

# Environment Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-290  
AN ACT CONCERNING MINOR REVISIONS TO ENVIRONMENT RELATED  
**Title:** STATUTES.  
**Vote Date:** 3/15/2024  
**Vote Action:** Joint Favorable Substitute  
**PH Date:** 3/8/2024  
**File No.:**

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## **SPONSORS OF BILL:**

Environment Committee  
Sen. Jan Hochadel, 13th Dist.  
Rep. Geraldo C. Reyes, 75th Dist.  
Sen. Julie Kushner, 24th Dist.  
Rep. Brandon Chafee, 33rd Dist.

## **REASONS FOR BILL:**

The bill seeks to make technical language changes to two sections. Current CT law requires refundable containers to be embossed with both the refund value or a statement that the container qualifies for a refund value, as well as CT or Connecticut. The introduction of the option to write CTRV, as provided for in section 1 of the bill, in lieu of these two previous requirements allows for equipment to be used after any changes to the actual refund value are made.

Section 2 is a clarifying change to make the original statute clearer when discussing the phrase "Internationally introduced"

Section 3 clarifies certain systems and areas DEEP has purview over, as the original language did not list all of them, as well as setting language out for threshold expenditures.

## **SUBSTITUTE LANGUAGE:**

The substitute language removed section 1 of the original bill concerning the embossment of CTRV on containers, as well as adding a section removing the requirement for a report on the number of sold beverage containers in the prior 6 months to be filed by wholesalers to the Department of Consumer Protection's Liquor Control Division from current statute.

**RESPONSE FROM ADMINISTRATION/AGENCY:**

**Katie S. Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection**

DEEP appreciates the Committee raising sections 2 and 3 of this bill on behalf of the agency.

Section 2 amends the definition of "intentionally included", make consistent the use of the phrase "regulated metal or PFAS." DEEP states this change reflects the original intent of the General Assembly in adopting PA 21-191, and removes any uncertainty caused by potentially conflicting language regarding use of PFAS as a "processing agent or intermediate."

Section 3 makes technical changes because DEEP is responsible for properly maintaining over 950 building, 117 boat launches, over 150 bridges, 145 drinking water systems, hundreds of miles of paved and unpaved roads, hundreds of miles of recreational trails and hundreds of road culverts. DEEP's requested changes were coordinated with and approved by the Chief Architect and Director of Operational and Process Planning in the Real Estate and Construction Services division at the Department of Administrative Services.

**NATURE AND SOURCES OF SUPPORT:**

**Bree Dietly, Representing the American Beverage Association**

The labeling option permitted by DEEP's order and codified here would allow for printing "CTRV" on containers in lieu of CT and the refund value. Using letters for the refund value meant that the wide range of noncarbonated beverages added to the list in 2013 did not have to relabel a second time when the deposit increased. A value-less RV indicia has been used in California since the start of their deposit program in 1986 and they are advocacy for similar language in other state laws as well. It is important to note that the printing on the container has no bearing on what deposit is charged at the time of purchase or the refund paid at the point of redemption. Deposit values are stored in retailers' checkout systems: deposit items pay the deposit in effect – now \$0.10. And at redemption centers and retailers, consumers receive the \$0.10 refund now in effect, regardless of what is printed on the can or bottle.

**Wayne Pesce, President, Connecticut Food Association**

To fully, comprehend the impact of CTRV labels on redemption returns, it's important to evaluate the programs efficacy over time and, in the context of the other significant changes recently made to the state's bottle law. Connecticut consumers have not been negatively impacted by the CTRV labels. Most beverage companies have already converted their products to communicate CTRV. Therefore, the Committee should consider formalizing the use of CTRV for deposit labels to mitigate additional costs to beverage manufacturing supply chain.

**The following individual and groups submitted testimony submitted in support of what SB-290 accomplishes, whilst also suggesting changes to section 191:**

1. Addresses proper beverage container labeling for redemption centers.
2. Addresses regulated metals and PFAS as "intentionally introduced" materials.
3. Increases funding for construction, maintenance, and repair projects on lands under DEEP's custody.

They also request added language that repeals section 191 of PA 23-205. That section created a process in certain distressed municipalities with a population of less than 10,000 by which permitting decisions of DEEP, and the Siting Council may petition for a town referendum to approve a polluting permit even if that permit has already been denied by DEEP. They believe the new EJ Law should be enforced consistently across the state regardless of the population of the municipalities under the law:

**Kristin Barendreg-Ludwig; Katherine Allsion; Kevin Banach; Jamie Coss; Donald Danila; Joanna deBear, Vice President, Cheshire Pollinator Pathway; Aziz Dehkan, Executive Director, CT Roundtable on Climate & Jobs; Douglas Feldman; Marc Gonzalez, Program Assistant, Conservation Law Foundation; Diane Hoffman; Emma Kaye; Kelly Kennedy; Adelheid Koepfer; Donna Laviolette; Leslie Lee; Ian McDonald; Kimberly Reindl; Alex Rodriguez, Environmental Justice, Save the Sound; Reginald Saint Fortcolin; Robb Sauerhoff; Irene Skryballo; Anthony Stagnitta; Analys Torres, Environmental Policy Intern, Save the Sound; Melinda Tuhus; Dr. Nan Zyla-Wisensale; Alison Barr Zyla**

#### **NATURE AND SOURCES OF OPPOSITION:**

##### **Julianna Larue, Climate Policy and Outreach Coordinator, Connecticut League of Conservation Voters**

The League of Conservation Voters would like the Committee to:

1. Add language to SB-290 that will repeal Section 191 of Public Act 23-205.
2. Reject the proposed language that would codify the confusing deposit refund value label on beverage containers.

##### **Tina Bergers, President of Container Collection Services for Environmental Products Corporation**

The testifier believes the problem with "CTRV" as a permanent marking is that it causes customer confusion; it is unclear what "CTRV" means, and the redemption value isn't always listed. The testifier believes the provision will hurt consumers who paid the deposit but are unaware about the \$0.10 deposit value and are unmotivated to redeem them.

##### **Ann Gadwah, Advocacy and Outreach Organizer, Sierra Club Connecticut**

The Sierra Club opposes section 1 of this bill to allow for redemption to be stamped with "CTRV" because they believe it is confusing to the consumer and could potentially lessen the amount of people that participate in the redemption process. They also request that the bill be amended to add language that repeals section 191 of PA23-205.

##### **Mike Noel, Director of Public Affairs for TOMRA, Shelton, CT**

TOMRA believes "CTRV" labels create consumer confusion and inhibit recycling rates. They recommend the Committee ensure each container is properly labeled with "CT" and \$0.10 so it is clear to consumers what is eligible for a refund. Alternatively, they recommend against codifying "CTRV" and return the labeling requirements to current statute.

**Reported by: Judy Ganswindt**

**Date: March 26<sup>th</sup>, 2024**