

Testimony before the State of Connecticut Environment Committee

March 8, 2004
Hartford, Connecticut



by Jennifer Gitlitz
Research Director, Container Recycling Institute

Good morning. My name is Jenny Gitlitz, I am the Research Director for the Container Recycling Institute (CRI). We are a non-profit, 501(c)3 organization headquartered in Arlington, Virginia. For over a decade, we have served as the only national clearinghouse for information on beverage container sales, recycling and wasting in the United States.

I am here to register CRI's enthusiastic support for SB 549, which would update the bottle bill by placing a deposit on non-carbonated beverages.

The bottle bill in Connecticut is a huge success: it's popular with the public, achieves great recycling rates at no taxpayer expense, keeps litter off the streets, and provides income to a wide range of people involved in collection and redemption. This committee is doing the right thing by considering an update. Other committees in this legislature are considering repeal bills this month, and the Container Recycling Institute would also like to voice our opposition to these bills: SB 43 and SB 450. My message is simple: it's the same one I delivered last year to this committee: don't repeal it; expand it.

During the course of these hearings, you may hear from beverage industry lobbyists that the Bottle Bill is "a 1980's solution to a 1980's problem." (And if we were in Oregon you'd hear that it is "a 1970's solution to a 1970's problem.") We see it differently. First, many of the public policy issues addressed by the bottle bills of the 70's and 80's are still with us: especially litter, and a desire to save energy and reduce manufacturing-related air and water pollution.

Second, the bottle bills enacted in Connecticut and nine other states during the 1970's and 1980's were ahead of their time. They were visionary, early examples of Extended Producer Responsibility (EPR) or Product Stewardship initiatives—which are really just fancy names for the concept of **manufacturers taking financial responsibility** for the end-of-life environmental consequences of the products they sell. These EPR policy initiatives have spread throughout Europe and are increasingly catching on in the United States. The Bottle Bill in Connecticut is not an outdated concept that needs to be thrown out and replaced; rather it is like an old treasure that needs to be refurbished to increase its value and utility.

Simply put: Connecticut's bottle bill works. Since 1980, this pioneering piece of legislation has kept over 20 billion beverage containers out of local landfills and incinerators—saving over 1.5 million tons of marketable aluminum, glass and plastics. The deposit system has also prevented untold millions of bottles and cans from being littered on the state's roads and highways, farms, parks and other public spaces. SB 549 is a wonderful opportunity for Connecticut to build on this success.

Why Expand the Bottle Bill to Non-Carbonated Containers?

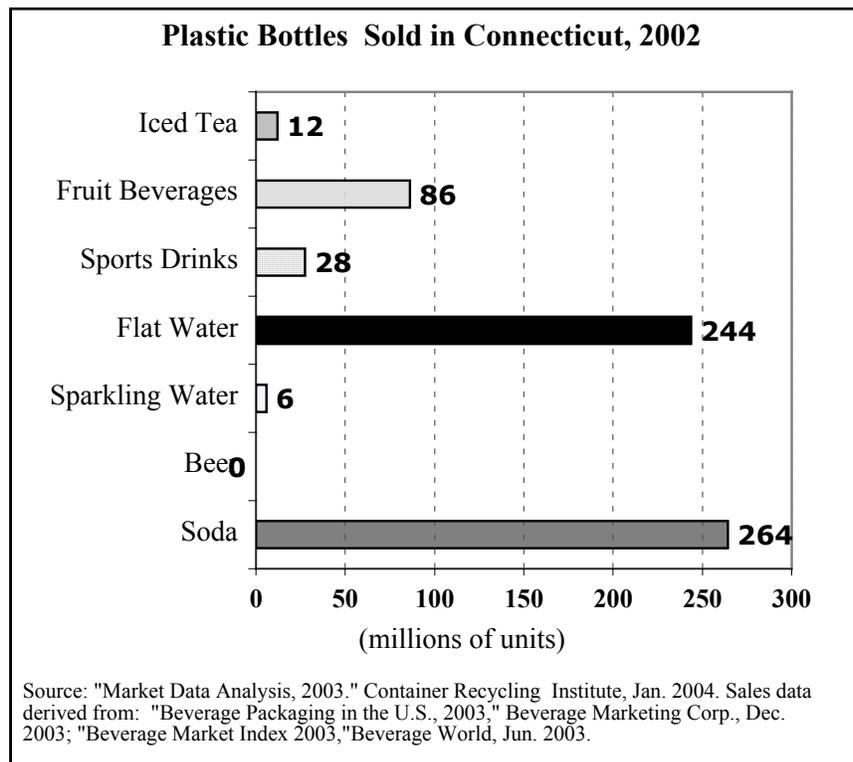
When the Connecticut, Massachusetts, and New York bottle bills were enacted two decades ago, single-serve, non-carbonated beverages were virtually non-existent, and no one noticed when they were exempted from these deposit laws. During the 1990's, sales of so-called "new age" beverages, including single-serve juices, ready-to-drink iced and herbal teas, sports drinks, and bottled water, skyrocketed across the country. National sales of non-carbonated bottled water alone grew from just 2.3 billion units in 1993 to over **15 billion units** in 2002.

By the year 2000, these ineligible beverages accounted for 23% of national beverage sales. By 2005, these non-fizzy drinks are expected to comprise more than a quarter of the U.S. and Connecticut beverage markets. In 2002 (the most recent data year available), this amounted to about **515 million** exempted bottles and cans: or almost two per day for every man, woman and child in the State. These "non-carb" drinks are projected to keep growing for the foreseeable future as consumers experience what the beverage industry calls "cola fatigue."

A full 73% of the non-carbonated beverages under consideration in this bill—or 378 million containers—are plastic bottles. As the bar graph below shows, the amount of non-carbonated water sold in plastic bottles is now virtually equal to the amount of soda sold in plastic bottles—soda that **is** covered by a deposit.

Including "non-carbs" will eliminate consumer confusion about which containers are eligible for return. To the average consumer, there is very little difference between a bottle of Poland Springs carbonated water and a bottle of Poland Springs flat water; both plastic bottles appear identical and carry virtually the same product. Most people do not understand why a Coke can is redeemable and a Minute Maid apple juice can is not. While retailers and recycling professionals may understand

the difference between an "open" distribution system and a "franchised" distribution system, the average consumer does not--and should not have to. The Connecticut bottle bill needs to be modernized to reflect the actual beverage market, and it needs to make sense to consumers.



An expansion would subject non-carbonated beverage producers to the same requirements now imposed upon soda and beer manufacturers, would increase recycling, and would reduce litter statewide.

Two states, Maine and California, have already updated their container deposit laws to include the new category of beverages that most certainly would have been included had they existed when the bills were enacted. Hawaii's new container deposit law, scheduled for implementation in 2005, will include non-carbonated beverages, and New York, Massachusetts and Michigan are all considering expansion proposals in their current legislative sessions. Massachusetts Governor Mitt Romney recently said, "We will work hard for the fair application of the bottle bill to all bottles. We aim to treat all bottles equally."

1) Can't curbside recycling take care of these other containers?

The beverage and retail industry lobbies argue that so-called "comprehensive" recycling programs can take care of these non-carbonated containers, and indeed, that deposit systems are "duplicative" of these residential recycling pickup programs. This argument has not held true at the national level, and it will not hold true for Connecticut.

Curbside recycling cannot, and has not, by itself done an adequate job of maintaining high recycling rates. Despite a tripling in curbside recycling access in the United States during the 1990's (from about 2,700 municipal collection programs to almost 10,000), recycling rates for all three major beverage container materials have declined, and wasting has increased. The aluminum can recycling rate has declined from a high of 65% in 1992 to 49% in 2001: the lowest point in 15 years. Glass and plastic bottle recycling now stand below 30%. An estimated 120 billion beverage containers were landfilled, incinerated or littered in 2001—up from 70 billion a decade ago.

Curbside recycling is failing to keep pace with increased beverage sales primarily due to an "immediate consumption" trend. Increasing numbers of beverages—especially bottled water, single serving juices, teas, and boutique beverages—are being purchased in vending machines or convenience stores for consumption in the car, at the office, in the park, at the beach, etc. Without a financial incentive for return, most consumers will not take these bottles and cans home to recycle in their curbside bins. By excluding these containers from the deposit law, we may be encouraging consumers to litter these containers along the roadside or on the beach—or at best to put them in the nearest trash can, thus not reaping the environmental benefits of recycling.

Local evidence from neighboring New York State confirms that even in regions with aggressive curbside recycling programs, non-carbonated beverage containers are not being captured for recycling.

Last year, Andrew Radin, Director of Recycling and Waste Reduction for the Onondaga County Resource Recovery Agency, (OCRRA) testified before the New York State Assembly Committee on Environmental Conservation on an proposed expansion to New York's deposit law. OCRRA's recycling program, Operation Separation, has received the New York State Governor's Award for Excellence in Recycling and Waste Reduction, and the National Recycling Coalition's Award for the Best Urban Recycling Program in the United States.

Citing findings from a 1998 waste characterization study conducted by SCS Engineers for OCRRA, Mr. Radin said a “huge percentage of recyclable, non returnable beverage containers are generally trashed in Onondaga County.” By material type, he said that

- Only **16%** of non-carbonated non-deposit **PET plastic bottles** are being recycled in Onandaga County (and 84% are being tossed out as garbage), while **77%** of carbonated, returnable PET bottles are being recycled. (That is a five-fold difference in recycling rates).
- Only **13%** of non-returnable **aluminum cans** are recycled, while **83%** of carbonated, returnable cans are being recycled (more than a six-fold difference in recycling rates).
- Only **31.5%** of **glass bottles** holding non-carbonated beverages are recycled, while over **95%** of returnable glass containers are recycled (a three-fold difference in recycling rates).

Radin stressed that these results are for a community that is a national leader in recycling, and said, “It is clear that the Bottle Bill makes a difference—a big difference. Bottles and cans are recycled at dramatically higher rates when they are part of the Bottle Bill.”

2) Expansion will benefit local government and taxpayers.

Industry critics contend that that an expanded bottle bill would take scrap revenue away from municipal curbside programs. In fact, the converse is true. Adding these containers to the deposit system will relieve local curbside programs of an expensive burden. The beverage industry’s own data suggests that only 6.5% of the non-carbonated beverages under consideration in this expansion bill are sold in aluminum cans: the only curbside material of real value.

The remaining 93.5% are glass and plastic bottles—many of them single serving. Nationwide, plastic beverage bottle waste has quadrupled in the last decade; from 7.6 billion bottles wasted in 1991 to 29.8 billion wasted in 2001. Similar trends exist in Connecticut. Because they have a very low weight-to-volume ratio, PET bottles are expensive to collect in curbside programs. They also bring comparatively low revenues: in the neighborhood of \$25-30 per cubic yard collected. Glass is very bulky, and when it is collected at curbside, it is mixed color, often contaminated, and of little—if any—value. It is commonly used as landfill cover, as “glasphalt,” or as fill, and cities often have to pay to get rid of it, as Table 1 shows.

Table 1. Weight, Volume, and Revenue of Three Container Types				
Container type (crushed)	lbs per cubic yard	cubic yards per ton	Revenue per ton	Revenue per cubic yard
Glass bottles	2,182	0.9	\$ (10)	\$ (11)
Aluminum cans	316	6.3	\$ 1,000	\$ 158
PET plastic bottles	270	7.4	\$ 200	\$ 27

More than 20 municipalities across the country dropped glass from their curbside recycling programs in 2001-2002. New York City made national headlines last year when it dropped glass and plastic from its curbside program, and the re-instatement of glass may be temporary.

Were consumers to simply add these non-carbonated bottles and cans to the containers they are already bringing back to redeem, the financial burden on municipal curbside programs would be reduced, and recovery of containers consumed away from home would increase.

3) Expanding the bottle bill will reduce litter

Industry critics will argue that an expanded bottle bill will do nothing to curb litter in Connecticut, but the evidence contradicts this assertion.

- The Center for Marine Conservation conducted litter surveys along 213 miles of Maine's shoreline, and found that bottle and can litter on Maine beaches dropped 30% within a year after the bottle bill was expanded to include non-carbonated beverage containers.
- Last year, the New York group Scenic Hudson found that 61% of the container litter collected in the Great River Sweep consisted of non-carbonated, non-deposit containers, even though these containers comprise only 22% of total beverage sales in New York.
- During last year's Earth Day Litter Clean Up program in Onondaga County New York, the hundreds of clear plastic garbage bags filled by volunteers were "brimming with non-returnable bottles and cans," according to OCRRA Director Andrew Radin.
- Similar evidence has been collected in three recent litter surveys in Massachusetts. In a 2003 report documenting the results, Russ Cohen of MassRiverways wrote, "[I]t is about fourteen times more likely that a non-deposit beverage container sold in Massachusetts will end up littering our waterways and landscapes than will a deposit container."

So it is clear that adding non-carbonated containers to the deposit system **will** reduce litter in Connecticut, helping to maintain the beauty of the State's parks, streams and roadways.

4) Sales and prices

In a presentation to the Interbev Conference in Atlanta in 1994, Kevin Dietly, a consultant working on behalf of the Grocery Manufacturers Association and the Food Marketing Institute, said that "sales and prices were not affected" by the expansion of Maine's bottle bill.

Conclusion

By expanding the bottle bill to non-carbonated beverages, SB 549 offers Connecticut a historic opportunity to re-establish itself as a national leader in recycling and litter reduction. By voting to update the bottle bill, the Connecticut legislature will be setting an important example for other states to follow.

Thank you for allowing me to address this important issue today.