

## Mid-Connecticut trash-to-energy plant built on questions

\$171 million project was awarded without bidding | Planners misled towns on dumping fees, technology

### COMBUSTION ENGINEERING'S 2,000 TPD INCINERATOR

On April 30, 1989, the Connecticut Hartford Courant published its findings from a five-month investigation on the planning and building of the \$387 million **Combustion Engineering** incinerator. "Documents reveal authority officials favored **Combustion** from the outset, regularly discussed plans with **Combustion** officials in private and kept **Combustion's** competitors less informed...The project which serves 44 towns, is the centerpiece of the state's plan to turn trash into energy...Financed through \$387 million in bonds backed by state taxpayers, it is the largest state bond project in Connecticut history...a contract was signed with **Combustion** in 1984. Ever since the plant began test operations in 1987, it has been plagued by problems - problems that forced it to divert a mountain of garbage to Hartford's dump and led to more than \$17 million in losses for **Combustion**."

### PLANNERS MISLED TOWNS ON DUMPING FEES, TECHNOLOGY

"Planners of the Mid-Connecticut Project repeatedly used misleading information about its cost and technology to sell it to municipal leaders and the public. Reasonable cost. Proven Technology. With those slogans the \$387 million trash-to-energy project was pitched to dozens of Connecticut towns...The planners misled municipal leaders when they said it would cost about \$20 to dump a ton of trash. At the time, mid-1982, documents show, they had estimates showing it would cost \$50 a ton. The planners also misled town officials when they said the project would rely on proven technology. The company chosen to build the plant, **Combustion Engineering Inc.**, had never built one before...As part of its promotion campaign, the Connecticut Resources Recovery Authority used the prestige of Gov. William A. O'Neill, the regional influence of the Metropolitan District Commission and the legal clout of the state General Assembly. For at least four years, the project planners met with town leaders to persuade them to join, all the while telling them the plant would be dependable and the dumping fees reasonable. The success of the project was critical to the authority because its first and, at that time, only other project - a \$53 million plant in Bridgeport - was a technical flop. That plant was razed and a new one built and operated by **Wheelabrator Technologies INC.**, replaced it..."

### NO BIDDING PROCESS

"...State law said that 'any contract for construction valued at over \$25,000 shall be let by the authority' through open or competitive bidding...But John E. Silliman - a partner at the Hartford firm of **Murtha, Cullina, Richter & Pinney**, and the trash authority's general counsel - said the law allowed the authority to negotiate with **Combustion** alone...(Silliman) said that what **Combustion** got was not a construction contract. It was, he said, a contract for a 'particular process'...But the trash authority's own documents repeatedly describe the Mid-Connecticut contract as a construction contract..."

### LAW FIRM WORKED FOR BOTH SIDES

"A Hartford law firm was advising the state's trash authority on the Mid-Connecticut Project at the same time it was working for the company chosen to build the project. **Murtha, Cullina, Richter & Pinney's** dual role put the law firm in an apparent conflict of interest, said Fred L. Morrison, an expert in municipal law at the U. of Minnesota Law School. That dual representation raises questions about the judgement of the firm and its undivided loyalty to the authority, according to state and national lawyers' ethics standards cited by Morrison. **Murtha, Cullina** has worked for the Connecticut

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Resources Recovery Authority since the state legislature set it up in 1973. The firm began working for the eventual builder of the Mid-Connecticut plant, **Combustion Engineering Inc.**, in 1975 as an adviser on real estate and tax matters unrelated to the plant...Silliman would not disclose how much work his firm used to do annually for **Combustion**. Meanwhile, the authority has been one of the firm's largest clients. The firm has billed the authority more than \$1 million annually in recent years...

#### ELECTRIC UTILITY SUBSIDIZES INCINERATOR

"...Documents show that authority, utility and **Combustion** officials agreed early on to save the two turbines at the power plant for use in the project...By using **Northeast Utilities** idle turbines and its old Hartford Electric Light Co. building on the Connecticut River, the state's trash authority figured to save on the cost of building its (incinerator)...But from the time **Northeast** got involved in the project in the mid-1970s to today, the costs of refurbishing old equipment and fixing up the building have risen from an estimated \$23 million to \$65.8 million...As it turned out, regulators allowed the utility to include its costs for the project when setting rates for its electricity customers. So rate-payers are picking up the whole tab, all \$65.8 million...One of the most important elements needed to convince towns that the project's cost would be reasonable was a guaranteed buyer for the steam it would produce...Legislators passed bills to make trash-to-energy plants more attractive to municipalities...

**Northeast's** electricity customers are paying 12.5 cents for a kilowatt hour of electricity from the trash project; **Northeast** can make the power itself for a little less than 3 cents a kilowatt hour...And despite all the money spent, one of the two 1940s-vintage, steam-driven turbines that were supposed to save so much money has not worked since October..."

To receive a copy of the Hartford Courant's full report, please send \$1 to WASTE NOT.

**ITALY: TAX AND BAN PLASTICS.** "On January 2, Italian Finance Minister Emilio Colombo and Environment Minister Giorgia Ruffulo signed a decree that placed a seven cent tax on all plastic shopping bags with the exception of bio(sic?)degradable packages. The Italian government has mandated that all plastic bags will be banned by 1991." Earth Island Journal, Spring 1989, page 3. **Waste Not** recommends Earth Island Journal to our readers. It is an excellent publication that focuses on international environmental news. It is published quarterly. Annual subscription is \$25. Address: 300 Broadway, Suite 28, San Francisco, CA 94133.

**"INCINERATION FACT PACK":** This 29 page **Fact Pack** lists the status of incinerator projects in the U.S. The listings describe: 152 operating incinerators, 30 under construction, 96 planned incinerators, 8 under construction, 93 blocked/shutdown/delayed/cancelled, and 82 incinerators listed as status "unknown." The **Fact Pack** identifies: operator/designer, RDF or mass-burn, TPD, and the costs. Available for \$4.50 (add \$1 for 1st class mailing) from the **Citizen's Clearinghouse for Hazardous Wastes, Inc.**, PO Box 926, Arlington, VA 22216. Tel: 703-276-7070.

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