



Dissolution Authority

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June 17, 2024

Jeffrey R. Beckham  
Secretary  
Office of Policy and Management  
450 Capitol Avenue  
Hartford, Connecticut 06106

Members of the Joint Standing Committee on the Environment  
Connecticut General Assembly  
Legislative Office Building  
300 Capitol Avenue  
Hartford, CT 06106

Members of the Joint Standing Committee on Planning and Development  
Connecticut General Assembly  
Legislative Office Building  
300 Capitol Avenue  
Hartford, CT 06106

Re: Public Act 23-170 - Section 9(b) Report Concerning a Plan and Timeline for MIRA  
Dissolution Authority Responsibilities.

Dear Secretary Beckham and Members of the Joint Standing Committees on the Environment  
and Planning and Development:

On behalf of the Board of Directors (the "Board") of the MIRA Dissolution Authority (the  
"Authority") and pursuant to the above referenced Public Act, attached please find a six-month  
update to the Interim Report Concerning the Dissolution Responsibilities of the Authority which  
was originally submitted January 18, 2024.

As noted in the update attached as Appendix A, the Authority has progressed well with each of  
the four primary dissolution responsibilities specified in Section 9 of Public Act 23-170 which  
include identifying the immediate environmental needs and knowledge necessary for  
redevelopment of the Authority's South Meadows Site, engaging the City of Hartford and other  
stakeholders on the future of the South Meadows Site, continuing transfer station operations until  
acceptable alternatives are identified and winding down the Authority's operations and activities  
in an orderly and responsible manner including the marketing and sale of its real and personal  
property.

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In addition to providing the attached update to the Interim Report, I need to bring your attention to a significant technical flaw in Public Act 23-170 which, if uncorrected in the upcoming Special Session, will cause the focus of the Authority to quickly pivot from these activities to educating and preparing the Department of Administrative Services (DAS) to assume all of the Authority's assets, duties and obligations including all of the Authority's daily responsibilities under its contractual agreements. The Authority will also have turn its focus to properly executing the separation of Authority employees. This change in focus would need to occur within the next 3 or so months and therefore impacts everything underway and impedes an orderly transition as highlighted in Appendix A. One of the higher profile and most significant areas of impact will be to the Authority's ability to cede control of its transfer stations to third parties prior to DAS becoming the Authority's successor.

The issue is: Section 13(i) of Public Act 23-170 states that the Authority terminates on July 1, 2026; however, section 25 of the Act repeals all of the Authority's statutes effective as of July 1, 2025. Further under section 15, the DAS becomes the Authority's successor agency as of July 1, 2025. This conflict in dates creates an ambiguity that affects all of the progress outlined in Appendix A with emphasis on our transfer station transition. We would respectfully request that all dates be aligned to July 1, 2026 (as was also modified by Public Act 24-151 this session for purposes of requesting reimbursement of tip fee stabilization funds utilized).

Only with an alignment of dates to July 1, 2026 will this transition be poised to succeed in a manner beneficial to the municipalities and with fewer burdens passed to DAS. As the legislature knows, there are statutory requirements for charter changes and for the necessary municipal or regional authorities to be formed, all of which must follow established time frames in accordance with statutory and municipal codes. And then the infrastructure must be transferred. It is the Authority's goal to transition the transfer stations and associated operating and service agreements such that DAS is not running these facilities and assuming and overseeing the nuances of implementation of the existing agreements as they all wind down and expire on June 30, 2027. (A list of all of Authority agreements DAS will have to assume and that require attention is included on Appendix B).

Pursuant to Public Act 23-170 §9(a)(3)&(4), the Authority is continuing its operations and working on alternatives for the transition of its services. The Authority has evaluated several options and has received expressions of interest from the municipalities in the two affected regions (southeastern and northwestern CT) for the transfer of its solid waste services. The Authority intends to continue to work with its municipalities to establish such regional solid waste authorities or other types of public authorities so that the Authority's operations may be transitioned in an efficient and effective manner. But this task certainly cannot be accomplished if the Authority continues to exist but its statutes are repealed by July 1, 2025. Correcting all dates to July 1, 2026 will allow for a more orderly transition.

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Attached for your convenience in Appendix C are the bill changes we request be adopted in the upcoming Special Session as necessary to align all Authority sunset dates to July 1, 2026 as noted above. We have also made this request separately to leadership in the Legislature and Governor's office.

Let me know if you have any questions, comments or concerns regarding the Interim Report or any other matters or activities of the Authority.

Sincerely,



Bert Hunter  
Chairperson  
MIRA Dissolution Authority

Cc: Mark Daley  
Authority Board of Directors

Attachments:  
Appendix A  
Appendix B  
Appendix C

## **APPENDIX A**

On January 18, 2024, the MIRA Dissolution Authority submitted an “Interim Report” Concerning a Plan and Timeline for its Dissolution Responsibilities to the Secretary of OPM, Members of the Joint Standing Committee on the Environment and Members of the Joint Standing Committee on Planning and Development as required under Section 9 (b) of Public Act 23-170. Following is a brief update on progress made over the last six months.

### **Highlights:**

- The South Meadows Redevelopment Considerations Study RFP and contracting process has been completed and the Study commenced in June 2024. It is scheduled for completion in February 2025.
- Additional documentation of South Meadows Site remediation to Commercial / Industrial standards was undertaken from February through April 2024. An updated Verification Report submission to DEEP is scheduled for the fall of 2024. Once the Verification Report is accepted by DEEP the remediation of the Site to Commercial / Industrial standards is deemed complete.
- DEEP and the Authority agreed in May 2024 that the Resource Recovery Facility’s Closure Plan approval will be held pending completion of the South Meadows Redevelopment Considerations Study, and that removal of non-structural equipment from the Facility may proceed. This RFP and contract award are tentatively scheduled for completion by the end of CY 2024.
- Stakeholder engagement in the future of the South Meadows Site is underway with commencement of the South Meadows Redevelopment Considerations Study and seven additional operating plans to be developed.
- To cede control of the CSWS, the Authority has prepared relevant legal opinions, cost / benefit analyses, documentation of agreement assignment provisions and alternate structures of local governance. Most significantly, modification of Public Act 23-170 in the 2024 legislative session to clarify permitted use of reserves for tip fee stabilization may help the Authority bring this task to closure.
- The Authority is actively working to sell five properties valued at over \$13 million. Net proceeds from these sales will be deposited to the Authority’s South Meadows Transition Contingency Reserve. Appraisals have been completed, a real estate broker contracted and properties listed.
- The Authority is actively working to sell and scrap its inoperable heavy equipment and stockpiles of scrap metals located at the South Meadows Site. Net proceeds will be deposited to the Authority’s South Meadows Transition Contingency Reserve. The RFP and contracting process is complete and work will commence in June 2024 and be completed in July 2024.

- The Authority is actively working to market and sell its operable heavy equipment no longer used or needed at the South Meadows Site. Net proceeds will be deposited to the Authority's South Meadows Transition Contingency Reserve. The RFP process is complete and the contracting process underway. An initial auction is tentatively scheduled for August 2024 with backup auction in October 2024.

### **ADDITIONAL SUPPORTING INFORMATION**

With reference to the dissolution responsibilities contained in Section 9 (a) of Public Act 23-170:

***1. Identify the immediate environmental needs and knowledge necessary for future redevelopment of the South Meadows site.***

The Authority has completed its Request for Proposals (RFP) process, entered into a consultant service agreement with Weston and Sampson and commenced the comprehensive "South Meadows Redevelopment Considerations Study" (the "Study") outlined in the Interim Report. The scope of work for this Study includes i) documenting Existing Environmental Conditions; ii) documenting Conceptual Site Considerations; iii) Documenting and presenting the Existing Environmental Conditions and Conceptual Site Considerations in the context of Potential Future Uses including Industrial / Commercial Activities, Residential Activities, Currently Permitted Activities or a Combination of Activities and iv) Analyzing the Environmental Needs and Knowledge Necessary for such Potential Future Uses including the timeline and cost for all permitting, investigation and remediation activities. The Study is scheduled for completion in February 2025 to be available for the 2025 legislative session.

In addition to undertaking the Study, the Authority continues active remediation of the South Meadows Site to the Commercial / Industrial standards agreed to when the Site was acquired in April 2001. In February 2024, the Authority submitted its "Area 3-3 Remedial Action Report" to the US EPA and DEEP, documenting work undertaken to complete the Site's final area requiring remediation. In April 2024, the Authority's Board of Directors authorized the President to execute an Environmental Land Use Restriction (ELUR) for Area 3-3, as well as any other documents related to the ELUR and the engineered control (EC) that has been installed in Area 3-3. The Authority subsequently provided the property owner's acknowledgement and consent to the EC and the ELUR for submission to DEEP with the "Final Engineered Control Completion Statement". This Statement is currently pending third party LEP certification before submission to DEEP. An updated ELUR has been drafted and will be submitted to DEEP for review and approval in the near future. Once the updated ELUR is approved by DEEP and recorded on the Hartford land records, an updated Verification Report will be submitted to DEEP (expected this fall). Once the Verification Report is accepted by DEEP, remediation of the South Meadows Site to Commercial / Industrial Standards will be deemed complete.

The Authority also continues to work with DEEP on the Closure Plan required for the Resource Recovery Facility located on the South Meadows Site. On May 16, 2024 the Authority received DEEP's reply to its most recent submittal on the Closure Plan. In its reply, DEEP stated their

intention to await completion of the Study before approving the Closure Plan (which the Authority welcomes). At the same time DEEP concurred with the removal and recycling / scrap of non-structural equipment installed in the Resource Recovery Facility as described in the Authority's prior letter. DEEP also concurred with cleaning building surfaces to a visual standard pending completion of the Study. Based on these developments, the Authority is positioned to move forward with an additional RFP process for major salvage / scrap operations for the Resource Recovery Facility's installed equipment. The Authority currently anticipates completing this RFP process in time for award of a contract by the end of calendar year 2024.

***2. Engage representatives of the City of Hartford and other stakeholders, as appropriate, with respect to the future of the South Meadows site.***

The Study includes implementing a community outreach strategy to include the conduct of public meetings informing the community on the goals and progress of the study and allowing public comment on the goals, progress and scope of the Study. The Authority is presently arranging a pre-meeting of key stakeholders to discuss and frame the public project launch meeting as the first opportunity to inform the public of the upcoming process and the Authority's strategic tasks as identified within the RFP and contract. The Authority has directly reached out to the City to identify a point person to engage on the Study. Similar engagement with Eversource is underway due to its substantial easements on the Site and proximity to its substation. Additional key stakeholders may include, but are not limited to, the Capital Region Development Authority, Greater Hartford Flood Commission, DOT and DEEP, and community organizations such as the Greater Hartford Interfaith Action Alliance.

In addition, at its June 2024 South Meadows Transition Committee meeting, the Authority outlined seven additional planning efforts to provide effective management of the Site while its Potential Future Use is identified and implemented. These planning efforts address Water Management, Engineered Control Inspections and Maintenance, Fire, Safety and Security, Structural Inspections and Maintenance, Routine Grounds and Facility Maintenance, Site Energy Connections to Regional Transmission Infrastructure and Other Utilities. Opportunities for stakeholder engagement in these planning efforts will be pursued as well.

***3. Continue to operate the authority's transfer stations until acceptable alternatives, operated by entities other than the authority, become available, as determined by the Commissioner of Energy and Environmental Protection.***

The Authority continues to operate its Torrington and Essex Transfer Stations with the goal of ceding control of these facilities to municipal and/or regional governmental entities capable of maintaining and legally enforcing the flow control of municipal solid waste to them as described in the Interim Report. For the Torrington communities, discussions progressed to the point of receiving a non-binding letter of intent from the North West Hills COG to work with the Authority to establish a Regional Waste Authority (RWA) to take over the operation. For the Essex communities, the Connecticut River Valley COG received a grant from DEEP to establish its own RWA and those discussions are recently underway. However, the "Consensus Structuring of Transfer" outlined in the Interim Report as requiring the use of Authority reserves to support RWA compliance with the tip fee stabilization requirements of the municipal service

agreements to be assigned to them remained a challenge. This use of reserves was actively deliberated among the Authority Board of Directors throughout these discussions. The deliberations, driven by competing interests in the use of Authority reserves, centered on whether the language of Section 11 of Public Act 23-170 concerning Authority funds permits such a use. Such a use of reserves ultimately would require a supermajority vote of the Board of Directors pursuant to its bylaws, policies and applicable statutes. Throughout these discussions, analyses and legal opinions were developed to address the cost / benefit of terminating the transfer station operating and service agreements, legislative preemption of those agreements, assignability of the agreements and alternate structures of local governance. Most recently and significantly, during the 2024 legislation, the following addition was made to Section 11 of Public Act 23-170 (through PA 24-151) which clarifies that the use of Authority reserves for tip fee stabilization is contemplated under Public Act 23-170:

***“For the period commencing upon the effective date of this section and ending on June 30, 2026, not more than six million dollars of any such funds expended for the purpose of tipping fee stabilization shall be reimbursed through the issuance of state bonds, provided the total issuance of state bonds for such funds shall not exceed thirteen million five hundred thousand dollars. On and after July 1, 2026, no such funds shall be utilized for the purpose of tipping fee stabilization.”***

The Authority will proceed to develop proposed agreements ceding control of the transfer stations to the RWAs as noted above under the presumption that approval of the agreements (including funding RWA compliance with all remaining tip fee stabilization requirements) has been made possible by this addition to the language of Section 11 of Public Act 23-170.

***4. Wind down the authority's operations and activities in an orderly and responsible manner including the marketing and sale of the Authority's surplus real and personal property.***

**Real Property** – The Authority has identified 5 properties with the greatest potential to attract buyers including 211 Murphy Road and 171 Murphy Road in Hartford, its Watertown and Ellington transfer stations, and 784 River Road in Shelton. The Authority has also completed (through an on-call appraiser) new appraisals needed for 4 of these properties. The Authority has further completed the RFP process for commercial real estate brokerage services and contracted with O,R&L Commercial for the brokerage and sale of all properties other than 784 River Road in Shelton (which has an existing potential buyer). The Authority has established listing prices based on O,R&L review of appraisals, developed marketing brochures and listed these 4 properties. The list price / appraised value of all 5 properties total \$13.1 million. The net proceeds of these sales have been directed to be deposited to the Authority’s South Meadows Transition Contingency Reserve and the use of such reserve shall be consistent with the mandates of Public Act 23-170.

**Bone Yard / Scrap** – The Authority has identified 22 items of inoperable heavy equipment and 26 stockpiles of miscellaneous scrap metals located at its South Meadows Site that may be marketed and scrapped. The RFP process has been completed and the Authority has contracted with Joseph Freedman Co. for the sale and removal of these items. The Authority will clear the

Site of these unwanted items and realize net revenue of approximately \$50,000 which has been directed to be deposited to the Authority's South Meadows Transition Contingency Reserve.

**Operable Equipment** - The Authority has identified 46 units of operable heavy equipment no longer needed for operation of the Resource Recovery Facility or Jet Turbine Facility located at the South Meadows Site that may be marketed and sold. The RFP process has been completed and the Authority has selected Sales Auction Company for the marketing and sale of these units. The contracting process is underway. The Authority will clear the Site of these unwanted items and realize net revenue (yet to be determined) which has also been directed to be deposited to the Authority's South Meadows Transition Contingency Reserve.

**APPENDIX B**  
**LIST OF AUTHORITY TRANSFER STATION OPERATING AND SERVICE AGREEMENTS**

**Waste Hauler Contracts**

All American Waste LLC  
All Waste Inc  
Allied Sanitation Inc  
American Carting Co Inc  
CWPM LLC  
Country Disposal Services LLC  
Goduti Waste and Recycling LLC  
  
Hometown Waste LLC  
Janskys Rubbish Removal Co  
Johns Refuse and Recycling LLC  
Joe Rocco Carting Inc  
Olsen's Sanitation Co LLC

Paines Inc  
Petes Waste Removal-dba (Peter Carlson)  
Richard Riggio and Sons Inc.  
Solari Brothers Carting LLC  
USA Hauling and Recycling Inc  
USA Waste and Recycling Inc  
Welsh Sanitation Services-dba (Valley 82 Holding Corp)  
Willimantic Waste Paper Co Inc

**Municipal Service Agreements**

Chester, Town of  
Clinton, Town of  
Colebrook, Town of  
Cornwall, Town of  
Canaan, Town of  
Deep River, Town of  
Durham (Interlocal)  
Essex, Town of  
Goshen, Town of  
Haddam, Town of  
Killingworth, Town of  
Lyme, Town of  
Middlebury, Town of  
Middlefield (Interlocal)  
Norfolk, Town of  
North Canaan, Town of  
Old Saybrook, Town of  
New Hartford, Town of (RRDD#1)  
Winchester, Town of (RRDD#1)  
Barkhamstead, Town of (RRDD#1)  
Salisbury, Town of  
Sharon, Town of  
Westbrook, Town of

**Transfer Station Operation  
and Maintenance Agreements**

CWPM LLC (Essex O&M)  
Enviro Express Inc. (Torrington O&M)  
Reworld Waste LLC (Essex MSW Processing)  
Murphy Road Recycling LLC (All Recycling)  
Essex Transfer Station Lease

## APPENDIX C

### AN ACT MAKING TECHNICAL AND CONFORMING CHANGES TO PA 23-170

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

Section 1. Section 9(c) of Public Act 23-170 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(c) The authority and any other state agency may enter into one or more memoranda of understanding that will facilitate the authority's purposes, powers and responsibilities under chapter 446e of the general statutes and subsection (a) of this section, provided any such memorandum of understanding shall terminate as of [June 30, 2025] July 1, 2026.

Section 2. Section 15 of Public Act 23-170 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

Effective July 1, 2026, [T]he Department of Administrative Services shall constitute a successor agency to the MIRA Dissolution Authority in accordance with the provisions of subsections (a) to (d), inclusive, and subsection (f) of section 4-38d and section 4-38e of the general statutes.

Section 3. Section 25 of Public Act 23-170 is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

Sections 22a-260 to 22a-284, inclusive, of the general statutes and sections 8 and 9 of this act are repealed effective July 1, 2026.