



Connecticut Department of Energy and Environmental Protection



Recycling Law Enforcement Update

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Waste Engineering and Enforcement Division
Solid Waste Advisory Committee

Laurene Buckowski
Darlene Sage



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 Statutes § 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 non-residential) 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.
- CGS § 22a-241i: 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 both 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



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