Central Vermont Solid Waste Management District

Solid Waste Implementation Plan

Working Draft - January 23, 2015

Adopted: _____ 2015

Previous Solid Waste Implementation Plans
September 2011 [Revised]
January 2010 [Revised]
December 14, 2006
April 7, 2003
August 5, 1992

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I. INTRODUCTION

Vermont law requires that all municipalities develop a solid waste implementation plan that is in conformance with both the State's solid waste management plan (Vermont Materials Management Plan) and any regional plan. In the case of Central Vermont Solid Waste Management District (CVSWMD), the region spans three counties and three regional plans apply: Northeastern Vermont Development Association – Hardwick and Walden; Central Vermont Regional Planning Commission - Barre City, Barre Town, Berlin, Calais, East Montpelier, Middlesex, Montpelier, Plainfield, Woodbury, Orange, Washington, and Williamstown; Two Rivers-Ottauquechee Regional Commission – Bradford, Chelsea, Fairlee, and Tunbridge. This Solid Waste Implementation Plan (SWIP) serves to meet the requirement for all CVSWMD member communities.

CVSWMD is the second largest solid waste district in Vermont, with about 51,500 persons and 22,100 households in the CVSWMD service area. In August 1992, CVSWMD first adopted a solid waste implementation plan. In 2004, CVSWMD adopted a Zero Waste Implementation Plan, with the policy goal of achieving "zero waste" with its member municipalities in the central Vermont Region. In setting that ambitious goal, CVSWMD continually pursues new levels of innovation and efficiency.

In 2012, the Vermont legislature passed Act 148, Vermont's Universal Recycling Law, which represents the most substantial update to Vermont's solid waste management system in twenty-five years. As part of the Universal Recycling Law, the Vermont Agency of Natural Resources has established statewide materials management goals and performance standards within the *Vermont Materials Management Plan* (MMP), which was formally adopted on June 18, 2014.

The 2014 *Vermont Materials Management Plan* (MMP) includes performance standards, which focus primarily on implementing Act 148. The MMP vision largely reflects CVSWMD's 2003 vision for achieving "zero waste" as follows:

1. To prevent waste from being generated,
2. To promote sustainable materials management, with a preference for highest and best uses,
3. To minimize reliance on waste disposal (landfilling and incineration), and
4. To conserve resources, minimize energy consumption, and reduce greenhouse gas (GHG) emissions and other adverse environmental impacts.

CVSWMD's SWIP provides tasks and timelines to meet each MMP performance standard as well as all other requirements. CVSWMD is committed to working with member municipalities, residents, businesses, institutions, haulers, and other stakeholders to meet the MMP implementation goals and objectives. At the regional level, those goals and objectives include expanding education and outreach to schools, businesses and the general public; reducing the disposal rate in the CVSWMD service area; incorporating the guiding principles of reusing, recycling and composting materials; striving for convenient, consistent, and cost-effective services; improving measurement and progress of performance standards; and developing sustainable financial structures to manage materials.

SWIP Template & Checklist

This template can be used to draft a Solid Waste Implementation Plan (SWIP). **Solid Waste Management Entities (SWMEs) are not required to use this template but may find it helpful for drafting their SWIP**.

This document is meant to provide a suggested structure for the SWME to use to submit a SWIP that will be consistent with the State's MMP. This template will assist the SWME in describing how the performance standards will be fulfilled but the **original MMP document and MMP performance standards must be referenced** to ensure that you've provided a complete description of how the deliverables required will be met from SWMEs. In addition, you may also reference the SWIP Guidance document that was created to offer suggestions for meeting the MMP performance standards.

Planning: Please describe how you intend to meet the requirements of each MMP performance standard within the SWIP period. You may write a brief description of a program you plan to implement or bullet point specific tasks you plan to execute. Two to three sentences may be sufficient to respond to the MMP performance standards, but provide as much description as you need to ensure clarity of how the performance standard will be met. Note that the space in the tables below will adjust to the amount of text you write.

In the event an attachment is required, please attach and make note of it in the material sections of the template. All documents that are required to be submitted as part of a SWIP inclusive of the performance standards are listed in the checklist on the last page of this document.

SWME Profile

Name of SWME	Central Vermont Solid Waste Management District
Year Chartered (if applicable)	June 1987
Mission for Materials Management	CVSWMD provides leadership, education, and services for residents and businesses in reducing and managing their solid waste in order to protect public health and the environment to the greatest extent feasible. In 2003, CVSWMD became the largest group of municipalities in the U.S. to adopt a Zero Waste Implementation Plan.
Names of Member Town(s)	[Washington County] Barre City, Barre Town, Berlin, Calais, East Montpelier, Middlesex, Montpelier, Plainfield, Woodbury; [Orange County] Bradford, Chelsea, Fairlee, Orange, Tunbridge, Washington, Williamstown; [Caledonia County] Hardwick, Walden

General

G1	**Disposal and Diversion rates for the SWME's jurisdiction.** Include the calculation of the total disposal and per capita disposal rate for municipal solid waste from the jurisdiction for the SWME.
Data tracking system:	There is a system in place for tracking and reporting diversion rates biannually and disposal rates annually (check box) ☒ **Yes** ☐ **No** (If No please indicate the deadline date below for when system will be in place).
Plan for Annually tracking data:	Disposal and diversion data are sent each month via email from the following: Casella, including 3rd party materials which are brought to the CV and HP transfer stations; Organics haulers who are licensed by CVSWMD; CVSWMD business organics and school organics programs; CVSWMD HHW/Special Collections; CVSWMD Additional Recyclables Collection Center (ARCC).

G1	**Disposal and Diversion rates for the SWME's jurisdiction.** Include the calculation of the total disposal and per capita disposal rate for municipal solid waste from the jurisdiction for the SWME.
Expected Timeframe	CVSWMD will report disposal and diversion rate data for the previous calendar year annually to ANR by July 1, using whatever forms or online documentation method is provided by ANR.

G2	Within 6 months of VT ANR approval, post approved SWIP on SWME website.
Plan for Posting:	The SWIP will be posted on CVSWMD's website as soon as possible after it is approved by our Board of Supervisors and well within the 6-month post-approval deadline.

G3	Within 3 months of VT ANR approval, submit one newspaper article or op-ed piece introducing SWIP.
Plan for Submittal:	The CVSWMD SWIP will be adopted no later than June 18, 2015. An article about CVSWMD's newly adopted SWIP will be released within 3 months of the SWIP's adoption. In addition, there will be feature stories, articles, and op-eds featuring items in the MMP such as information about recycling, composting for businesses and residents, preferred practices for C&D, best practices for disposing of HHW, and biosolids.

G4	Within 6 months of VT ANR approval, conduct a survey of constituents on current knowledge; including variable rate pricing, recycling, organics, C&D, HHW/CEG, electronic waste, and universal waste. Survey to be done at beginning and end of SWIP term.
Plan for Surveys:	Shortly after the CVSWMD SWIP is adopted, CVSWMD will conduct a survey of residents in CVSWMD member communities, which will take place no later than December 2015. The survey will either be done in-house or with a local college. The survey will gather information on residents' current knowledge of variable rate pricing, recycling, organics, C&D, HHW/CEG, electronic waste, and universal waste. The compiled survey results will be provided on ANR template. The survey will be repeated during Year 5 (2020) of the SWIP.

G5	Hold two public meetings during SWIP term, one before the end of the second year, the second in the fifth year.
Planned Meeting Schedule:	CVSWMD will hold at least two (possibly three) public meetings to get feedback on new and existing programs. The first meeting will be held during Year 2 of the SWIP (between July 1, 2016 and June 30, 2017), and a second meeting will be held during Year 5 of the SWIP (between July 1, 2019 and June 30, 2020). CVSWMD will use a variety of multi-media strategies to increase attendance, such as a press release, email newsletter, and social media. The meetings will be held in a central location in the Barre-Montpelier area. Copies of sign-in sheets, lists of questions and concerns, and copies of outreach materials will be provided to ANR.

G6	Develop and maintain a webpage linked to a homepage for the SWME that lists regional management options for waste material (A through Z).
Date Planned for publishing Webpage:	The CVSWMD web site currently has an A-Z guide for residences which lists resources in central Vermont for recycling and reusing products and for waste options. This web site resource will be updated regularly.

G7	Adopt and implement variable rate pricing for municipal solid waste from residential customers and show plan for bringing haulers and facilities into compliance.
Description of Program and copies of ordinances passed:	*Please attach copies of any ordinances passed to this template, as well as a brief program description in a PDF or Word document. Indicate the title of the ordinance here.* A copy of the proposed CVSWMD ordinance for variable rate pricing is included in Section X. The proposed ordinance is titled: CVSWMD Variable Rate Pricing and Clear Bag Ordinance.

G8	Collect contact information for all commercial solid waste haulers and a list of services they provide within the SWME jurisdiction.
Description of collection process:	Each December, CVSWMD sends out hauler licensing packets, including contact information and a lsit of the hauler services, to be provided by the haulers. The license year is January 1 – December 31st. A list of the haulers, contact information, and services is included in Section IX.
Expected Timeframe:	CVSWMD will send ANR an updated list of haulers annually by July of each year.

Recyclables

R1	Work with at least 10% or 2 schools (whichever is greater) to implement a school-wide waste reduction program (covering recyclables, organics, and HHW) each year ensuring that 50% of schools are reached by end of SWIP term). Please describe how you plan to work with the schools each year. *If work performed with schools covers recyclables and organics, only one description is required.
Description of program:	CVSWMD is already operating a school-wide waste reduction program with all public schools in the service area. A school wide-wide waste reduction program is currently in place in 25 public schools. There are approximately 15 private schools in the region, which have yet to be integrated into the program. Activities within the waste reduction program include: Recycling – recycling classes are taught in grades 2, 4, 6/7/8; extra recyling bins are available to schools; signs are available to schools for every recylling and trash bin which explain what can and cannot be recycled and put in trash. Food Scrap Diversion – Compost classes are taught to every interested kindergarden class; tonnage data are collected and reported monthly to each school; compost buckets are provided to the schools; signs are provided to schools explaining what can and cannot go in compost buckets; training/presentations are available as needed; HHW/CEG, E-Waste & Universal Waste – school maintenance staff are informed about the annual CVSWMD special collections schedule, with follow up contacts; technical assistance is provided regarding proper disposal; schools are provided with free book and textile recycling. Staff assist schools with E-Waste diversion efforts, with developing environmental clubs and/or green teams, and with coordinating field trips to various compost and/or recycling facilities and wastewater management facilities. CVSWMD also performs waste audits as needed/requested in participating schools. In FY15, staff worked to develop a School Toxics Education and Reduction Program to provide information and technical assistance on HHW/CEG handling, disposal, waste reduction, recycling, and assistance accessing cost effective disposal options for schools. Other initiatives include waste stream audits, classroom lessons and activities, and the School Zero Waste Grant Program (which provides schools with money to purchase products or to fund a project to reduce waste). That program is available to public schools only. CVSWMD will work to integrate at least 10% of the private schools into the program.
Expected Timeframe:	CVSWMD will work with 100% of public schools and at least 10% of private schools by the end of the SWIP term.

R2	Implement an ongoing multi-media public outreach campaign to inform the residents and businesses of the preferred practices to recycle materials including plan for raising awareness of the provisions from the UR law: 7/1/15-landfill ban and public space recycling.
Description of campaign:	CVSWMD has a well-established public relations and outreach plan, which has been revised to integrate the requirements associated with the MMP. CVSWMD uses a multi-media strategy including: e-newsletter; Twitter feed (with over 300 followers); Facebook (with 800 followers); website; Front Porch Forum postings; collateral materials including posters, brochures, stickers, educational booklets, fact sheets, and training materials for schools and business customers. In addition, CVSWMD reaches out to media outlets through press releases, television, radio interviews, articles and op-eds. In FY14, CVSWMD conducted an advertising campaign titled "Did You Know?" which focused on educating residents about recycling and organics diversion. Using a unified template, each ad focused on a single fact about curbside recycling and organics. Recycling in central Vermont increased 5.3% during the months of the campaign. CVSWMD staff present regularly to community and business groups about composting, recycling, waste reduction, and Act 148. Those presentations will continue each year of the SWIP. CVSWMD staff have met with local municipal officials to educate them about the requirements of public space recycling and the role of CVSWMD in meeting municipal requirements per Act 148. CVSWMD has applied for a USDA Solid Waste Management Grant for the purpose of reducing waste in rural areas of the CVSWMD service area. Should the grant be successful, CVSWMD will embark on a special rural-based program with technical assistance, outreach to increase recycling and organics diversion rates, and education about the state's new solid waste management law.
Expected Timeframe:	The public relations and outreach plan will be updated each year of the SWIP term with specific activities to support the CVSWMD outreach and educational activities associated with the MMP. CVSWMD will continue the "Did You Know?" advertising campaign, within budget parameters, in FY16. If CVSWMD receives the USDA Rural Development grant, activities will commence in October 2015 and be completed the following year. All of the materials will be utilized for the remainder of the SWIP term.

R3	Conduct outreach to at least 2% or 20 businesses/institutions (whichever is greater) in the region per year to increase their recycling and access to recycling in their public spaces, ensuring that a minimum of 10% of the businesses and institutions have been reached by the end of the SWIP term.
Description of outreach plan:	NOTE for R3 and H3 performance standards: The methodology for determining the numbers of businesses/institutions and conducting outreach is as follows: 1) The total number of businesses/institutions in the CVSWMD service area is based on data from the Vermont Department of Labor web site, which indicateds there are 2,148 establishments in the CVSWMD service area. 2) The Central Vermont Chamber of Commerce service directory provides contact information for their members, with size categories. This will provide CVSWMD with a ready source to contact about 425 businesses and institutions at different size categories. Other industry-specific directory sources will be considered in addition to the Chamber of Commerce service directory. Two percent of the businesses/institutions respresents a total of 43 businesses/institutions. Each year, CVSWMD will conduct written outreach to 43 businesses/institutions to increase their recycling and access to recycling in their public places. Direct services will be provided to these businesses/institutions upon request. In addition, CVSWMD staff will present to business groups about recycling and access to recycling in their public places.

R3	Conduct outreach to at least 2% or 20 businesses/institutions (whichever is greater) in the region per year to increase their recycling and access to recycling in their public spaces, ensuring that a minimum of 10% of the businesses and institutions have been reached by the end of the SWIP term.
Expected Timeframe:	By the end of the SWIP term, outreach to a minimum of 215 businesses/institutions will be completed as well as regular presentations to business groups.

R4	Provide technical assistance for waste reduction at public and private events. *If technical assistance covers recyclables and organics, only one description is required.
Description of program:	For the past two years, CVSWMD has partnered with Montpelier Alive to help make the July 3rd celebration a zero waste event. CVSWMD will work continue to work with organizations to create zero waste events. In addition, CVSWMD will create multi-media outreach materials about events recycling and organics diversion and will post on the CVSWMD web site.
Expected Timeframe:	In FY 15, CVSWMD will work with up to two events planners to help create zero waste events. The multi-media outreach materials about events recycling and organics diversion will be posted on the CVSWMD web site by the end of the SWIP term.

R5	Include outreach & options for textile reuse and recycling.
Description of program:	CVSWMD currently does outreach for textile reuse and recycling and offers textile recycling services as follows: 1) write articles and op-ed pieces and social media postings about the benefits and opportunities to recycle textiles; 2) provide schools with free textile recycling (including pick-up and hauling); offer technical assistance to school maintenance staff technical assistance about textiles and other materials; 3) accept textiles at the CVSWMD Additional Recyleables Collection Center (ARCC) in Barre. There are numerous other convenient outlets in central Vermont for accepting textiles; 4) Informational packets to businesses will include options for textile recycling.
Expected Timeframe:	CVSWMD will continue outreach for textile reuse and recycling throughout the term of the SWIP.

Organics

O1	Work with at least 10% or 2 schools (whichever is greater) to implement a school-wide waste reduction program (covering recyclables, organics, and HHW) each year ensuring that 50% of schools are reached by end of SWIP term. *Please note if this description is provided above in the recyclables section.
Description of program:	[This description is also provided in R1 and H1.] CVSWMD is already operating a school-wide waste reduction program with all public schools in the service area. A school wide-wide waste reduction program is currently in place in 25 public schools. There are approximately 15 private schools in the region, which have yet to be integrated into the program. Activities within the waste reduction program include: Recycling – recycling classes are taught in grades 2, 4, 6/7/8; extra recyling bins are available to schools; signs are available to schools for every recylling and trash bin which explain

O1	Work with at least 10% or 2 schools (whichever is greater) to implement a school-wide waste reduction program (covering recyclables, organics, and HHW) each year ensuring that 50% of schools are reached by end of SWIP term. *Please note if this description is provided above in the recyclables section.
	what can and cannot be recycled and put in trash. Food Scrap Diversion – Compost classes are taught to every interested kindergarden class; tonnage data are collected and reported monthly to each school; compost buckets are provided to the schools; signs are provided to schools explaining what can and cannot go in compost buckets; training/presentations are available as needed; HHW/CEG, E-Waste & Universal Waste – school maintenance staff are informed about the annual CVSWMD special collections schedule, with follow up contacts; technical assistance is provided regarding proper disposal; schools are provided with free book and textile recycling. Staff assist schools with E-Waste diversion efforts, with developing environmental clubs and/or green teams, and with coordinating field trips to various compost and/or recycling facilities and wastewater management facilities. CVSWMD also performs waste audits as needed/requested in participating schools. In FY15, staff worked to develop a School Toxics Education and Reduction Program to provide information and technical assistance on HHW/CEG handling, disposal, waste reduction, recycling, and assistance accessing cost effective disposal options for schools. Other initiatives include waste stream audits, classroom lessons and activities, and the School Zero Waste Grant Program (which provides schools with money to purchase products or to fund a project to reduce waste). That program is available to public schools only. CVSWMD will work to integrate at least 10% of the private schools into the program.
Expected Timeframe:	CVSWMD will work with 100% of public schools and at least 10% of private schools by the end of the SWIP term.

O2	Implement an ongoing public education and outreach campaign to inform the residents, businesses, and institutions (hospitals, nursing homes, colleges, correctional facilities, and other large waste generators) of the better ways to manage organic materials. Must include at a minimum the plan for raising awareness about the organics disposal bans (leaf and yard debris and food scraps) and food recovery hierarchy from the UR Law.
Description of campaign:	CVSWMD currently conducts annual outreach with food scrap generators in the region. The outreach consists of presentations to community groups; phone contacts, social media postings, articles, and op-ed pieces. In FY14, CVSWMD contacted all of the two-ton/week generators and is currently in the process of contacting all of the one-ton/week generators in advance of the July 1 date when those generators can no longer send organics to landfills. Based on a survey of food scrap generators in central Vermont, CVSWMD estimates that approximately 57% of businesses or insitutions compost on-site or get food scraps to local farmers. There are about 125-130 businesses or institutions that may be looking for commercial food scrap hauling services beyond the 78 current commercial and school customers in the CVSWMD Business Organics Program (hauling). For several years, CVSWMD has been educating the public, businesses and schools about the organics disposal bans and the food recovery hierarchy. As part of the on-going outreach plan to meet Act 148 objectives, CVSWMD will prepare or adapt advertising and outreach materials regarding the value of composting and the organics disposal bans. CVSWMD believes that one important approach to ensure that organics materials do not go to the landfill is to encourage people to compost at home. We accomplish this by providing on-line educational tools, participating in numerous public events (like farmers markets), and selling products (green cones and soil savers) at cost to residents in the district service area. CVSWMD also makes presentations to community and business groups, which include how to best accomplish organics diversions.

O2	Implement an ongoing public education and outreach campaign to inform the residents, businesses, and institutions (hospitals, nursing homes, colleges, correctional facilities, and other large waste generators) of the better ways to manage organic materials. Must include at a minimum the plan for raising awareness about the organics disposal bans (leaf and yard debris and food scraps) and food recovery hierarchy from the UR Law.
Expected Timeframe:	CVSWMD will continue public education and outreach to inform residents, businesses, and institutions throughout the term of the SWIP. CVSWMD seeks to increase the sales of backyard composters and green cones by 15% by the end of the SWIP term.

O3	Conduct outreach to at least 2% or 20 food based businesses and institutions (whichever is greater) within their jurisdiction each year, ensuring that at a minimum 10% of the business and institutions are reached by the end of the SWIP term.
Description of outreach plan:	Based on the DEC list of food scrap generators and CVSWMD business operations, it is estimated that there are approximately 465 food scrap generators in the CVSWMD service area. Because 2% (representing 9 business or institutional food scrap generators) is less than 20, CVSWMD will conduct outreach to at least 20 food scrap generators each year. Such outreach will be combined with outreach conducted under R3 and O3 (which are described in other sections).
Expected Timeframe:	CVSWMD will continue and expand outreach to at least 20 business or institutional food scrap generators in central Vermont each year for the term of the SWIP.

O4	Provide technical assistance for waste reduction at public and private events. *Please note if this description is provided above in the recyclables section.
Planned Tasks:	[This description is also provided in R4 above.] For the past two years, CVSWMD has partnered with Montpelier Alive to help make the July 3rd celebration a zero waste event. CVSWMD will work continue to work with organizations to create zero waste events. In addition, CVSWMD will create multi-media outreach materials about events recycling and organics diversion and will post on the CVSWMD web site.
Expected Timeframe:	In FY 15, CVSWMD will work with up to two events planners to help create zero waste events. The multi-media outreach materials about events recycling and organics diversion will be posted on the CVSWMD web site by the end of the SWIP term.

O5	Contact and collaborate with local food redistribution groups and networks to conduct outreach and education to food service businesses and institutions about the opportunities to donate quality food within the region to feed people.
Planned Tasks:	In FY14, CVSWMD taped a 20 minute interview about the Food Cycle Coalition, and a video of the interview will distributed in FY15 on the CVSWMD web site, community access television, and other outlets. CVSWMD will contact and collaborate with local food redistribution groups and will release at least one collaborative piece per year to encourage food redistribution efforts.
Expected Timeframe:	Through the SWIP term.

O6	Establish or promote year-round collection location for leaf and yard debris within SWME region. List existing location or the plan to establish and timeline for reaching operational capacity.
Planned Tasks:	At this time, there are four municipally-run collection locations for leaf and yard waste in the CVSWMD region. None of the facilities operates a year-round operation. It is beyond the capacity of any of the four collection sites to collect leaf and yard waste for the entire region, especially on a year-round basis. In July 2016, CVSWMD must provide a collection option for residents if there is no private or public option in the region. CVSWMD is exploring a public drop off facility for leaf and yard waste, among other materials, in the region, as well as a separate compost facility which would use leaf and yard waste as a source for carbon.
Expected Timeframe:	Between now and July 2016, four leaf and yard waste facilities accept materials from five municipalities on a seasonal basis. CVSWMD will contact the municipalities to determine if any are willing to accept leaf and yard waste materials from additional municipalities. CVSWMD is prepared to provide a regional drop off facility for the year-round collection of leaf and yard waste by July 2016.

Construction & Demolition (C&D)

C1	Implement a multi-media outreach campaign to inform the residents and businesses of the preferred practices for the reduction of C&D materials generated and for end-of-life management.
Description of campaign:	CVSWMD plans to expand the outreach campaign to include information about preferred practices for the reduction of C&D materials, such as social media, web sites, radio public service announcements, and written materials.
Expected Timeframe:	Year Four of the SWIP term.

C2	Establish a program for clean wood recycling prior to July 1, 2016 to coincide with the UR Law landfill ban.
Description of program:	CVSWMD must ensure that there is at least one collection point in place by July 2016 in the region for clean wood recycling, including a convenient location for DIY customers and contractors. CVSWMD is exploring a public drop off facility for clean wood recycling in the region, among other materials, as well as a separate compost facility which would use clean wood as a source for carbon. The CV Transfer Station (Casella) accepts clean wood at this time.

C2	Establish a program for clean wood recycling prior to July 1, 2016 to coincide with the UR Law landfill ban.
Expected Timeframe:	The CV Transfer Station (Casella) accepts clean wood. CVSWMD is committed to establishing a clean wood recycling program – and drop off facility, as needed – in keeping with the provisions of this section.

C3	Establish at least one collection location for asphalt shingles collection and drywall by end of the SWIP term in each SWME's jurisdiction.
Planned Tasks:	At this time, the only C&D recycling center in the state is located in Colchester, Vermont, by Myers Containers. In July 2020, asphalt shingles and drywall are banned from the landfill. CVSWMD is exploring having a public drop off facility for collecting asphalt shingles and drywall, along with other materials. CVSWMD is committed to collecting C&D materials and partnering with a C&D recycling center to arrange for preferred practices in recycling and/or reusing those materials. Should additional collection centers be located in central Vermont, that option might be modified prior to 2020.
Expected Timeframe:	As other SWME's have done, CVSWMD will likely partner with Myers Containers (or alternative) to install a C&D recycling center at a public drop off center by the end of the SWIP term.

HHW & CEG

H1	Work with schools and VT ANR's Environmental Assistance Office to provide information and technical assistance on HHW/CEG hazardous waste handling, disposal, waste reduction, recycling and assistance accessing cost effective disposal options. Work with at least 10% or 2 schools (whichever is greater) each year ensuring that 50% of schools are reached by end of SWIP term.
Description of program:	[This description is also provided above in R1 and O1.] CVSWMD is already operating a school-wide waste reduction program with all public schools in the service area. A school wide-wide waste reduction program is currently in place in 25 public schools. There are approximately 15 private schools in the region, which have yet to be integrated into the program. Activities within the waste reduction program include: Recycling – recycling classes are taught in grades 2, 4, 6/7/8; extra recyling bins are available to schools; signs are available to schools for every recylling and trash bin which explain what can and cannot be recycled and put in trash. Food Scrap Diversion – Compost classes are taught to every interested kindergarden class; tonnage data are collected and reported monthly to each school; compost buckets are provided to the schools; signs are provided to schools explaining what can and cannot go in compost buckets; training/presentations are available as needed; HHW/CEG, E-Waste & Universal Waste – school maintenance staff are informed about the annual CVSWMD special collections schedule, with follow up contacts; technical assistance is provided regarding proper disposal; schools are provided with free book and textile recycling. Staff assist schools with E-Waste diversion efforts, with developing environmental clubs and/or green teams, and with coordinating field trips to various compost and/or recycling facilities and wastewater management facilities. CVSWMD also performs waste audits as needed/requested in participating schools. In FY15, staff worked to develop a School Toxics Education and Reduction Program to provide information and technical assistance on HHW/CEG handling, disposal, waste reduction, recycling, and assistance accessing cost effective disposal options for schools. Other initiatives include waste stream audits, classroom lessons and activities, and the School Zero Waste Grant Program (which provides schools with money to purchase products or to fund a project to reduce waste). That program is available to public schools only. CVSWMD will work to integrate at least 10% of the private schools into the program.
Expected Timeframe:	CVSWMD will work with 100% of the public schools and at least 10% of the private schools by the end of the SWIP term.

H2	Implement a multi-media outreach campaign to inform residents, businesses and institutions of environmentally preferable purchasing and of the preferred practices for hazardous materials including pharmaceuticals.
Description of program:	CVSWMD has a well-established public relations and outreach plan, which has been revised to integrate the requirements associated with the MMP. CVSWMD uses a multi-media strategy including: e-newsletter; Twitter feed (with over 300 followers); Facebook page (with 800 followers); website; Front Porch Forum postings; collateral materials including posters, brochures, stickers, educational booklets, fact sheets, and training materials for schools and business customers. In addition, CVSWMD reaches out to media outlets through press releases, television, radio interviews, articles and op-eds. In FY14, CVSWMD held six HHW drop off events and one Paints/Batteries/Floresent Bulbs event. Extensive public outreach takes place for those annual events, including a message about preferred practices for hazardous materials. CVSWMD has released op-ed pieces discussing resources about non-toxic cleaning supplies. CVSWMD will continue to do multi-media outreach, including social media, and op-ed pieces about environmentally friendly purchasing and preferred practices for hazardous materials.

H2	Implement a multi-media outreach campaign to inform residents, businesses and institutions of environmentally preferable purchasing and of the preferred practices for hazardous materials including pharmaceuticals.
Expected Timeframe:	The public relations and outreach plan will be updated each year of the SWIP term with specific activities to support the CVSWMD outreach and educational activities associated with the MMP, including education about preferable purchasing and practices for hazardous materials. CVSWMD will continue the "Did You Know?" advertising campaign, within budget parameters, in FY16. If CVSWMD receives the USDA Rural Development grant, activities will commence in October 2015 and be completed the following year. All of the materials will be utilized for the remainder of the SWIP term. If the grant is not received, CVSWMD will complete a reduced set of activities with community and business groups throughout the region.

H3	Work with 2% or 20 (whichever is greater) of businesses and institutions within jurisdiction per year on proper disposal and waste reduction information, ensuring that at a minimum 10% of the business and institutions are reached by the end of the SWIP term.
Description of program:	NOTE for R3 and H3 performance standards: The methodology for determining the numbers of businesses/institutions and conducting outreach is as follows: 1) The total number of businesses/institutions in the CVSWMD service area is based on 2013 data from the Vermont Department of Labor web site, which indicated there are 2,148 establishments in the CVSWMD service area. 2) The Central Vermont Chamber of Commerce service directory provides contact information for their members, with size categories. This will provide CVSWMD with a ready source to contact about 425 businesses and institutions at different size categories. Other industry-specifiic directory sources will be considered in addition to the Chamber of Commerce service directory. Two percent of the businesses/institutions respresents a total of 43 businesses/institutions. Each year, CVSWMD will conduct written outreach to 43 businesses/institutions to increase their recycling and access to recycling in their public places. Direct services will be provided to these businesses/institutions upon request. In addition, CVSWMD staff will present to business groups about HHW, proper disposal of waste materials, and environmentally friendly alternatives.
Expected Timeframe:	By the end of the SWIP term, outreach to a minimum of 215 businesses/institutions will be completed.

H4	**Year 1:** Establish a minimum of 2 HHW/CEG events per year, or access to a permanent facility. **Year 2:** Demonstrate that year-round HHW/CEG collection exists for additional MMP-specified materials, provide 2 HHW/ CEG events per year or access to a permanent facility for items not listed. **Year 3:** Demonstrate that year-round HHW/CEG collection exists for additional MMP-Specified materials, provide 3 HHW/CEG events per year or access to a permanent facility for products not listed. **Year 4:** Demonstrate that year-round HHW/CEG collections exists for additional MMP-Specified materials, provide a minimum of 3 HHW/CEG events per year or access to a permanent facility for products not listed, ensure households have access to HHW/CEG event or permanent facility within 15 miles. **Year 5:** Demonstrate that year-round HHW/CEG collections exists for additional MMP-Specified materials, provide a minimum of 4 HHW/CEG events per year or access to a permanent facility for products not listed, ensure households have access to HHW/CEG event or permanent facility within 15 miles. Ensure that minimum requirements outlined in MMP under Convenience are met each year.
Description of plan for each year:	Year 1/FY14: CVSWMD held 6 HHW events and 1 special collection (Paint/Batteries/Bulbs) events Year 2/FY15: CVSWMD will hold five or more HHW events and 3 special collections (Paint/Batteries/Bulbs) events. CVSWMD accepts the MMP-specific materials at the ARCC in Barre, with the exception of used oil. There are private collection sites for used oil. CVSWMD has documented that year-round collection options (including one week day and one weekend day) are in place for batteries, fluorescent lamps, mercury thermostats, 1 and 20 pound propane tanks,

H4	**Year 1:** Establish a minimum of 2 HHW/CEG events per year, or access to a permanent facility. **Year 2:** Demonstrate that year-round HHW/CEG collection exists for additional MMP-specified materials, provide 2 HHW/ CEG events per year or access to a permanent facility for items not listed. **Year 3:** Demonstrate that year-round HHW/CEG collection exists for additional MMP-Specified materials, provide 3 HHW/CEG events per year or access to a permanent facility for products not listed. **Year 4:** Demonstrate that year-round HHW/CEG collections exists for additional MMP-Specified materials, provide a minimum of 3 HHW/CEG events per year or access to a permanent facility for products not listed, ensure households have access to HHW/CEG event or permanent facility within 15 miles. **Year 5:** Demonstrate that year-round HHW/CEG collections exists for additional MMP-Specified materials, provide a minimum of 4 HHW/CEG events per year or access to a permanent facility for products not listed, ensure households have access to HHW/CEG event or permanent facility within 15 miles. Ensure that minimum requirements outlined in MMP under Convenience are met each year.
	electronics, paint and used oils on at least one week day and one weekend day per week. This documentation will be verified in Years 3, 4, and 5 also. Year 3/FY16: CVSWMD will hold 5 or more HHW events. Year 4/FY17: CVSWMD is exploring options for opening a year-round drop off facility for HHW. In addition, two or more HHW collections will take place in locations outside the 15-mile radius of the facility. Year 5/FY18: In addition to the drop off facility for HHW, CVSWMD will hold two or more HHW collection events in locations outside the 15-mile radius of the facility.
Expected Timeframe:	The timeframes are laid out in the plan description above.

Sludge, Septage and Residual Wastes

S1	Implement a public education and outreach campaign to inform residents and businesses of the quality and beneficial uses of Vermont's biosolids and residual wastes to address public perceptions and to educate residents and businesses to not dispose of household hazardous wastes, pharmaceuticals, and other chemicals in wastewater and septic systems.
Description of program:	The CVSWMD supports the principle of beneficial reuse of biosolids. However, the District is concerned with the opportunity for metals, toxic residues of household and industrial chemicals, pharmaceuticals, expired vitamins and medicines, and beauty products to find their way into the wastewater system, and therefore be present in sludge and septage when it is land-applied or composted. In keeping with the District's adoption of Zero Waste philosophies and precautionary principles, the Central Vermont Solid Waste Management District shall implement a public education and outreach campaign to inform residents and businesses of the inputs into waste water systems that are potentially harmful, provide information on alternatives to the use of harmful products and provide opportunities for residents to properly dispose of detrimental materials through our household hazardous waste collection program. The CVSWMD shall also promote pharmaceutical collection and other opportunities to properly dispose of substances that may contaminate the products of waste water treatment systems. The CVSWMD shall develop informational handouts to inform residents of alternatives to hazardous products and present technical information to residents and local decision makers. The CVSWMD School program shall lead field trips and lead educational activities to provide young people with an understanding of biosolid and residual waste systems and the importance of not disposing of harmful substances in waste water systems.

Expected Timeframe:	CVSWMD has held Household hazardous waste and other collection activities annually for many years and will continue to do so throughout the SWIP term. Educational activities and technical assistance activities will occur throughout the SWIP Term.

S2	SWMEs shall work with their respective municipalities, plant operators, and septic service providers to encourage the beneficial use of biosolids and septage.
Description of program:	CVSWMD shall work with municipal officials and other community decision-makers by providing technical assistance through formal and informal educational programs and materials. In providing these materials the District will seek to inform and empower these local decision-makers as they consider both long-term management options, as well as opportunities for new wastewater systems that may change both the quality and quantity of biosolids in their community. As a final step in the biosolids and septage management process, the CVSWMD shall encourage the beneficial use of clean composted biosolids and septage.
Expected Timeframe:	During the SWIP term.

Check List

Please make sure all of the following items are included with the SWIP submittal. Further description of each requirement is included in the MMP.

☒ **Tasks** that will be undertaken to complete each performance measure as outlined in each chapter of the MMP (all components of the template above.)

☒ **Timeline** for each task, as well as the **deadline** for completing the performance measure.

☐ **Disposal rate for the SWME area**

Please note that these three check-list items are met by completing a SWIP using the provided template.

Entities choosing not to use the template should include these three items throughout their SWIP.

☐ **Solid Waste Facilities Siting Criteria**

☐ **Specify Facilities included in the plan.**
Specify what existing solid waste facilities are "included in" the plan. Describe how proposed facilities will be reviewed for inclusion in the plan.

☐ **Public Participation Plan**
Describe the process used to ensure early and sustained public participation in development and implementation of the plan.

☐ **Ordinances**
- Include copies of local ordinances pertaining to solid waste or materials management.

☐ **Conformance with Other Plans**
- Demonstrate that the Implementation Plan is in conformance with any regional plan(s) adopted in accordance with 24 V.S.A Chapter 117.

☐ **List of solid waste facilities and haulers** that exist to take materials identified as banned in the Universal Recycling law as well as additional non-banned but MMP identified materials (ex: textiles)

☐ **Contact information** for all solid waste haulers and a list of services they provide within their region.

☐ **Variable Rate Pricing Program description and plan for implementation** and any passed or proposed ordinances related to the program.

SECTION III. PUBLIC PARTICIPATION PLAN

CVSWMD's public participation plan includes the following elements for gathering and responding to public input:

1. CVSWMD web site – a special page will be available for public input.
2. Comments may be emailed by March 31, 2015 to comments@cvswmd.org.
3. Notice for opportunity to comment will be made via Front Porch Forum, newspaper advertisements, notice to municipalities, Twitter, notice to haulers, CVSWMD newsletter, and other stakeholders.
4. The draft SWIP will be discussed by the CVSWMD Board of Supervisors on February 4, 2015. The public will have an opportunity to comment about the SWIP at that time.
5. Public hearings will take place as follows:
    a. A public hearing for the draft CVSWMD "Pay As You Throw" (Variable Rate Pricing) ordinance will take place on Wednesday, March 11, 2015. The public will have an opportunity to comment on the draft "Pay As You Throw" ordinance.
    b. A public hearing for the CVSWMD SWIP will be held on March 17, 2015. The public will have an opportunity to comment about the CVSWMD SWIP.
6. Comments about CVSWMD programs are welcome at any time and can be directed to comments@cvswmd.org.

IV. Conformance with Regional Plans

The eighteen municipal members of CVSWMD are located within the jurisdiction of three separate regional planning commissions. The CVSWMD SWIP has been developed to be in conformance with the regional plans of:

- Central Vermont Regional Planning Commission – which covers Barre City, Barre Town, Berlin, Calais, East Montpelier, Middlesex, Montpelier, Plainfield, Woodbury, Orange, Washington, and Williamstown;
- Two Rivers-Ottauquechee Regional Commission – which covers Bradford, Chelsea, Fairlee, and Tunbridge;
- Northeastern Vermont Development Association – which covers Hardwick and Walden.

The CVSWMD SWIP has been sent to the three regional planning commissions for review and approval. Prior to the adoption of the CVSWMD SWIP, documentation will be provided within this section that the CVSWMD SWIP is developed in conformance with the regional plans of Central Vermont Regional Planning Commission, Two Rivers-Ottauquechee Regional Commission, and Northeastern Vermont Development Association.

V. SOLID WASTE MANAGEMENT ORDINANCES

CVSWMD has three current ordinances in place:

- Ordinance No. 92-01 – Flow Control Ordinance
- Waste Management and Mandatory Recycling Ordinance
- Ordinance No. 94-01 – Imposition of a Solid Waste Fee

Those three ordinances are listed as follows.

ORDINANCE NO. 92-01

FLOW CONTROL ORDINANCE

AN ORDINANCE BY THE CENTRAL VERMONT SOLID WASTE MANAGEMENT DISTRICT REGULATING THE COLLECTION, TRANSPORTATION, RECYCLING, RESOURCE RECOVERY AND DISPOSAL OF SOLID WASTE WITHIN THE DISTRICT; REQUIRING LICENSES FOR THE TRANSPORTATION OF SOLID WASTE WITHIN THE DISTRICT; DIRECTING THE DELIVERY OF ALL SOLID WASTE GENERATED WITHIN THE DISTRICT TO FACILITIES DESCRIBED HEREIN; PROHIBITING THE UNLAWFUL DISPOSAL OF SOLID WASTE; AND PROVIDING FOR ENFORCEMENT AND PENALTIES.

WHEREAS, the Central Vermont Solid Waste Management District (the "District") has been created and exists as a union municipal district; and

WHEREAS, the General Assembly of the State of Vermont (the "State") has approved and confirmed the creation of the District through the enactment of No. M-8 of the Acts of 1987 (the "Charter"); and

WHEREAS, the District has the authority under the Charter and the general law of the State of Vermont to provide solid waste disposal services for member municipalities; to regulate by ordinance, rule or regulation, the collection, transportation, resource recovery, recycling and disposal of solid waste as defined in 10 V.S.A. Chapter 159 and in the District's Charter; to exercise any other powers which are necessary or desirable for dealing with solid waste problems of mutual concern and which are exercised or capable of exercise by any of its member municipalities; and to exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of the District's purpose; and

WHEREAS, in order to implement a solid waste management implementation plan which contemplates and provides for an integrated means of managing all aspects of solid waste within its jurisdiction, it is deemed necessary to control and regulate the collection, transportation, storage and disposal of all solid waste; and

WHEREAS, the District had determined that this Ordinance is in the public interest, promotes the public health, safety and welfare and promotes the efficient, economical and environmentally sound management of solid waste within the District.

NOW THEREFORE, it is hereby enacted and ordained by the District as follows:

ARTICLE I
PURPOSE; TITLE

1.1 Purpose. This Ordinance is enacted and ordained for the purpose of promoting health, safety and general welfare of the District, its member municipalities and their inhabitants and the general community, and to provide environmentally acceptable and economical means of waste management, to facilitate the adequate provision of Solid Waste disposal and recycling services such that the generators of Solid Waste pay disposal costs that reflect the real costs to society of waste management and disposal, to regulate through a licensing process the collection and transportation of Solid Waste, to direct that all Solid Waste be disposed at facilities owned, controlled or designated by the District, to facilitate economical and environmentally acceptable means of regulating the waste stream, and to provide for the efficient, economical and environmentally sound management and regulation of Solid Waste and Solid Waste Disposal within the District.

1.2 Title. This Ordinance shall be known and may be cited as The Central Vermont Solid Waste Management District Flow Control Ordinance.

ARTICLE II
DEFINITIONS

2.1 Unless the context clearly requires otherwise, the following terms shall have the respective meanings:

A. "Commercial Hauler" shall mean any person who, for charge, hire, fee or other consideration, collects, transports, stores or otherwise deals with Solid Waste in quantities of more that one hundred (100) pounds.
B. "Disposal" or "Dispose" shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any Solid Waste or Hazardous Waste into or on any land or water.
C. "Facility" shall mean any landfill or other solid waste disposal facility, and all contiguous land used for treating, storing or disposing of solid waste.
D. "Hazardous Waste" shall mean any material or substance which, by reason of its composition or characteristics, is defined as hazardous either by 42 U.S.C 6901 et seq., or by 15 U.S.C. 2605 (e), or by 42 U.S.C. 9601 et seq., or by any laws of similar purpose or effect, or any other materials which the State, the State Agency of Natural Resources, or the Vermont Department of Environmental Conservation or any similar governmental agency or unit having appropriate jurisdiction shall determine from time to time is ineligible for disposal in landfills, whether by reason of being toxic, reactive, ignitable, corrosive or otherwise.
E. "Household Solid Waste" shall mean Solid Waste generated by residential housing units.

F. "Licensee" shall mean any Person holding a license issued pursuant to Article IV hereof.
G. "Un-Regulated Hazardous Waste" shall mean either household hazardous waste or hazardous waste from small quantity generators, in accordance with the rules and regulations of the United States Environmental Protection Agency and the State Agency of Natural Resources.
H. "Person" shall mean an individual, partnership, company, corporation, association, unincorporated association, joint venture, trust, municipality, agency, department, and any other legal entity.
I. "Recycle" shall mean the process of utilizing Solid Waste for the production of raw materials or products.
J. "Secretary" shall mean the Secretary of the Agency of Natural Resources of the State.
K. "Solid Waste" shall mean any discarded garbage or refuse, but shall not include septage, sludge, or materials to be recycled.
L. "Unlawful Conduct" shall mean any act or failure to act which is in violation of any provision set forth in this Ordinance, any rule or regulation enacted by the District in furtherance of this Ordinance, or any term, condition or restriction imposed upon, or required by, any License issued or required under the terms of this Ordinance, or in violation of any term or condition of any license granted by the Regulatory Board of the District.

ARTICLE III
REGULATION OF SOLID WASTE

3.1 License Requirement. No Person may collect, receive, accept for disposal, transport, or dispose of Solid Waste in the District and its member municipalities unless it has obtained a License from the District, as provided in Article IV hereof.

3.2 Regulation of Commercial Haulers. No Person shall accept, receive or allow the acceptance or receipt for storage or Disposal of any Solid Waste in the District and its member municipalities except from the Person holding a valid License, and only in accordance with the terms, conditions and restrictions contained in such License.

3.3 Exemption for Self-Hauling. Notwithstanding the foregoing, a person may transport and dispose up to one hundred (100) pounds of Solid Waste per week at a district-designated location without the need for a License, and the operator of such Facility shall be permitted to accept such amount of Solid Waste for Disposal.

3.4 Hazardous Waste. This Ordinance shall not regulate the storage, disposal, collection or transportation of Hazardous Waste, other than Un-Regulated Hazardous Waste, to the extent that such storage, disposal, collection or transportation is otherwise regulated by Federal or State laws, rules or regulations.

3.5 At any location where a hauler accepts solid waste from households on a per-bag basis (i.e. where customers are charged for dropping off their household solid waste), regardless of whether such location is permanent or temporary, source-separated recyclable materials shall be accepted during all operating hours. Haulers may charge for recyclables accepted at the drop-off locations, but at a rate no more than 50% of the rate per bag of trash. Recyclable materials collected at the drop-off locations shall be delivered by the hauler to a processor or broker of recyclable materials. The list of recyclable materials to be accepted at such locations shall be set by the District Regulatory Board from time to time.

ARTICLE IV
LICENSING

4.1 License Requirement. Each Commercial Hauler who collects, transports, and/or delivers Solid Waste within the District shall obtain a License as provided herein.
4.2 Validitiy of License. Each License shall be valid for a period not to exceed one year. Each License shall expire on July 1 of each year, and shall not be assignable, fungible nor transferable.

4.3 Designation in License. Each License shall designate the Facility or Facilities to which the Licensee is authorized to deliver Solid Waste. No Licensee shall transport Solid Waste to a Facility except as designated by the District. Each Licensee shall collect and dispose of all solid waste in conformance with such terms, restrictions and conditions as the District shall impose in its License.

4.4 Changes to License. Each License shall be subject to reasonable changes in the designation of the Facility where the Licensee is authorized to transport Solid Waste.

4.5 Licensing Fee. The District may impose a licensing fee to defray the costs of administering the program. The amount of the licensing fee may be established and modified by the Board of Supervisors.

4.6 Rules and Regulations. The District Board of Supervisors shall establish all rules and regulations necessary for the implementation and enforcement of this Ordinance.

4.7 Regulatory Board. There is hereby created a Regulatory Board consisting of three members, who shall be District Supervisors, each to be appointed on or before the first day of May by the Chair of the District, subject to approval by the Board of Supervisors, and who shall serve for terms of one year. The Regulatory Board shall be responsible for the implementation of this ordinance.

4.8 Revocation. Any License may be revoked by the District, following notice and hearing, for any violation of a rule, regulation, or ordinance promulgated by the District, including any term, condition or restriction contained in the License; or for any other act committed by the Licensee which constitutes Unlawful Conduct.

4.9 Local Regulation. Nothing in this Ordinance shall be construed to prohibit any member of the District from enacting and enforcing ordinances and regulations regarding the collection, transportation, storage and disposal of solid waste within its jurisdiction, provided that any such regulation or order is not inconsistent with the provisions of this Ordinance and does not conflict with any disposal site designation made by the District under Section 4.3 hereof.

ARTICLE V
FLOW CONTROL

5.1 Delivery to District Facilities. Solid Waste collected or generated in the District shall be delivered to a transfer station or Facility designated by the District. No Person shall deliver, or cause to be delivered, Solid Waste in the District except to such Facilities designated by the District.

5.2 Emergency Powers. The Executive Board may, by order, permit temporary changes to any license condition

ARTICLE VI
ENFORCEMENT AND REMEDIES

6.1 Fines. Any Person who engages in Unlawful Conduct shall be fined not more than $500.00 for each violation or maximum allowed by law. Each day on which Unlawful Conduct continues or is repeated, shall constitute a separate violation. All fines collected shall be paid over to the District.

6.2 Injunction. In addition to any other remedy provided in this Ordinance or available at law or in equity, the District may institute a suit in equity for an injunction to prevent, restrain, or abate a violation of this Ordinance, or the rules or regulations of the District, or the terms of any License granted under this Ordinance, and shall be entitled to recover costs and reasonable legal fees in connection therewith.

6.3 Revocation of License. Upon finding that any Person has engaged in Unlawful Conduct, following notice and hearing before the Board of Supervisors, the District may revoke any License issued under the terms of this Ordinance and may deny any subsequent application for a License by such Person based on such Unlawful Conduct.

6.4 Right of Appeal. An applicant or licensee may appeal any condition, denial, or modification of a license to the District Appeal Committee within seven days of the decision appealed from. The Appeal Committee shall consist of three members of the Board of Supervisors who do not serve on the Regulatory Board.

6.5 When a hauler is issued a ticket and wishes to have a hearing before the Appeals Board, the following procedure will be followed:

-- the hauler requesting the hearing shall, within seven (7) business days, submit a Request for Appeal, stating grounds for the appeal in writing.

-- Upon receipt of a request for appeal, District staff shall, within seven (7) business days, schedule a day, time, and place for the hearing and notify the hauler in writing.

ARTICLE VII
MISCELLANEOUS

7.1 Existing Contracts. Nothing contained in this Ordinance shall be construed to interfere with or in any way modify the provisions of any existing contract existing within the District between the District and a licensee on the effective date of this Ordinance; PROVIDED, that no contract shall be renewed, and no new contract shall be entered into, which does not comply with the requirements of this Ordinance.

7.2 Severability. The Provisions of this Ordinance are severable. If any provision of this Ordinance, or its application to any Person or circumstance or within any part of the District is held invalid, illegal, or unenforceable by a court of competent jurisdiction, said invalidity shall not apply to any other portion of this Ordinance which can be given effect without the invalid provision or application thereof.

7.3 Repeal. All provisions of any other District Ordinance which are inconsistent with the provision of this Ordinance are hereby repealed.

7.4 Nothing herein shall displace or diminish any private right of action under Vermont Law.

7.5 Effective Date. The Effective Date for this Ordinance shall be August 4, 1992.

ARTICLE VIII
ADOPTED HAZARDOUS WASTE PLAN

8.1 Pursuant to the Non-Regulated Hazardous Waste Management Plan of the Central Vermont Solid Waste Management District, hazardous waste generated within Central Vermont shall be unacceptable for landfill disposal. Waste delivered from within District member municipalities for transfer or disposal shall be subject to random load inspections. Any time a visual sampling and/or full load inspection identifies hazardous waste, the facility operator and/or District personnel shall fill out a written Incident Report. All Incident Reports shall be submitted to the District office within one week. Copies of Incident Reports shall be provided by the District to the affected hauler, together with written warning of hazardous waste violation. Any hauler who receives

three (3) violation warnings in one calendar year shall be fined as a violation of this ordinance.

ARTICLE IX
SEVERABILITY

9.1 The invalidity of any provision of this Ordinance shall not invalidate any other part.

I certify that this is a true and exact copy of this Ordinance, as adopted June 3, 1992, and amended October 6, 1993.

_____

Ben Rose, Clerk
Central Vermont Solid Waste Management District

Central Vermont Solid Waste Management District

WASTE MANAGEMENT AND MANDATORY RECYCLING ORDINANCE

****

The following is a true and exact copy of the Ordinance, as adopted by the Board of Supervisors of the Central Vermont Solid Waste Management District on September 7, 1994, and amended by the Board of Supervisors on October 1, 1997 and December 1, 2010

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WHEREAS, the Central Vermont Solid Waste Management District (the "District") has been created and exists as a union municipal district under the laws of the State of Vermont; and

WHEREAS, the Legislature of the State of Vermont (the "State") has approved and confirmed the creation of the District and has enacted and amended the District's governing agreement in Municipal Act No. 17, Acts of 1991, as amended by Municipal Act No. M-27, Acts of 1992 (the "Charter"); and

WHEREAS, pursuant to its Charter and the State Solid Waste Management Act, the District has developed and adopted a Solid Waste Management Plan (the "Plan") providing for, among other things, waste reduction and education programs, separation, collection, transportation, Recycling and Disposal of Solid Waste; and

WHEREAS, the Board of Supervisors has determined that recyclable materials should be collected and Recycled to minimize the consumption of resources, prolong the life of landfills, and protect the environment and the public health and welfare; and

WHEREAS, the District has the authority under the Charter and the General Laws of the State of Vermont to provide solid waste disposal services for its member municipalities; to manage and regulate by ordinance, rule or regulation, the collection, storage, transportation, resource recovery, recycling and disposal of solid waste as defined in 10 V.S.A. Chapter 159 and in the District's Charter; to make proper charges for its facilities, programs, and services, and to exercise any other powers which are necessary or desirable for dealing with solid waste problems of mutual concern and which are exercised or capable of exercise by any of its member municipalities; and to exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of the District's purpose; and

WHEREAS, in order to implement a solid waste management implementation plan which contemplates and provides for an integrated means of managing all aspects of solid waste within its jurisdiction, it is deemed necessary to control and regulate the collection, transportation, storage and disposal of all solid waste; and

WHEREAS, the Board of Supervisors has determined that this Ordinance is in the public interest and necessity, promotes the public health, safety and welfare and promotes the efficient, economical and environmentally sound management of solid waste and solid waste disposal, within the District, and is in furtherance of the District's Plan and the State's Solid Waste Management Plan,

NOW THEREFORE, it is hereby enacted and ordained by the District as follows:

ARTICLE I – PURPOSE; TITLE

1.1 Purpose. This Ordinance is enacted to promote the health, safety and general welfare of the District, its member municipalities and citizens of the Central Vermont Solid Waste Management District; to promote the conservation of natural resources and the wise use of the environment; to fulfill the District's responsibilities under 24 V.S.A. 2202(a); to regulate the separation, collection, transportation, Recycling and Disposal of Solid Waste within the District; to facilitate the adequate provision of Solid Waste Recycling and Disposal services such that the generators of Solid Waste pay costs reflecting the real costs to society of waste management; to regulate waste disposal practices that pose a danger to the public health and welfare and the environment; to implement and further the District Plan and the State's Waste Management Plan; and to provide for the efficient, economical, and environmentally sound management of solid waste.

1.2 Title. This Ordinance shall be known and may be cited as the "District Waste Management and Mandatory Recycling Ordinance".

ARTICLE II – DEFINITIONS

2.1 For the purposes of the Ordinance and regulations promulgated hereunder:

A. "Board" means the Board of Supervisors of the Central Vermont Solid Waste Management District.

B. "Commercial Customers" are any individuals who use or maintain places of business or institutional activity within the corporate limits

of the District, including but not limited to, landlords and their tenants, businesses, and non-profit institutions.

C. "Commercial Hauler" means any Person who, for a fee or other compensation, engages in the business of collection and hauling of Solid Waste, in quantities of more than one hundred (100) pounds, generated by customers in the District.

D. "Dispose" or "Disposal" shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any Solid Waste, Hazardous Waste, Special Waste or Recyclable Material(s) into or on any land or water.

E. "District" means the Central Vermont Solid Waste Management District and as appropriate in the context, the total area within the boundaries of all member municipalities within the District.

F. "District Manager" means the Manager or Executive Director of the District, or such person's designee.

G. "Facility" shall mean any site or structure used for treating, storing, processing, recycling or disposing of solid waste. A facility may consist of single or several treatment, storage, recycling or disposal units.

H. "Generator" shall mean a person who produces solid waste by any means, including, but not limited to, household commercial, institutional and industrial activities.

I. "Hauler" shall mean any person or business that collects, transports, or delivers solid waste generated within the District for compensation.

J. "Hauler's License" means a commercial hauling license issued or required by the Central Vermont Solid Waste Management District.

K. "Hazardous Waste" means any material or substance which, by reason of its composition or characteristics, is defined as hazardous either by 42 USC Section 6901 et.seq., or by 15 USC Section 2605(e), or by 42 USC Section 9601 et. Seq., or by any laws of similar purpose or effect, or any other materials which the State, the State Agency of Natural Resources or the Vermont Department of Environmental Conservation or any similar government agency or unit having appropriate jurisdiction shall determine from time to time is ineligible for Disposal in landfills, whether by reasons of being harmful, toxic or dangerous or otherwise.

L. "License" means a license issued to a person and/or business by the Board, according to the provisions of all ordinances adopted by the District, authorizing said person to engage in the business of commercial hauling of solid waste. "Licensee" shall mean the holder of a license.

M. "License" shall mean any Person holding a license issued pursuant to Article hereof.

N. "Ordinance" hereinafter refers specifically to the ordinance adopted by the Board titled "Waste Management and Mandatory Recycling Ordinance" and any amendments thereto validly enacted hereafter.

O. "Person" shall mean an individual, partnership, company, corporation, association, institution, unincorporated association, joint venture, trust, municipality, agency, department, and any other legal entity. In any provision of this Ordinance prescribing a fine, penalty, or denial or revocation of a License, the term "Person" shall include the officers and directors of the corporation.

P. "Plan" shall mean the Solid Waste Management Plan developed and adopted by the District in accordance with the provisions of 24 V.S.A. 2202(a), as such Plan is amended from time to time.

Q. "Processor" shall mean any person which accepts recyclables from off-site, prepares the recyclables for the sale and/or brokers those materials.

R. "Recyclables" means materials as may be specified by rule by the Board of Supervisors from time to time.

S. "Recycle" or "Recycling" shall mean the separation, collection, recovery, and sale or reuse of materials designated as recyclable by the Board of Supervisors.

T. "Resident" shall mean an individual owning or occupying a dwelling unit in a particular city, town or village within the District.

U. "Residences" are any dwelling unit used in whole or in part for full or part time habitation by individuals.

V. "Residential Customers" are any individuals who use or maintain places of primary or part-time residence within the corporate limits of the District, including but not limited to, homeowners, landlords and their tenants.

W. "Self-Haulers" are any customers who collect and/or haul less than 100 pounds (lbs.) of solid waste at one time from locations in the District, who are not commercial haulers.

X. "Solid Waste" as defined in Title 10 V.S.A. Section 6602 as amended from time to time, and shall also include recyclables and wastes destined for reuse (unless the context indicates that "Solid Waste" does not include such materials for the particular purpose of any part of this Ordinance), and shall exclude septage and sludge from wastewater treatment plants.

Y. "Source Separation" shall mean the segregation and the collection, prior to collection for disposal, of materials for the sole purpose of recycling.

Z. "Transport" shall mean the movement of wastes, and/or recyclables, by air, rail, highway or water.

A1. "Unlawful Conduct" shall mean any act or failure to act which is in violation of any provision set forth in this Ordinance, any rule or regulation enacted by the District in furtherance of this ordinance, or any term, condition or restriction imposed upon, or required by, any License issued or required under the term of this Ordinance, or in violation of any term or condition of any license granted by the Board of Supervisors or the Regulatory Board of the District.

B1. "Special Wastes" are all wastes that may not be disposed of with general mixed solid waste.

C1. "Tiered Schedule" is a system of providing for collection of solid waste based on different levels of service, thus creating a financial incentive for customers to generate less solid waste. Differential fees based on the quantity of solid waste of a generator (such as per bag, per cubic yard, or per pound), or the offering of a choice of bi-weekly, monthly, bi-monthly, or quarterly collection frequency, shall be deemed to satisfy the requirements of this ordinance as to Tiered Schedule.

D1. "Waste" shall mean a material that is discarded, or is being accumulated, stored, or physically, chemically or biologically treated prior to being discarded, or has served its original intended use and is normally discarded, or is a manufacturing or mining by-product and is normally discarded.

E1. "Yard Wastes" shall mean tree stumps, brush, lawn clippings, leaves, weeds, and other organic materials accumulated during the normal maintenance or restoration of a yard, garden, recreational field, or other area covered with vegetation.

F1. "VSA" means Vermont Statutes Annotated.

ARTICLE III – AUTHORITY & RESPONSIBILITY

3.1 Authority of the District. Under 24 VSA, Section 2202a, and 2203a, and its Charter (Act M-8 of 1987), the District is responsible for management and regulation of the storage, collection and disposal of solid waste, including recyclables, within its jurisdiction, in conformance with the State Solid Waste Management Plan authorized under Title 10 VSA, Chapter 159. The District is authorized to issue local franchises and to make, amend, or repeal rules as necessary to manage the storage, collection, transportation and disposal of solid waste materials collected within the District and to impose penalties for violations thereof, provided that the rules are consistent with the State plan and rules promulgated by the Secretary of the Agency of Natural Resources, under Title 10 VSA, Chapter 159.

3.2 Responsibility of Generators. All generators of solid waste within the District shall separate their Solid Waste according to the provisions of this ordinance and any rules, procedures or practices adopted by the Board of Supervisors to implement this ordinance.

ARTICLE IV – HAULER RESPONSIBILITIES AND LICENSE REQUIREMENT

4.1 License Requirement. All commercial haulers of solid waste within the District shall be licensed by the District to collect solid waste and recyclables. Further, haulers shall comply with all local ordinances, including local zoning and/or vendor licensing. No person shall at any time engage in the business of or act as a commercial hauler in the District without having obtained a valid license from the District therefore as required in this ordinance.

4.2 Validity of License. Each License shall be valid for a period not to exceed one (1) year. Each License shall expire on July 1 of each year, and shall not be assignable, fungible nor transferable.

4.3 Exemptions. The following Persons are exempt from the licensing requirements of Section 4.1:

A. The District, and any member municipality of the District, in the transporting and delivery of Solid Waste generated in its municipal operations, utilizing its own vehicles.

B. A Person in the transporting and delivering of his, her, or its own Solid Waste or in the collection, transporting, and delivery of Solid Waste of other Persons so long as any such collecting, transporting, and delivering is of 100 lbs. or less and is performed for no compensation.

4.4 License Application. Any Hauler, other than a Hauler exempt under Section 4.3, who desires to collect, transport, or deliver Solid Waste generated within the District shall apply to the District for a License on such form, containing such information, as the District Manager shall designate. Such application shall be accompanied by the fee established pursuant to Section 4.7 hereof. Application forms are available from the District office.

4.5 Incentive Based Rates. Haulers seeking a license from the District must demonstrate to the District that financial incentives for waste reduction and recycling for residents and businesses have been incorporated into their rate structure. Each commercial hauler shall offer a Tiered Schedule to all Customers within the District, mail notice of such Tiered Schedule to all customers at least once per year. Customer billings fees shall itemize service charge per customer visit per month, separately from charges per unit of solid waste. Fees per unit for recycling shall be itemized separately from fees per unit for solid waste, and shall not exceed 50% of fees for equivalent volume of solid waste. This percentage may be amended from time to time by rule of the Board of Supervisors. Each commercial hauler's Tiered Schedule shall be filed with the District with annual haulers license application, shall be reviewed as a condition for licensing, and shall otherwise be available to the District upon request.

4.6 Expiration of License, Renewal. Each License shall be valid for a period not to exceed one year. Each license shall expire annually at midnight June 30. Any renewal application shall comply with the application requirements in this Article and be accompanied by the fee as prescribed in Section 4.7. A License shall not be assignable or transferable, and upon any assignment or transfer, the License shall automatically expire and become null and void.

4.7 Licensing Fee. For the purpose of administering the provisions of this Ordinance and the licensing program established herein, the Board of Supervisors may impose an annual Licensing Fee as a condition to issuance and renewal of a License. The amount of the licensing fee shall be established by the Board of Supervisors and may be modified from time to time.

4.8 Administration of Licensing Program.

4.9 Standards for Issuance of License. In order to obtain, reinstate, or renew a License, a Hauler shall:

Properly complete and file all necessary application forms and provide such materials as may be required in this ordinance or through the rules, procedures and practices of the District;

Pay the License fee as may be established by the Board under this Ordinance

Provide verification of a current and valid Hauler's License by the State of Vermont, where applicable, and

Pay any past due amounts owed to the District;

Demonstrate the ability to comply with the provisions of this Ordinance and, in situations where a Hauler's License has been suspended or revoked, demonstrate that corrective actions has been taken, as necessary, to ensure that the Hauler will comply with this Ordinance. In situations where past payments to the District have been late or

where the District Executive Director has reason to believe that the District may be at risk for late or non-payment of District Fees, the Executive Director may require that the demonstration required by this subsection include the provision of a letter of credit or other security in amounts and on terms necessary to assure proper payment.

4.10 Terms, Restrictions, and Conditions of Licenses. The District Director may attach to any License such reasonable terms, restrictions, and conditions as are necessary to assure that Solid Waste is separated, collected, transported, recycled, and disposed of in an environmentally sound manner, and to assure compliance with this Ordinance.

4.11 Responsibilities of Licensees and Other Haulers Who are not Licensees. Each Hauler shall keep and maintain such records within the State of Vermont as will enable the District to determine compliance with this Ordinance, including but not limited to records on a daily basis of the amount of Solid Waste that is collected

and/or transported for purposes of disposal; total amounts of recyclables; total amount of other materials as may be collected and destined for other uses such as reuse, composting or other methods of disposal. All such records shall be made available to the District, and its agents, for inspection and copying during normal business hours of the District. The records of each day of operation shall be retained for at least 3 years.

4.12 Suspension and Revocation. The District Manager may suspend or revoke a License for any violation of this Ordinance or repeated failure to pay one or more District billings rendered pursuant to Section 4.9 by their due dates. Notification of suspension or revocation will be made in writing and delivered in person or by registered mail return receipt requested. Any such suspension or revocation may be appealed to the District Board of Supervisors. Upon notice and hearing, the District Board of Supervisors, may affirm, reverse, or modify the District Manager's decision.

4.13 Right of Appeal. A Licensee may appeal any suspension, revocation or modification of a License to the District Board of Supervisors within seven (7) days of receipt of the notice. In requesting such a hearing, the Licensee must state the grounds for the appeal in writing to the District Manager. Upon receipt of a request for appeal, District staff shall schedule a day, time and place for the hearing and notify the hauler in writing. If an appeal is not received within seven (7) business days of notification, the decision of the District Manager to suspend, revoke or modify shall be final and binding upon the Licensee. In the event of an appeal, such suspension or revocation shall not be effective until final decision by the District Board of Supervisors.

ARTICLE V – INSPECTION

5.1 Enforcement Personnel. Any person designated, in writing, by the District Executive Director as an enforcement officer may inspect Haulers' loads and records to check compliance with License requirements and requirements of this and other District ordinances, and to determine the quantity, type and origin of Solid Waste. Any person(s) designated by the Executive Director may issue written warnings and summonses to Haulers for failure to comply with these or any other District regulations.

5.2 Vehicle Checks. Vehicles used in the collection or transportation of Solid Waste within the District shall be subject to reasonable inspection by the District or its agents for the purposes of determining compliance with the terms of Licenses and this Ordinance and for data collection. Failure to allow inspection shall be a violation of this Ordinance.

ARTICLE VI – REGULATIONS FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN THE CENTRAL VERMONT SOLID WASTE MANAGEMENT DISTRICT

6.1 Property Owners. Property owners providing contracted collection of or self-hauling solid waste for tenants, either residential or commercial, must also provide for the collection of recyclables. Property owners who do not provide such services will be subject to the same enforcement proceedings outlined in this ordinance for residents except for the application and amount of the monetary fine. Property owner's may be fined not more than $25.00 for each tenant unit at the site of the offense per occurrence of each offense.

6.2 Generator's Responsibility. Recyclables generated in the District shall be separated from other solid waste prior to any disposal.

a. Residential: No person who owns, rents, leases or otherwise uses property in the District for residential purposes shall place for collection nor deposit for disposal at curbside, on site or at any public or private collection facility or landfill any residential recyclables which are not separated from other solid waste, nor any solid waste which is not free of residential recyclables.

b. Commercial: No person who owns, rents, leases or otherwise uses or occupies any property in the District for commercial or institutional purposes shall place for collection nor deposit for disposal at curbside, on site or at any public or private collection facility or landfill any commercial recyclables which are not separated from other solid waste, nor any solid waste which is not free of commercial recyclables.

6.3 Hauler's Responsibilities. Commercial haulers are required on a regular and convenient basis, to collect recyclables from their customers, shall keep recyclables separate from other solid waste, and shall not dispose of recyclables in a landfill. Haulers will be responsible for establishing and communicating sorting specifications to their customers.

6.4 Refusal to Collect. Any solid waste placed by a customer for collection by a commercial hauler may be rejected for collection if it does not meet the requirements of the ordinance's or the hauler's specifications.

6.5 Special and Hazardous Wastes. Special wastes and household hazardous wastes, tires, car and truck batteries, metal appliances and other large metal items shall not be disposed of with, or as ordinary, solid waste. These items shall be collected and/or disposed of in accordance with State law.

6.6 Per Bag Collection. At any location where a hauler accepts solid waste from households on a per-bag basis (i.e., where customers are charged for dropping off their household solid waste), regardless of whether such a location is permanent or temporary, source separated recyclable material shall be accepted during all operating hours. Haulers may charge for recyclables accepted at drop-off locations, but at a rate no more than 50% of the rate per bag equivalent volume of solid waste. Recyclable materials collected at drop-off locations shall be delivered by the hauler to a processor or broker of recyclable materials. Haulers must maintain records of delivery of such materials provided by the processor or broker. The list of recyclable materials which must be accepted at such locations shall be set by rule of the District Board of Supervisors from time to time. Nothing in this Ordinance shall be construed to limit the acceptance of recyclables only to these materials. Haulers may choose to accept for recycling materials in addition to those required by the District to be accepted.

6.7 Rules and Regulations. The District Board of Supervisors shall establish all Rules and Regulations necessary for the implementation and enforcement of this and other District ordinances.

ARTICLE VII – PENALTIES AND ENFORCEMENT

7.1 A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. 1974a and 1977 et seq.

Violation of sections 3.2, 6.1, 6.2(a) of this ordinance will be subject to fines as follows:

	Penalty	Waiver
First Violation	$25	$10
Second Violation	$100	$50
Third Violation	$200	$100

Violation of sections 4.1, 4.5, 5.2, 6.2(b), 6.3, 6.6 of this ordinance will be subject to fines as follows:

	Penalty	Waiver
First Violation	$200	$100
Second Violation	$300	$200
Third Violation	$500	$350

ARTICLE VIII – EFFECTIVE DATES

7.1 This ordinance shall become effective July 1, 1995 with enforcement beginning July 1, 1996.

ARTICLE IX – SEVERABILITY

8.1 The provisions of these Regulations are severable. If any provision of these Regulations or its application to any Person or circumstance or within any part of the District is held invalid, illegal or unenforceable by a court of competent jurisdiction, said invalidity shall not apply to any other portion of these Regulations which can be given effect without the invalid provision or application thereof.

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF CVSWMD ORDINANCE 94-01, AS ADOPTED BY THE BOARD OF SUPERVISORS ON SEPTEMBER 7, 1994, AND AMENDED OCTOBER 1, 1997.

_____

Clerk of the District Date

No. 94-01 - ORDINANCE RELATING TO THE IMPOSITION OF A SOLID WASTE FEE.
The Board of Supervisors of the Central Vermont Solid Waste Management District unanimously adopted the following ordinance on January 3, 1990.
Amendments to Section 1 were adopted on June 3, 1992. Additional amendments were adopted by a unanimous vote of the Board at their May 7, 2003 and November 6, 2013 meetings.

The Board of Supervisors voted on December 4, 1991 to increase the solid waste fee charge from $4.00 per ton to $5.00 per ton, effective July 1, 1992, in adopting a budget for fiscal year 1993; on December 2, 1992, from $5.00 per ton to $7.64 per ton, effective July 1, 1993, in adopting a budget for fiscal year 1994; and on June 2, 1993 from $7.64 per ton to $8.00 per ton, effective August 3, 1993, in adopting budget revisions for fiscal year 1994; in May 1994 from $8.00 per ton to $12.00 per ton, effective July 1, 1994, in adopting budget revisions for fiscal year 1995; in April 2001 from $12.00 per ton to $16.00 per ton, effective July 1, 2001; in May, 2003 amending and renumbering Sections II, III and IV, and adding new Sections I, V, effective July 1, 2003; and, on March 2, 2005 voting to increase the solid waste fee from $16.00 per ton to $21.00 per ton, effective October 1, 2005 and from $21 per ton to $30 per ton effective July 1, 2009.

Pursuant to the provisions of Article I, Section 5(a), (h), and (u) of No. M-8, and Section 3 of No. 78 of the Acts of 1987, the Central Vermont Solid Waste Management District, acting by and through Ordinance #94-01 2 its Board of Supervisors, hereby enacts the Following ORDINANCE RELATING TO THE IMPOSITION OF A SOLID WASTE FEE.

SECTION I. DEFINITIONS.
1. Unless the context clearly requires otherwise, the following terms shall have the respective meanings:
A. “Solid Waste Hauler” shall mean any person who, for charge, hire, fee or other consideration, collects, transports, stores or otherwise deals with Solid Waste in quantities of more than one hundred (100) pounds. A commercial Person who self-hauls in any manner related to the business of that Person is a “Solid Waste Hauler.”
B. “Facility” shall mean any landfill, solid waste transfer station or other solid waste disposal or processing facility and all contiguous land used for treating, storing, processing or disposing of solid waste.
C. “Person” shall mean an individual, partnership, company, association, unincorporated association, joint venture, trust, municipality, agency, department and any other legal entity.
D. “Disposal” shall mean: 1) The incineration of any solid waste other than clean wood for fuel; 2)delivery of solid waste to a gasification or plasma arc conversion facility 3) the placement of any solid waste in a landfill; or 4) the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that such solid waste or any constituent thereof may enter the environment or be emitted Ordinance #94-01 3 into the air or discharged into any group of surface waters. Disposal does not include the placement of solid waste in a composting or recyclables processing facility that is fully permitted at the time of placement.

SECTION II. IMPOSITION OF CHARGE

Effective July 1, 2009, there is hereby imposed a solid waste fee of $30.00 per ton on each ton or part thereof, of solid waste, construction and demolition waste, yard waste or metal goods generated and collected for disposal within the Central Vermont Solid Waste Management District
Effective July 1, 2014 - The Solid Waste Fee is imposed on all solid waste collected or generated in the District including but not limited to solid waste that is collected for disposal and solid waste used as landfill daily cover within or without the District.
The rate of this Solid Waste Fee may be revised from time to time by resolution of the Board of Supervisors, upon 60 days advance public notice.

SECTION III. COLLECTION OF CHARGE
A. It shall be the responsibility of each Solid Waste Hauler to collect such solid waste disposal charges on behalf of the District, and to remit the same to the District under rules prescribed from time to time by the Board of Supervisors, for inclusion in the District's general fund. Each such Solid Waste Hauler shall establish and maintain records of all solid waste collected and delivered to such facility for disposal sufficient to establish or verify the quantity of solid waste upon which the solid waste disposal charge shall be computed.
Such records shall be made available to the District upon request and shall be deemed to constitute Trade Records, and designated Ordinance #94-01

Confidential and not public records or documents subject to the provisions of 1 V.S.A. Ch. 5 with respect to public access, to the maximum extent permitted by law.

B. Each Solid Waste Hauler may discharge its responsibility under Subsection (A) of this section by obtaining from such Facility having a contractual relationship with the District or situated within the District jurisdiction, a receipt signed by or with authorization on behalf of the Facility, and setting forth the proper amount of the solid waste fee together with the Facility's statement that the solid waste fee has been collected by the Facility and will be remitted to the District by the Facility. In that event, any Solid Waste Hauler may submit a receipt in lieu of direct payment to the District of that portion of the District solid waste fee to which the receipt refers. All receipts shall be of a form chosen solely by the District, its employees or agents, and shall be supplied to the Facility by the District at no charge to the facility.

C. Upon request of any licensed District Solid Waste Hauler, it shall be the responsibility of the operator of any facility having a contractual relationship with the District or situated within the District jurisdiction, to collect such solid waste fees on behalf of the District, and to remit the same to the District under rules prescribed from time to time by the Board of Supervisors or by agreement with the District, for inclusion in the District's general fund. Each such facility operator shall provide a District approved receipt to each such Solid Waste Hauler upon request, bearing the authorized mark by or on behalf of the Facility, and setting forth the amount of District solid waste fee collected, the municipality within which it was collected, the date and time of collection

and the identity of the Solid Waste Hauler from which it was received, and shall at all Ordinance #94-01 times establish and maintain records of all solid waste delivered to such facility for disposal sufficient to establish or verify the quantity of solid waste upon which the solid waste disposal charge shall be computed. Such records shall be made available to the District upon request.

SECTION IV. CIVIL PENALTIES
A person violating the provisions of this ordinance shall be subject to a civil penalty of not more than $100.00 for each violation, and shall be liable to make restitution to the District of all solid waste fees for which the person was obligated to collect and remit, without regard to whether the solid waste fee was in fact collected, together with any proved damages, legal fees incurred by the District, and costs of collection. Any such violation is further subject to investigation or action by or on behalf of the State of Vermont pursuant to 13 V.S.A. § 2537 . Each ton of solid waste disposed in violation of any provision of this ordinance shall be deemed a separate violation. In addition, The District shall have the power to enjoin violations of this ordinance.

Section V. Opportunity for Hearing Parties subject to violations of this ordinance shall have the right to the following process for protesting the alleged violation.
Preliminary Hearing by Financial Oversight Committee. A Person who receives a violation or civil penalty shall be offered an opportunity for a hearing before the CVSWMD's Financial Oversight Committee for determining whether the conduct leading to the penalty occurred. The request for hearing must be made by the Person, in writing, to the General Manager of the District no later than ten (10) days after the date the notice of violation is received. The Financial Oversight Committee shall hold a hearing within fourteen (14) Ordinance #94-01 days of receipt of the request for a hearing. If 1) no hearing is requested within ten (10) days after the date of the receipt of the notice of violation, or 2) if a hearing is held, then within thirty (30) days of such hearing, the Executive Board shall issue a proposed order pursuant to 204 V.S.A. 2297a(e). Such Proposed order shall be mailed to the respondent by certified mail, return receipt requested.

Hearing by Executive Board. A person who receives an order or violation after hearing by the Financial Oversight Committee shall be offered an opportunity for a hearing before the Executive Board provided that the request for a hearing is made in writing to the General Manager of the CVSWMD no later than fifteen (15) days after the date of receipt of the proposed order of the Financial Oversight Committee. If the respondent does not request a hearing, the order shall be deemed a final order and shall be effective on the date of receipt or a later date stated in the order. If the respondent does request a hearing subsequent to the receipt of the order, the Executive Board shall hold a hearing within fourteen (14) days of receipt of the request.
After the hearing the Executive Board may withdraw or amend the order and may issue a final order, which shall be delivered or mailed to the respondent in the same manner as proposed orders and which shall be effective on the date of receipt or a later date stated in the order.

The District may seek enforcement of a final order in the superior court or before the environment court.

SECTION VI. PROGRAM - SPECIFIC SOLID WASTE FEE VARIATIONS

The District may establish temporary or permanent Solid Waste Fee variations as a mechanism to Ordinance #94-01 encourage or provide economic incentives for persons to comply with the provisions of this Ordinance, with District Programs as they may be created or amended from time to time, or with other District Policies.

Attest:
District Clerk, Barb Baird
Date:

SECTION V. FACILITIES

In September 2010, CVSWMD adopted a revised "Facilities" Chapter (Chapter 14) in the CVSWMD SWIP. That chapter is presented here as part of the CVSWMD 2015 SWIP, with updated lists of facilities and reorganizing the sections for clarification. Section V. Facilities covers the following for the CVSWMD service area:

1. Siting criteria for solid waste facilities
2. Process for including a solid waste facility in the SWIP
3. Facilities included in the SWIP
4. Lists of solid waste facilities and haulers that accept materials and contact information
5. CVSWMD Landfill Criteria (adopted on September 7, 2005)

I. Inclusion in the SWIP for New Solid Waste Facilities

Any existing facility that qualifies for a categorical certification under the State of Vermont Solid Waste Management Rules that is located in the CVSWMD is acceptable under this SWIP. This applies to existing facilities of this type located in communities that wish to join the District and any proposed new solid waste facilities, which are in the permit process at the time a community chooses to join the CVSWMD. All other, new solid waste facilities that are proposed in the District will only be included in the SWIP after the Board votes to include the facility and the Plan is revised through the required SWIP amendment process. All solid waste facilities in the CVSWMD service area must meet the standards and criteria presented in the Vermont Solid Waste Management Rules.

II. How Solid Waste Facilities in New Member Towns will be Evaluated

When a new community wishes to join the CVSWMD, part of the negotiation process with that community will need to involve identification and review of the solid waste facilities within its borders. The following multi-step process should serve as a guide for this process of consideration.

1. The community proposing to join the district will identify and list all solid waste facilities currently existing in their community inclusive of name, address, purpose, owner, contact person at the facility, material(s) managed, quarterly and annual data on throughput, receiving entity for materials and a description of the end disposition of the material.

2. The District will request copies of permits for all facilities from the Agency of Natural Resources. If there is a cost for these files, the host community will be responsible for reimbursing the District. The purpose of gathering this information from the ANR is to ensure that the most up to date and complete file copy is reviewed. Local copies of permits might not be accompanied by relevant correspondence, enforcement actions, complaints, or amendments.

3. The District will compare each facility with criteria in our plan to identify whether the facilities meet the plan requirements or fall short.

4. Where the District has no criteria, facilities will be considered acceptable. Where criteria applies and a facility falls short, the District will identify what is lacking and engage the potential new member community in a discussion designed to establish a plan that addresses these incompatibilities. However, the presence of an acceptable facility does not guarantee an applicant town will be allowed to join the District.

Based upon the review of facilities and negotiations with the proposed new community, the District will engage in a process to revise its plan to include those facilities in the new community that meet our siting criteria and/or have been deemed acceptable via negotiations.

III. Existing, Emerging and New Types of Solid Waste Facilities

In this era of global climate change and diminishing resources, waste is beginning to be thought of as a feedstock for new technologies and as one of the foundations upon which a non-fossil fuel economy can be built. The CVSWMD is committed to Zero Waste, which seeks to establish a sustainable system for managing discards. Zero Waste systems do not prefer technologies that bury or burn resources.

Incineration, gasification, plasma arc conversion and similar technologies that rely on extremely high temperature heating of high carbon feedstocks in order to generate energy divert organic matter from a land filling perspective, but they do not allow for the return of material to our soils. What remains from these technologies is a characteristically concentrated toxic ash or slag requiring specialized handling. Therefore, while these new waste technologies solve some of the greenhouse gas problems associated with organics in landfills, and claim to produce green energy, it is at the expense of carbonaceous matter sorely needed to improve the soil quality of our land. These waste technologies are therefore inconsistent with Zero Waste, which seeks to replicate a natural cycle where resources are preserved and returned to the environment in a beneficial way. For this reason, the CVSWMD will not support such facilities within its boundaries.

The CVSWMD prefers that the recycling of special waste occur in a way that does not affect human health or the environment. The CVSWMD will reject any facilities that impact air, sound, water, soil quality or other factors that may affect the physical health or quality of life of District residents. Parties wishing to site facilities in the region should address these environmental factors when applying to become a facility.

IV. The Process for Proposing a New Solid Waste Facility

The Central Vermont Solid Waste Management District has established a process and, in some instances, a set of criteria that must be met by anyone proposing to site a new solid waste management facility within the District. The District Board of Supervisors will utilize this process and the required proposal in order to determine whether the proposed facility is in conformance with our Solid Waste Implementation Plan. The District will revise its Solid Waste Implementation Plan to include any proposed facility that is deemed to be in conformance with our plan through this process.
Sub-section A below lists criteria that must be met in the Proposal required to be submitted to the District as part of our review process. Sub-sections B, C, and D outline the process used to evaluate the proposal for conformity with the District's Solid Waste Implementation Plan including the siting criteria.

A. PROPOSAL

1. CONTENT OF PROPOSAL.

Any applicant (including the District itself, municipalities, and private entities) for any permit or certification who requests any determination from the District shall provide the District with a

complete copy of its application for a permit or certification, or if prior to filing such an application, a detailed description of its project or proposal. In addition to the above, the applicant shall provide:

- A detailed description of whether the project or proposal conforms to the District's Solid Waste Implementation Plan;
- A detailed explanation of how the proposed facility meets or exceeds the Implementation Plan's siting criteria;
- Copies of all local permits, and where applicable due to specific criteria a copy of the host town agreement should also be included;
- The owner/operator of the proposed disposal facility shall obtain written support from the municipality in which the facility is to be located or enter into a host town agreement with that municipality and provide a copy of the written support or host town agreement to the CVSWMD in the application package.
- The CVSWMD prefers that the recycling of special waste occur in a way that does not affect human health or the environment. The CVSWMD will reject any facilities that impact air, sound, water, soil quality or other factors that may affect the physical health or quality of life of District residents. Parties wishing to site facilities in the region should address these environmental factors when applying to become a facility

- Any other information helpful in determining whether a proposal conforms to the Implementation Plan.

This information is collectively referred to as the "proposal."

2. PRIOR REQUIREMENTS.

The District shall not review a proposal unless the applicant has already obtained all local permits and where applicable, due to specific District criteria, a host town agreement.

3. DISTRIBUTION OF PROPOSAL.

A complete copy of the proposal shall also be filed with:

- the legislative bodies of the host municipality,
- each neighboring municipality,
- each adjoining land owner, and
- The Central Vermont Regional Planning Commission.

These copies must be filed at the same time that the proposal is filed with the District.

4. FILING FEE.

All applicants shall be subject to a filing fee of $500 for compensating the District for the costs incurred in reviewing the proposal. The fees shall be reviewed and adjusted as needed on an annual

basis by the District Board of Supervisors as part of the budget process. Fees will be paid by the applicant at the same time that the proposal is submitted to the District.

B. REVIEW AND CONSIDERATION

1. COMPLETENESS REVIEW.

a. The District, in its discretion, may reject the proposal if the information is insufficient to determine the proposal's conformity with the Solid Waste Implementation Plan, including the siting criteria, or if the proposal is otherwise incomplete.

b. The District may ask the applicant to supplement the proposal.

c. The District shall determine whether the proposal is complete within 60 days from when the proposal is filed or 60 days from when all requested information is submitted, whichever is later.

2. NOTICE OF PROPOSAL AND SCHEDULE FOR SWIP REVISION.

a. When a proposal is deemed complete, and the District is in the process of amending its SWIP to include the facility, the District shall establish a date by which written public comments must be received and set the time and place for the public hearings. The comment deadline shall be no less than 40 days, but no more than 60 days from publication of the notice of the proposal. The comment period for any proposed landfill, composting facility, incinerator, energy recovery facility, or other disposal facility shall be 60 days.

b. If different from the original proposal, the applicant shall file a complete copy of the proposal as deemed complete with the legislative bodies of the host municipality and all adjoining municipalities and the Central Vermont Regional Planning Commission, Northeastern Vermont Development Association, and the Two Rivers-Ottauquechee Regional Planning Commission, within seven calendar days of the proposal being deemed complete.

c. Within seven days of the proposal being deemed complete, the District shall:

- Mail a notice to each adjoining land owner and to the legislative body of each municipality within the District, and
- Publish the notice for three sequential days in a widely circulated regional newspaper and in a local paper serving the host town.
- All applicants shall be directly responsible for the costs of distribution, mailing, and publication.

d. The notice shall:

- briefly describe the proposal;

- state that the complete proposal may be reviewed at the District office, the host and neighboring municipal offices, and the Central Vermont Regional Planning Commission, Northeastern Vermont Development Association, and the Two Rivers-Ottauquechee Regional Planning Commission;

- provide the date by which written comments must be submitted;

- provide the date, time and location of the public hearing; and

- in the District's discretion, provide other pertinent information.

3. PUBLIC HEARINGS AND COMMENTS.

a. The District shall hold a public informational hearing within 30 days of the application being deemed complete. This hearing's purpose is to have the present its proposal to the District and for the District to ask the applicant questions.

b. The District shall hold a public hearing within 30 days of the close of the comment period. Members of the public, governmental entities, interested organizations, and the applicant shall each be given a reasonable amount of time at the public hearing to submit oral comments and answer any questions that the District may have.

c. Written and oral comments should, address whether the proposal conforms to the District's Implementation Plan, including the citing criteria.

d. Additional hearing dates may be scheduled if necessary to provide an opportunity for all members of the public to be heard.

4. ISSUANCE OF DRAFT DECISION FOR NOTICE, COMMENT, AND PUBLIC HEARING.

a. The District shall issue a draft decision on whether the proposal conforms to the Implementation Plan, including the siting criteria, within 60 days of the public hearing and public comment period.

b. The draft decision will set a date for receipt of written comments and a public hearing. The comment deadline shall be no less than 20 days, but no more than 60 days from when the applicant publishes notice of the draft decision. The public hearing shall be held within 20 days of the close of the comment period.

c. The applicant shall provide copies and publish notice of the draft decision in accordance with section 2 (c) and (d), above.

6. ISSUANCE OF FINAL DECISION.

The District shall issue a final decision within 30 days of the public hearing on the draft decision.

The District will send a copy of its final decision to the Solid Waste Program along with the Revised Table if the facility is included and a statement that the process followed was consistent with the approved SWIP.

C. REVISED PROPOSALS

The District, in its discretion, may require or allow additional notice and comment and public hearings if the proposal is revised in any material way. The District shall treat any substantially revised proposal as a new proposal.

D. OPEN PROCESS AND PUBLIC ACCESS

All filings with the District shall be reasonably available to the public. All hearings and District meetings shall be held in strict accordance with Vermont's open meeting law.

Any person may submit their name and address to the District at any time during its review of a particular proposal to be on a mailing list to receive all notices, draft decisions, and decisions.

V. Solid Waste Facilities Listings

CVSWMD has prepared a list of solid waste facilities included in this SWIP as well as lists for haulers, composters, curbside trash and recycling, and drop off locations. We have done our best to make this service listing comprehensive; however, we may inadvertently have omitted a resource that exists outside our region but which our residents, businesses or institutions utilize. The District offers this list for readers to gain a sense of the range of opportunities in our region, not as a comprehensive tool for choosing whom to work with. Those businesses within our region that offer reused items as part or all of their inventory or as the basis of their service are not listed in this Plan.

Deleted: In these service listings, we have identified the requirements that a new facility of that type would need to meet in order to locate within the District. We have

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Deleted: Our sincere apologies are extended to anyone whose business or service may be left out.

Figure V-1. Solid Waste Facilities that Are Included in this SWIP

Barre Granite Association	E. Montpelier Mining Waste Facility
Casella	Montpelier drop off
Casella	C. V. Transfer Station, E. Montpelier
All Metals Recycling	Hardwick Recycling & Salvage, Hardwick
Chelsea	Chelsea Recycling Depot Former Municipal Landfill Site, Chelsea
Additional Recycling Collection Center	CVSWMD, Barre City
Barre Town (Earthwaste)	Wilson Industrial Park Depot 109 Pitman Rd., Barre Town
Bradford (Earthwaste)	Bradford Recycling Depot Public Works Yard, Fairground Road

Budzyn Tire	Tire Recycling Facility, Berlin
Calais	Calais Depot Moscow Woods Road, Calais
Tunbridge	Tunbridge Recycling Depot Off route 110 past ballfields, Tunbridge
Fulton & Co.	Barre Town Silicon Carbide recovery Recycling Facility
Packard Enterprises	E. Montpelier Recycling Facility
Vermont Compost Company	Farm and Composting Facilitiy Montpelier and E. Montpelier

Deleted: **Inclusion in the SWIP for New Solid Waste Facilities** ¶
Any existing facility that qualifies for a categorical certification under the State of Vermont Solid Waste Management Rules that is located in the CVSWMD is acceptable under this SWIP. This applies to existing facilities of this type located in communities that wish to join the District and any proposed new solid waste facilities, which are in the permit process at the time a community chooses to join the CVSWMD. All other, new solid waste facilities that are proposed in the District will only be included in the SWIP after the Board votes to include the facility and the Plan is revised through the required SWIP amendment process.¶

Deleted: Tables contained in this chapter will be revised once the CVSWMD Board finalizes the required SWIP amendment process. This revision will be made after the review, public participation and pertinent approval process outlined in this Chapter (#14- Facilities) of our SWIP is completed, and the decision to include the facility has been made.¶

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CURBSIDE TRASH AND RECYCLING COLLECTION

Requirements for compliance with the CVSWMD Plan, ordinances and policies. The CVSWMD requires that all haulers carting solid waste be licensed with the District, even if they are hauling for their own business. Hauler information packets are available by calling the District office during normal business hours. The District also has a Mandatory Recycling, which requires all haulers collecting residential or business garbage to offer their customers recycling services. A copy of this Ordinance and our other applicable Ordinances are included in the Hauler information packet.

The following list identifies only District licensed haulers for hire as of January 28, 2015. This list will be updated in the approved version of the SWIP.

Figure V.2 – List of CVSWMD-Licensed Haulers

Hauler name	contact name	town	state		services
All Metals	Ryan Towns	Morrisville	VT		FAC
Austing Rubbish & Roll off	Burton Austing	W. Charleston	VT		PAYT
Black Dirt Farm	Tom Gilbert	Greensboro Bend	VT		food scraps/leaf and yard
Blanchard Excavating		Washington	VT		
Brian Perry & Sons	Brian Perry	Hardwick	VT		PAYT/CURB/RES/COMM/CLEAN
Budzyn Removal & Recycling	Fred Budzyn	Post Mills	VT		FAC/COMM/CLEAN
Burrell Roofing	Norman Burrell	Williamstown	VT		did not indicate
Casella Waste Montpelier		Montpelier	VT		FAC/CURB/RES/COMM/CLEAN
Curt and Linda Doyle	Curt Doyle	Barre	VT		PAYT/CURB/RES/CLEAN
DJ's Convenience Store	John Sevigny	Montpelier	VT		PAYT/CLEAN
Donald Giroux Trucking LLC	Donald Giroux	E. Barre	VT		PAYT/FAC/RES/CLEAN
Haggett's Trucking	Cory Haggett	Brookfield	VT		CURB/RES/CLEAN
Hartigan Company	Carl Bailin	Middlesex	VT		does not haul/accept waste
Kirk Fenoff & Sons	Kirk Fenoff	Danville	VT		does not haul/accept waste
Lajeunesse Construction Inc.	Michael Lajeunesse	Barre	VT		COMM
New England Quality Service	Kevin Elnicki	Rutland	VT		PAYT/FAC/CURB/RES/COMM/CLEAN
Pete's Rubbish Removal	Neil Robie	Pike	NH		CURB/RES/COMM/CLEAN
Ran-Mar Corporation	Greg Rouleau	Berlin	VT		does not haul/accept waste

Rebel Rubbish	Kelly Gamble	W. Danville	VT		PAYT/CURB/RES/CLEAN
Pelletier Touch Free Car Wash	Romeo Pelletier	Barre	VT		PAYT/FAC
State of Vermont BG&S	Kevin Rogers	Waterbury	VT		COMM
T&T Repeats	Thomas Moore	Montpelier	VT		PAYT/RES
services key:					
PAYT = pay as you throw	CURB = curbside pickup				
CLEAN = clean ups	**FAC** = facility				
RES = residential	**COMM** = commercial				

Privately Operated Drop-Off Trash and Recycling Businesses

The following list, current as of January 2015, lists what are typically referred to as "bag drops," which set up in a particular location only for those times during which they are open. At the end of their working hours, the equipment is moved.
One exception to the drop-offs listed below is the Casella Depot which is a permanent facility and falls under full transfer station certification.
In the list below, there are locations that include sites outside of our District, but which service our residents since they are in close proximity to one or more member towns.

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Requirements for compliance with the CVSWMD Plan, ordinances and policies. These collectors of garbage and recyclables must be licensed with the CVSWMD. Hauler information packets are available by calling the District office during normal business hours. The District also has a Mandatory Recycling requires all haulers collecting residential or business garbage to offer their customers recycling services. A copy of this Ordinance and our other applicable Ordinances are included in the hauler information packet.
The CVSWMD requires bag drops to meet all local laws and regulations in addition to our hauler licensing requirements.

Figure V-3 – Drop Off Locations

Fig. 25

name	**drop-off location**
Casella Depot	Montpelier
Haggett's Trucking	Randolph
Curt's Bag Drop	Barre City
DJ's Convenience	Montpelier
Giroux's Trucking	Williamstown and South Barre
Brian Perry and Sons	Hardwick

In addition to the above noted bag drops for household recyclables, there are recycling facilities handling commercially produced materials that are located and permitted in the CVSWMD. These are as follows:

Figure V-4 – Other Recycling Materials

Barre Granite Association	E. Montpelier Granite Recycling Facility
Fulton & Co.	Barre Town Silicon Carbide Recovery Recycling Facility
Packard Enterprises	E. Montpelier Recycling Facility
Rock of Ages	Graniteville Mining Waste Facility

Municipal Drop-Off Trash and Recycling Depots

Several member communities operate facilities. Some are staffed by town employees and other towns contract out operation to a private contractor. All of these are municipal operations. They are subject to the same requirements as privately operated facilities. Their operating hours are determined by the municipality.

Figure V-5 – Municipal Drop-Off Trash and Recycling Depots

name	drop-off location
Barre Town Depot	109 Pitman Rd.
Bradford Depot	314 Fairground Rd.
Calais Depot	Moscow Woods Rd
Chelsea Depot	72 Washington Tpke
Tunbridge Depot	64 Recreation Rd Sat 9am-3:00pm

Materials Recycling Facility (MRF)

Requirements for compliance with the CVSWMD Plan, ordinances and policies. The CVSWMD places no requirements on Materials Recycling Facilities (MRFs) other than that they meet local laws and regulations and that they accept those items that are included in the District's Mandatory Recycling Ordinance.
There are no MRF's located within the CVSWMD region.

HAZARDOUS WASTE OPERATORS

Requirements for compliance with the CVSWMD Plan, ordinances and policies. The CVSWMD places no requirements on Hazardous Waste Operators other than that they meet local, state and federal regulations. The following list of hazardous waste handlers reflects those businesses that have operated and may continue to operate within our region.

Figure V-6 – Hazardous Waste Operators

Name	Location

Veolia Environmental Services	Stoughton, MA
Clean Harbors	Bristol, CT
Complete Recycling Solutions	Fall River, MA
Good Point Recycling	Middlebury, Vermont
Safety Kleen	Barre, Vermont
Accuworx USA	Barre, Vermont
ENPRO Services, Inc.	Burlington, Vermont

LANDFILLS AND TRANSFER STATIONS FROM THE CVSWMD REGION

Requirements for compliance with the CVSWMD Plan, ordinances and policies. Landfills and Transfer Stations must comply with District Ordinances, inclusive of offering recycling services to their customers. In addition, the District has specific site-related criteria that it has adopted for landfills. They apply to private, municipal or District-proposed facilities and are included at the end of this chapter.
The following list identifies existing transfer stations and landfills serving our region.

Figure V-7- Landfills and Transfer Stations

Name	**Location**
Landfills:	
Waste USA	Coventry
North Country Environmental	Bethlehem, N.H.
Transfer Stations:	
Casella	CV Transfer Station, E. Montpelier
All Metals	Recycling & Salvage, Hardwick

BIOSOLIDS DISPOSAL

Requirements for compliance with the CVSWMD Plan, ordinances and policies.
The CVSWMD requires that all disposal sites for biosolids and septage meet local, state and federal permit requirements. The CVSWMD currently considers the following methods of handling biosolids as consistent with our Plan: land application directly to farm fields growing crops for non-human consumption; land filled; incinerated; composted or co-composted and sold for a variety of home and garden and farm uses; and in Vermont, used as an alternative daily cover material in a landfill.

COMPOST FACILITIES

Requirements for compliance with the CVSWMD Plan, ordinances and policies.
The CVSWMD places no requirements on compost facilities other than that they meet local and state regulations.
The following are composting facilities operating in the CVSWMD as of January 2015.

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Figure V-8 – Compost Facilities

Name	Location	Materials Accepted
Bob Sandberg Farm	Bradford	Liquid and solid food waste
VT Composting Facility and Farm	Montpelier & E. Montpelier	Liquid and solid food waste

Figure V-9 - Permitted Compost Facilities Outside of CVSWMD That Accept Organic Material From Within the CVSWMD as of January 2015

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Name	Location	Materials Accepted
Grow Compost	Moretown	Liquid and solid food waste, yard waste, slaughter offal

CVSWMD LANDFILL CRITERIA
Adopted September 7, 2005

#1 – DANGEROUS DISTANCES

Exclusionary Criteria

A minimum 2,000 foot buffer zone shall exist between the edge of any landfill cell and the property line of the landfill. No buildings are allowed within 500 feet of the edge of any landfill cell. The height of the landfill should not, at any time, interfere with the surrounding view shed. Under no circumstances will the height exceed 35' above the natural and undisturbed contour of the land. NOTE: The landfill criteria committee suggests that if the 2,000 foot distance is determined by CVSWMD counsel assessing the feasibility and legality of these criteria to be overly restrictive, and therefore not allowable, that this distance be reduced to 1,700 feet.

Other Requirements

Diversion programs may be established in the buffer. Buildings for storage, diversion programs and/or landfill operations may be located within the 1200 foot buffer as long as no closed buildings are sited in the 500 foot exclusionary zone. A 30 foot wide berm or vegetative buffer, natural or landscaped, shall exist between the landfill property line and all disposal and diversion activities.

Post-Closure Requirements

None

Clarifying Notes/Descriptions

None

#2 – DANGEROUS DISTANCES

Exclusionary Criteria

A distance of 1,700 feet shall exist between the outside edge of the landfill to the property line of a school, licensed or registered day, elder or childcare enterprise, hospital, nursing home, and/or assisted care facility. Likewise, the same distance must apply to national, state, county or municipal parks, the Appalachian, Green Mountain and Cross Vermont trail systems. NOTE: If the distance in criterion #1 is reduced from 2,000 to 1,700, the committee wishes that this criterion's distance be increased to 2,000 feet so that the same total distance is maintained to the combined criteria 1 and 2.

Other Requirements

None

Post-Closure Requirements

None

Clarifying Notes/Descriptions

None

#3 – REGIONAL HEALTH IMPACTS

Exclusionary Criteria

None

Other Requirements

As part of the landfill design, environmental monitoring equipment shall be installed in a scatter-plot test pattern. Testing shall monitor air quality, ground water, surface water, and well water quality within 5,280 (one mile) of landfill cells. Testing shall begin at least 6 months prior to landfill construction, and continue through the active life of the landfill plus 30 years post-closure. All test information described here shall be provided to the host and adjacent communities, the CVSWMD and the Agency of Natural Resources permit section on at least a quarterly basis. Additionally, the Proposer

shall describe in their proposal and upon commencement of construction implement a system for receiving and responding to complaints or incidences of increased odor, increased noise, health and environmental concerns and visual impacts off site of landfill property.

Post-Closure Requirements
None
Clarifying Notes/Description
The Host Town Agreement shall identify a team of stakeholders who will work as an advisory group to review records at least annually and determine if there is a need for further action. This group shall at least include representatives from: the Vermont Department of Health, residents within the potentially affected area, host town, the CVSWMD and State Solid Waste Division.

#4 – CAPACITY/SIZE
Exclusionary Criteria
None
Other Requirements
Need for local disposal facilities is considered by the District to exist when there are inadequate local or regional disposal options for the volume of waste produced in our region, or when existing options become limited in capacity to the extend that it is prohibitively expensive to dispose of waste. Based on this definition of need, the Proposer is required to demonstrate to the District's approval an existing need within the region or in the District, and demonstrate how the proposed capacity and size relate to this need.
Post-Closure Requirements
None
Clarifying Notes/Description
The CVSWMD places no minimum, maximum or desirability standards on the size or capacity of a landfill proposal. Within the context of this description, the CVSWMD seeks to specifically understand: projected lifespan, daily, monthly and annual capacities, anticipated sources and types of waste, and anticipated percentage of annual tonnage to be filed from out-of-state sources.

#5 – HOST TOWN AGREEMENT
Exclusionary Criteria
None
Other Requirements
The proposal will include a copy of the host town agreement.
Post-Closure Requirements
None
Clarifying Notes/Description
The intent of this criterion is to support constructive dialogue between a Proposer and a host town concerning issues that are of concern to the community or communities in which a proposed landfill may be sited. Landfill discussions need not be adversarial. Many issues related to landfill siting and the impacts such a facility will have on the community in which it will be located are best resolved between the Proposer and the community early in the siting process. This requirement offers the host town the opportunity to say "no" to a landfill proposal or to say "yes, but…" indicating the specific, additional

conditions under which a landfill will be acceptable. The CVSWMD provides all its member communities with a Host Town Agreement Guide that may assist in this process.

#6 – MUNICIPAL SERVICES

Exclusionary Criteria

None

Other Requirements

The Proposal shall explain whether there is adequate police, fire, ambulance and other emergency services to respond to landfill needs within a reasonable distance of the facility. If the current level of service is insufficient, a detailed plan for upgrading services, inclusive of developing a haz-mat response plan should be proposed. The plan shall clearly identify the specific benchmarks it is designed to meet in order for the CVSWMD to determine if it is sufficient for the region. The information may be provided as part of the host town agreement in lieu of the Proposal.

Post-Closure Requirements

None

Clarifying Notes/Description

The Proposer shall identify what the level of service is that constitutes an "adequate level" within their proposal. This shall at least include consideration of personnel, numbers and types of equipment, and specialized training. If the area currently does not meet these levels, the Proposer must explain how they will insure this as of the onset of landfill operations. Hazardous waste issues are of particular importance to the CVSWMD. It is the District's perspective that 100% compliance with proper disposal of hazardous or toxic waste does not occur, despite best efforts. Therefore any leak, fire or other type of accident has the potential to release hazardous or toxic materials into the environment that can affect the surrounding area and region. We wish to understand how the Proposer(s) and therein the operator(s) anticipate dealing with such a potential.

#7 – DIVERSION PROGRAM

Exclusionary Criteria

The Proposer shall develop a diversion program to diminish organic waste being placed within the landfill. Organic matter should not reasonably exceed 10% of the landfill volume. The Proposal shall include an explanation of how the landfill will establish, monitor and enforce organic diversion to achieve this goal. If the landfill is open to residential traffic, a site for the drop off of recyclables shall be included in the facility plan. Provisions for accepting at least those items included in the CVSWMD's Mandatory Recycling Ordinance will be available to users. In addition, areas for diverting clean wood waste, yard waste and reusable items shall be part of the proposal. These may be limited to residential drop off, or at the Proposers discretion, be options available to commercial haulers as well.

Other Requirements

The CVSWMD prefers a proposal that includes an opportunity for additional diversion programs that the Proposer(s) may wish to develop at this site. Because of the potential damage to groundwater from a landfill liner leaking leachate, the CVSWMD prefers Proposers to take responsibility for achieving a high degree of hazardous waste diversion. Proposals that include provisions or funding for hazardous waste diversion programs, educational efforts to raise awareness of alternatives to common hazardous materials, and/or other incentives or efforts that can demonstrate long term behavior change in regard

to the purchase and use of hazardous products will be viewed more favorably than those that do not propose such undertakings.

Post-Closure Requirements

The Proposer will work with the host town to determine whether diversion programs will continue on-site past landfill closure. The agreement reached on diversion programs will be detailed in the host town agreement.

Clarifying Notes/Description

The intent of this criteria is two-fold. First, we wish to diminish the creation of methane gas. It is a potentially dangerous byproduct of the landfill process, posing a threat of explosion from migration and collection in adjacent structures. It is also environmentally undesirable, contributing – at least – to global warming and greenhouse affects. Our second intent is to expand and support opportunities to divert material from landfills in order to extend the lifespan of this type of facility. Our natural resources are precious, and using them to their fullest is in our best interest. Also, given the nature of a landfill and its need to be managed by future generations, we wish to diminish the number of such sites that will be inherited.

#8 – NATURAL RESOURCES

Exclusionary Criteria

None

Other Requirements

A Natural Resource Inventory, undertaken by an independent third party, shall identify plant and animal species and habitat at the proposed site. The CVSWMD will compare this inventory with the Natural Heritage Program lists for flora and fauna of threatened and endangered species as well as those considered rare species that need protection on a regional level, state significant natural communities and critical wildlife habitat. The CVSWMD considers agricultural lands to be a natural resource for our region, and further values the rural character of our region and does not wish to diminish agricultural lands or opportunities. We prefer that operating farmland not be used as a proposed site for a landfill.

Post-Closure Requirements

None

Clarifying Notes/Description

The CVSWMD may determine that the proposed landfill places critical Natural Resources at risk and is therefore inconsistent with the District plan. It may choose to attempt to negotiate an appropriate solution to critical Natural Resource issues with the Proposer. Proposals which include operating farmland should offer compelling reasons for the District to consider the transfer in use from farmland to landfill site.

#9 – REGIONAL ECONOMIC IMPACT

Exclusionary Criteria

None

Other Requirements

The Proposer shall pay for a study that shall explain anticipated positive and negative impacts on the host community, adjacent communities and the region.

Post-Closure Requirements

The Proposer shall explain how the property will be used upon landfill closure and completion of closure requirements, and how this might impact – positively or negatively – the host community, adjacent communities and the region.

Clarifying Notes/Description

Specific items to include in this description:

1. Anticipated property value fluctuation (at each of the following distances: 1,000 feet, ½ mile, 1 mile, 2 miles) for single family homes, multi-family units, service businesses, and industrial businesses.
2. Anticipated property tax revenue generated from the site.
3. Additional excise and income tax revenue generated.
4. Suggested compensation plan for property value fluctuations.
5. Direct job creation, including the number of jobs and cumulative value of salaries; indirect job creation; induced job creation; additional business development required and/or anticipated; value of businesses and indirect jobs created; community jobs lost.
6. Additional vendor requirements and anticipated value of contracts; potential financial impact of new vendor relationships; design/construction plan to include use of local resources and all contractors associated.
7. Waste to Energy potential, infrastructure improvements (roads, utilities, drainage etc).
8. General demographic study of host and adjacent towns.
9. Survey of businesses and homeowners within 1 mile of proposed site.

#10 – DRINKING WATER QUALITY

Exclusionary Criteria

None

Other Requirements

Proposals must demonstrate that the isolation distance to public and private drinking water supplies will not adversely affect drinking water, and that the isolation distances to seasonal high ground water, or surface water will meet all applicable environmental quality and public health standards even in the case of liner failure.

Post-Closure Requirements

Proposals should explain the protections in place to insure that drinking water supplies and ground water will not be impacted in the case of liner failure. Proposals should additionally prepare a plan of action in the case that there is an impact to drinking water supplies, including preparation to provide temporary drinking water and to fund all remediation and repair to natural and facility systems causing the impact or impaired by contamination.

Clarifying Notes/Description

It is not sufficient for proposals to meet the State's exclusionary requirements. Drinking water supplies may be outside of the exclusionary distance, and, depending upon site conditions, geology and other factors result in an adverse impact on drinking water. The proposal must address this concern. At the least, Proposers must identify public water supplies and private wells within 1 mile of the outside edge of the landfill property (inclusive of the buffer) and explain how these sources are protected.

#11 – SLOPE

Exclusionary Criteria

Property having a slope of 20% or greater is not suitable for a landfill site.

Other Requirements

Proposers must show that slope will have no impact on the surrounding area, even in the case of natural disasters. They must also show that any changes to the existing slope of the land in order to meeting exclusionary criteria will not result in adverse affects to the surrounding area.

Post-Closure Requirements

None

Clarifying Notes/Description

This criterion is intended to minimize the potential for a landfill to be located in an area susceptible to events or forces capable of damaging the landfill containment or environmental monitoring systems.

#12 – FAULTS

Exclusionary Criteria

A landfill is not to be located on or within 200 feel of a know Holocene or active fault. As well, no portion of the landfill shall be located within 200 feet of an earthen structure such as a dike or impoundment. The facility shall be designed to withstand the impact of a maximum credible earthquake. The landfill shall not overlie any unstable area where mass movement of earth materials such as landslides, rockfalls, mudslides, slump, earth flows, subsidence or debris flows are likely to occur.

Other Requirements

None

Post-Closure Requirements

None

Clarifying Notes/Description

The purpose of this criterion is to minimize the potential damage that could occur from ground movements that might result in damage to the landfill containment system, impact environmental monitoring system(s) and compromise safety and performance.

#13 – LANDFILL DESIGN

Exclusionary Criteria

A post-closure plan and activities report shall be submitted along with the landfill proposal, describing proposed land use to occur after closure of the landfill. This plan/report shall also detail all monitoring activities on and off site during the post closure period, the process and schedule for reporting information to the District and other regulatory agencies, and all restoration and cleanup activities to occur during closure and post closure.

Other Requirements

The Proposer shall hire a qualified engineering firm to execute the landfill design. The qualifications will be part of the proposal submitted to the CVSWMD. The CVSWMD requires that all dry tomb landfill proposals be designed with a minimum of double composite liners with a leak detection system between the two composite liners. This leak detection system should be of a medium that is not subject to significant clogging by leachate-induced biological growths. The bottom liner shall be part of the leak detection system. Proposers shall describe the specific design to be used at the proposed facility and address how it meets this stipulation.

Post-Closure Requirements
Proposals shall include leak detectible landfill covers that are financially supported in post closure plans.
Clarifying Notes/Description
Current "dry tomb" landfills do not offer protection for as long as the wastes present a threat. Postponing the potential of groundwater pollution only increases the likelihood that it will occur at some point in the future when those affected neither have the means of paying for or correcting the situation, and are not the originators of the waste that is generating the problem. This perspective is based on the work of G. Fred Lee, Ph.D. and Ann Jones-Lee, Ph.D. August 1995. Since technology can advance more quickly than regulations, the CVSWMD acknowledges that a different technology providing similar or improved levels of protection against leachate leakage may be developed while this criterion exists. Should this occur, Proposers are urged to discuss the matter with the CVSWMD in advance of submitting a formal proposal or document design superiority in their Proposal

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#14 – TRANSPORTATION
Exclusionary Criteria
None
Other Requirements
None
Post-Closure Requirements
Proposals shall identify access routes to the facility inclusive of proximity to rail access and whether this mode of transportation may be used. Explanation of the impact truck traffic may have on neighborhoods and commercial areas should be described. Locations of schools, community parks and hospitals shall be identified when they fall on or share a typical access route. The Proposer shall describe how safety issues will be dealt with in terms of the potential for accidents and protections that will be put in place.
Clarifying Notes/Description
Given the nature of Vermont winters, the CVSWMD is particularly concerned with the slope and grading of access routes and the impact weather conditions may have on heavy trucks carrying waste material through communities. Proposers shall seek to diminish the CVSWMD's concern for the possible ramifications of accidents involving garbage laden trucks due to a combination of weather and road conditions.

#15 – END OF LIFE FUNDING
Exclusionary Criteria
The Proposer will bear risk of all costs in completing closure and post-closure responsibilities and shall also assume all liability associated with closure and post-closure activities and responsibilities. A fund shall be created as part of the landfill proposal or host town agreement. Its purpose is to ensure sufficient funds to meet closure costs and 30 years post-closure care needs of the site, and environmental and health concerns as may arise as a result of the landfill. The fund may be established at the outset of the project and/or paid into over the life of the facility. Yearly earnings and/or contributions shall reflect the proposed timeline for closure and the costs calculated to fund closure and post-closure at that time. Funds that may remain after the 30 year post-closure timeframe will revert to the host town to do with as they so desire.
Other Requirements

The Proposer shall identify and explain the relevance of the funding mechanism; project its cumulative value; and explain how it is sufficient to offer the Central Vermont region and the host and adjacent communities, in particular, assurance of safety in the years after closure of the landfill. The Proposer shall report on the status of the fund on at least an annual basis. Information shall be made available to the public by the CVSWMD. The Proposer will participate in a public discussion on the adequacy of the trust to meet post-closure activities and needs, as requested by the CVSWMD.

Post-Closure Requirements

None

Clarifying Notes/Descriptions

Current "dry tomb" landfills do not offer protection as long as the wastes present a threat. Postponing the potential of groundwater pollution only increases the likelihood that it will occur at some point in the future.