6386 relating to extended producer responsibility. There are many opportunities here and we need to have that sense of urgency because we are in a waste crisis. EPR must be highlighted as a go to management technique. Our waste crisis in my opinion, professionally and as a citizen advocate

began long before China soared, and there are myths about what China soared did and did not do in the northeast. Our throwaway society has produced lots of waste, but now you the legislature has the opportunity to reduce the expensive disposal, protect citizens, look at an equity lens, protect hauler employees and the environment by approving this Bill with some of the changes mentioned by previous speakers.

But I'm in lockstep with EHHI, HRRR and I'm sorry to throw these alphabet soup but timing is very brief here, the citizens' campaign and of course First Selectman Knickerbocker. After organizing my city's household hazardous waste collection day back in the 80s I found that many items listed in this Bill must be managed in a better way and more safely. Starting just with tires.

I wanted to say that Mr. Littlefield, a previous speaker, from the Tire Association, I believe his contention that the use of crumb rubber to use for school and playgrounds is safe is just not so. We need a crumb rubber summit because there is too much mythology and Voodoo science that they are using in and it is not considered credible, but definitely is not considered without bias. So, the time has come for this legislature and the DEEP and the health department to have a crumb rubber summit so that you will not be misinformed.

I wanted to agree with Ms. Patricia Taylor's highlight on Section 3, which is a cause for concern, because it should not be used in places where children and residents are going to be -- the crumb rubber, I mean, from the tires. And I think there needs to be restrictions concerning protection of human health, but also environmental health because microplastics come off of this with other materials, but we're focusing on crumb rubber here because they're used from tires.

REP. BORER (115TH): Diane, I'm going to ask you to -- if you can wrap up your testimony only because we're well over three minutes and we're sorry.

DIANE LAURICELLA: That's okay.

REP. BORER (115TH): No, we want to hear from you, we just, you know, we just want to make sure we hear from everyone.

DIANE LAURICELLA: Okay. Two quick sentences that will wrap it up. Special attention must be given to the toxic use reduction Institute at UMass Lowell a 2018 report title *Athletic Playing Fields, Choosing Safer Off Options for Health and The Environment*. It has a lot of studies about crumb rubber.

And secondly, I'm here to discuss on cylinders, make whatever system you decide upon, user friendly and sensitive to statewide equity in appropriate languages, use a lot of graphics and improve public outreach. Municipalities need support in the form of ready-made educational materials or money to help do the public outreach, regional technical assistance would be appreciated. But I very much agree, especially with Jennifer Heaton-Jones on the cylinder issue. I thank you for your time.

SENATOR COHEN (12TH): Thank you so much for your testimony and I see Representative Michel has a question.

REP. MICHEL (146TH): Thank you, Madam Chair. Thank you, Diane, for testifying today. Nice to see you. I just wanted to go back to the crumb rubber, because we've heard today other suggestions to use it in asphalt and I know we've just like been banned, to some extent the extraction product from asphalt. So, I was just curious is the use of crumb rubber in road asphalt like potentially could that contaminate like soil, water aquifers, storm water, etc.

DIANE LAURICELLA: I have not viewed any reports about polluted runoff coming off of when you include a crumb rubber in asphalt paving. But it would I'm mainly here to really address and caution this fine Committee not to allow it to be used on playing fields, especially where children are going to have contact. But it is very much important that less polluted runoff from stormwater should be looked at. I'm sure there are studies in the universities.

REP. MICHEL (146TH): That was kind of my take and I appreciate all you do. And I do agree with what you say that we should really start really limiting toxicity in environmental and our home world. Thank you.

SENATOR COHEN (12TH): Thank you again, Diane for your testimony. And I don't see any other questions right now. So, we'll move on to our next speaker, Colin Antaya. I don't know if he is still with us. If not, Colin, we can circle back to you if you're able to log in. And so I see Robert LaFrance, and you are next all ready to go and after Robert LaFrance will be William Lucey followed by Nathan Frohling. So, take it away.

ROBERT LAFRANCE: Hey, good afternoon, Chair Borer and Chair Cohen, Ranking Members Miner and Harding and Vice Chair Slap and Gresko. I really appreciate the time, and I'm going to make it quick because we're at five o'clock hour and I know we're going to be interfering with happy hour. And that's not where I want to be with this committee, especially on their first day of public hearing.

So, I'm here to support three Bills. Today, I'm here to support House Joint Resolution 53, the Blue Plan, Senate Bill 838, minor revisions to certain fishing programs. And then finally, Senate Bill 840. The Connecticut's shellfish restoration program.

I'll start with just by saying that the Blue Plan, I think you've heard a lot from other folks, I'm not going to dwell on any greater detail than some of the other folks, I think you've heard from a lot of people The Nature Conservancy, and they can give you a lot of in-depth analysis as to why it's a good Bill. I just want to applaud everybody for making certain that consideration of birds was included in the Blue Plan. And we'd like to make certain that is considered into the future, many birds that use the Long Island Sound and the waters around it, and we want to make certain that we continue to monitor their health as time goes forward.

The next Bill is the Senate Bill number 838, which is an expansion of the general permit, if you will, for fishing opportunities for veterans and other disabled individuals. We support this Bill, particularly because it expands an opportunity and you'd like to see opportunities expanded for fishing. Any way we can get people into the great outdoors, we think is a wonderful opportunity. One of the things we learned is, as advocates for outdoor education and for outdoor involvement is the fact that COVID has had a really meaningful impact on many people mental health from a mental health perspective, getting people out into the environment is something we found to be really helpful. And it's really helped the conservation efforts across the across the state.

I will mention, however, that one of the issues that I think does need to be resolved in that 838 was not addressed in my testimony. But Bill Hyatt put in testimony for the Fisheries Advisory Council. And I want to just quote from it where he basically talks about the fact that it's got to be careful when we think about opening the trout season to not have a limit on it at all. I'll just quote close seasons, length limits and creole limits are fishery managed management tools, they need to be available for professional resource managers to use in response to charge to end -- in response to changing conditions

based upon the best available science with input from anglers.

We'd like to see greater opportunities for folks to be outside. But I think we need to keep in mind these other considerations as we move forward in that.

Finally, I want to support the Department of Agriculture's Bill, having to do with shellfish, having to do with the opportunity for them to try and get some federal dollars to help do some shell placement in Long Island Sound. We see the benefits of that including the ability to help protect us from storm surges and help protect and make for more resilient coast. I did hear some questions about whether this would be healthy or not. I just want to endorse the staff at the Department of Agriculture, who I've had the pleasure of working with in the past, they're very concerned about these issues, they will watch out for them. And I'm very happy to see that they're moving forward in this area to try and leverage federal dollars to help us with resilience for our Long Island Sound.

With that I will end and take questions if there are any. Thank you.

SENATOR COHEN (12TH): Thank you, Rob, for that testimony. I don't see any hands raised, I would just ask, you know, to what degree of specificity could you provide with limitations to the fishing season? I mean, what do you think that parameter should be?

ROBERT LAFRANCE: So, it's kind of a, I guess I'll say this, it's, you have those three tools, right you have the length of the season, you have the number of fish you can take and the length of the fish that you can take. And I think what you're hearing from many of the folks in the Fisheries Advisory Council is they're open to thinking about these things, but they believe that the agency

should keep sort of control over how long the seasons should or shouldn't be. I think there's some common ground in here that could be reached. I think what Bill in the Fishery Advisory Council talks about is something to consider, but expanding some of those fishing opportunities is what I hear people asking for. And I think it's a result of the good experience that was had as a result of the of the relaxing of the opening day as in response to COVID.

So, I guess I don't have a crystal answer for you there. Maybe it's something along the lines where you talk about an opening thing, you know, this sort of an event that kicks things off. Maybe it's something that the department decides between some dates, but that the other limits are put in place. But I do think there's a desire on many people's parts to expand the season earlier.

SENATOR COHEN (12TH): Okay, thanks for that, and I see Representative Michel. Colin Antaya, I see you have your hand raised I see you in the room and you will be next to testify. But first, we will go to Representative Michel to ask a question to Mr. LaFrance.

REP. MICHEL (146TH): Thank you, Madam Chair. Thank you, Mr. LaFrance, for your testimony. Just was curious on Senate Bill 838, Section 2. Just curious, it says notwithstanding any provision of the general statutes, there shall be no closed season for sport fishing of trout. I'm trying to understand is that like, separate entirely separate from Section 1? Is that the way you read it? And would you be in support if that if that would be the case?

ROBERT LAFRANCE: So that is how, in closer look, that is how I believe it's read because there's notwithstanding any other provision of the general statutes, which is what I was, when I have to say when I first read it, I thought it might have been

associated with the permit for the general permit for veterans, which they're moving from 50 to 100 folks. We support that and we would support quite frankly, allowing those particular group of people to fish whatever they can fish whenever they can fish it under that permit issue.

I think the way it's drafted, though it does raise the issues that you'll see in the Fisheries Advisory Council's testimony, which is, you have these three tools to manage the different species, right, if you're going to do away with the with the length of season, you're going to have to use the other tools, how many fish you can take, and how long they can be as a mechanism for management. And I think what you're hearing from the angler community is we want a longer season, we want to have the opportunity to be able to fish, however, we got to make certain we're not hurting the resource.

And I think there's an issue too of making certain that the resources protected not only from fish take, but in the event if there is any kind of other kinds of issues with say particular sections of the, you know, particular sections in the state to make certain that they're able to be regulated to by the Commissioner.

So again, I would hope and part of the reason I supported it was the idea of expanding the season. However, I think the way it's drafted, it may be too broad and probably needs to be a little tightened.

REP. MICHEL (146TH): Thank you for that. And in regards to Section 1, I'm just going to make a comment. I think, I mean, I'm a big supporter of, you know, increasing support to -- for behavioral health in the state even without Bills for that. I just don't know if this is really the property and activity and necessity for that. But I certainly would push for more ecotourism in the state on water and discovery and bring people in educate them about

our marine life, rather than marine life and resources. Thank you. Thank you, Madam Chair.

ROBERT LAFRANCE: Just in response to that, Representative Michel. I'll say this, that take a fit, take a vet fishing program, I was fortunate to be at one of their opening things when this when this program first came forward. It's an amazing thing to watch a veteran go fishing, especially some of our blind veterans who have had the opportunity sometimes for the first time to do it. They use this permit, I think what they're looking for is an expansion of the opportunity for other places in the state, take a vet fishing, and some of the other programs are really quite marvelous, and they really do get the outdoor experience available to many, many other people.

REP. MICHEL (146TH): Thank you for that comment, Mr. LaFrance. And thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chair. So, how are you, Rob?

ROBERT LAFRANCE: Oh, great, Senator, great to see you. I wish in person, I would much prefer late day to be sitting in the Environment Committee rather than being on, but it is what it is.

SENATOR MINER (30TH): Me too, but I, you know, so just so you understand, you know, the genesis of the Bill. Last year, sportsmen began having a conversation about the conflict of the closed season. And what it did, and what it does is actually create a legal circumstance where people that want to fish in bodies of water, that are stocked with trout, they're closed. So, we've taken a whole group of opportunity away from people at a time when they should be outdoors. And we've created in essence, criminals out of kids,

especially during COVID, where they are not intentionally trying to break the law, they just want to go fishing. And so that's the genesis of the Bill.

It wasn't greedy, old men trying to get more trout. I certainly would be interested in talking with somebody from the agency, about all the science that goes into developing your Creel limit on putting take fish, which is predominantly what we're talking about here. I'm -- I would be shocked if the agency was spending a whole lot of time on that.

Additionally, I think panfish, which is generally what kids fish for, I'm not sure how much time they spend on that seeing is, all of those fish have no creel limit and no cycling. So, I look forward to the conversation as we move forward.

But really the intent of the Bill, the genesis of this portion of the Bill was to try and relieve law enforcement from that painful responsibility of shacking kids out of official somewhere. So, thank you for testifying. And I look forward to a broader conversation in the future.

ROBERT LAFRANCE: And, Senator, I appreciate that. And I actually really agree with what you're saying the idea of getting kids out making certain that they're available to fish, putting them in places and getting them out in the outdoors. That's what -- that's why I supported it in its general term. But I did hear from some other folks in the Fisheries Advisory Committee who I think raised some legitimate concerns. And I think there's common ground to be had between those places, and I'm committed to help working on that.

SENATOR COHEN (12TH): Thank you.

SENATOR MINER (30TH): Thank you. Alright. Thanks, Rob, for your testimony and always great to see you.

ROBERT LAFRANCE: Thanks, thanks everyone and have a great evening. Thanks a lot.

SENATOR COHEN (12TH): You too. Okay, so next we have Colin Antaya with Conservation Law Foundation followed by Bill Lucey Save The Sound and he's followed by Nathan Frohling. So, welcome.

COLIN ANTAYA: Good evening, and I apologize for missing my slot earlier. I really appreciate your flexibility. So, good evening Co-Chairs Cohen and Borer and Members of the Committee. Thank you for the opportunity to testify today. My name is Colin Antaya. I'm a legal fellow with Conservation Law Foundation, and a resident of New Haven.

CLF is a nonprofit member supported environmental organization working to protect New England's environment for the benefit of all people. We use the law, science, and the markets to create solutions that preserve our natural resources, build healthy communities, and sustain a vibrant economy. I'm here today to speak in support of Senate Bill 839, AN ACT CONCERNING ELECTRONIC DOCUMENTS AND PESTICIDE REGULATION IN THE STATE.

The public has a right to know which pesticides are applied in their communities. This information should be easily accessible to all citizens. A parent should not have to file a Freedom of Information Act request simply to learn which pesticides are applied where their family lives.

But that is exactly the situation the residents of Connecticut find themselves in today. Connecticut law recognizes the importance of keeping records of pesticide application. But the law does not make that information easily accessible to the public.

Senate Bill number 839 fixes that through a very simple change. The Bill requires information that pesticide applicators already submit to the state to be stored in publicly accessible electronic

spreadsheets. The Bill furthers the public's right to know without placing any additional burden on pesticide applicators. CLF supports this straightforward solution. And CLF encourages the committee to make two adjustments to the Bill's language That would increase public access to this information that is so important to community health.

First, Senate Bill 839 should specify that it applies to the annual records of pesticide applications. The private applicators and commercial Applicators submit to the Department of Energy and Environmental protection under General statutes section 22A-58.

Second, the Bill would be made stronger by specifying that information on pesticide usage will be stored in a single electronic database hosted on a website instead of on individual spreadsheets. Those changes would make storing and retrieving this critical information even more efficient and accessible for the public.

Thank you for your time, I'd be happy to answer any questions that Members of the Committee may have.

SENATOR COHEN (12TH): Thank you, Mr. Antaya for that testimony. And those suggestions. I see Senator Miner has his hand up.

SENATOR MINER (30TH): Thank you, Madam Chair. What would your definition of a private applicator be?

COLIN ANTAYA: So, I believe under the general statute, Senator, a private applicator mostly includes a farmer applying restricted use pesticides. So, under the reporting requirement - go ahead. --

SENATOR MINER (30TH): Would not through you, Madam Chair. So, would not include a private individual that might by pesticides from hardware stores?

COLIN ANTAYA: No, Sir. So, the statutes define a private applicator as someone who has been certified actually by the state, yes, to apply.

SENATOR MINER (30TH): A large volume.

COLIN ANTAYA: Yes, and to apply pesticides that are restricted use rather than general use pesticides under DEEP, yeah.

SENATOR MINER (30TH): Just wanted to be sure, thank you.

COLIN ANTAYA: Of course, you're welcome.

SENATOR COHEN (12TH): Well, thank you so much for your testimony today. I don't see any other questions.

COLIN ANTAYA: Thank you.

SENATOR COHEN (12TH): Appreciate it. Okay, next we have William Lucey followed by Nathan Frohling. Followed by Sylvain De Guise.

WILLIAM LUCEY: Good evening at this point, everybody. Thank you to the Members of the Environment Committee, I'm Bill Lucey, Long Island Sound keeper and I've worked to Save The Sound.

I'm here today to support HJ 53 resolution proposing the adoption of the Blue Plan. We've heard a bunch about it today. I wanted to give a shout out to Joe Brasco for his help with this as well, I know Nathan's up after me so I won't get into tremendous detail. I'll just give you my perspective as a past permit practitioner that worked as a coastal program coordinator for a municipality and I wish I had had a plan like this when I was doing that job. Because whenever a development project came in, I had to know which commercial seafood harvesters to talk to, which native subsistence hunters and gatherers,

where they're getting their seaweed, where they eelgrass beds were, where the herring was spawning, where the endangered birds were rafting up off the islands.

That's what this program does, it puts it all in one spot. So, you don't have to have local institutional knowledge to make good permitting decisions. It also helps the state have information so they make good permitting decisions.

Without it, it just becomes a maze. And the whole point of this is everyone gets exhausted with permitting, whether you're doing a restoration project, or a development project. And what having all these layers of information does, is it allows people before they even put their permits, and just to take a look at what they're going to be impacting or potentially impacting. And that's coming soon, we have the we are getting offshore wind cables coming through the race in the Long Island Sound that is happening as we speak.

And a cable routes going across all kinds of different habitats, areas reporting to recreational anglers, special ecological areas, shellfish leases. So hopefully this plan gets adopted and it can be utilized right away to make a good decision on how those development projects will happen. And I was exploring the cable routes, they'll be able to potentially share information back to the state. So, it's a living document, as we learn more and use it more, it'll just get better.

I wasn't going to talk to the tire thing if I have a few more minutes. But I gave me pause when I heard that tire, recycled tires were going to get used in bioswales for stormwater management or this crumb style on athletic fields, There was a study that was just done in 2020 with 6PPD was part of the composite of a tire that keeps them pliable, makes them safe on the road and was killing adult Coho salmon in downtown Portland.

So, this is a tap chemical that comes off on the road when it rains, goes into stormwater, and can kill adult fish. I don't know of any studies that have been done on the East Coast, what species will be affected here, or putting in a bioswale would mitigate that effect. But I urge the community and the committee to keep that in mind that it may not be as safe as we're being told.

Thank you.

SENATOR COHEN (12TH): Thank you for that testimony and if you do have any information related to that, I'd be interested in seeing that. So, if you can forward that to the Clerk of the Committee for dissemination, that would be terrific. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chair. Thank you for being here, Bill. You know, when we were talking about reuse, during our kind of leadership screening process, one of the things that we talked about was DOT. And I don't know if you do what I do. But as I drive around, I look around and behind the flexing guardrail, and every post, there's a huge chunk of rubber, I'll call it rubber. It's not wood. It's not metal. It's designed to be shock absorbing. And so, I think what the Chairs were wanting to get out of this was, could we find meaningful reuses for the spent rubber that wouldn't be a health risk?

I appreciate your comments about the swales. I had some question about that myself. But I'd like to have us consider the possibility that a BLT became more engaged in this conversation. We could find solutions for a lot of things, not the least of which is glass. But rubber may be a good shock absorbing solution. Too much of what goes on along the highway and better we turn our tires into that if we can. Then as you pointed out to us somewhere adjacent to waterways, but that was the intent. The

genesis of this wasn't a create another health risk. It was really to try and look at other solutions. Thank you.

WILLIAM LUCEY: Yeah, just to respond quickly there's already a huge issue with just regular runoff. So, if there's science that says you can use these as bioswales, and you can capture all that runoff from the highways, so we don't have all the salt pollution and all the rivers getting filled with road sand, I mean, there's straight pipes off every bridge that goes over from I-95 right into the waters. I mean, I'd love to see all the water redirected off those highways to avoid that. So hopefully there's some research the industry can provide that, that shows that that's a viable alternative.

SENATOR COHEN (12TH): Thank you. Thank you, Senator for your question, and thank you Bill for your testimony I don't see any other questions, right now, oh wait. Senator, did you have a question, or you just waving now. You did get a shout out while you were talking from Mr. Lucey.

REP. GRESKO (121ST): Everyone's happy I wasn't talking on here.

SENATOR COHEN (12TH): Thank you, again, for your testimony and we're going to move on to Nathan Frohling followed by Sylvain De Guise, followed by Anne Hulick. Welcome.

NATHAN FROHLING: Hi, thank you for letting me testify here today. So, it is my pleasure to speak to you late in the day and I thank you, Senator Cohen, and Representative Borer, Senator Miner, Representative Harding and all the Members of the Environment Committee for this opportunity to testify in support of HJ 53 approval of the Blue Plan.

I'm Nathan Frohling, Director of External Affairs for the Nature Conservancy, and Blue Plan Advisory Committee Member. When I look out across the waters of Long Island Sound which I do just about every day, I see a wild unfragmented marine ecosystem larger than Rhode Island. This vast open space is an ecological underwater wonderland. And few people except for folks like Peter Roster have seen all that's down there.

But anyway, as a sailor, I also look across the same waters and see family memories, and realize how much it means to me to count on what I love about Long Island Sound. And if you're a fisherman or any other Sound user, I know you too, are depending on the Sound to be what you know and love. AND that's what the Blue Plan is all about. assuring the Sound's future will be shaped to protect what we love; the marine life we depend on, the livelihoods that feed us and the recreation that we cherish.

We got a wakeup call several years ago, I'm sure many of you remember when an industrial facility was proposed that would have dramatically changed the Sound just about overnight, we realized there was no coordinated way in place to manage how the Sound is developed, no way to ensure we would be able to sustain what we love. It helps us to see we need a Blue Plan.

The Blue Plan is all about the places that matter most to people, places that matter most in nature. This is the first time we've identified and map 29 significant human use areas and 14 significant marine life areas.

So, if you think about the thin fish, the shellfish, corals, seabirds, recreational fishing, boating, diving, maritime commerce, all that we think about with and rely on the Sound, it's all there in the Blue Plan, including a policy framework that helps assure, we sustain these places in the midst of new demands and change.

Proposed projects benefit as well because we provide greater clarity through the Blue Plan on how to be compatible. So, it's very simple. The Blue Plan is powerful new information and common-sense policies that guide that a decision making, not a new regulatory program, not a new permit. It is clear guidance and direction that must be considered in decisions for new uses. But it is not a mandate, nor does it interfere with existing coastal permitting, nor any existing use.

Blue Plan policies only apply to deep waters. The Blue Plan has engaged over 2000 participants been thoroughly transparent on time, and benefited by thousands of volunteer hours. It has no fiscal note, nor will it with the advent of electric cables and other new uses. The time is now for the Blue Plan. It is our path for ensuring the sound we love today will be there for us tomorrow.

Thank you. And I'm happy to answer any questions you may have.

SENATOR COHEN (12TH): Thank you, Nathan. I only wish that we could have been quite as timely and getting this Bill passed. But unfortunately, we had an abbreviated session last year and so it's before the committee again and just thank you for all of your good work on this. I know that you've been at it for years. So, I appreciate that. Any questions from the committee? I don't see any. So, thank you so much for your testimony.

NATHAN FROHLING: Thank you good to be here, thank you bye, bye.

SENATOR COHEN (12TH): Bye. Okay, next we have Sylvain De Guise. You correct me, please and then after you Sylvain, we have Anne Hulick followed by Kate Childs. Please proceed. Welcome.

SYLVAIN DE GUISE: Close enough. Thank you. Good afternoon and thank you for the opportunity to testify on HJ 53 the Blue Plan. My name is Sylvain De Guise. I'm a professor at UConn and Director for Connecticut Sea Grant. I've been closely involved with the development of the Blue Plan as a governor appointee on the Blue Plan Advisory Committee, as Chair of the Inventory and Science Subcommittee by statute and as a member of the Blue Plan development team.

You have my written testimony; I would just like to highlight three key points about the blue line.

First one is process, we've gone out of our way to have a process that is open, inclusive, and transparent. Through the development of the Blue Plan, we engage over 2000 stakeholders and experts at through roughly 200 meetings, webinars, calls. If people were expressing concern, we talked about it, we did not hide anything. It was all in the open and we addressed issues as they arose.

The second point I'd like to highlight is the science. The Blue Plan is based on SOUND science that has been thoroughly vetted. The Blue Plan team not only collected information, it was integrated and was put back in front of stakeholders and experts to make sure it was accurate, up to date and relevant. In other words, we made sure that the information that's included in the Blue Plan reflects the practical understanding of Long Island Sound by the diverse communities.

The third point I want to raise is the accessibility. We engage experts, stakeholders to distil a vast amount of information into maps to display special places to be recognized and protected. We --that includes a culturally significant areas in significant human use areas. So, both are important. We partnered with UConn CLEAR to display those maps into a user friendly and engaging point and click viewer, one of the type

that my mother can use to be able to make information easily and broadly available and usable. And this helps level the playing field and provide access to the same science-based information to those who would apply for a permit to engage citizens that wish to comment on an application and to the agencies that would review such permits. So completely open and accessible.

Overall, it's my opinion that the process leading to the development of the Blue Plan was highly engaging, inclusive, and transparent. And that the Blue Plan will be useful in achieving its goals of recognizing and protecting what we care about, both human users and the important ecosystems that depend upon and to reduce conflicts now and in the future by allowing the same science-based information to be available for more objective decision making. In fact, I would say that the Blue Plan information is already being used and that testifies to relevance and purpose of the Blue Plan.

And with that, I'd like to thank you for the opportunity to testify and I'd be happy to answer any question.

SENATOR COHEN (12TH): Thank you so much for your testimony. And I just want to, you know, repeat myself as I thank Mr. Frohling, I thank you for all your work on this. I know that it was not a small undertaking, and it's incredibly valuable information for the state and for the Sound certainly. So, thank you very much. I don't see any hands raised. So, I appreciate you being with us. Have a good night.

SYLVAIN DE GUISE: Thank you.

SENATOR COHEN (12TH): Okay, next up we have Anne Hulick from Clean Water Action, followed by Kate Childs, followed by Jason Patlis. Welcome, Anne.

ANNE HULICK: Thank you, Senator, can you hear me, okay? Okay. Thank you, Senator Cohen, Representative Borer, Ranking Members and Esteemed Members of the Environment Committee. My name is Anne Hulick. I'm the Connecticut Director of Clean Water Action.

I want to focus my comments tonight on Senate -- raised Senate Bill 837. And I want to thank you, as a committee for your leadership in raising this Bill. We strongly support it and recommend that the timeframes be moved up in line with DEEP's testimony earlier.

I want to focus on three main points. I know you've heard a lot about this Bill. I've been on line all day. I thank you for your attention late in the day. So, I want to focus on the three main points of the take back program, training and the [inaudible]. So, I want to first thank DEEP and their agency colleagues for the great work they've done on this issue. There's -- they really need acknowledgement of the work that they've done and I appreciate. I've been working with them for two years and I appreciate their leadership.

I want to go back to Senator Miner's point very early in the day on the take back program and I think he raised a really good point. It is really important that we don't encumber our local fire departments with taking back this foam and managing the foam, the toxic foam etc. I want to highlight that DEEP has already implemented a take back program and while it got slow during COVID I think that they are ready to ramp that up. And they are working very diligently to assure that they're addressing this in a safe and effective manner. And now that they have the bonding resources to do that, they're doing that expeditiously and effectively. And I think that that is extremely important to address Senator Miner's points, which of which we agree.

The second main point that I want to address is the training issue. And again, like others have testified, we completely support that any use of this toxic foam should be in training should be banned immediately, there are already safe alternatives. Any use of this toxic foam for training just is another source of contamination not only to firefighters and first responders, but to our environment that is unnecessary. So, I really want to support and highlight that we encourage DEEP and I know they're they agree to expedite a full ban on training and they're already working on this.

I want to spend the bulk of my time this evening to share with you why we support a full ban of this toxic AFFF by 2022.

SENATOR COHEN (12TH): And I know just want to I just want to alert you to the fact that you're just at your three-minute mark. So just if you can give us a quick synopsis, and I'm sure there'll be some questions, I see a hand up already.

ANNE HULICK: Thank you, Senator, I appreciate that. I just want to say that just today, DEEP announced that they've approved a fluorine free foam, which is they determined and many other things have determined is safe, effective at addressing petroleum-based fires. So that is huge news that just came out this morning. I want to say that other states have adopted laws to ban the use of toxic AFFF by 2022. Connecticut, should follow the same unless of course, it's still stalled at the federal government. And I want to say that airports and military bases around the world have adopted fluorine free foams, like what is recommended by our Connecticut, DEEP. So, there's no reason why we should delay, but it just impacts our environment, impacts our health, impacts first responders, and I urge the committee to support are ramping up the timelines of this Bill. Thank you.

SENATOR COHEN (12TH): Thank you so much. I will just ask, you mentioned the foam that just today. I mean, I don't know if you heard earlier, but I was asking a gentleman. I'm trying to think of the name of the organization. The firefighting foam. He had mentioned that there wasn't quite a replacement yet. That had been approved. And I pointed out that that seemed to be in conflict from what we were hearing from DESPP. Is what DESPP has pointed out as a replacement, the same as what we've heard today is the adequate replacement knowing very little about firefighting myself and all involved.

ANNE HULICK: Yes, so I can honestly, you know, with all due respect, I listened to his testimony. We do not agree. There are fluorine free foams that are safe, effective, and used around the world. And I am extraordinarily pleased by the fact that our state agency approved. They tested independently, and approved the use of one of the fluorine free foams that is used around the world and determined independently that this, this foam is safe and effective. So, with all due respect to Mr. Hubert from the Firefighting Foam Coalition, which is an industry-based coalition. We know that there are phones that are fluorine free used throughout the world. And I'm just so thrilled that our Governor and our agencies have acknowledged that and tested it independently. And have made that recommendation.

SENATOR COHEN (12TH): Thank you, Anne. And Representative Michel.

REP. MICHEL (146TH): Thank you, Madam Chair. Thank you, for your testimony and your extensive knowledge. We heard earlier mentions of the state suing manufacturers, 3M, and DuPont. What's your position on this? Or can you?

ANNE HULICK: Absolutely. And I think this was brought up by many of your colleagues on this committee. And we agree, we believe that the

manufacturers should be held accountable for this. And, honestly, we have been in touch with our Attorney General's office and we know that he and his team are right on board with this. Many other states, as you may know, have received extensive damages in terms of millions of dollars for accountability and cleanup and remediation of this issue. And I think it is just a matter of time where our state also moves in that direction.

We need to have, we need to show that there's evidence and harm, which, you know, before we bring a case, but I can assure you that I'm confident in our Attorney General for moving forward in that direction. And I applaud our state in doing that.

REP. MICHEL (146TH): Well, that's great. What about new versions of PFAS? Can you what's knowledge about this, you can share?

ANNE HULICK: Yeah, so this is often this is a typical industry argument that the newer versions, the shorter, they call them, shorter chains of PFAS, are safer, and, and no concern. And that is really misleading and false argument. We know that not all of these, you know, there's 9000, chemical variations of PFAS. And there's no way that our government can keep up with testing all of these. But the testing that has been done, not only in the US, but throughout the world has shown that these newer variations these quote unquote, shorter chains, which just means less than eight, fluorine carbon bonds are safer, and you can't, that is just not true.

We're seeing in the research that those shorter chains are exhibiting the same health and environmental properties of the longer chain, the more legacy PFAS chemicals. So, it's really important that we don't get caught up in that argument. And that we'd be in the entire class of these chemicals in products wherever we can.

And I think my colleagues earlier talked about the fact of really reducing unnecessary PFAS in products like packaging, like textiles, things like that, because we need to really make sure that we are not having these PFAS chemicals that not only impact our health, but impact our environment, impact wildlife impact fish, there's so many studies on the health and environmental impacts of these chemicals.

REP. MICHEL (146TH): Thank you very much for your time and reminding us that everything is interconnected. Thank you very much.

ANNE HULICK: Thank you, Representative.

REP. MICHEL (146TH): Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Representative. I don't see any other questions, right now, and so thank you so much for being with us tonight.

ANNE HULICK: Thank you, Senator, much appreciated.

SENATOR COHEN (12TH): Yes, you are. Well, okay, next we have Kate Childs, followed by Jason Patlis, followed by Madeline Childs. I know if Kate is with us. I don't believe so. So, Jason, it is you, it is your turn. Welcome.

JASON PATLIS: Thank you very much for having me. Good evening and it's an honor to be here. My name is Jason Patlis. I'm the President and CEO of the Maritime Aquarium at Norwalk, and the aquarium if in case you have not been there recently, we are open, I invite you all that I'd love to see you. We are one of the largest family attractions in the state. In a non-pandemic year, we get nearly 500,000 visitors. We're an education leader in the state with over 80,000 school kids and children participating in our programs. And we're a conservation leader in the state throughout the Sound, but particularly in western in the western Sound.

So, I am following a long line of witnesses who have testified on behalf of house joint resolution 53. And to adopt the Long Island Sound Blue Plan, I don't have the first-hand experience the Peter does, I don't have the eloquence that Nathan has, I won't go into the deep substance that Sylvain went into. But I do offer a slightly different perspective in support of the Blue Plan. And that is that my career has been in law. I'm trained as a lawyer. And I've specialized in Marine Law and Policy in Washington, DC locally and around the world. I've worked on marine spatial planning initiatives as far away as Indonesia. And I can tell you, it's not just on behalf of the Maritime Aquarium, but on myself personally, that we are enthusiasts -- as enthusiastically in support of the Blue Plan.

Our mission at the aquarium is to inspire people to appreciate and protect the Long Island Sound and its resources and its ecosystem. And I can tell you, there's nothing more than this that fulfills that mission. This does this for users, for stakeholders and for the public at large. And it's a great document.

First of all, it's very much needed. There are a lot of long-standing challenges that have undermined the health and the sustainability of Long Island Sound. There are new and emergency -- and emerging challenges like climate change that needs to be addressed. And typically, all of those challenges, all of those issues of the uses have been addressed structurally, you know, through very siloed methods of regulation and policy.

What marine spatial planning does is break down those silos and work across sectors and across disciplines. And that's very much what the Blue Plan does. And, and the Blue Plan for Connecticut is very much incorporating best practices in planning strategy. It's transparent and very participatory and how it works. It's based on Sound

science, and it builds in adaptive management. And those are the three key ingredients.

And passage of the resolution by the Assembly will send a message to all the stakeholders throughout the state that this is serious. This needs to be prioritized. And I think it will help catalyze the actions to implement it and to move it forward.

I will say we need our sister state across the south of New York to now catch up to where Connecticut is. And I hope that that is in the works in the near future.

I'll close only by referring to a question that Representative Palm had earlier in terms of what other states have done marine spatial planning. Rhode Island has, as Peter mentioned, Massachusetts has New York has not Connecticut will now be one of the leaders along the Mid-Atlantic and the New England area and marine spatial planning. The West Coast has really set the model in terms of Oregon and California and in Washington. And it's you know, it's nice to see the Atlantic catching up to where the West Coast is.

And with that, thank you. I'm happy to take any questions.

SENATOR COHEN (12TH): Thank you, Mr. Patlis for your testimony. And you made a good point about working in coordination with our neighbors. I know I've been in touch with Senator Kaminsky who is the Senate Chair of the Environment Committee there. And I think, you know, it'd be interesting to see if they've done any work in terms of this plan in terms of planning, you know, in this way. And if so, you know, what their timeline looks like going forward. It would be really great to dig into that a little bit more. We do share waters, we do share air, so we should be collaborating as much as possible with our neighbors to the north and south. So, thank you

for that comment. And I don't see any questions. So, thank you for being with us tonight.

JASON PATLIS: Thank you very much. Have a good evening.

SENATOR COHEN (12TH): Okay. Madeline Childs, followed by Lori Vitagliano, followed by Nancy Alderman. Madeline are you with us?

MADELINE CHILDS: Yes, Hello.

SENATOR COHEN (12TH): Hi, welcome. Thanks for being here.

MADELINE CHILDS: Good evening. My name is Maddy. Childs. I'm 13 years old and a seventh-grade student. I'm here to support SB number 837 AN ACT CONCERNING THE USE OF PFAS SUBSTANCES IN CLASS B FIREFIGHTING FOAM.

The main reason I know about PFAS is because my mom's tractor trailer rolled over and spilled gasoline. This was not a catastrophic fire. It was a slow spill from the trailer. Firefighters use one can of PFAS on the spill and the remaining firefighter foam used during this emergency was flying free.

The firefighter -- PFAS cannot legally be made in the USA, but firefighters can still use it which doesn't make sense. It is extremely harmful to living things and if humans ingest it, it can cause liver disease and cancer. Also, when PFAS gets in the ground, all the dirt that it touches has to be dug up and removed. I saw this firsthand with my mom's company. When the dirty dirt was removed from the site of the accident. The dirt with only gasoline in it was able to be cleaned and reused. Whereas, the dirt with PFAS in it was shipped over to Canada, Canada because there are no facilities in the USA that would accept PFAS contaminated dirt. Even in Canada, the PFAS is still in our ecosystem.

The original spill of gasoline was an accident. The spraying of PFAS was intentional. PFAS is worse for the environment than the gasoline that spilled. And it is imperative that our government takes the necessary steps to prevent this intentional contamination in the future. [inaudible] you should include always we use it in firefighter training and other non-catastrophic emergencies.

Part of the solution needs to provide these first responders with the proper disposal of the inventory currently in our state. So, they do not unnecessarily spray it again.

Thank you for your time.

SENATOR COHEN (12TH): Well, Maddie, I just want to thank you for being in front of the committee today. It brings so much joy to my heart to see our young people taking part in the legislative process and taking such an interest in our environment. So, I commend you, you certainly, I have a lot to learn from you. I learned something in your testimony about it being shipped up to Canada and I'm grateful for that. And I see Representative for my Co-Chair has a comment or a question.

REP. BORER (115TH): Sure, not a question. I just want to echo the Senator's comments, Maddie, about doing such a wonderful job and having such a strong passion at a young age. Your speech was really well written and really well spoken and it's a very important issue. So, thank you for bringing it to our attention.

MADELINE CHILDS: Thank you so much.

SENATOR COHEN (12TH): All right, any other questions comments. Seeing none, I want to thank you again, Maddie. Keep it up. Okay, moving on. We have Lori Vitagliano, followed by Nancy Alderman. Welcome, Lori. Good to see you.

LORI VITAGLIANO: Good to see you also, Senator Cohen, Representative Borer. Good evening, Senator Miner, Representative Harding, and Members of the Environment Committee. As Senator Cohen mentioned, I'm Lori Vitagliano and I'm with the South-Central Connecticut Regional Water Authority and we appreciate the opportunity to provide comments in support of House Bill 6386 AN ACT CONCERNING EXTENDED PRODUCER RESPONSIBILITY FOR TIRES, SMOKE DETECTORS AND CERTAIN GAS CYLINDERS.

The Regional Water Authority provides 42 and a half million gallons of water per day to some 430,000 consumers in 15 communities in our region. The source of this water comes from more than 27,000 acres of land that's managed for watershed protection, timber resource conservation, wildlife habitat and open space. The RWA owns and operates has waste central Connecticut's first permanent household hazardous waste collection center, serving 17 municipalities in our area since 1989.

For over 30 years each year, from May until the end of October, the RWA as an environmental services company has supported has waste central as a solution to protect the region's Environment and Public water supplies by providing this important service.

We've heard many speakers today and I just need to underscore again, Connecticut has successful extended producer responsibility stewardship programs for electronics, mattresses and paint and these programs have proven to provide safe convenient ways to help folks, municipalities, the general public recycle these items and recover and cover the recycling fees, which helps the residents and the municipalities.

So, smoke detectors the first section, we strongly support an extended producer responsibility program for smoke detectors. Has Way Central does not take this item. This Bill would change that.

We receive inquiries all the time. So last season, we saw over 7000 households deliver their chemicals and folks, they want to do the right thing with as much as much as they can. And smoke detectors are a common item. We've heard statistics earlier today about the number of smoke detectors getting turned over. When a resident call us, it's really hard to tell them to call the manufacturer and mail it back to them for recycling. That's not happening. So that barrier really, really needs to be addressed. And we need to figure out how to properly recycle and the smoke detectors rather than unfortunately, they're probably going in the regular trash and ending up in the waste stream. So, Connecticut residents need a safe way to properly dispose of those items.

Next section, Section 2, on gas cylinders. We strongly support an EPA program for certain gas cylinders, pressurized containers, there's been so many so much conversation today. But again, establishing a stewardship program for this item would really help the member communities, the residents, and the environment. By providing the safe, convenient, and accessible disposal options. We cannot take the butane acetylene helium, helium is a big item we hear a lot about as well, because you know, folks are just I'm utilizing them very commonly, and, and oxygen containers and we get calls on these items all the time. And it's really hard to tell them sorry, can't help you. So, this would help that.

During our operating season, we do have a mechanism to take the one-pound cylinders, but again, it's seasonal. And now that we're closed, and the folks that don't have access to regular hazardous waste programing, they're left with no options. And again, as I said earlier, folks really want to do the right thing they're not sure how to, and this would provide that year-round recycling program.

And then, of course, help the municipality save money on the disposal fees for these items.

I heard from member communities about problems with them as well. In our 17 community, some of the folks are finding them in areas where folks are just setting up camp and leaving all this stuff behind. And it's a problem. So, protecting public safety in the environment. We heard about explosions at treatment plants, or I'm sorry, at certain plants, the garbage plants, and it's a problem.

SENATOR COHEN (12TH): Lori, I'm sorry to cut you off, but your three minutes is up.

LORI VITAGLIANO: Sorry. And of course, we support on creating an EPR program for unwanted tires as well. Often, they're illegally dumped on the side of the road and open spaces. And the solutions provided today and EPR programing would really help with the environmental solutions of this for this problem, as well as helping the municipalities.

Thank you.

SENATOR COHEN (12TH): Thanks, Lori and grateful to the RWA for speaking out on these matters. Any questions, comments from the committee? Yes. Representative Gucker.

REP. GUCKER (138TH): Thank you, just real quick. I find, I found it interesting to hear helium. Is there a way that we -- How often do you get helium? And is there a way that we can recycle that knowing that it's a finite gas, or we cannot produce any more of it.

LORI VITAGLIANO: So, the reference to helium tanks would be the empty tanks and residents utilize those tanks, I believe they're buying them in party stores and filling up balloons. And when they're done with them, they really don't know how to properly dispose of them. So, including that and trying to figure

out how to help the residents get rid of those would be a good thing.

REP. GUCKER (138TH): Well, well, thank you for that. It's one thing we haven't heard. And I think it's maybe something we should look into, especially those -- Look, I understand what you're talking about. So, it's red cans that look like a, you know, a propane tank, but it's not. It's for the parties. But as I think it would be interesting to see if we can maybe talk to some gas manufacturers about recycling that to at very least, recover the gas is like I said, since it is a finite gas. And once it's gone, it's gone. Thank you. Thank you, Madam Chair.

SENATOR COHEN (12TH): Thank you, Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chair. I guess I would ask this question. I've tried to listen as closely as I can all day. And I don't think there's been anybody that has testified on behalf of what I would call a small tank contingent. And I guess what I'd be curious to know from Lori is, whether in fact, she heard anybody testify today from that group. And it seems like the refillable groups have been well represented. So, I think we've got a good sense of where they are in this process. But it doesn't seem like we've heard from anybody in the one-pound canister group, the Coleman canister group, that that sort of thing. I wonder how we develop a program? Or maybe that's maybe that's the beauty of passing legislation that says, you folks will get together and help us develop a program, that you don't really see them until they're forced to be seen. Otherwise, the program -- I guess I'm unclear as to how it would work. If we don't get them to the table. Should that be a concern of ours?

LORI VITAGLIANO: Those are great points. And I don't recall hearing them today. I do recall having different associations on the call. And actually,

there might have been an association representative who did say she might have an -- not this call, this public hearing today, but on previous product stewardship, Connecticut product stewardship phone calls. So perhaps they didn't feel inclined to testify today. However, coming to the table to try to work with us and the Stewardship Institute and the stakeholders, we should put our best efforts forward to do that, because it is a problem. We are collecting them as a hazardous waste. And the best way we can solve the bigger picture and helping municipalities would be through the EPR program.

SENATOR MINER (30TH): Thank you. I don't necessarily disagree with you. I just wanted to be sure I hadn't missed something. And I think you've confirmed that I did not. So, we've got some work to do here. Still, I think. Thank you.

LORI VITAGLIANO: Thank you, Senator.

SENATOR COHEN (12TH): Thank you, Lori. I don't see any other questions. So thanks again, for your testimony. Appreciate you being here.

LORI VITAGLIANO: Thank you again, have a good evening everybody.

SENATOR COHEN (12TH): You too. And last, but certainly not least, is Nancy Alderman. Welcome, Nancy. I think you're on mute, Nancy, can you unmute yourself?

NANCY ALDERMAN: There we go, can you hear me?

SENATOR COHEN (12TH): Yes, thank you. Welcome.

NANCY ALDERMAN: Okay. All right. Thank you. I am your last speaker. I'm on an iPad, which I don't usually use. And there's just a little tiny picture of me on the bottom. I don't know what you see. But that's what I see.

So, let me talk about Bill 3686, which is the Bill about extended product responsibility. And it is only the Section 3 that we wish to address.

First of all, I'm, President of Environment And Human Health and that is a group of 10 physicians and public health professionals. And our only mission is to protect the public from environmental harms.

So, I need to talk about tires. I heard a lot today. The tire industry said they were perfectly safe. I've heard some people say we need to have a Commission or a group to talk about we know a lot about tires. Our group has been working on synthetic turf fields and crumb rubber and tires for over 20 years. We have done studies at Yale University; we know exactly what's in those tires. There are 20 carcinogens, excuse me, there are 12 carcinogens and 20 irritants.

What happened about 20 years ago, was the federal government was very concerned about all our tires, as we all are. And they got state groups together, including Connecticut, and they decided what they would do was to shred them up and put them in both synthetic turf fields and in playgrounds. We have been dealing with that now, since 2007. We pretty much have gotten them out of the playgrounds, they are not out of our synthetic turf fields. So, when people say we don't know what's in them, or they're perfectly safe, that is absolutely not true. And we are not the only place that has done studies on what's in tires.

We know what's in tires and the tire industry knows what's in tires. They've been making tires since our first cars, they go on cars. So, the question really is, what are we going to do? We are not unsympathetic to the fact that tires pile up, it is a serious problem. But in this Bill, there are no restrictions whatsoever about public health. And this is what happened before. And this is why we

got into the serious trouble that we got into even though we're having a lot of trouble getting out of it.

Connecticut is a very smart state. I've always said that I love working in Connecticut. With our work and believe me, it's taken a lot of work, we have gotten this material out of our children's playgrounds. But we certainly have not gotten it out of our synthetic turf fields. So, we don't want this to happen again.

So, what we are asking for is restrictions on this section that says fine, find ways to recycle tires. But please do not affect the public's health. Make sure, unfortunately, for all of us tires have a lot of toxins. And when they're on cars, we're fine. But we're not fine when we shred them up. So, this is a very complicated issue. And it's not one I am not and we are not sympathetic to. How you're going to solve it. I do not know. But it needs restrictions so that we do not ever get into this situation ever again.

SENATOR COHEN (12TH): you so much for your testimony. You're at your three minutes. Did you have anything else for us tonight that you wanted to wrap up with? Or is that it?

NANCY ALDERMAN: Let me just think whether there was anything else?

SENATOR COHEN (12TH): I only wanted to know if you needed to wrap up?

NANCY ALDERMAN: No.

SENATOR COHEN (12TH): I really appreciate that testimony. Certainly, we wouldn't want to create one environmental hazard, you know, for the sake of another.

NANCY ALDERMAN: Thank you.

SENATOR COHEN (12TH): Does anybody have any questions for Ms. Alderman? I don't see any.

NANCY ALDERMAN: You all just want to go home and I don't.

SENATOR COHEN (12TH): I really appreciate your testimony. And I thank you for being with us tonight. And I want to thank the committee for also hanging in there and all of the folks that joined us today to testify on these Bills that we have before us. So, thank you all, important work. And it'll be you know, good to get to work on this further and craft some more and tweak as needed. So, appreciate all of you tonight. And I hope you all have a good night. I also want to just ask Representative Borer or Ranking Members if they have a couple of words to wrap up with,

REP. BORER (115TH): No, I think we said it all thanks to everybody who contributed to the conversation. It was very informative. It's great to hear the different perspectives makes us better legislators for all of you. And thank you to all the Members for hanging in there.

SENATOR COHEN (12TH): Thank you. Anything from your side, Senator Miner?

SENATOR MINER (30TH): We just take all of those comments and say that, you know, having had some trepidation about our first public hearing, you know, I think this was about as orderly as our in person public hearing. So, I think you did a great job.

SENATOR COHEN (12TH): Yes, thank you, well done and have a good night. Meeting adjourned.