

Connecticut Department of Energy and Environmental Protection











Recycling Law Enforcement Update

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Waste Engineering and Enforcement Division
Solid Waste Advisory Committee

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Connecticut Department of Energy and Environmental Protection

Purpose of Presentation

- Recycling Law reminder
- Overview of common complaints received by DEEP
- WEED's Enforcement Response



The Law

Connecticut General Statues § 22a-241b Regulation – Separation – Prohibition

§ 22a-241b(2)(c) Each person who generates solid waste from residential property shall separate recyclables from solid waste.

§ 22a-241b(2)(d) Multi-family dwellings/property managers shall make provisions for the separation and collection of recyclables and solid waste.

§ 22a-241b(2)(e) No person shall combine previously segregated recyclables with other solid waste, *including haulers*.

Public Act 14-94 reaffirms diversion rate of 60% by 2024, enforcement is a key strategy.



Provide for Separation of Designated Recyclable Items CGS § 22a-241b

Any entity (residential or nonresidential) generating designated recyclable items must separate or cause the separation of those items from other solid waste by using one or more separate collection containers for those items. (i.e. cannot collect designated recyclable items and trash in the same container)







No Mixing Allowed

- CGS § 22a-241b(e): No one shall combine previously segregated designated recyclable items with trash.
- CGS § 22a-220a(f): Any collector who knowingly mixes other solid waste with items designated for recycling shall be liable for a civil penalty of up to \$2,500 for each violation and up to \$10,000 for a subsequent violation.
- <u>CGS § 22a-241I</u>: Haulers and generators must contract and document separate collection of recyclables. (See DEEP website for sample contract form).



APPLICABILITY

- Residential Properties
- Multi-family Dwellings
- Property Managers
- Commercial Businesses

Collectors (Haulers)





Enforcement Actions Example

Enforcement actions will be issued pursuant to Enforcement Response Policy ("ERP").:

- Notice of Non-Compliance
- Notice of Violation
- Formal actions and assessment of penalties



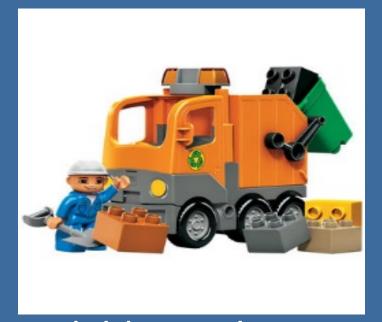
- Development of Compliance History for violators
 - Prioritization of recycling law enforcement is a strategy to support 60% diversion goal.



Example of Common Complaint

VIOLATOR:

Collector/Hauler



VIOLATION:

 Mixing source separated recyclables with MSW at curbside.



Response

ENFORCEMENT:

NON issued for violation of CGS § 22a-220a(f).

CORRECTIVE ACTION:

- Company provided employee training on recycling laws and company business model.
- Employee review of DEEP's website information.



Example of Common Complaint

VIOLATOR:

Property Management Company

VIOLATION:

- Failure to provide adequate recycling containers for tenants in multi-family dwelling. Totes were too small so tenants used MSW containers.
- Failure to make provision for the separation of recyclables from other solid waste.



Response

ENFORCEMENT:

NOV issued for non-compliance with CGS § 22a-241b

CORRECTIVE ACTION:

- Detailed recycling signs were posted and a notice was sent to all tenants as a reminder to recycle.
- Replaced recycling totes with a 6 cy container to be removed by hauler three times per week.



Example of Future Enforcement

SCENARIO:

- Commercial Business contracts for collection of trash, but not designated recyclables.
- Collector's contract for providing trash collection services does not provide for collection of recyclables, nor does it identify a contract with another entity that is providing for collection of designated recyclables.



Example of Future Enforcement

VIOLATIONS:

- Commercial Business is cited for violation of CGS § 22a-241b
- Commercial Business and Collector are <u>both</u> cited for violation of CGS § 22a-241/
- Receiving facility may also be cited for violation of permit conditions and of CGS § 22a-220c(b) if excessive designated recyclables received are not logged and addressed with hauler

INTENT OF ENFORCEMENT:

- To get Commercial Business into compliance
- Collectors have a specific role to play in ensuring that their trash customers are complying with statewide recycling requirements.



Recycling Enforcement Moving Forward

- Targeted sector approach for inspections in conjunction with ongoing response to complaints and routine inspections
- Increased scrutiny of collection contracts for both trash and designated recyclables
- Escalated enforcement actions for repeat violators including generators, haulers and receiving facilities



Recycling Law Reminder

- No mixing of recyclables with solid waste.
- Recycling containers are mandatory wherever trash containers are available.







DEEP Website

Search Words:

- Recycling Laws (annotated list)
- Reduce Reuse (recycling main page)
- DEEP Hauler (recycling resources)
- SWAC (solid waste advisory committee agendas)
- Solid Waste Management Plan

http://www.ct.gov/deep/recycle





Questions?



COMPASS LINE: (888) 424-4193

Recycling
Solid Waste
Hazardous Waste
Other information- filing a complaint

