

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-80

Title: AN ACT CONCERNING THE BURNING OF MEDICAL WASTE.

Vote Date: 3/24/2025

Vote Action: Joint Favorable Substitute

PH Date: 1/31/2025

File No.:

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SPONSORS OF BILL:

Environment Committee

Co-Sponsors:

Sen. Henri Martin, 31st Dist.

Rep. Gale Mastrofrancesco, 80th Dist.

Rep Joe Hoxha, 78th Dist.

Sen. Rob Sampson, 16th Dist.

Rep. Donna Veach, 30th, Dist.

REASONS FOR BILL:

Because the citizens from Bristol and Southington want a loophole closed in our state law that allows an incinerator to burn medical waste without having to follow the federal standards that apply to medical waste incinerators.

Substitute Language LCO 6806 Adds the requirement for DEEP to form a working group on local noise ordinances and report on its findings to the Environment committee by February 1, 2026

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie Dykes, Commissioner, CT Department of Energy and Environmental Protection

DEEP offers some background on the existing regulatory structures that might help in evaluating whether any legislative action is required. DEEP administers a comprehensive regulatory framework to implement the federal Clean Air Act in Connecticut, including the federal standards for medical waste incineration, rendering the language of the bill unnecessary. If there were to be such a proposal, construction and operation of a medical waste incinerator would require multiple air permits and would contain requirements that are at least as stringent as the federal requirements for a new medical waste incinerator in accordance with Connecticut air permitting laws and the CAA. Since adoption in 1999, the states regulations have been amended on several occasions – and the stringency of certain emission limitations therein has been enhanced – to meet Connecticut’s specific air quality needs. The EPA has consistently approved RCSA section 22a-174-38 as Connecticut’s “state plan” to implement the federal emission guidelines.

NATURE AND SOURCES OF SUPPORT:

Rep. Rebecca Martinez, 22nd District

Rep. Martinez supports SB 80 which would prohibit the burning of medical waste by facilities that do not meet EPA standards and give the Commissioner of DEEP the power to adopt regulations to provide for the enforcement. ReWorld currently burns regular municipal waste, with 8% of their capacity used to burn treated medical waste. Treated medical waste must go through an autoclave and a sanitation process before it is burned. ReWorld is an existing facility, meaning they are only tested once per year and are notified in advance of the testing dates. ReWorld has requested a permit to burn untreated medical waste. This would not undergo any sanitization before being burned. This would make ReWorld the first facility in Connecticut to burn untreated medical waste. One of the major concerns is that the regulations differ significantly for ReWorld because they are an existing facility and burn 8% of medical waste. Current regulation state that because they only burn 8% medical waste, they only need to comply with municipal waste regulations and not medical waste regulations or federal standards and only need to be tested once a year.

Rep Martinez also testified on a persistent low-frequency noise emanating from Covance and despite ReWorld's claims of working on the problem, it remains unresolved.

Rep Martinez has also introduced two bills to the Environment Committee pertaining to this issue HB 5107 and HB 5108.

Sen. Henri Martin, 31st District

Sen. Martin supports SB 80 and seeks a clean air goal: It would prohibit the burning of medical waste by facilities that do not meet EPS standards for the burning of such waste. There is currently a loophole in our state law. That loophole allows an incinerator to burn medical waste without having to follow the federal standards that apply to medical waste incinerators. He feels it is not unreasonable to try to close that loophole and make sure EPA standards are followed 24 hrs. day, seven days a week.

Sen. Rob Sampson, 16th District.

Sen. Sampson supports SB 80 because it is important that ReWorld and other similar facilities be held to the highest standards possible when it comes to reporting findings for annual testing. Ensuring that the facility complies with all environmental regulations and operates transparently.

Rep. Mary Fortier, 79th District

Rep. Fortier also supports SB 80 because it is important to protect the people of her district. She feels that more monitoring of emissions and more accessible publicly available emissions information are the most important priorities.

Ruth Canovi, Director of Advocacy, American Lung Association

The American Lung Association supports SB 80 because burning anything creates particulate matter. Particle pollution is a known carcinogen and medical waste contains a number of other components that if burned have the potential to bring serious health risks to the people who work on site of the incinerators as well as the residents surrounding the polluting facility.

Susan Eastwood, Chapter Chair of the Sierra Club of Connecticut

The Sierra Club supports SB 80. Waste incinerator emissions, including emissions from burning medical waste, contain many harmful substances. They are a serious threat to public health. Medical waste is of special concern because it contains high levels of plastic. Sierra Club rejects the burning of medical waste as an outdated technology, especially when there are cleaner alternatives, such as autoclaving. SB 80 will go a long way towards protecting the residents who live in communities where incineration of medical waste is permitted, should that come to pass.

Mike Ewall, Director Energy Justice Network

Energy Justice Network urges your support for SB 80 to take action to prevent or properly regulate medical waste incineration. Medical waste incinerators are held to a much stricter standard than trash incinerators. Only due to a federal loophole are trash incinerators allowed to be exempt from these stricter standards if they burn medical waste. Mr. Ewall submitted lengthy testimony, with many graphs and additional clarifying language.

Samuel S. Gold, ACIP, Executive Director, River COG

It is Mr. Gold's understanding that ReWorld is seeking a permit for CT DEEP to burn medical waste. Since capacity at this plant is not being expanded, municipal solid waste disposal would be displaced by DEEP permit. Connecticut is experiencing a solid waste disposal crisis. As a matter of state policy, we should maintain in-state disposal capacity for in-state generated waste. With the closure of the MIRA waste to energy facility in Harford, there is no unused waste disposal capacity left in the state and garbage is being shipped to Ohio.

Alex Rodriguez, Environmental Justice Specialist, Save the Sound

Save the Sound supports SB 80's intent to prohibit the burning of medical waste by facilities that do not meet the US Environmental Protection Agency's standards for the burning of such waste. According to the international climate justice organization, 8 out of 10 incinerators in the US are sited in majority-BIPOC, immigrant, and low-income communities, and approximately 4.4 million Americans live within a 3-mile radius of an incinerator. Medical waste incineration is the source of several harmful chemicals.

Many organizations have submitted testimony in Support of SB 80 because they believe this legislation is critical to close a loophole that currently allows an incinerator to burn medical waste without adhering to the federal standards established for medical waste incinerators. These organizations include:

Connor Yakaltis, Deputy Director, CT League of Conservation Voters

Jodie Maro, Coordinator-Bristol Residents for Clean Air

Marc Gonzalez, Program Coordinator, Conservation Law Foundation

Teri Eicket, Executive Director, The Interreligious Eco-Justice Network

Over 85 residents of the State of Connecticut sent in testimony in Support of SB 80.

NATURE AND SOURCES OF OPPOSITION:

FRAZIER BLAYLOCK, SR. DIRECTOR, REWORLD

Reworld opposes SB 80 because they are currently seeking a permit change for there Bristol facility which, once approved will allow them to adapt to changes in the regional marketplace and better serve Connecticut customers. It is important for Connecticut lawmakers to know that Reworld is not seeking to add any additional overall waste disposal in Bristol, nor would the proposed changes increase total emissions at the facility. They are seeking to change the balance of which types of waste are processed there. All emissions will remain fully compliant with the stringent regulatory standards set forth in Connecticut law and regulated by DEEP. As a highly regulated entity, they remain committed to working closely with DEEP, and also with state legislators. At the same time, they strongly oppose any efforts by the legislature to pass new laws impacting existing state permitting processes which are already extremely rigorous, as demonstrated by the multi-year process Reworld is currently participating in.

Mark E. Moriarty, PE, Executive Board Secretary, Bristol Resource Recovery Facility Operating Committee and Director of Public Works City of New Britain

Mr. Moriarty Opposes SB 80 because it negatively impacts Trash-to-Energy facilities and discourages investment by Trash-to-Energy companies in Connecticut. This bill is also unnecessary as Reworld already meets the Connecticut DEEP requirements, CTDEEP is reliably more stringent than the US EPA in its enforcement of environmental regulations.

Ken Vallera, Executive Director, Bristol Resource Recovery Facility Operating Committee

BRRFOC represents fourteen communities in central Connecticut and they Oppose SB 80. Mr. Vallera administers one contract for all the member towns for solid waste disposal at the Bristol Reworld plant. Under this contract they deliver more than 150,000 tons of solid waste per year at a very favorable rate and fixed escalators or the next several years. This facility has provided waste disposal services for over 35 years. This at a time that other plants have closed and caused many towns to scramble for disposal options at considerably more cost and less environmentally sound destinations out of state. Reworld has applied for a permit to expand the material they process but not increase the total volume allowed to be burned per day that has caused some to suggest new legislation that will limit the ability to accomplish this and even ban incineration here in our state. Should this happen the financial impact to just our member towns would be as much as 8.9 million dollars per year.

Reported by: Judy Ganswindt

Date: March 28, 2025