



H·R·R·A
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HOUSATONIC RESOURCES RECOVERY AUTHORITY
SPECIAL WORKSHOP MEETING MINUTES

Monday, April 4, 2016, 1:30 p.m.
Room 133 Brookfield Town Hall
100 Pocono Rd, Brookfield, CT 06804

Members or Alternates Present

Bethel, Matthew Knickerbocker	8
Bridgewater, Alan Brown	1
Brookfield, Steve Dunn	7
Danbury, Mark Boughton	36
Kent, Bruce Adams	1
New Fairfield, Mike Gill	6
New Milford, David Gronbach	12
Newtown, Herb Rosenthal	12
Redding, Jeff Hanson	4
Ridgefield, Rudy Marconi	11
Sherman, Clay Cope	2
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Others Present:

Sheldon Conn, Brookfield Alternate
Susan Chapman, New Fairfield First Selectman
Joel Urice, Danbury Alternate
Fred Hurley, Newtown Alternate
Pat Llodra, Newtown First Selectman
Suzanne Von Holt, New Milford Alternate
Mike Flanagan, Bethel Transfer Station Operator
Arlene Miles, Newtown Public Works
Ed Spinella, All American Waste
Ryan Bingham, Winters Bros.
Lee Sawyer, CT DEEP
Jen Iannucci, HRRRA Director
Robert Metzler, HRRRA Legal Counsel
Cheryl Reedy, HRRRA Assistant Director

Members Not Present

None

Call to Order: The workshop was called to order by Chairman Gill at 1:30 p.m. with a quorum of 92 votes present from ten municipalities. M. Knickerbocker from Bethel with 8 votes entered the meeting at 1:35 p.m. **No votes were taken during the workshop.**

Purpose of Meeting: Chairman Gill welcomed all those in attendance and explained that the workshop was the second in a series of workshops to be held in 2016 to investigate future options for solid waste services in the HRRRA region when the current MSW disposal and recycling processing contracts terminate in June of 2019. The purpose of this particular workshop was to review current and proposed State requirements for municipalities with regard to municipal solid waste and materials management.

Member Feedback and Comments From February Workshop: J. Iannucci passed out a copy of an e-mail from her contacts at EPA, which was requested by members at the last meeting,

explaining the issues involved in potential future municipal liability with regard to MSW disposed in a landfill, even one that is certified by EPA. The EPA official agreed with the Director's statement that, "The bottom line of the policy is that if EPA determines cause for clean-up from a leading landfill and records indicate the source of the material came from X Municipality, the municipality will be liable for a percentage of the cost of the clean-up, even if it is a certified EPA or State Regulated landfill." The EPA source, however, goes on to say that the "situations where EPA has pursued a municipality for potential liability under CERCLA based solely on disposal of MSW have been rare." (Copy of the EPA e-mail is attached to these minutes.)

Presentation of the Draft Comprehensive Materials Management Strategy (CMMS): Lee Sawyer, Project Manager in the Bureau of Materials Management and Compliance Assurance at the CT DEEP, gave a PowerPoint presentation on the draft CMMS (which will replace the current state Solid Waste Management Plan), required by Public Act 14-94, a copy of which can be obtained by contacting HRRRA. The draft CMMS will be the subject of two public hearings at DEEP on April 13, 2016 at 2pm and 6 pm and will be open for written public comment through April 22, 2016. The final plan will be adopted by CT DEEP, without any further action by the legislature, on or before July 1, 2016.

Member Comments and Discussion of Draft CMMS:

- P. Llodra asked if bans on plastic grocery bags or film such as is done in Westport, CT or CA are successful. L. Sawyer said such bans were successful but difficult to enforce. Sen. Kennedy, the Senate Co-Chair of the Environment Committee is looking at other options to reduce plastic bags in the state and the Department is initiating a WRAP program to help educate the public about keeping plastic film out of single stream recycling and how to properly recycle it.
- M. Gill asked what effect the CMMS would have on municipalities. L. Sawyer noted that all municipalities would be expected to achieve a 25% residential recycling rate by 2018 and a 45% recycling rate by 2024 based on data collected by the state and that there would likely be changes in the annual municipal reporting forms. If municipalities are below the 25% then they will be asked to consider/implement changes consistent with best practices including unit based pricing, MSW bins of the same size or smaller than recycling bins, and municipal registration of all solid waste collectors.
- R. Marconi expressed concern about the validity of the state's data and the fact that municipalities cannot control where their MSW goes much less whether it is reported properly to the State. How else does a municipality get control of its MSW and hence the reporting to produce accurate numbers without franchising? How can municipalities be held accountable for things over which they have no control?
- H. Rosenthal noted that Newtown currently provides franchised recycling collection and still doesn't meet the 25% recycling rate.
- R. Marconi asked if collecting food waste would help a municipality's recycling rate, and L. Sawyer said it would.
- P. Llodra asked what would happen to the recycling rate for towns if glass, as previously discussed, the heaviest material in single stream, was removed from single stream

recycling due to its contamination of single stream, its effects on MRFs, and the lack of markets for the glass product that is produced by MRFs.

- (M. Boughton left the meeting at this point at 2:45 p.m.)
- J. Urice asked what the consequences would be if a municipality didn't reach the 25% recycling rate by 2018 and/or the 45% rate by 2024. He asked if a municipality risked DEEP intervention if it doesn't try or still can't reach the recycling rate goal. L. Sawyer said, yes, DEEP intervention was possible, especially if a municipality was not showing good faith or was not continually improving its rate.
- M. Gill asked if DEEP would consider looking at the recycling rate in the HRRRA region as a whole rather than town by town. He gave as an example one truck picking up organics from multiple towns and the problems with apportioning the weight properly amongst the responsible towns. L. Sawyer agreed that the HRRRA operated as a region and thought the idea had merit. However, he was concerned that it might be used in other parts of the state in areas that did not actually operate as a region for solid waste. He urged the HRRRA to make that recommendation if it submits comments on the CMMS.
- Brown suggested that garbage collection vehicles all have GPS just like UPS or FedEx so that there would be more accurate data about from where MSW has been collected.
- D. Gronbach suggested trucks be equipped with scales to weigh each pick up at curbside. J. Iannucci explained that there were no on-truck scales currently on the market considered accurate enough for legal use.
- C. Reedy asked L. Sawyer to explain what the MSW disposal market is expected to look like in 2019 compared with now. He noted that the capacity of MIRA's Hartford MidConn plant may well be off line by that time and that new capacity was not expected to be online to replace that facility until a few years after that, if at all. In addition, the permitting process for AD facilities is moving slowly and those facilities may not be online for several more years. The bottom line, according to the CMMS and L. Sawyer, is that the market for MSW disposal is likely to be very limited, very costly and highly competitive by 2019. It would be wise for HRRRA to lock in new capacity prior to that date in order to have a guaranteed disposal option at a reasonable price.

Next Steps and Meetings:

- R. Marconi proposed that the next workshop be a meeting with haulers to find out what they propose for the future. M. Gill said such a meeting would have to be held in the evening so that more haulers could attend.
- J. Urice said the next workshop should focus on whether HRRRA makes sense for the future or not. P. Llodra responded that she thought that question was answered at the first workshop when 10 of the 11 member communities said they wanted to continue to work together as a region through HRRRA on solid waste issues.
- M. Gill said that each municipality's governing body need to vote to stay in HRRRA, but R. Metzler said such a vote would be non-binding unless municipalities knew what HRRRA would be like after 2019, i.e. what would replace the solid waste disposal agreements that each municipality now has with HRRRA that will expire in 2019.
- R. Marconi asked whether HRRRA would keep taking its trash to Wheelabrator after 2019, and said he needed to know that before going back to his town for a vote.

- H. Rosenthal noted that all member municipalities have adopted concurrent ordinances that make them members of HRRRA. Those ordinances have no sunset provision, so any municipality that wants to leave HRRRA must repeal its ordinance and would still remain financially responsible for any obligations the Authority took during the municipality's membership.
- D. Gronbach explained that all member municipalities should be considered a part of HRRRA for purposes of an RFP for future services but that all municipalities would then need to formally approve whatever future contract(s) is decided upon for the region.
- R. Marconi said a future contract should cover both MSW and recycling with the same vendor. C. Reedy asked if it should cover C&D as well.
- L. Sawyer noted that the Authority might be surprised (in a positive way) at the responses it would get to an RFP issued in the near future.
- C. Reedy asked if the members had made a final decision about whether to ask other members of the WestCOG to consider membership in HRRRA. R. Marconi said he wanted to see a chart with the pluses and minuses of expanding membership. C. Reedy said the biggest minus is that each member municipality's vote would be diluted by accepting new members. She pointed out that HRRRA could decide to keep its current membership but to also consider selling its services to other municipalities in the future.
- After some discussion, H. Rosenthal said the consensus was to keep HRRRA with its current membership but offer to sell services in the future and for the staff to develop a menu of services that might be sold. (This would be done after the Authority determines its own future after 2019.)
- P. Llodra asked if the Authority's public education program could be put back onto the agenda at some point in the future.
- R. Marconi repeated that he would like to have a workshop with haulers and to better understand packaging EPR and how that would work.
- Staff was asked to send the current state recycling rates to all member towns.

There was no formal consensus of those present about what the next workshop should include.

Adjournment

Without objection or vote the meeting was effectively adjourned at 3:31 p.m.

Respectfully submitted,

**Cheryl D. Reedy
HRRRA Assistant Director**