



General Assembly

**Substitute Bill No. 7293**

January Session, 2019



**AN ACT CONCERNING THE REDEVELOPMENT OF CERTAIN SOLID WASTE MANAGEMENT FACILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-268g of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) [On or before January 1, 2016,] Notwithstanding any provision of  
4 the general statutes, the Commissioner of Energy and Environmental  
5 Protection, in consultation with the Materials Innovation and  
6 Recycling Authority, shall issue a request for proposals from providers  
7 of solid waste materials management services, including, but not  
8 limited to, recycling, reuse, energy and fuel recovery for the purpose of  
9 redeveloping the Connecticut Solid Waste System Project. Such  
10 proposals shall not include the provision of waste collection or  
11 transportation services. From such proposals, the commissioner may  
12 select not more than three respondents who may each conduct a  
13 feasibility study with the cooperation of the Materials Innovation and  
14 Recycling Authority. Any such feasibility study shall be completed not  
15 later than January 1, 2017, and any such respondent shall submit a  
16 final proposal to the Commissioner of Energy and Environmental  
17 Protection not later than July 1, 2017. The commissioner shall provide  
18 an opportunity for public review and comment on such feasibility  
19 study. On or before September 15, 2017, the commissioner shall submit

20 a report on the nature and status of such proposals to the joint  
21 standing committees of the General Assembly having cognizance of  
22 matters relating to the environment and energy and technology and to  
23 the joint standing committee on legislative management. The joint  
24 standing committees of the General Assembly having cognizance of  
25 matters relating to the environment and energy and technology may  
26 hold a joint public hearing on such report not later than thirty days  
27 after receipt of such report. The commissioner, or the commissioner's  
28 designee, shall testify at any such public hearing and receive  
29 comments from the members of said committees concerning such  
30 proposals. [On or before December 31, 2017, the] Notwithstanding any  
31 other provision of the general statutes, the Commissioner of Energy  
32 and Environmental Protection may select one such final proposal and  
33 direct the Materials Innovation and Recycling Authority to enter into  
34 an agreement with the applicable respondent for the redevelopment of  
35 the Connecticut Solid Waste Management System Project. In selecting  
36 such final proposal, the Commissioner of Energy and Environmental  
37 Protection shall consider the following factors: (1) Whether the  
38 proposal is consistent with the strategies developed pursuant to  
39 section 22a-241a, (2) whether the proposal is consistent with the goals  
40 of the state-wide solid waste management plan adopted in accordance  
41 with section 22a-228, (3) whether the proposal is in the best interest of  
42 the municipalities under contract with the Materials Innovation and  
43 Recycling Authority, including, but not limited to, the maintenance or  
44 reduction of current tipping fees for contracted waste, (4) the level of  
45 investment proposed by the respondent, (5) any potential positive  
46 impacts on the state's economic development, (6) public comments  
47 received on the feasibility studies, and (7) any other factor consistent  
48 with the purpose of this section that the Commissioner of Energy and  
49 Environmental Protection deems relevant to the redevelopment of the  
50 Connecticut Solid Waste System Project. The selection of a final  
51 proposal by the Department of Energy and Environmental Protection,  
52 in consultation with the Materials Innovation and Recycling Authority,  
53 shall not be construed as a legislative mandate as it relates to the  
54 Materials Innovation and Recycling Authority's ability to obligate

55 municipal customers to remain under contract or to enter into any  
56 contract with the applicable respondent.

57 (b) Not later than May 15, 2019, the Materials Innovation and  
58 Recycling Authority shall submit the terms of a preliminary agreement  
59 with the applicable respondent that was negotiated in accordance with  
60 subsection (a) of this section to the joint standing committee of the  
61 General Assembly having cognizance of matters relating to the  
62 environment, the Governor, the Commissioner of Energy and  
63 Environmental Protection and each municipality served by the  
64 Connecticut Solid Waste System Project. Such terms shall be posted on  
65 the Internet web site of the authority. The commissioner and the  
66 authority shall consult with such municipalities concerning the terms  
67 of such preliminary agreement, including, but not limited to, any  
68 service fees and contract terms that may be applicable to such  
69 municipalities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-268g

**ENV**      *Joint Favorable Subst.*