

## Environment Committee

# JOINT FAVORABLE REPORT

**Bill No.:** HB-5139

AN ACT CONCERNING EXTENDED PRODUCER RESPONSIBILITY FOR

**Title:** TIRES.

**Vote Date:** 3/4/2022

**Vote Action:** Joint Favorable Substitute

**PH Date:** 2/25/2022

**File No.:** 57

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### SPONSORS OF BILL:

Rep. David Michel, 146<sup>th</sup> Dist.

Rep. Joseph P. Gresko, 121<sup>st</sup> Dist.

Rep. Maria P. Horn, 64<sup>th</sup> Dist.

Rep. Michael A. Winkler 56<sup>th</sup> Dist.

Rep. Geraldo C. Reyes, 75<sup>th</sup> Dist.

Rep. John-Michael Parker, 101<sup>st</sup> Dist.

### REASONS FOR BILL:

To help alleviate the more than 3.4 million tires that become scrap each year with an Extended Stewardship Program.

### Substitute Language - LCO 2694

Made some minor technical changes.

### RESPONSE FROM ADMINISTRATION/AGENCY:

#### **Katie Dykes, Commissioner, Department of Energy & Environmental Protection**

We support this bill as an effective way to create jobs while eliminating the illegal dumping of tires. Under this bill the tire industry would assume responsibility under an extended producer program. EPR programs are an important strategy for managing waste. Product stewardships are an effective tool to help meet the states goals of diversion. DEEP is willing to work with municipalities and industries to develop a plan for the implementation of this program with a limited government role.

## **NATURE AND SOURCES OF SUPPORT:**

### **Mike Bisi, Sanitation Superintendent, Glastonbury**

Glastonbury disposes roughly 1500 tires per year at a cost of nearly \$5,000. This bill would provide a direct savings to municipalities and taxpayers. The financial responsibility would shift to the manufacturers.

### **John Carrington, Director of Public Works, Town of Mansfield**

There is a tire dump site along the Willimantic River in the southern end of Mansfield. With the cooperation of CT DEEP we are in the process of clean up on the site. EPR in Canada has had a positive impact on tire recycling. Health studies show that tires contribute to microplastics in our water systems.

### **Alicea Charamut, Executive Director, Rivers Alliance**

River cleanup volunteers pull hundreds of illegally dumped tires from rivers and riverbeds every year. Government and industry needs to create a safe and innovative way to reuse tires in paving, construction and others. We have witnessed other stewardship programs that have reduced municipal cost.

### **Donna Hamzy Carroccia, Advocacy Manager, CCM**

More than 3.4 million tires become strap each year in Connecticut. Many are illegally dumped and polluting the environment, producing blight and forcing municipalities to shoulder the cost of collection and disposing. This stewardship properly designed would put the responsibility on tire producers and remove the financial and administrative burden from local governments and the state.

### **Laura Francis President, COST**

Municipalities are facing increases in recycling costs because of China's decision to no longer accept recyclable materials from the United States. COST supports establishing additional stewardships as they have been proven to reduce municipal costs and the proper disposal of products. We remain committed to working with DEEP and lawmakers to support innovative solutions to protect the environment.

### **Matthew Knickerbocker, First Selectman, Town of Bethel**

Connecticut is facing challenges in addressing solid waste management. Ninety municipalities have signed on to the Connecticut Coalition for Sustainable Materials Management because of the impending closing of MIRA and China's decisions. Municipalities are working hard to meet the goals of the Comprehensive Materials Management Strategy (CMMS). Stewardship programs provide tremendous benefits for taxpayers and the environment.

### **Lori Vitagliano, Public Relations Specialist, Regional Water Authority**

This bill increases disposal options for tires and will reduce environmentally hazardous, illegal dumping. Creating an Extended Producer Responsibility (EPR) program will help municipalities pay for illegally dumped tires. Connecticut has other existing very successful EPR programs that provide state residents with safer ways to properly recycle.

**Kim O'Rourke, Recycling Coordinator, Middletown**

An EPR program would give the city a place to bring tires and reduce illegal dumping and encourage more sustainable ways to manage unwanted tires. Canadian studies showed that EPR programs virtually eliminated the illegal dumping problem. For this to work it must be a mandatory program because voluntary programs have not worked. Municipalities and taxpayers should not be expected to absorb the full cost of managing these waste materials. Producers should play a role in managing the end product of what they produce.

**Brady Francis, Founder, BYO Madison**

I discovered at a beach due east of Hammonasset Point hundreds of shredded rubber pieces that wash up on the shore daily. This could happen anywhere if we do not address the problem. Some U.S. tire companies have pursued voluntary tire initiatives but these efforts are few and don't work. The chemicals in tires poses a toxic threat to coastal industries as well as fishing.

**Jennifer Heaton-Jones, Executive Director, HRRRA**

HRRRA supports the bill but with modifications. Passing the EPR program would share the burden of tire disposal with manufacturers and municipalities. There are some companies who have addressed this problem thru innovative collection and a processing system but we need all tire companies to address the problem without cost to the consumer.

**Patrick Comins, Susan Eastwood, Rick Dunne, Rodrigo Pinto, Karen Schnitzer, and Kristi Vitelli, Kelsey Wentling.**

Submitted testimony in support of the bill

**NATURE AND SOURCES OF OPPOSITION:**

**David Greenstein, Vice President, Lakin Tire**

Lakin tire has been recycling discarded tires for the state since 1978. Creating an EPR system will not stop the illegal dumping. We are here to work with the committee to find a solution to illegal dumping. We have worked with DEEP to install a tire mulch line and we propose installing equipment to turn scrap tires into rubber mulch.

**Patricia Taylor and Nancy Alderman, Environment and Human Health**

Environment and Human Health has two objections to the bill.

1. The plan to developed and implemented a tire stewardship with only the tire industry represented. The stewardship council should include environmental and health scientists along with community advocates and residents from environmental justice communities
2. No state regulations concerning recycled tires and their harmful exposure to human health. Recycled tires shall not be used in places where human health can be compromised.

**John Sherrin, Director, End of Life Tire Program**

The EPR program will not address Connecticut's scrap tire management. USTMA works with governments, industries and others to divert scrap tires from landfills. We support laws and regulations and provide leadership to compile and share information in support markets for scrap tire. Existing scrap tire management systems have been highly successful and the number of tires in stockpiles have been decreased by over 94 percent from 1 billion in 1990 to about 56 million today. We support and encourage rubber modified asphalt, purchasing preferences and other uses for scrap tires.

**Sean Moore, U.S. Tire Manufacturers Association**

As a national trade association for tire manufacturers we oppose Extended Produce Systems for managing scrap tires. USTMA has supported legislation to create a scrap tire hauler license program. Better regulating scrap tire haulers and enforcing the state's illegal dumping laws would address the challenges presented by illegal scrap tire dumping.

**Roy Littlefield, Director of Government Affairs, Tire Industry Association.**

This bill does not address issues with illegal dumping and the enforcement. Tire recycling is a success story especially in Connecticut. Changing the existing system will hinder advances that have already been made. Scrap tires are one of the most recycled consumer products in the U.S.

**Ann Gadwah, Outreach Coordinator, Sierra Club**

This bill stipulates that the organization will be nonprofit and created by tire producers and trade associations that represent producers of tires. There is no mention of environmental organizations. There is also no mention of a requirement to protect human health.

**Timothy Phelan, President, Connecticut Retail Merchants Association**

While the environmental goals are laudable the issue of product stewardship is not a one-size-fits-all. Each product has distinct and unique circumstances. This legislature would place an undue burden on retailers. Establishing a council would require retailers to collect fees, create physical space and become the administrator of a program that will see prices increase. The funding for this program will fall directly on Connecticut consumers in the form of a new fee. Any new fees will potentially drive away Connecticut retailers.

**Reported by: Pamela Bianca**

**Date: [Type Date]**