



## **CHITTENDEN SOLID WASTE DISTRICT**

### **SOLID WASTE IMPLEMENTATION PLAN**

**Adopted:**

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## 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 Chittenden County, the regional plan is the ECOS Plan developed by the Chittenden County Regional Planning Commission. This Solid Waste Implementation Plan (SWIP) serves to meet this requirement for all Chittenden Solid Waste District (CSWD) member municipalities. CSWD first adopted a solid waste implementation plan in January 1992.

The Vermont Materials Management Plan (MMP) contains performance standards, including those focused on implementing Act 148 (Vermont's universal recycling and composting law), that each solid waste entity must meet to achieve the following goals:

- Prevent waste from being generated.
- Promote sustainable materials management, with a preference for highest and best uses.
- Minimize reliance on waste disposal (landfilling and incineration).
- Conserve resources, minimize energy consumption, and reduce greenhouse gas (GHG) emissions, and other adverse environmental impacts.

CSWD's Solid Waste Implementation Plan provides information on how various waste streams are managed in Chittenden County, how members are and will be educated on waste prevention and proper disposal, and how CSWD will meet the performance standards in the MMP. It also includes criteria for siting solid waste facilities in Chittenden County and procedures for including solid waste facilities in the Plan.

CSWD will work collaboratively with the State, residents, businesses, institutions, haulers, and other stakeholders to help increase choice and convenience when it comes to diverting valuable resources from the landfill and meeting or exceeding the State's goal of reducing the disposal rate of municipal solid waste to 2.69 pounds per person per day.

# 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

<b>Name of SWME</b>	<b>Chittenden Solid Waste District</b>
<b>Year Chartered (if applicable)</b>	<b>1987</b>
<b>Mission for Materials Management</b>	The District’s mission is to provide efficient, economical, and environmentally sound management of solid waste generated by member towns and cities and their residents and businesses.
<b>Names of Member Town(s)</b>	Bolton, Burlington, Charlotte, Colchester, Essex Junction, Essex, Hinesburg, Huntington, Jericho, Milton, Richmond, Shelburne, St. George, South Burlington, Underhill, Westford, Williston and Winooski. CSWD has an agreement with Buel’s Gore (see attached copy in Section K) to include the community in the District’s SWIP and to allow the residents of Buel’s Gore to use CSWD’s facilities and programs at member rates.

## General

<b>G1</b>	<b>Disposal and Diversion rates for the SWME’s jurisdiction.</b> Include the calculation of the total disposal and per capita disposal rate for municipal solid waste from the jurisdiction for the SWME.
<b>Data tracking system:</b>	There is a system in place for tracking and reporting diversion rates biannually and disposal rates annually (check box) <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> (If No please indicate the deadline date below for when system will be in place).
<b>Plan for Annually tracking data:</b>	CSWD’s estimated MSW diversion rate for 2013 is 45.4%. Total MSW disposal for 2013 was 89,715 tons. The estimated population in 2013 was 159,760. Therefore, the disposal rate for 2013 was 3.08 pounds per capita per year. CSWD’s goal is to reduce the disposal rate to 2.69 pounds or less by the end of the SWIP term. CSWD has been completing annual diversion and disposal reports since 1993.

<b>G1</b>	<b>Disposal and Diversion rates for the SWME's jurisdiction.</b> Include the calculation of the total disposal and per capita disposal rate for municipal solid waste from the jurisdiction for the SWME.
	The District maintains a materials database called MatTrax to track materials managed at CSWD and other facilities. Disposal and diversion data from the CSWD-licensed scales at the Casella Transfer Station in Williston, the Burlington Transfer Station in Williston, the Myers Recycling Facility and Transfer Station in Colchester, and the Waste USA landfill in Coventry are submitted electronically to CSWD monthly. Data for materials delivered to other disposal facilities are reported to CSWD monthly. CSWD licenses facilities in Chittenden County that process recyclables or compostables. Data from these processors is submitted to CSWD every six months. Scale data from CSWD's Material Recovery Facility and Green Mountain Compost are received monthly. Data from CSWD's seven Drop-Off Centers is uploaded daily to MatTrax. Canusa-Hershman in St. Albans, a recycling processing facility, submits data to CSWD every six months on a voluntary basis. Fletcher Allen Health Care, the University of Vermont, and IBM, CSWD's three largest employers, voluntarily provide data on recyclables marketed directly to end markets annually. CSWD estimates other commercial economic recycling based on a survey of generators in Chittenden County conducted by DSM Environmental Services in 2007. About 30 businesses engage in direct marketing of materials. An amendment to CSWD's Solid Waste Management Ordinance to require reporting by these businesses is currently under consideration.
<b>Expected Timeframe</b>	CSWD will report disposal data and rates and diversion data for the previous calendar year annually to ANR by July 1.
<b>G2</b>	Within 6 months of VT ANR approval, post approved SWIP on SWME website.
<b>Plan for Posting:</b>	The SWIP will be posted on CSWD's website as soon after it is approved by our Board of Commissioners as possible, and well within the 6-month post-approval deadline.
<b>G3</b>	Within 3 months of VT ANR approval, submit one newspaper article or op-ed piece introducing SWIP.
<b>Plan for Submittal:</b>	CSWD will adopt its SWIP by June 18, 2015. By September 18, 2015, CSWD will issue a press release, blogs, newsletter stories, etc. about the SWIP, what it means for various sectors, and positive impacts on the State and CSWD goals for reducing the flow of materials to the landfill. The implementation of the SWIP will provide an excellent opportunity to publicize our breadth of programs throughout the year. In coordination with our school, community, and business outreach coordinators, we will use this opportunity to highlight how various sectors and sub-sectors are impacted, including schools, businesses and institutions, municipalities, and residents. We will include this information at events (where we typically staff an info booth), email newsletters, info/how-to flyers and signage, ads in sector-specific publications, our website and social media channels.
<b>G4</b>	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.
<b>Plan for Surveys:</b>	CSWD will contract with a marketing research firm to conduct a survey of Chittenden County residents in June 2015. The survey will collect information on residents' current knowledge of variable rate pricing, recycling, organics, C&D, HHW, electronics waste, and universal waste. The survey will be repeated in the fifth year of the SWIP term.
<b>G5</b>	Hold two public meetings during SWIP term, one before the end of the second year, the second in the fifth year.
<b>Planned Meeting Schedule:</b>	CSWD will hold two public meetings to get feedback on new and existing programs. The first such meeting will be held between July 1, 2016 and June 30, 2017, and a second meeting will be held between July 1, 2019 and June 30, 2020. CSWD will use a variety of strategies to increase attendance, such as a press release, email newsletter, and social media. The meetings will be held in a high school auditorium in the heart of Chittenden County (Williston, South Burlington, or Essex depending on

<b>G5</b>	Hold two public meetings during SWIP term, one before the end of the second year, the second in the fifth year.
	availability). A list of attendees and comments received will be maintained for each meeting.

<b>G6</b>	Develop and maintain a webpage linked to a homepage for the SWME that lists regional management options for waste material (A through Z).
<b>Date Planned for publishing Webpage:</b>	CSWD currently maintains a robust website ( <a href="http://www.cswd.net">http://www.cswd.net</a> ), which includes an encyclopedic A-Z list of material management options, information on public and private entities that accept the materials covered in the MMP and beyond, and tips on how to enact behavior changes at home, school, work, and play to reduce what they add to the waste stream. CSWD updates this website regularly and will continue doing so to keep it current with mandates for the foreseeable future. The SWIP and its purpose and context will be on the site as well.

<b>G7</b>	Adopt and implement variable rate pricing for municipal solid waste from residential customers and show plan for bringing haulers and facilities into compliance.
<b>Description of Program and copies of ordinances passed:</b>	<i>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.</i>  CSWD's proposed variable rate pricing amendment to its Solid Waste Management Ordinance is titled, "Unit-Based Rates."

<b>G8</b>	Collect contact information for all commercial solid waste haulers and a list of services they provide within the SWME jurisdiction.
<b>Description of collection process:</b>	Each year in May, all CSWD licensed haulers are sent renewals for the upcoming fiscal year starting July 1. Hauler's License Applications are completed and returned to CSWD and include contact information and services offered in CSWD. A copy of the current list is attached.
<b>Expected Timeframe:</b>	An updated list will be submitted to ANR annually by July 1, 2015.

## Recyclables

<b>R1</b>	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.  <i>*If work performed with schools covers recyclables and organics, only one description is required.</i>
<b>Description of program:</b>	CSWD has one full-time School and Youth Outreach Coordinator who has historically provided outreach to more than 50% of the 75 public, private and alternative K-12 Chittenden County schools each year in addition to programs presented to youth at camps, public libraries, field days and other non-school venues.  All schools have recycling programs in place for mandatory recyclables per CSWD Solid Waste Management Ordinance requirements, which exceed those of Act 148. Staff has confirmed that 36 CSWD schools currently have programs in place for managing organics, either via donation to farms, composting on-site, compost pickup, or a combination of the above. To maintain and enhance existing programs and establish new programs where needed, the School Outreach Coordinator will provide information and assistance with waste reduction and beneficial materials management to at least eight schools annually via:  [ ] Technical assistance outreach, including meetings with parents, staff and administrators;

<b>R1</b>	<p>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.</p> <p>*If work performed with schools covers recyclables and organics, only one description is required.</p>
	<p><input type="checkbox"/>Staff, volunteer and student trainings;  <input type="checkbox"/>Curriculum development assistance and materials (see <a href="http://cswd.net/outreach-education/schools-and-youth/learning-tools/">cswd.net/outreach-education/schools-and-youth/learning-tools/</a>);  <input type="checkbox"/>Recycling and compost collection system setup and troubleshooting;  <input type="checkbox"/>Provision of free recycling bins, food scrap collection buckets, and signage;  <input type="checkbox"/>Tours of recycling and composting facilities;  <input type="checkbox"/>Waste sorts;  <input type="checkbox"/>Grant funding for waste-reduction projects and for publicly accessible or specialized recycling and food scrap collection containers or systems (such as custom-built cafeteria sort stations).</p> <p>CSWD will provide information to at least eight schools annually on reduction of hazardous materials use and responsible disposal via the Environmental Depot brochure, the Schools pages of <a href="http://cswd.net">cswd.net</a>, and presentations on this subject.</p> <p>CSWD tracks information on and all communications with schools and youth groups in its Outreach and Enforcement Database. Data from this database will be used to fulfill ANR reporting requirements.</p>
<b>Expected Timeframe:</b>	CSWD will continue to meet or exceed the annual performance standard and expects to have reached all CSWD schools by the end of the SWIP term.

<b>R2</b>	<p>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.</p>
<b>Description of campaign:</b>	<p>Recycling has been mandatory since 1993 in CSWD, and survey and other data indicate a high rate of participation; however, residents, institutions, and businesses are not recycling everything they can. CSWD will continue to promote enthusiastic compliance with the ban on mandatory recyclables, as well as diversion of compostables and C&amp;D materials, and beneficial uses of biosolids, for all sectors.</p> <p>Information on the requirements of Act 148, implementation dates, and how to comply are currently on CSWD’s website and are being promoted in traditional and online media. CSWD operates a hotline, displays at events, provides collection containers and labels, publishes a monthly newsletter, and mails “Where do I chuck this? The Reduce-Reuse-Recycle and Trash Disposal Guide for Chittenden County” to all residences, businesses, and institutions biannually. This year’s edition of the guide devoted a full page to the UR law including implementation dates and the hierarchy for reducing food waste. Video clips are being produced that provide instruction on recycling and backyard and drop-off composting. Business, school, and community outreach coordinators are boots on the ground presenting educational information and providing tools and assistance in setting up or improving on-site infrastructure for diversion of recyclables, compostables, and reusables.</p> <p>CSWD surveyed member municipalities in 2012 regarding the number of lone trash containers on public property and will complete an updated survey by early 2015. CSWD’s school and youth outreach coordinator will complete a survey of schools by early 2015 as well. Through direct promotion of the public space recycling requirement and CSWD’s container grant program via e-mail phone calls, and in person, municipalities have been adding recycling containers to assure compliance by July 1, 2015. CSWD is currently considering an ordinance amendment that would require recycling</p>



<b>R2</b>	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.
	<p>containers be paired with all publicly accessible trash containers on private property.</p> <p>As the MMP bar is raised over time to meet, and then exceed, CSWD's existing standards, CSWD will include the new information in its online and printed materials, ads, and promotions in advance of the deadline for each new imperative. Our aim is to get information into the hands of those impacted by each mandate in time to enable them to successfully implement by the mandated date, and then support that behavior going forward by regularly providing up-to-date information on our website, in newspaper and radio ads, mailings, brochures, etc. Similarly, as different sectors are impacted by the MMP's rolling deadlines, CSWD will aim ads/editorial content/informational materials at those sectors through channels that best serve those purposes, including but not limited to Front Porch Forum and other social-media channels, trade publications, direct-mail pieces, brochures, and presence at sector-specific functions.</p> <p>Wherever we staff an informational booth at an event, we will include supporting information in the form of displays and handouts pertinent to that event's audience. Updates, improvements, and additions to the web site are made almost daily. Staff is also seeking input from local haulers to develop new educational initiatives based on their direct experience with their customers. A full-time marketing and communications coordinator and a full-time web and marketing specialist are on staff to design and implement the outreach campaigns.</p> <p>CSWD is also currently considering an ordinance amendment that will require multi-unit property managers/owners and haulers to provide instructions on proper management of recyclables, special wastes, hazardous waste, and compostables to new occupants/customers and to all occupants/customers on an annual basis at a minimum. Another amendment under consideration is a revision of the current recycling container labeling requirement to include labeling requirements for trash and food scrap collection containers.</p>
<b>Expected Timeframe:</b>	Timing of various promotions will be based in large part on the rolling MMP deadlines and/or implementation dates, with the aim of getting information to affected sectors far enough in advance to enable them to properly plan and comply; and then ongoing afterward to support compliance.

<b>R3</b>	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.
<b>Description of outreach plan:</b>	<p>CSWD Waste Reduction staff involved in direct outreach to businesses and institutions includes:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> One full-time Business Outreach Coordinator/Assistant Waste Reduction Manager</li> <li><input type="checkbox"/> One 32-hour Community Outreach Coordinator</li> <li><input type="checkbox"/> One 28-hour Enforcement Coordinator</li> <li><input type="checkbox"/> Green Mountain Compost staff who assist with facility tours and compost troubleshooting</li> </ul> <p>CSWD's Business Outreach Coordinator has reached an average of 156 businesses and institutions annually since 1999, which is roughly 2.5% of the estimated 6,273 businesses in Chittenden County (VT Dept. of Labor). Blue-bin recycling has been mandatory since 1993 and CSWD's 2013 Household Solid Waste Survey indicated that 95% of respondents' employers have a recycling program and 38% have a composting program.</p> <p>Outreach to this sector includes:</p>

<b>R3</b>	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.
	<input type="checkbox"/> Up to 50 free recycling bins for use by employees, visitors, guests and staff; <input type="checkbox"/> Provision of desk-side recycling bins at CSWD cost above the initial 50 free. (We established this program to meet increasing demand by hotels for bins in all guest rooms); <input type="checkbox"/> Waste sorts; <input type="checkbox"/> Presentations to leadership and Green Teams, and at staff meetings and “brown bag” lunch talks; <input type="checkbox"/> Technical assistance identifying one-time as well as sustainable and/or revenue-generating markets for non-blue-bin materials; <input type="checkbox"/> Grants to fund up to 40% of the cost of recycling and food scrap collection bins or unified waste stations for use by employees and/or the general public; <input type="checkbox"/> Recycling system setup and refinement, and food scrap collection system setup and refinement; <input type="checkbox"/> Free labels, brochures, guides and signage to support all of the above; <input type="checkbox"/> Website materials to support all of the above. See <a href="http://cswd.net/outreach-education/businesses/">cswd.net/outreach-education/businesses/</a> .  CSWD tracks information on and all communications with businesses and institutions in its Outreach and Enforcement Database. Data from this database will be used to fulfill ANR reporting requirements.
<b>Expected Timeframe:</b>	CSWD is meeting and will continue to meet or exceed the performance standard annually and will have reached 627 businesses and institutions (10% of total) by term end.

<b>R4</b>	Provide technical assistance for waste reduction at public and private events.  *If technical assistance covers recyclables and organics, only one description is required.
<b>Description of program:</b>	CSWD has a webpage that highlights the resources we offer to public and private events to maximize waste reduction, recycling and composting. These resources include: tips for reducing waste at events; how to set up waste stations; downloadable signs and labels for containers; free loaner containers for events; information on what can be recycled and composted and compostable ware; a downloadable template for inclusion in venue permits with recycling and composting guidelines for events. We have also hired a part-time temporary event and volunteer coordinator to work with the community outreach coordinator to 1) identify and catalogue events in CSWD; 2) strategically implement an outreach plan to reach all events with information on CSWD resources and ACT 148 requirements for events, and choose a select number of high profile events to provide more hands-on technical assistance; and 3) develop a training program for “Waste Warriors” - volunteer waste station monitors for events - who then become an additional resource for events to tap into. We will continue to expand on methods of reaching events with information via a variety of social and print media and targeted mailings. In addition, CSWD is currently considering an ordinance amendment that will require venue owners and permit issuers for events to include information on and require compliance with recycling and food residual diversion requirements in the permit application or reservation form.
<b>Expected Timeframe:</b>	CSWD will continue to meet or exceed the performance standards annually and at the end of the SWIP term.

<b>R5</b>	Include outreach & options for textile reuse and recycling.
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<b>R5</b>	Include outreach & options for textile reuse and recycling.
<b>Description of program:</b>	CSWD has a partnership with Goodwill to collect textiles at our Drop-Off Centers in Burlington, Essex, Hinesburg, Milton, Richmond, South Burlington, and Williston for reuse and recycling. These facilities are open year round and accept rags, shoes, linens, and clothing. Goodwill and Salvation Army each have two collection sites in the District. Planet Aid has sited collection containers at a number of businesses in Chittenden County. In addition to these sites and our drop-off centers, our website lists a number of clothing resale shops and charitable organizations that accept clothing for reuse: <a href="http://cswd.net/reduce-and-reuse/reuse-options/#clothes">http://cswd.net/reduce-and-reuse/reuse-options/#clothes</a> . Outreach includes information on our website, at our facilities, and in printed material, and maintaining textile reuse and recycling program visibility throughout the year in promotions. See R2 for more in-depth description.
<b>Expected Timeframe:</b>	CSWD meets and will continue to meet this performance standard.

## Organics

<b>O1</b>	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.
<b>Description of program:</b>	Please see description provided in R1.
<b>Expected Timeframe:</b>	CSWD will continue to meet or exceed the performance standard each year and at the end of the SWIP term.

<b>O2</b>	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.
<b>Description of campaign:</b>	Chittenden County leaf and yard debris has been banned from disposal since 1993. The results of CSWD's 2013 Household Solid Waste Survey suggest that 55% of households in Chittenden County currently compost yard trimmings and 49% compost food scraps at home. Composting and drop-off options are regularly promoted in print, on the web, and in person at events. Discount compost bins and kitchen collectors, drop-off compost pails, backyard compost workshops, printed and web-based instructions, a list of curbside collection service providers, and build-your-own bin designs are currently available. CSWD is developing a web page directed at residents with tools for reducing food waste (e.g., shopping list meal planner, guide to expiration dates and other storage information, recipes for using up leftovers).  The Composting for Businesses web page ( <a href="http://cswd.net/composting/composting-businesses/">http://cswd.net/composting/composting-businesses/</a> ) currently includes information on the requirements of Act 148 and the food recovery hierarchy for businesses and institutions. It also includes the "Composting Works in Any Kitchen" flyer, the "Food Service Composting Guide," purchasing guidelines for compostable products, information on CSWD's grant program for compost collection containers, curbside collection services currently available, and downloadable signage. In addition to containers, labels, and signage, our business outreach coordinator is available at no charge to work with businesses and institutions to design and implement or improve

<b>O2</b>	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.
	<p>food diversion programs.</p> <p>A variety of educational programs and technical assistance for setting up food scrap collection programs are currently available to schools. Resources are included on CSWD’s website. CSWD’s guide for food scrap diversion at schools is being updated to be more user-friendly and include information on the UR Law. In addition to containers, labels, signage, and information on compostable ware, our school and youth outreach coordinator is available at no charge to work with staff, faculty, and students to design and implement or improve food diversion programs. The coordinator will be surveying all schools on the status of their organics, recycling (including public recycling), and hazardous waste programs so CSWD can target its outreach efforts where assistance is needed most.</p> <p>Information on the organics disposal bans and the food recovery hierarchy were included in the latest edition of our guide on solid waste for Chittenden County that was mailed to every residential, institutional, and commercial postal patron. This information will also be included in the educational campaigns described in R2.</p>
<b>Expected Timeframe:</b>	Please see description provided in R2.

<b>O3</b>	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.
<b>Description of outreach plan:</b>	<p>All staff listed in section R3 also contribute to outreach to this sector. ANR staff have identified roughly 1,200 food scrap generators in Chittenden County, including K-12 schools. CSWD staff reported updates—businesses incorrectly included, closures, additions, relocations, etc.-- to ANR in July 2014. CSWD staff will continue to do this on a bi-annual basis unless otherwise directed.</p> <p>As of July 2014, CSWD staff have confirmed that 138 of those 1,200 businesses (including K-12 schools) are currently diverting food scraps via donation, sales, composting or a combination thereof. It is unknown at this time how many of the remaining businesses have organics diversion programs. CSWD has contacted an additional 105 of those generators with information on food scrap diversion options and Act 148 requirements.</p> <p>In addition to all of the support offered to all CSWD businesses (see R3), CSWD has and will continue to target food-based businesses, as well as those which are not food-based, but which may have a component such as an on-site cafeteria that generates significant organic waste, with the following outreach:</p> <ul style="list-style-type: none"> <li>[] Information and advice on food waste reduction strategies, donation options, sales options for inherently valuable production byproducts (e.g., FOG and spent grains), and options for on-site composting as well as pickup services for food scraps to be composted at GMC;</li> <li>[] The CSWD “Food Service Guide to keeping compostables out of landfills,” which includes food donation options as well as step-by-step setup for scrap collection for composting;</li> <li>[] Free 4-gallon food scrap collection buckets for use in kitchens and prep areas;</li> <li>[] Grants to fund up to 40% of the cost of food scrap collection containers;</li> <li>[] Free decals, brochures, and signage to support all of the above.</li> </ul>

<b>O3</b>	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.
<b>Expected Timeframe:</b>	Approximately 20% of the food-scrap generators identified by ANR are either already diverting food scraps or have been contacted by CSWD about Act 148 requirements and offered our assistance with compliance. We will continue to meet or exceed the performance standards annually and at the end of the SWIP term.

<b>O4</b>	Provide technical assistance for waste reduction at public and private events.  *Please note if this description is provided above in the recyclables section.
<b>Planned Tasks:</b>	Please see description provided in R4.
<b>Expected Timeframe:</b>	We will continue to meet or exceed the performance standards annually and at the end of the SWIP term.

<b>O5</b>	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.
<b>Planned Tasks:</b>	CSWD staff has worked with the Chittenden Emergency Food Shelf and with smaller, local food shelves on initiatives such as composting and food drives at our Drop-Off Centers. We will use these contacts as well as the Vermont Food Bank database to identify Chittenden County food redistribution groups and networks with whom to partner. Once that list is established, we will invite them to join our Waste Reduction and Marketing staff in brainstorming creative and effective techniques and campaigns for encouraging gleaning at farms and sustainable, quality food donations by businesses and institutions.
<b>Expected Timeframe:</b>	Food shelf and other groups/networks identified and list will be compiled and brainstorming invitation issued by July 1, 2015.

<b>O6</b>	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.
<b>Planned Tasks:</b>	CSWD currently accepts yard debris year round at nine facilities in Chittenden County (seven Drop-Off Centers, the McNeil Wood & Yard Waste Depot, and Green Mountain Compost), and assists some towns in dealing with large quantities of municipal and community yard debris in the fall. Eight of the facilities are open at least one week day and one weekend day per week. CSWD runs multi-channel seasonal awareness promotions online (website, social media, newsletter) and in traditional print media (including handouts). See R2 for more detail on promotional efforts.
<b>Expected Timeframe:</b>	The program is currently operational and well promoted as stated above and will continue to be so. Please see R2 for more detail.

## Construction & Demolition (C&D)

<b>C1</b>	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.
<b>Description of campaign:</b>	CSWD will continue to promote enthusiastic adoption of sustainable C&D reduction, recycling, and reuse practices. CSWD includes the information in its online and printed materials, ads, and promotions. As different sectors are impacted by the deadlines in the MMP and Act 175, CSWD will aim ads/editorial content/informational materials at those sectors through channels that best serve those purposes, including but not limited to Front Porch Forum and other social-media channels, trade publications, direct-mail pieces, brochures, and presence at sector-specific functions. A direct mail piece to builders will be issued in advance of the January 1, 2015 effective date for generators of architectural materials. The mailing will include the new requirements and list facilities that manage the defined materials (see attached facility list). Facilities include mixed C&D sorting facilities, source-separated facilities, and reuse facilities. Please see R2 for more detail on the outreach campaign.
<b>Expected Timeframe:</b>	Please see R2.

<b>C2</b>	Establish a program for clean wood recycling prior to July 1, 2016 to coincide with the UR Law landfill ban.
<b>Description of program:</b>	Clean wood is currently accepted year round at five CSWD drop-off centers in Essex, Milton, Richmond, South Burlington, and Williston. Clean wood is also accepted at the McNeil Generating Station Wood and Yard Waste Depot in Burlington. Clean lumber and pallets are accepted at the Myers Recycling Facility in Colchester and the Casella Transfer Station in Williston. These two facilities and the drop-off centers also accept MSW and recyclables, so diversion is encouraged.
<b>Expected Timeframe:</b>	CSWD meets and will continue to meet the performance standard.

<b>C3</b>	Establish at least one collection location for asphalt shingles collection and drywall by end of the SWIP term in each SWME's jurisdiction.
<b>Planned Tasks:</b>	New scrap drywall is accepted for recycling at CSWD's Williston Drop-Off Center and the Casella Transfer Station in Williston. New scrap and used drywall and asphalt shingles are accepted for recycling at Myers Recycling Facility in Williston.
<b>Expected Timeframe:</b>	CSWD meets and will continue to meet the performance standard.

## HHW & CEG

<b>H1</b>	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.
<b>Description of program:</b>	<p>CSWD staff involved in this performance standard is one FTE School and Youth Outreach Coordinator (SYOC) with advisory assistance from CSWD's hazardous waste management staff and materials and support from marketing staff (see H2).</p> <p>The SYOC will work with administrators, custodial staff, teachers and students at a minimum of eight schools per year to provide them with information on:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmentally preferred purchasing options for classroom, office, and lab supplies, cleaning products, etc.;</li> <li><input type="checkbox"/> Proper purchasing and handling to reduce the volume of hazardous waste generated;</li> <li><input type="checkbox"/> Creating school-wide EPP purchasing policies;</li> <li><input type="checkbox"/> Creating school-wide use and end-of-life management policies and procedures for hazardous materials;</li> <li><input type="checkbox"/> Building awareness of long-standing, low-cost or free options for HHW/CEG disposal at CSWD facilities;</li> <li><input type="checkbox"/> Building awareness of ANR's EAO availability for further assistance.</li> </ul>
<b>Expected Timeframe:</b>	Staff will reach a minimum of 8 schools per year, with at least 40 reached by the end of the SWIP term.

<b>H2</b>	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.
<b>Description of program:</b>	CSWD will continue to promote adoption of environmentally preferable purchasing (EPP) and hazardous materials management practices. CSWD distributes the information, including information on disposal bans and managing pharmaceuticals, in its online and printed materials, ads, and promotions. CSWD adopted its own EPP policy to serve as a model several years ago. Please see R2 for more detail.
<b>Expected Timeframe:</b>	Ongoing; please see R2.

<b>H3</b>	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.
<b>Description of program:</b>	Staff involved in this performance standard is one FTE Business Outreach Coordinator with advisory assistance from CSWD's hazardous waste management staff and materials and support from Marketing staff (see H2). The Business Outreach Coordinator will provide District businesses and institutions from a variety of sectors with information on: <input type="checkbox"/> Environmentally preferred purchasing options for supplies, cleaning products, etc.; <input type="checkbox"/> Proper purchasing and handling to reduce the volume of hazardous waste generated; <input type="checkbox"/> Creating business-wide EPP purchasing policies; <input type="checkbox"/> Creating policies and procedures for responsible use and end-of-life management of hazardous materials; <input type="checkbox"/> Building awareness of long-standing, low-cost or free options for HHW/CEG disposal at CSWD facilities; <input type="checkbox"/> Building awareness of ANR's EAO availability for further assistance.
<b>Expected</b>	Staff will provide information to a minimum of 120 businesses and institutions per year on HHW/CEG



<b>H3</b>	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.
<b>Timeframe:</b>	management, reaching at least 600 businesses by the end of the SWIP term.
<b>H4</b>	<p><b>Year 1:</b> Establish a minimum of 2 HHW/CEG events per year, or access to a permanent facility.</p> <p><b>Year 2:</b> 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.</p> <p><b>Year 3:</b> 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.</p> <p><b>Year 4:</b> 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.</p> <p><b>Year 5:</b> 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.</p> <p>Ensure that minimum requirements outlined in MMP under Convenience are met each year.</p>
<b>Description of plan for each year:</b>	<p>CSWD already meets this performance standard and will continue to operate the Environmental Depot, its permanent collection program for HHW and CEG waste and its mobile HHW collection program, the Rover throughout the 5-year SWIP period. The Environmental Depot is open year-round. Households can drop off material during regular hours of operation four days per week (Wednesday-Saturday, 6 hours each day during the week and 7½ on Saturday), and CEGs (including schools) can drop off hazardous waste by appointment five days per week (Tuesday – Saturday). CSWD’s mobile HHW collection program, the Rover, provides an additional collection service for households every Saturday from early April through late October. The Rover travels to all areas in Chittenden County including the towns that are greater than 15 miles from the Environmental Depot. Residents of Chittenden County can participate at any Rover event which provides all residents in Chittenden County access to HHW collection within a 15-mile radius four times per year. The Rover operates 4 to 7½ hours per event, depending on location. The Rover does not accept CEG waste with the exception of universal waste.</p> <p>The hazardous waste program is staffed by three permanent employees and several part-time temporary employees. Total Depot is open on average 255 days per-year. There are 17 Rover events per year. The programs serve an average of 660 businesses and 9,000 households per-year.</p> <p>In addition to CSWD’s HHW/CEG collection program, some universal wastes are accepted at CSWD’s drop-off centers. Specifically, used motor oil, mercury-containing lamps, mercury-containing devices including thermostats, lead acid batteries, primary and rechargeable batteries, oil filters, ballasts, and capacitors are collected. These materials may be dropped off in limited quantities by households and businesses year-round. Retailers in the community also accept some types of hazardous materials from residents and businesses under extended producer responsibility programs. Currently this includes paint, rechargeable batteries, mercury-containing thermostats, and mercury-containing lamps.</p> <p>CSWD has been tracking participation and material data for its hazardous waste programs since the Rover opened in 1991. Staff at the Environmental Depot maintains a database on household and CEG participation, costs, materials managed, and the reuse program.</p>
<b>Expected Timeframe:</b>	CSWD currently meets and will continue to meet this performance standard.

## Sludge, Septage and Residual Wastes

<b>S1</b>	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.
<b>Description of program:</b>	CSWD will continue to promote the proper disposal of hazardous wastes, pharmaceuticals, and other chemicals (avoiding wastewater and septic systems), as well as inform them about the beneficial uses of Vermont's biosolids and residual wastes. CSWD will include the information where appropriate in its online and printed materials, ads, and promotions. CSWD helped plan and coordinate, and participated in the first Vermont Water Quality Day held on May 23, 2014. CSWD will continue to support this public outreach effort. Please see R2 for additional detail on future outreach efforts.
<b>Expected Timeframe:</b>	Please see R2.

<b>S2</b>	SWMEs shall work with their respective municipalities, plant operators, and septic service providers to encourage the beneficial use of biosolids and septage.
<b>Description of program:</b>	<p>The purpose of CSWD's Biosolids Program is to provide effective, secure, and convenient management of member municipalities' wastewater sludge in a manner that complies with all state and federal laws and rules as well to evaluate methods on biosolids management alternatives. Wastewater treatment plants currently participating in the program are Burlington East, Burlington Main, Burlington North, Essex Junction, Milton, Richmond, Shelburne #1, Shelburne #2, South Burlington Airport Parkway, South Burlington Bartlett's Bay, and Winooski. The program also serves as a contingency management method for the Hinesburg wastewater treatment facility, the only other such facility located in CSWD.</p> <p>Under a contract with Casella Organics, beginning January 1, 2015, at least 80% of residuals from participating member municipality wastewater treatment plants will be shipped to the Grasslands Lime Stabilization Facility, a beneficial reuse processing facility, in Chateaugay, NY. In 2014, at least 70% of the District's residuals in this program are being processed at Grasslands. Costs associated with the current biosolids management program are charged to participating members on a user fee basis.</p> <p>Members, who do not commit all of their biosolids to the District's management, and private sludge generators, develop their own biosolids management systems. Such alternative management systems, when intended for long-term use should provide for the beneficial reuse of biosolids as a primary means of management. Short-term or back-up methods of biosolids management may include lower end uses of the biosolids, such as landfilling or incineration.</p> <p>Municipal members not served by wastewater treatment plants rely on private septage haulers for management of their waste. These companies deliver septage to one of the publicly owned wastewater treatment plants and/or, as in the case of P&amp;P Septic Service, use land application as their management method. There are several wastewater treatment plants that currently accept septage from haulers.</p>
<b>Expected Timeframe:</b>	CSWD's Biosolids Program will exceed ANR's goal of 75% beneficial reuse of biosolids during the SWIP term.



# Check List

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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**

**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.

*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.*

## **SITING CRITERIA FOR SOLID WASTE FACILITIES & PROCESS FOR INCLUSION IN PLAN**

All owners/operators of solid waste facilities requiring certification by the State of Vermont, which are not specifically identified in this Solid Waste Implementation Plan (SWIP or Plan), except for sludge and septage land application projects, shall:

- 1) demonstrate that the facility will be in conformance with all local, state, and federal laws, rules, regulations, and ordinances while it is in operation, and
- 2) obtain the formal support of the Chittenden Solid Waste District in the form of a resolution of the District's Board of Commissioners to include the facility in this Plan.

Disposal facilities (such as landfills but excluding categorical disposal facilities) not specifically identified in this Plan shall, in addition to the above criteria, be subject to a screening process undertaken by an independent engineer, which is essentially identical to the process undertaken by the District in the selection of the proposed site on Redmond Road. This process includes active participation by the public from the beginning, by following the District's siting criteria as developed by a Citizen Advisory Committee (CAC), and adopted by the CSWD Board in July 1989. The CAC supplemented the State's minimum requirements with local criteria to reflect local concerns, including, for example, aesthetics, historic resources, and distances to public facilities. A copy of the CAC criteria is available upon request. Additionally, the owner/operator of the 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.

All biosolids and septage treatment and storage facilities located within the fenced area of a wastewater treatment plant in the District are considered to be included in CSWD's Solid Waste Implementation Plan, with the exception of composting and other Class A treatment facilities that qualify for distribution to the public. Such composting and other Class A treatment facilities must be included in CSWD's Plan by using the process specified in below.

Any processing or storage facilities for food residuals, such as anaerobic digesters or composting facilities, must be included in CSWD's Plan by using the process specified below. The District may limit the quantities of food residuals accepted for processing or storage.

### **Process for Inclusion in Plan**

A public or private entity desiring to operate a solid waste facility in CSWD shall submit a letter to the District requesting that its facility be included in CSWD's Solid Waste Implementation Plan. A copy of the entity's completed application for a Vermont Solid Waste Management Facility Certification or Categorical Certification to be submitted to the State and any additional information required to sufficiently document satisfaction of the siting criteria specified above shall be submitted with the letter. The District's Board of Commissioners will either approve or deny the request for inclusion in the Plan by resolution at a regularly scheduled Board meeting, at which the applicant may make a presentation or be available to answer questions. The agendas for Board meetings are posted on the District's web site and are available through the mail. The publicly warned Board meetings are open to the public and are aired on local access television.

If a previously non-member municipality joins CSWD, its solid waste facilities are not automatically included in this Plan, but will be approved on a case by case basis by the District Board of Commissioners.

CSWD will notify the State in writing, in the manner prescribed by the State, of any facility or type of facility that is included in the Plan after completion of the process described in this section.

A list of facilities included in the Plan will be maintained by the District and is considered part of this Plan. A facility continues to be included in the Plan as long as it remains in compliance with all local, state, and federal laws, rules, regulations, and ordinances. If an amendment or renewal of the Vermont Solid Waste Management Facility Certification for a facility included in this Plan includes significant changes in the materials accepted, the process used to manage the materials, or the annual tonnages allowed to be managed by the facility, the owners/operators of the facility shall repeat the procedures specified in this section to be included in the Plan.

## **FACILITIES INCLUDED IN THE PLAN**

### **1. CSWD-OWNED OR AFFILIATED SOLID WASTE FACILITIES**

#### **Vermont Solid Waste Management Facility Certifications**

Burlington Drop-Off Center, 339 Pine Street, Burlington  
 Essex Drop-Off Center, 218 Colchester Road, Essex  
 Hinesburg Drop-Off Center, 907 Beecher Hill Road, Hinesburg  
 Milton Drop-Off Center, 36 Landfill Road, Milton  
 Richmond Drop-Off Center, 80 Rogers Lane, Richmond  
 South Burlington Drop-Off Center, 87 Landfill Road, South Burlington  
 Williston Drop-Off Center/Special Waste Facility, 1492 Redmond Road, Williston  
 Environmental Depot, 1011 Airport Parkway, South Burlington  
 Materials Recovery Facility, 357 Avenue C, Williston  
 Wood and Yard Waste Depot, 111 Intervale Road, Burlington  
 Green Mountain Compost, 1042 Redmond Road, Williston

#### **Closed Landfill Requiring Post-Closure Monitoring and Maintenance**

Chittenden Solid Waste District Landfills, Redmond Road, Williston

### **2. OTHER SOLID WASTE FACILITIES**

#### **Vermont Solid Waste Management Facility Certifications**

All Cycle Waste, Inc. Transfer Station, 220 Avenue B, Williston  
 All Season's Excavating Recycling Facility at Ranger Industrial Park, 1607 Malletts Bay Avenue, Colchester  
 A. Marcelino and Company Recycling Facility, Landfill Road, South Burlington  
 Burlington Transfer Station, 1496 Redmond Road, Williston  
 Gauthier Trucking Recycling Facility, 5 Gauthier Drive, Essex  
 Enpro Services of Vermont, 54 Avenue D, Williston  
 Myers Recycling Facility and Transfer Station, 216 Red Can Drive, Colchester

#### **Vermont Categorical Certification**

Engineer's Construction, Inc. Categorical Disposal Facility, Berard Drive, South Burlington  
 Ted Beaudoin's Categorical Disposal Facility, 262 Middle Road, Milton  
 Town of Essex Categorical Composting Facility, Colchester Road, Essex  
 Town of Underhill Categorical Disposal Facility, Beartown Road, Underhill

#### **Closed Landfills Requiring Post-Closure Monitoring and Maintenance**

Burlington Landfill, Manhattan Drive, Burlington  
 Charlotte Landfill, Plouffe Lane, Charlotte  
 Rathe Landfill, 48 Rathe Road, Colchester  
 Rathe/Burlington Landfill, 48 Rathe Road, Colchester  
 Essex Landfill, Landfill Lane, Essex  
 Hinesburg Landfill, Beecher Hill Road, Hinesburg  
 Jericho Landfill, 510 Browns Trace Road, Jericho  
 Milton Landfill, Landfill Road, Milton  
 South Burlington Landfill, Landfill Road, South Burlington  
 Underhill Landfill, New Road, Underhill

## **PUBLIC PARTICIPATION PLAN**

CSWD is soliciting public input on its draft SWIP through a number of avenues. A web page devoted to the SWIP is live on CSWD's web site <http://cswd.net/swip2015/> ) and seeks comments from visitors. An e-mail address ([plan@cswd.net](mailto:plan@cswd.net)) has been established to gather comments submitted. Notice of the opportunity to comment was made through a press release, notice on all the Front Porch Forums in Chittenden County, CSWD's monthly e-newsletter, and a direct invitation to haulers, solid waste facility owners, business associations, and other stakeholders.

The draft SWIP was discussed at the CSWD Board of Commissioners meeting in November 2014 where the public had the opportunity to comment. Two public hearings will be held once ANR approves CSWD's draft SWIP for adoption. The public will have a final opportunity to comment on the draft SWIP at the Board of Commissioners meeting when it is considered for adoption.

CSWD will hold a public meeting in FY 2017 and FY 2020 and continue to conduct biennial surveys to get feedback on new and existing programs. Suggestions on CSWD programs are always welcome and are received via [info@cswd.net](mailto:info@cswd.net), by calling the CSWD Hotline, or communicating with staff at facilities.



CHITTENDEN SOLID WASTE DISTRICT  
SOLID WASTE MANAGEMENT ORDINANCE

AN ORDINANCE BY THE CHITTENDEN SOLID WASTE DISTRICT REGULATING THE COLLECTION, STORAGE, PROCESSING, TRANSPORT, TRANSFER, AND DISPOSAL OF SOLID WASTE; REQUIRING THE SEPARATION OF CERTAIN MATERIALS FROM OTHER SOLID WASTE; ESTABLISHING A LICENSING SYSTEM FOR HAULING SOLID WASTE, PROCESSING RECYCLABLES AND COMPOSTABLE MATERIALS, TRANSFER/DISPOSAL FACILITIES, AND SCALES; PROHIBITING THE UNLAWFUL DISPOSAL AND BURNING OF SOLID WASTE; ESTABLISHING AND IMPOSING A MANAGEMENT FEE ON ALL SOLID WASTE GENERATED WITHIN THE DISTRICT; PROVIDING FOR PENALTIES AND ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Vermont (the "State") has enacted a comprehensive statute (10 V.S.A. S§6601, et seq.) governing the management of solid waste;

WHEREAS, pursuant to its Charter and applicable law, the Chittenden Solid Waste District (the "District") has developed and adopted a Plan (as defined herein) designed to provide and implement programs and policies that further State policies and priorities;

WHEREAS, the District has determined that this Ordinance is in the public interest and necessity; promotes the public health, safety, and welfare; promotes the efficient, economical, and environmentally sound management of Solid Waste and Solid Waste Disposal within the District; and is in furtherance of carrying out the purposes of the District, the District's Plan, and applicable State law;

WHEREAS, the Original Ordinance, the Original Fee Ordinance, and the Original Regulations are being amended, restated, and consolidated into this Ordinance; and

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

ARTICLE I  
PURPOSE AND TITLE

1.1. Purpose. This Ordinance is enacted and ordained for the purpose of promoting the health, safety, and general welfare of the District, its member municipalities and their inhabitants, and the general community; to regulate the Management of Solid Waste within the District; to require Separation of certain materials from Solid Waste destined for Disposal; to facilitate the adequate provision of Solid Waste services such that the generators of Solid Waste

pay costs that reflect the real costs to society of the Management of Solid Waste; to establish fees for services provided by the District to Manage Solid Waste; to regulate Waste Disposal practices that pose a concern to the public health and welfare and the environment; to fulfill the District's responsibilities under 24 V.S.A. §2202a; to implement and further the District's Plan and the State's Solid Waste Management Plan; and to provide for the efficient, economical, and environmentally sound Management of Solid Waste. The Ordinance is adopted pursuant to the authority contained in the District's Charter (Title 24, Chapter 405), 24 V.S.A. §1971 and 24 V.S.A. §2291.

1.2. Title. This Ordinance shall be known and may be cited as the Solid Waste Management Ordinance.

## ARTICLE II DEFINITIONS

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

- A. "Applicant" shall mean a Person seeking a License under this Ordinance.
- B. "Biosolids" shall mean sewage Sludge from a municipal wastewater treatment facility.
- C. "Board" shall mean the Board of Commissioners of the Chittenden Solid Waste District.
- D. "Commercial Hauler" shall mean any Person who collects, Transfers, or Transports Solid Waste generated within District borders for compensation, including any operator of a Mobile Solid Waste Collection Operation.
- E. "Curbside" shall mean an area adjacent to the street, curb, or roadside ditch, but in no case greater than ten (10) feet from the curb nor directly on the traveled portion of any municipal road or sidewalk.
- F. "Designated Area" shall mean an area selected for placement of Solid Waste for collection, which must be readily accessible at all times by a conventional Solid Waste collection vehicle and not directly on the traveled portion of any public road or sidewalk. An area may be so designated through mutual agreement between a Person and his or her Hauler. However, the location of a Designated Area shall not violate any applicable local or municipal ordinance.
- G. "Discarded" shall mean when the original Generator of a material has released his or her direct control of the material. This will be assumed to have occurred when the original Generator of the material has delivered the material to a treatment, storage, composting, Recyclables processing, Transfer, or Disposal Facility or has

had the material collected for delivery to a treatment, storage, composting, Recyclables processing, Transfer, or Disposal Facility.

- H. “Disposal” shall mean 1) the incineration of any Solid Waste, 2) the placement of any Solid Waste in a landfill, or 3) 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 into the air or discharged into any ground or surface waters. Disposal does not include the placing of Solid Waste in a Transfer, composting, or Recyclables processing Facility that is in compliance with this Ordinance and is fully permitted at the time of placement.
- I. “Dispose” shall mean to 1) incinerate any Solid Waste, 2) place any Solid Waste in a landfill, or 3) discharge, deposit, inject, dump, spill, leak, or place 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 into the air or discharged into any ground or surface waters. Dispose does not include the placement of Solid Waste in a Transfer, composting, or Recyclables processing Facility that is in compliance with this Ordinance and is fully permitted at the time of placement.
- J. “District” shall mean the Chittenden Solid Waste District and its successors.
- K. “Drop-Off Facility” shall mean a Transfer Facility which primarily serves Residents who are Self-Haulers.
- L. “Executive Board” shall mean the subcommittee of the Board of Commissioners established under the District’s Charter.
- M. “Facility” shall mean any Disposal, Transfer, collection, or processing site, located within or without the District, and all contiguous land, structures, other appurtenances, and improvements on land used for aggregating, treating, storing, transferring, processing, or disposing of Solid Waste. A Facility may consist of a single or several treatment, storage, or Disposal units.
- N. “Generator” shall mean any Person who produces Solid Waste by any means including, but not limited to, residential, commercial, institutional, and industrial activities.
- O. “Hauler” shall mean any Commercial Hauler.
- P. “Hazardous Waste” shall mean any Waste or combination of Wastes of a solid, liquid, contained gaseous, or semi-solid form, including, but not limited to, those which are toxic, corrosive, ignitable, reactive, strong sensitizers, or which generate pressure through decomposition, heat, or other means, which in the judgment of the State may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into

account the toxicity of such Waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters of the State. All special nuclear, source, or by-product material, as defined by the Atomic Energy Act of 1954, is specifically excluded from this definition.

- Q. “Household Hazardous Waste” shall mean any Waste from households that would be subject to regulation as Hazardous Waste if it were not from households.
- R. “License” shall mean a signed agreement between a Person and the District that permits certain Management of Solid Waste activities under specific conditions and is issued under the provisions of Article IV of this Ordinance.
- S. “Management of Solid Waste” or “Manage Solid Waste” shall mean to collect, Separate, process, Recycle, store, Transfer, Transport, weigh, Dispose, or receive for Disposal any Solid Waste.
- T. “Mandatory Recyclables” shall mean aluminum and steel cans, aerosol cans, aluminum foil and pie plates, glass bottles and jars from foods and beverages, polyethylene terephthalate (PET) plastic bottles and jugs, high density polyethylene (HDPE) plastic bottles and jugs, corrugated cardboard, white and colored paper, newspaper, magazines and catalogs, paper mail and envelopes, boxboard, and paper bags. This list may be amended by resolution of the Board, upon such notice as the Board may prescribe, due to factors including, but not limited to, changes in market conditions or technology.
- U. “Mobile Solid Waste Collection Operation” shall mean the operation of a vehicle or trailer, or a container on or attached to such vehicle or trailer, to collect Solid Waste from Self-Haulers. A Mobile Solid Waste Collection Operation shall not be considered a Facility.
- V. “Person” shall mean an individual, partnership, company, corporation, limited liability company, association, unincorporated association, joint venture, trust, municipality, agency, department, and any other legal entity. In any provisions 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 or organization.
- W. “Plan” shall mean the Solid Waste Management Plan adopted by the District on April 28, 2004, and any amendments or successor plans subsequently adopted.
- X. “Processor” shall mean any Person that 1) accepts Recyclables from off-site, and prepares the Recyclables for sale or 2) accepts compostable materials from off-site and composts the materials.

- Y. “Recyclables” shall mean Solid Waste that may be reclaimed and/or processed and used in the production of raw materials or products.
- Z. “Recycle” or “Recycling” shall mean the Separation, collection, processing, and recovery of Solid Waste for use in the production of raw materials or products.
- AA. “Recycling Container” shall mean a bin, bag, can, or other container used for the purpose of collecting Recyclables.
- BB. “Regulated Medical Waste” shall mean that portion of Waste generated in the medical industry, as defined by the State, which requires special handling and treatment prior to Disposal.
- CC. “Resident” shall mean an individual residing in and having a residence in a municipality within the District.
- DD. “Scale” shall mean any equipment or apparatus for the weighing of Solid Wastes or for the weighing of any Vehicle, Recycling Container, or Waste Container bearing or containing Solid Waste.
- EE. “Self-Hauler” shall mean a Person who transports and delivers his or her own Solid Waste or Solid Waste from other individuals within a member municipality for no compensation.
- FF. “Separate” or “Separation” shall mean the segregation and collection of materials, apart from Solid Waste destined for Disposal, for the sole purpose of Recycling, reuse, composting, or special handling.
- GG. “Sludge” shall mean any solid, semisolid, or liquid Waste generated from a municipal, commercial, or industrial wastewater treatment plant; water supply treatment plant; or air pollution control facility or any other Waste having similar characteristics and effects.
- HH. “Solid Waste” shall mean any discarded garbage; refuse; trash; Recyclables; septage; Sludge; and other discarded material including solid, liquid, semi-solid or contained gaseous materials, but does not include animal manure, absorbent bedding used for soil enrichment, or solid or dissolved materials in industrial discharges that are point sources subject to permits under the Water Pollution Control Act (10 V.S.A. Chapter 47).
- II. “Special Wastes” shall mean discarded major appliances (such as refrigerators, stoves, and washers), tires, untreated Regulated Medical Waste, Waste oil, lead-acid batteries, nickel-cadmium and other rechargeable batteries, mercuric oxide and silver oxide batteries, paint [excluding solidified water-based paint in

quantities of less than one (1) gallon], and scrap metal larger than one (1) cubic foot or weighing more than twenty-five (25) pounds.

- JJ. “State” shall mean the State of Vermont.
- KK. “Transfer” shall mean to carry, remove, Transport, or shift Solid Waste from one place, Facility, vehicle, trailer, or container to another.
- LL. “Transfer Facility” shall mean any facility to which Solid Waste is transferred from one vehicle, trailer, or container to another or deposited onto a floor.
- MM. “Transport” shall mean any movement of Solid Waste, by air, rail, highway, or water.
- NN. “Unlawful Conduct” shall mean any act, or failure to act, in violation of any provision of this Ordinance, any rule, or regulation enacted by the District, any term, condition, or restriction imposed upon, or required by, any License issued or required under the terms of this Ordinance or any applicable law or regulation relating to the Management of Solid Waste. Unlawful Conduct shall subject the violator to civil penalties as provided in this Ordinance.
- OO. “Unregulated Hazardous Waste” shall mean Hazardous Waste that, prior to its delivery to a Facility, would be classified as either Household Hazardous Waste or Hazardous Waste from conditionally exempt generators, pursuant to and determined in accordance with the rules and regulations of the United States Environmental Protection Agency and the State.
- PP. “Untreated Wood” shall mean any wood that has not been treated with any chemical, stain, preservative, paint, oil, or adhesive.
- QQ. “Waste” shall mean a material that is discarded or is being accumulated; stored; physically, chemically, or biologically treated prior to being discarded; has served its original intended use and is normally discarded; or is a manufacturing or mining by-product and is normally discarded including, without limitation, Solid Waste.
- RR. “Waste Container” shall mean a metal or plastic can or dumpster with a lid that securely fastens, a securely-tied plastic bag, or a metal roll-off box used for the purpose of storing Solid Waste destined for Disposal.
- SS. “Yard Wastes” shall mean leaves, grass clippings, and similar compostable Wastes that are up to one-half inch in diameter.

ARTICLE III  
REGULATION OF SOLID WASTE

3.1. Solid Waste Regulation. In accordance with Article I, Section 5(x) of the Charter, the Management of all Solid Waste, generated within the limits of the District, shall be regulated by the Board of Commissioners of the District by ordinance, rule, or regulation. The District may, at its option, by resolution, adopt regulations to provide that different categories of Solid Waste shall be delivered to different Facilities, and all Solid Waste generated within the District shall be disposed of only in and upon Facilities designated by the District, but only to the extent allowed by federal and State laws. No rules or regulations adopted pursuant to this Ordinance shall be contrary to the provisions of this Ordinance or the laws of the State governing the Management of Solid Waste. The Board of Commissioners shall implement measures to provide for public education of the requirements of this Ordinance and any other ordinance or regulations that are adopted by the District.

3.2. Collection. Except for Facilities and Self-Haulers, no Person may collect, Transfer, or Transport Solid Waste generated within the District except as provided in this Ordinance and only if such Person has obtained a valid Hauler's License from the District. Solid Waste collected may only be delivered to a Facility that is fully permitted at the time of delivery.

3.3. Disposal or Transfer. Except for Self-Haulers, Drop-Off Facilities, and Mobile Solid Waste Collection Operations, no Person shall:

- A. Accept, receive, or allow the acceptance or receipt in the District of any Solid Waste destined for Disposal unless they hold a valid Transfer/Disposal Facility License and only in accordance with the terms, conditions, and restrictions contained in such Transfer/Disposal Facility License.
- B. Accept, receive, or allow the acceptance or receipt in the District of any Solid Waste destined for Disposal unless it has been weighed on a District-licensed Scale.
- C. Transfer from within the District to another Facility any Solid Waste destined for Disposal unless it has been weighed on a District-licensed Scale.

No Person shall accept, receive, or allow the acceptance or receipt any Solid Waste unless it is from either a Self-Hauler or a Person holding a valid Hauler's License and only in accordance with the terms, conditions, and restrictions contained in such License.

3.4. Drop-Off Facilities. Drop-Off Facilities must obtain and abide by all required local, regional, State, and federal permits. Drop-Off Facilities must, at a minimum, accept and recycle all Mandatory Recyclables.

3.5. Processing. Except for Self-Haulers, Drop-Off Facilities, Mobile Solid Waste Collection Operations, and Persons required to accept beverage containers under 10 V.S.A. Chapter 53, no Person shall accept, receive, or allow the acceptance or receipt for storage or processing in the

District any Recyclables or compostable materials unless they hold a valid Processor's License and only in accordance with the terms, conditions, and restrictions contained in such Processor's License.

3.6. Self-Haulers. Notwithstanding the foregoing, a Self-Hauler shall be allowed to Transport and Transfer his or her own Solid Waste or Solid Waste from other individuals within a member municipality of the District for no compensation to a Facility that is fully permitted at the time of such Transport or Transfer without holding a Hauler's License so long as the quantity of Solid Waste transported and disposed does not exceed twelve (12) tons in a calendar month.

3.7. Separation of Mandatory Recyclables. Mandatory Recyclables shall not be disposed with other Solid Waste. Except as provided in Section 3.14 of this Article, all Generators shall Separate Mandatory Recyclables from other Solid Waste, place the Mandatory Recyclables in a Recycling Container, and handle them as specified in Section 3.8 of this Article. The foregoing shall not be intended to prohibit or prevent the reuse or Recycling by a business, institution, or industry of materials as part of such Person's normal commercial, manufacturing, or industrial process.

3.8. Placement of Recyclables and Solid Waste Destined for Disposal. Each Generator shall:

- A. Separate Mandatory Recyclables from other Solid Waste, prepare and sort Mandatory Recyclables according to specifications established by the District, and place such Mandatory Recyclables in Recycling Containers.
- B. Place Solid Waste destined for Disposal in Waste Containers.
- C. Deliver Mandatory Recyclables and Solid Waste destined for Disposal to Facilities maintained for that purpose which are fully permitted at the time of delivery, or if the Generator's Solid Waste is collected by a Commercial Hauler, place Recycling Containers and Waste Containers at the Generator's Curbside or Designated Area on the scheduled day(s) for the collection of Mandatory Recyclables and Solid Waste destined for Disposal, in accordance with a schedule established by the Commercial Hauler.

3.9. Rental Property Requirements. Solid Waste generated by Persons who are renting property remains the responsibility of such Persons. However, if collection costs for Solid Waste destined for Disposal are included in the rent charged to tenants, the owners of rental property must collect or provide for the collection and recycling of Mandatory Recyclables at least once monthly.

3.10. Separation of Yard Waste. Yard Waste shall not be disposed with other Solid Waste. All Yard Waste shall be managed by one of the following alternative methods:

- A. Compost and/or mulch Yard Waste on the Generator's property, to the extent that this does not cause such material to create a health hazard or a nuisance.



- B. Place Yard Waste in Facilities that manage Yard Waste and are fully permitted at the time of placement.

3.11. Separation of Special Wastes. Special Wastes shall not be disposed with other Solid Waste. Special Wastes include discarded major appliances (such as refrigerators, stoves, and washers), tires, untreated Regulated Medical Waste, Waste oil, lead-acid batteries, nickel-cadmium and other rechargeable batteries, mercuric oxide and silver oxide batteries, paint [excluding solidified water-based paint in quantities of less than one (1) gallon], and Scrap Metal larger than one (1) cubic foot or weighing more than twenty-five (25) pounds. A Special Waste shall be separated and placed in Facilities that manage that particular Special Waste and are fully permitted at the time of placement.

3.12. Separation of Unregulated Hazardous Waste. Unregulated Hazardous Waste shall not be disposed with other Solid Waste. Unregulated Hazardous Waste shall be separated and placed in Facilities that manage Unregulated Hazardous Waste and are fully permitted at the time of placement.

3.13. Responsibility of Generators. Any Mandatory Recyclable, Yard Waste, Special Waste, Unregulated Hazardous Waste, or Solid Waste destined for Disposal not properly separated, placed, hauled, or disposed of in accordance with this Ordinance shall remain the responsibility of the generating Person, and shall be retrieved and corrected by such Person within twenty-four (24) hours of notice thereof.

3.14. Waiver by District of Separation and/or Placement Requirements. Separation and/or placement requirements for Solid Waste may be waived by the District on a case by case basis.

3.15. No Regulation of Hazardous Waste. This Ordinance shall not regulate the storage, Disposal, collection, processing, Transfer, or Transport of Hazardous Waste to the extent that such storage, Disposal, collection, processing, Transfer, or Transport is otherwise regulated by federal or Vermont State laws, rules, or regulations.

#### ARTICLE IV LICENSING

4.1. License Requirement. A license from the District is required for any Person to Manage Solid Waste generated within the District as provided in this Article. Four categories of Licenses are hereby established:

- A. Hauler's License. The Hauler's License shall be required for any Person to collect, Transfer, or Transport Solid Waste generated or delivered within the District. The Hauler's License shall also be required for member municipalities that Transport any Solid Waste. The following Persons are exempt from obtaining a Hauler's License: 1) Self Haulers who Transport less than twelve (12) tons of Solid Waste in a calendar month; 2) Facilities; and 3) freight companies that collect recyclables which are prepared according to end market

specifications and transport them directly to a fully-permitted end market or pick up non-hazardous solid waste and transport it directly to a certified Hazardous Waste Facility as defined in the Vermont Hazardous Waste Management Regulations.

- B. Processor's License. A Processor's License shall be required for any Person, other than Self-Haulers, Drop-Off Facilities, Mobile Solid Waste Collection Operations, and Persons required to accept beverage containers under 10 V.S.A. Chapter 53, to accept, receive, or allow the acceptance or receipt for storage or processing in the District of Recyclables or compostable materials.
- C. Transfer/Disposal Facility License. A Transfer/Disposal Facility License shall be required for any Person, other than Self-Haulers, Drop-Off Facilities, and Mobile Solid Waste Collection Operations, to accept, receive, or allow the acceptance or receipt in the District of any Solid Waste destined for Disposal.
- D. Scale License. A Scale License shall be required for any Scale used to document the delivery, Transport, or shipment of Solid Waste generated or delivered within the District and destined for Disposal.

4.2. Validity of License. Each License shall be valid for a period not to exceed one year and the License shall expire annually on July 1. Persons meeting the applicable requirements may apply for and hold more than one License.

4.3. License Fees. The fees for Licenses required under this Ordinance shall be determined by the Board of Commissioners. The District and any member municipality of the District are exempt from the License fees for the Management of Solid Waste generated in their municipal operations, utilizing their own facilities, vehicles, or approved employees' vehicles.

4.4. Licensing Process. The General Manager will establish the requirements for each type of License. A Person seeking a License shall obtain a License application from the District office. License applications may be obtained in person during normal business hours at the District's office or may be requested by mail. The Applicant shall complete the License application under oath and shall provide the License application, together with all supporting materials requested in the License application, to the District. Member municipalities may renew Hauler's Licenses by way of e-mail, facsimile, or telephone.

Within thirty (30) days of receipt of a completed License application, the Executive Board shall make a determination on the License application, and the District shall thereafter notify the Applicant in writing whether the License application is 1) accepted, 2) conditionally accepted subject to the Applicant's fulfillment of any number of conditions and/or requirements, or 3) denied and the reason(s) for denial. If the Executive Board denies a License application, the Applicant may request a hearing before the Board of Commissioners for a new determination of whether the License application shall be accepted or denied. If a request is not so filed, the Executive Board's determination shall be deemed final.

4.5. Conditions of Licenses. As conditions to the issuance and maintenance of a License under this Ordinance, the Applicant shall demonstrate to the District's satisfaction that:

- A. The Applicant has obtained, or will obtain prior to commencing activities under the License, all other necessary permits and licenses from the State and all agencies thereof, and all applicable member municipalities of the District.
- B. The Applicant will comply with all rules, regulations, and ordinances pertaining to the Management of Solid Waste as enacted by the District and all applicable federal, state, and local laws, rules, and regulations.
- C. The Applicant is not delinquent in payments owed to the District, and the required License fee has been paid.
- D. The Applicant's employees and personnel have received the education and training necessary to conduct safely and properly the Applicant's activities under the License.
- E. The Applicant's financial resources are adequate to allow the Applicant to safely and properly conduct the Applicant's activities under the License.
- F. The Applicant's activities under the License will not unduly pollute any element of the environment nor impose any undue burden upon any element of the community. A permit issued by a state agency so finding shall be considered satisfactory evidence that this condition is met.
- G. The Applicant for a Hauler's License will maintain liability insurance coverage at or above the following levels for the Term of the License: \$100,000 per person and \$300,000 per occurrence for personal injury or death, and \$100,000 per occurrence for property damage.

4.6. Designation in Hauler's License. Each Hauler's License shall designate the allowable destinations for all Solid Waste that is collected, transferred, or transported under the License. The Executive Board reserves the right to modify any and all Licenses previously issued upon notice to the holder of such applicable License that it may not dispose of Solid Waste at a Facility if the District finds that such Facility has failed to operate in compliance with all material laws, regulations, and permits applicable to such Facility or the operator of such Facility has been found to have engaged in Unlawful Conduct.

4.7. Commercial Hauler Requirements. Commercial Haulers must abide by the following requirements:

- A. Every vehicle used by the Commercial Hauler or on the Commercial Hauler's behalf in the collection, Transfer, Transport, or Disposal of Solid Waste shall be prominently labeled with an identification number provided by the District. For each such vehicle, the District shall provide to the Hauler two decals bearing the

CSWD Hauler's License number for that vehicle. The decals shall be affixed to the front doors on the right and left sides of the vehicle or at such other locations on the vehicle as the District may designate. The Commercial Hauler shall maintain the decals in a clean and legible condition. Failure to label a vehicle or maintain such decals as set forth in this Section shall constitute Unlawful Conduct.

- B. Commercial Haulers shall pay in full all bills due the District within such period of time as the District Board of Commissioners, by resolution, policy, or rule, may designate. After the expiration of such period, payment from any Commercial Hauler with unpaid bills remaining shall be due immediately upon billing and shall be paid in cash or by certified check. The District may revoke the License of Commercial Haulers with overdue bills. Late bills will be charged interest up to the rate of one and one-half percent (1.5%) per month, compounded monthly.
- C. No Commercial Hauler shall deliver or Dispose of any Solid Waste generated within the District at any Facility not designated in his or her Hauler's License. The type, quantity, and destination of any Solid Waste delivered to a non-designated Facility must be reported by the Commercial Hauler to the District within 48 hours of such delivery.
- D. No Commercial Hauler shall place or cause to be placed any Solid Waste on private property unless lawfully authorized by the owner of the property and such placement of Solid Waste on the property is lawfully permitted.
- E. All vehicles used to collect Solid Waste must retain and prevent the release of all Solid Waste contained in the vehicle.
- F. All Solid Waste collected by a Commercial Hauler that is destined for Disposal must be delivered to and deposited at a Transfer or Disposal Facility within forty-eight (48) hours of collection.
- G. The Commercial Hauler will provide (independently or through duly licensed subcontractors) collection of Mandatory Recyclables at least once monthly to all customers for whom such Hauler provides collection of Solid Waste destined for Disposal. A Hauler may not offer and his or her customers may not subscribe to trash only collection service unless Recycling collection service is provided or subcontracted by the District or a member municipality or unless they obtain an exemption from the District. Exemptions may be provided for customers who market their Mandatory Recyclables directly to Recycling brokers, processors, or manufacturers or who self-haul their Mandatory Recyclables to Recycling Facilities that are fully permitted at the time of delivery.

- H. The Commercial Hauler will provide Recycling instructions to new customers when service commences and to all customers on an annual basis at a minimum. The District will provide the Recycling instructions to the Hauler if requested.
- I. No Commercial Hauler shall Dispose of Mandatory Recyclables that are properly prepared and set out for collection.
- J. No Commercial Hauler shall knowingly collect for Disposal Solid Waste that contains Mandatory Recyclables, Hazardous Waste, Special Wastes, or Yard Waste. Any such Solid Waste must be rejected by the Commercial Hauler, who shall notify the Person generating such Solid Waste of the reasons for rejection. Any rejected Solid Waste shall be the responsibility of the Person who generated such Solid Waste, who must, within twenty-four (24) hours after receiving notification, retrieve such Solid Waste and properly Separate it. The Commercial Hauler shall notify the District within one business day of any Person whose Solid Waste is so rejected.
- K. Recycling Containers provided by Haulers will be colored royal or medium blue or have a royal or medium blue Recycling symbol decal on the front and at least one side of dumpsters used for Mandatory Recyclables collection and on the front or top of wheeled carts or other similar Recycling Containers. The Recycling symbol decal shall have:
  - 1) royal or medium blue printing on a white background,
  - 2) the standard Recycling symbol at least five and one-half inches in width and five and one-half inches in height, and
  - 3) the words “Recycling Only” in letters at least three-quarters of an inch in height.

The District will provide the Recycling symbol decals to the Hauler if requested. Recycling Containers provided by Haulers must also be clearly labeled with a list of the Mandatory Recyclables. The District will provide the Mandatory Recyclables list decals to the Hauler if requested.

All existing Recycling Containers provided by Haulers must meet the specifications in this Section within six (6) months of adoption of this Ordinance. Beginning six (6) months after adoption of this Ordinance, all Recycling Containers provided by Haulers must meet the specifications in this Section when they are put in service. The Hauler will not use blue containers for the collection of Solid Waste other than Recyclables.

4.8. Hauler’s License Reporting Requirement. The District may require that every Commercial Hauler submit to the District a monthly report, on a form provided by the District, certifying the amount of Solid Waste generated in the District that was collected, transported,

transferred, or disposed of during the preceding month. The District General Manager may modify the frequency of reporting required.

4.9. Processor's License Reporting Requirement. Licensed Processors shall report to the District the quantities of Recyclables shipped and materials composted for Solid Waste generated in the District for the periods January 1 through June 30 and July 1 through December 31 of each calendar year while operating under the License. The required data shall be submitted within thirty (30) days of the end of each reporting period on forms provided by the District or by providing copies of reports required by the State for Solid Waste Facility certification.

4.10. Designation in Transfer/Disposal Facility License. Each Transfer/Disposal Facility License shall designate the allowable destinations for all Solid Waste that is shipped from the Facility under the License.

4.11. Transfer/Disposal Facility License Reporting Requirement. Operators of licensed Transfer/Disposal Facilities shall report to the District the quantities, types, and origins of Solid Waste accepted or received by the Facility and the quantities, types, and destinations of Solid Waste shipped from the Facility for the periods January 1 through June 30 and July 1 through December 31 of each calendar year while operating under the License. The required data shall be submitted within thirty (30) days of the end of each reporting period on forms provided by the District or by providing copies of reports required by the State for Solid Waste Facility certification.

4.12. Scale License Reporting Requirement. Operators of licensed Scales shall report the information required by the Scale License, by electronic means acceptable and compatible with the District's computer software, to the District on a monthly basis within five (5) business days at the end of each calendar month unless the District requests the information on a more frequent basis.

4.13. Amendments to Licenses. A licensee may request to amend an existing License. The District shall promptly consider any requests for amendments within the time frame for License Applications under Section 4.4 of this Article. In order to become effective, any amendments must be approved by the District General Manager.

4.14. Compliance with License Conditions and Requirements. All License holders shall comply with all conditions and requirements of the License. Failure to comply with License conditions and requirements shall be deemed Unlawful Conduct.

4.15. Licenses are not alienable, transferable, or assignable. For any Person that is not an individual, any transfer of a majority interest in the holder of a License shall be deemed an assignment, thereby requiring the holder to obtain a new License.

ARTICLE V  
PUBLIC SAFETY

5.1. No Person having the custody or control of residential, commercial, institutional, or industrial premises within the District at which Solid Waste is generated shall permit or cause any Solid Waste within their control to become a hazard to public travel, health, or safety or to become a nuisance of any sort. Solid Waste, other than Yard Waste and Untreated Wood, may not be deposited or otherwise left out of doors unless it has been placed in a proper Recycling or Waste Container. Scrap metal items that are too large to reasonably store in a conventional Recycling Container are exempt from this requirement.

ARTICLE VI  
ILLEGAL DISPOSAL

6.1. Unlawful Entry. It shall be unlawful for any Person to enter any Solid Waste Facility of the District or any member municipality when said Facility is not open nor shall they deposit, dump, or leave Solid Waste of any kind in any such Facility or adjacent to any such Facility without the express permission of the authorized operator of said Facility.

6.2. Illegal Dumping. It shall be unlawful for any Person to deposit, dump, or leave Solid Waste in any Waste or Recycling Container, other than their own, unless lawfully authorized by the owner of the Container. It shall be unlawful for any Person to deposit, dump, or leave Solid Waste on any property unless lawfully authorized by the owner of the property and such placement of Solid Waste on the property is lawfully permitted. It shall be unlawful for any Person to deposit, dump, or Dispose Solid Waste in any stream or other waters or on his or her property except as allowed and approved by the State.

ARTICLE VII  
OPEN FIRES AND INCINERATORS

7.1. Burning Prohibited. Except as provided by this Article and applicable State and federal regulations, the burning of Solid Waste in the District, either by open fire or incineration, is prohibited. Exemptions may be granted by the District on a case by case basis.

7.2. Fire Permits. Within each member municipality of the District, a specific permit may be granted by the Fire Warden (of the applicable municipality) or his or her designee for the open burning within the corresponding municipality of Yard Waste and Untreated Wood provided the Fire Warden is satisfied that no hazardous condition will be created by such burning and the emission of air contaminants will not create a danger to the health and property of the citizens of the District.

7.3. Incinerators. The incineration of Solid Waste at any Facility regulated by the State, and having and abiding by all other necessary permits in accordance with all applicable laws, rules,

and regulations (including all air quality permits), shall be exempt from the prohibition under this Article.

## ARTICLE VIII SOLID WASTE MANAGEMENT FEE

8.1. Establishment. In order to provide for the efficient, economical, and environmentally sound Management and regulation of Solid Waste within the District and its member municipalities, there is hereby established a Solid Waste Management Fee. The Solid Waste Management Fee is imposed on all Solid Waste generated in the District including, but not limited to, Solid Waste that is collected for Disposal and twenty-five percent (25%) of Solid Waste approved by the State for use as landfill daily cover and used as landfill daily cover at fully permitted facilities within or without the District. The following categories of Solid Waste shall be exempt from the Solid Waste Management Fee: 1) Recyclables that are separated from other Solid Waste and recycled; 2) Sludge; 3) non-landfilled Untreated Wood; 4) Hazardous Waste and non-hazardous Solid Waste delivered to certified Hazardous Waste Facilities as defined in the Vermont Hazardous Waste Management Regulations; 5) Regulated Medical Waste delivered to certified Regulated Medical Waste treatment or Regulated Medical Waste Disposal Facilities; 6) inert materials approved by the District that are used for landfill site improvements; and 7) other materials approved by the District. The Solid Waste Management Fee is also imposed on 1) disposed residues from Solid Waste generated and collected in the District exceeding ten percent (10%) of the incoming Solid Waste delivered to out-of-District Recycling facilities and 2) mixed Solid Waste used in the production of raw materials or products.

8.2. Amount of Fee. The Solid Waste Management Fee is \$27.00.

8.3. Waiver of the Solid Waste Management Fee. For good cause shown, the District may waive or partially waive the imposition of the Solid Waste Management Fee to provide economic incentives to comply with the provisions of this Ordinance, any other ordinance or regulations adopted by the District, or District policies.

8.4. Weighing. The District shall license one or more Scales for determining the weight of Solid Waste collected within the District for Disposal within or without the District. Any Person required to obtain a Hauler's License and any Self-Hauler delivering Solid Waste to a Transfer/Disposal Facility shall cause any vehicle that has been or is being used to collect any such Solid Waste to be weighed on a District-licensed Scale.

Weighings at any District-licensed Scale shall be performed: 1) before any Solid Waste is removed from such vehicle at a Transfer/Disposal Facility of any kind, either within or without the District, and 2) when such vehicle is empty. In the event weighing of a vehicle is performed at other than a Transfer/Disposal Facility for the Solid Waste in such vehicle, the average tare weight of the vehicle may be used in lieu of actual weighing of the empty vehicle upon approval of the General Manager. It is presumed that all Solid Waste in every such vehicle was generated within the District. The owner or operator of each such vehicle shall have the burden to



demonstrate to the District, by a preponderance of the evidence, that any Solid Waste in any such vehicle was generated outside of the District.

If weighing facilities are not readily available, or upon a showing of undue burden, a Hauler may request the approval of the District to pay the Solid Waste Management Fee based upon the estimated weight of Solid Waste such Hauler will collect within the District. Such request shall be made in a License application or an amendment to an existing License. Estimated weights shall be based upon information and evidence reasonably satisfactory to the District and shall be valid for no longer than one (1) year, or such shorter period of time as the District may designate. If weighing facilities are not readily available, or if an undue burden would be imposed on the Hauler, the District General Manager may authorize the Hauler to use estimated weights for specific and isolated loads of Solid Waste for purposes of calculating the Solid Waste Management Fee due the District.

## ARTICLE IX PAYMENT OF FEES DUE THE DISTRICT

9.1. Payments. The Solid Waste Management Fee shall be assessed by the District or its agent at the time each vehicle is weighed for the second time under Section 8.4 in Article VIII. The weight slips at the time of each weighing of Solid Waste shall be considered an invoice for the Solid Waste Management Fee due. Any other fees due the District from the use of Facilities owned or operated by the District or the use of other District services shall be assessed at the time the Facility or service is used.

At the time of the first such assessment, each Person required to pay a fee due the District shall be required to choose one of the following options for payment:

- A. Pay the fees owed to the District in cash, other certified funds, or with a check at the time of the transaction.
- B. Provide the District with authorization to make withdrawals by electronic funds transfer from a checking or savings account with a balance sufficient to cover all fees assessed each day.
- C. With District credit approval, pay the invoices within such period of time as the District's Board may designate by resolution, policy, or rule.
- D. Establish and maintain an escrow account or provide a letter of credit satisfactory to the District equal to the anticipated monthly bill and pay monthly statements within such period of time as the District's Board may designate by resolution, policy, or rule.

Each Person required to pay a fee to the District may request to change the option selected by notifying the District in writing ten (10) days prior to the change. The District

reserves the right to refuse to allow any change if the person has been delinquent in payments or is not otherwise in compliance with this Ordinance.

The District may modify such payment policies by resolution, rule, or policy. Additionally, the District's General Manager may permit or require the fees to be paid upon such other terms as he or she may specify.

## ARTICLE X RECORDKEEPING AND INSPECTIONS

10.1. Record Keeping. All Persons issued a License under this Ordinance shall keep accurate, daily records as will enable the District to determine compliance with the terms of this Ordinance and regulations adopted by the District and with any License.

Every Hauler shall maintain records containing at least the following information:

- A. The date, time, and place that each vehicle collecting Solid Waste in the District for Disposal within or without the District was weighed, and the gross and tare weights measured at each such weighing.
- B. The weight or volume of Recyclables and compostable materials collected and their destinations.
- C. Each and every point of origin of Solid Waste collected in any vehicle used by the Commercial Hauler or on the Commercial Hauler's behalf and an estimate of the quantity of Solid Waste collected at each collection site.
- D. Each and every destination to which each vehicle load or partial vehicle load of Solid Waste was taken for Disposal, and the weight of Solid Waste in each such load.
- E. All monies and other compensation received, paid to, or charged by the Hauler for the Management of Solid Waste, the basis for the receipt, payment, or charging of such monies or other compensation, and the amount of Solid Waste with regard to which such monies or other compensation were received, paid, or charged.
- F. All monies and other compensation paid by or charged to the Hauler for the Hauler's Transfer or Disposal of any Solid Waste, including without limitation all such monies and compensation constituting tipping fees, Solid Waste Management Fees, and Disposal fees, and the amount of Solid Waste with regard to which such monies or other compensation were paid or charged.

All records required to be maintained by licensees by this Article are deemed to constitute Trade Records, and are designated confidential and not public records or documents subject to the provisions of 1 V.S.A. Chapter 5 regarding access by the public, to the maximum

extent permitted by 1 V.S.A. Chapter 5. The District reserves the right to disclose such records in any proceeding or action in connection with this Ordinance and any other ordinance or regulations adopted by the District or to any federal or state governmental entity as may be required by law or under governmental investigation.

All records required to be maintained by licensees pursuant to this Ordinance or any other ordinance or regulations adopted by the District, including, without limitation, all source materials, documents, or records utilized in compiling such records, and such records themselves, shall be retained by licensees for a period of at least five (5) years, except that the District's General Manager may consent in writing to their destruction before expiration of such five-year period.

10.2. Inspections. All records required to be maintained under this Ordinance shall be available between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, upon one day's notice, for inspection and audit by the District and the District's authorized employees or agents. All Solid Waste generated within the District or deposited at any Disposal or Transfer Facility and all vehicles, Scales, Waste Containers, and Recycling Containers used in the Management of Solid Waste generated within the District shall be subject to inspection without notice by the District or its agents for purposes of determining compliance with the terms of this and any other ordinance or regulations adopted by the District or with any License granted by the District or for the purpose of data collection. Failure to allow such inspection constitutes Unlawful Conduct. Unless the District has reasonable grounds to believe that a Hauler, vehicle, Solid Waste, Waste Container, or Recycling Container is not in compliance with the terms of any applicable License, this Ordinance or any other ordinance or regulations adopted by the District, the District shall attempt to limit any inspection to no more than one hour.

10.3. False Statements and Failure to File Data. Any Person filing or causing to be filed, making or causing to be made, or giving or causing to be given any certificate, affidavit, representation, information, testimony, or statement, which is willfully false or willfully omits to state material facts, or any Person willfully failing to file data that the District, by rule or otherwise, may require shall have committed Unlawful Conduct.

## ARTICLE XI PENALTIES

11.1. Penalties for Unlawful Conduct. Any Person who engages in any Unlawful Conduct shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500) for each violation or, if lower, the maximum amount allowed by law. Each instance of Unlawful Conduct shall be a separate violation. In the event of other Unlawful Conduct which is deemed "continuing", the Person who engages in such conduct shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500), plus not more than One Hundred Dollars (\$100) for each succeeding day, or, if lower, the maximum amounts allowed by law. All penalties for Unlawful Conduct under this Ordinance shall be paid to the District.

In addition, the District may direct any Person subject to this Ordinance to abate hazards or nuisances created as a result of the Unlawful Conduct or, if such Unlawful Conduct was found to have caused contamination or damage to any land or property, to restore such land or property to the condition existing before the Unlawful Conduct.

In determining the amount of civil penalty to be ordered, the District shall consider the following:

- A. The degree of actual or potential impact on public health, safety, welfare, and the environment resulting from the violation.
- B. Whether the Person has cured the violation.
- C. The presence of mitigating circumstances.
- D. Whether the Person knew or had reason to know the violation existed.
- E. The Person's record of compliance.
- F. The economic benefit gained from the violation.
- G. The deterrent effect of the penalty.
- H. The costs of enforcement.
- I. The length of time the violation existed.

11.2. Penalties for Disposal at Unlawful Facilities. Any Person who Manages Solid Waste or arranges for the Management of Solid Waste generated within the District at an uncertified Facility or at a Facility which that Person knows or, with reasonable diligence, should know is operating in a manner that does not comply with applicable laws, rules, regulations, and permit conditions, or otherwise contrary to the requirements of this Ordinance or any other ordinance or regulations adopted by the District, shall have committed Unlawful Conduct and shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500) per violation or, if lower, the maximum amount allowed by law. Each day that the violation continues shall constitute a separate violation of this Ordinance.

11.3. Penalties for Non-Payment of Solid Waste Management Fee. Any Person who Manages Solid Waste generated within the District and destined for Disposal without paying the Solid Waste Management Fee shall have committed Unlawful Conduct and shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500) per violation or, if lower, the maximum amount allowed by law. Each day that the violation continues shall constitute a separate violation of this Ordinance.

11.4. Assessments and Penalties for Late Payments. Any Person who fails to pay a fee imposed by this Ordinance on the date prescribed for payment shall be subject to any or all of the following assessments and penalties:

- A. A one-time assessment equal to two and one-half percent (2.5%) of the unpaid balance of any fee.
- B. Interest on the unpaid balance of any fee, accruing at an annual rate of eighteen percent (18%), or, if lower, the maximum rate allowed by law, and charged monthly.
- C. A requirement that all future payments be made only in cash or with certified funds.

11.5. Determination of Solid Waste Management Fee. If any Person required to pay a Solid Waste Management Fee under this Ordinance fails to cause a vehicle to be weighed as required by this Ordinance or any other ordinance or regulations adopted by the District, fails to provide the District with documentation of any such weighing as so required, or submits any information that is incorrect or insufficient, the amount of the Solid Waste Management Fee due shall be determined by the District's General Manager from any information available. If necessary, such Solid Waste Management Fee may be estimated on the basis of external indices, such as amounts of Solid Waste normally generated from any group of Solid Waste Generators or other factors. Notice of the determination shall be given to the Person liable for the payment of the Solid Waste Management Fee. The determination shall finally and irrevocably fix the amount of the Solid Waste Management Fee sixty (60) days after giving notice of the determination unless the Person against whom it is assessed shall apply in writing within the sixty (60) days to the District's General Manager for a hearing or unless the District's General Manager of his or her own motion shall redetermine the Solid Waste Management Fee. After the hearing, the District's General Manager shall give notice of his or her determination to the Person against whom the Solid Waste Management Fee is assessed. The determination of Solid Waste Management Fees due as provided in this Section shall be in addition to any penalties that may otherwise be imposed.

11.6. No Waiver. No failure or repeated failure by the District to impose any of the penalties or requirements provided in this Ordinance shall be construed as a waiver by the District of any of its rights. Nor shall such failure or repeated failure constitute a course of conduct or dealing upon which any Person is entitled to rely.

## ARTICLE XII ENFORCEMENT AND REMEDIES

12.1. Injunction. In addition to any other remedy provided in this Ordinance or available at law or in equity, and because a violation of this Ordinance could constitute irreparable harm to the District and the public it serves, the District may institute a suit in equity for an injunction to

prevent, restrain, or abate a violation of this Ordinance, any rules or regulations of the District, or the terms of any License issued by the District.

12.2. Revocation of License. Upon finding that any Person has engaged in Unlawful Conduct, the District may, pursuant to Section 12.5 of this Ordinance, 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.

12.3. Revocation of Waste Disposal Privilege. The District reserves the right to refuse to collect Solid Waste or to refuse to allow Disposal at any Facility operated by the District or for the benefit of the District or licensed by the District where this Ordinance or any other ordinance or regulations adopted by the Board are ignored or violated.

12.4. Other Penalties. The District shall be authorized to impose any other civil penalty and fine to the maximum extent permitted by law.

12.5. Enforcement Procedures. Procedures for enforcement of this Ordinance shall be as provided by applicable law and as specified below:

- A. The District shall undertake an education/awareness plan to promote full compliance with, and to minimize misunderstandings of, this Ordinance. However, any violation of any part of this Ordinance or any other ordinance or regulations adopted by the District may be punishable by fine as authorized and pursuant to the procedures set forth in this Ordinance.
- B. This Ordinance shall be enforced with respect to Unlawful Conduct by any Person as follows:

Notice. When the District has reasonable grounds to believe that a Person has committed Unlawful Conduct, the General Manager shall send a written notice, by first class mail or by certified mail, return receipt requested, to such Person. If mailed by first class mail, the notice is deemed received three (3) days after the date of mailing. The notice of violation shall include:

- 1) A brief description of the alleged Unlawful Conduct.
- 2) A brief description of the potential enforcement actions that may be taken.
- 3) A statement that the respondent has a right to a hearing before the Executive Board of the District and a description of the procedures for requesting a hearing.

Preliminary Hearing by Executive Board. A Person who receives a notice of Unlawful Conduct shall be offered an opportunity for a hearing before the District's Executive Board for the purpose of determining whether such Unlawful Conduct 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 Unlawful Conduct is received. The Executive Board shall hold a hearing within fourteen (14) days of receipt of the request for a hearing. If 1) no hearing is requested within the ten (10) days after the date of receipt of the notice of Unlawful Conduct, 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 24 V.S.A. 2297a(e). Such proposed order shall be delivered to the respondent or mailed by first class mail or by certified mail, return receipt requested. If mailed by first class mail, the notice is deemed received three (3) days after the date of mailing.

Hearing by Board of Commissioners. A Person who receives a proposed order shall be offered an opportunity for a hearing before the Board of Commissioners, provided that the request for a hearing is made in writing to the General Manager of the District no later than fifteen (15) days after the date of receipt of the proposed order of the Executive Board. 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 receipt of the order, the Board of Commissioners shall hold a hearing within fourteen (14) days of receipt of the request. After the hearing, the Board of Commissioners 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.

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

### ARTICLE XIII POWERS OF THE DISTRICT GENERAL MANAGER

13.1. General Powers. In addition to other powers granted to the District General Manager by this Ordinance or otherwise, the District General Manager may:

- A. Extend, for cause shown, the time for performance of any act required to be performed by any Generator, Hauler, or Facility operator for a period not exceeding three months on such terms and conditions as he or she may require. Any extension granted shall be recorded in writing.
- B. Delegate in writing to any officer or employee of the District powers that the District General Manager may deem necessary to carry out the provisions of this Ordinance.
- C. With the approval of the Board, assess, determine, revise, and adjust or readjust any fee imposed pursuant to this Ordinance.

- D. With the approval of the Board, enter into agreements with any Person, including, without limitation, the owner(s) or operator(s) of any Facility or Scale, providing for the exchange or provision of information, records, or documents.
- E. Inspect, audit, and require the production of any Solid Waste, vehicle, Scale, container, record, or document required to be maintained and made available to the District pursuant to this Ordinance or any other ordinance or regulation adopted by the District.

ARTICLE XIV  
MISCELLANEOUS

14.1. Existing Contracts. Nothing contained in this Ordinance shall be construed to interfere with or modify unconstitutionally the provisions of any existing contract existing within the District on the effective date of this Ordinance, provided that no contract shall be renewed, and no new contract shall be entered into, that does not comply with the requirements of this Ordinance.

14.2. Construction. The terms and provisions of this Ordinance are to be liberally construed so as best to achieve and promote the goals and purposes of this Ordinance. The captions and headings in this Ordinance are inserted for purposes of convenience and reference only, and shall not be used in any way for the construction and interpretation of this Ordinance. Where required by the context, the singular shall include the plural and the plural shall mean the singular. The masculine, feminine, and neuter forms shall be interpreted interchangeably wherever the context requires. The Original Ordinance, the Original Fee Ordinance, and the Original Regulations are hereby ratified and confirmed as amended and consolidated herein. The provisions of this Ordinance are cumulative to all other laws, ordinances, and regulations heretofore passed or that may be applicable to the subject matter contained in this Ordinance.

14.3. Severability. The provisions of this Ordinance are severable. If any provision of this Ordinance, or its application to any Person, Facility, circumstance, activity, or operation is held invalid, illegal, or unenforceable by a court of competent jurisdiction, said invalidity shall not apply to any other portion of this Ordinance or its application to any Person, Facility, circumstance, activity, or operation that can be given effect without the invalid provision or application thereof.

14.4. Notice and Limitations of Time. Any notice under this Ordinance may be given by mailing it to the Person for whom it is intended in a postpaid envelope addressed to that Person at the address given in the last document filed with the District or, if no documents have been filed, to any address readily obtainable. The mailing of the notice shall be presumptive evidence of its receipt by the Person to whom it is addressed. Any period of time, which is determined under this Ordinance by the giving of notice, shall, unless expressly provided otherwise, commence to run from the date of mailing of the notice.



14.5. Effective Date. The effective date for the Original Ordinance was November 1, 1992. The effective date for the Original Fee Ordinance was November 28, 1994. The effective date for the Original Regulations was November 28, 1994. The amendments to the Original Ordinance, Original Fee Ordinance, and the Original Regulations and the replacement of the Original Ordinance, Original Fee Ordinance, and the Original Regulations through consolidation into this Solid Waste Management Ordinance as adopted on November 17, 2004, was effective on January 18, 2005.

The amendments to this Ordinance shall be effective September 1, 2013.

## CONFORMANCE WITH REGIONAL PLAN

In collaboration with CSWD, the Chittenden County Regional Planning Commission included the section below in its recently adopted regional plan entitled the *2013 Chittenden County ECOS Plan*. This plan combines the Regional Plan, the Metropolitan Transportation Plan (MTP), and the Comprehensive Economic Development Strategy (CEDS) into one integrated plan. The section on solid waste indicates that CSWD is responsible for the management of solid waste in Chittenden County.

### 2.5.4 Infrastructure & Facilities

A sustainable society minimizes the amount and toxicity of the waste it generates, reuses materials, recycles, and composts. The Chittenden Solid Waste District (CSWD) is responsible for the management of solid waste in Chittenden County. The system in the County is a combination of public, private, and public/private programs. CSWD has established a range of programs and facilities to manage waste through reduction, diversion, and proper disposal. CSWD also has identified the need for and is the process of developing a regional landfill site. The tons of refuse disposed in Chittenden County have been declining over the last 5 years, while the amount of recycled materials has increased. While those trends are positive, there is room for improvement. It is estimated that 27% of the municipal solid waste sent to the landfill is comprised of recyclable materials and 32% is comprised of organic materials that could be composted (Source: CSWD Estimate of the Components of Solid Waste Disposed for FY 2012). A State law passed in 2012 (Act 148) bans disposal of certain recyclables (effective July 1, 2015), yard debris and clean wood (effective July 1, 2016), and food scraps (phased in over time) from disposal. Residents and businesses in CSWD have been required to separate yard debris and recyclables from waste destined for disposal since 1993. The additional bans on food scraps and clean wood will have a significant impact on waste diversion in Chittenden County.

**CHITTENDEN SOLID WASTE DISTRICT  
FY 2015 SOLID WASTE FACILITIES & MATERIALS ACCEPTED**

<b>FACILITY NAME</b>	<b>MATERIALS ACCEPTED</b>	<b>LOCATION</b>
A. Marcelino & Company	Asphalt, concrete, brick	South Burlington
Burlington Transfer Station	Mandatory recyclables	Williston
Casella Transfer Station	Mandatory recyclables, C&D recyclables	Williston
CSWD Burlington Drop-Off Center	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires	Burlington
CSWD Environmental Depot & Rover	Unregulated hazardous waste, latex paint	South Burlington
CSWD Essex Drop-Off Center	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires, clean wood	Essex
CSWD Green Mountain Compost	Food scraps, yard trimmings, & other compostables	Williston
CSWD Hinesburg Drop-Off Center	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires	Hinesburg
CSWD Materials Recovery Facility	Mandatory recyclables	Williston
CSWD Milton Drop-Off Center	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires, clean wood	Milton
CSWD Richmond Drop-Off Center	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires, clean wood	Richmond
CSWD South Burlington Drop-Off Center	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires, clean wood	South Burlington
CSWD Williston Drop-Off Center/Special Waste Facility	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing products, motor oil & filters, appliances, books, textiles, electronics, food scraps, tires, clean wood, scrap drywall, commercial film plastic	Williston
Enpro Services of Vermont	Hazardous waste	Williston
Gauthier Trucking	Mandatory recyclables	Essex
Goodwill NNE	Textiles, misc.	South Burlington & Williston
McNeil Wood & Yard Waste Depot	Clean wood, yard trimmings	Burlington
Myers Recycling Center	Mandatory recyclables, C&D recyclables	Colchester
Pike Industries	Asphalt	Williston
Ranger Asphalt	Asphalt, concrete, brick	Colchester
Salvation Army, Burlington Corp.	Textiles	Burlington & Essex Junction
Shred Ex	Fiber, electronics	Colchester
Shred This, Inc.	Fiber, plastics, metals, electronics	South Burlington
Tomra NY Recycling	Mandatory recyclables	Essex
Town of Essex Categorical Composting Facility	Yard trimmings	Essex



**CHITTENDEN SOLID WASTE DISTRICT  
FY 2015 SOLID WASTE HAULERS - SERVICES OFFERED, MATERIALS ACCEPTED, & CONTACT INFORMATION**

HAULER NAME	TYPE	SERVICES	C/R	FIRST	LAST NAME	PHONE	STREET	CITY	ZIP
1-800-Got Junk	Special Pickup	Cleanout/Special Pickup	C/R	Aaron	Fastman	(802) 846-7714	397 Patchen Rd	South Burlington	05403
All Metals Recycling	Special Pickup	Scrap Metal Only	C	Ryan	Towns	(802) 472-5100	PO Box 1028	Morrisville	05661
At Your Disposal	Curbside	MSW,Rec,C&D,Special	R	Nathan	Guay	(802) 279-1367	661 Route 15	Underhill	05489
Austins Rubbish & Roll-Off	Roll-Off Only	C&D	C/R	Patrick	Austin	(802) 895-4396	PO Box 159	W.Charleston	05872
B Gone Rubbish Removal	Special Pickup	Special Pickup	R	David	Babcock	(802) 324-0740	303 Blakely Rd	Colchester	05446
Barnier Waste	Curbside	MSW,Rec,C&D	R	Scott	Barnier	(802) 878-3232	20 Jackson St	Essex Jct.	05452
BDS Waste Disposal, Inc.	Special Pickup	Transport Of Tires	C	Ann	Smith	(207) 278-3833	PO Box M	Corinna, ME	04928
Budzyn Removal & Recycle	Special Pickup	Transport Of Tires	C	Fred	Budzyn	(802) 333-4025	PO Box 65	Post Mills	05058
Burlington Public Works	Curbside	Recycling Only	R	Rob	Green	(802) 864-7429	645 Pine St	Burlington	05402
Casella Waste Services	Curbside	MSW,Rec,C&D,Organics	C/R	Steve	Deveney	(802) 864-3615	220 Ave B	Williston	05495
Clean Green Sanitation	Curbside	MSW,Rec,C&D	C/R	Tim	Mack	(802) 658-8600	PO Box 240	Essex Junction	05452
Cota Trucking	Roll-Off Only	C&D	C/R	Laurie	Cota	(802) 878-2668	6 Curtis Ave	Essex Junction	05452
Dana Sweet Trucking	Roll-Off Only	C&D	C/R	Dana	Sweet	(802) 644-5470	PO Box 188	Cambridge	05444
Duffy's Waste & Recycling	Curbside	MSW,Rec	C/R	Catherine	Duffy	(802) 849-2309	PO Box 2013	Milton	05468
Earth Waste Systems	Roll-Off Only	C&D, Special Waste	C/R	Sharon	Herbert	(802) 772-7722	49 Wales St Suite 1	Rutland	05701
EZ Container Service	Roll-Off Only	C&D, Special Waste	C/R	Michael	Tetraut	(802) 878-1255	1 Towne Mktplc #14	Essex Jct.	05452
Fortin's Trucking	Special Pickup	Special Pickup	R	Larry	Fortin	(802) 373-5386	PO Box 203	Williston	05495
Gauthier Trucking Inc	Curbside	MSW,Rec,C&D,Organics	C/R	Jane	Gauthier	(802) 879-4020	5 Gauthier Dr	Essex	05452
Go Green LLC	Special Pickup	C&D, Special Waste	C/R	Rad	Romeyn	(802) 999-4580	1260 Pond Rd	Shelburne	05482
Hartigan	Special Pickup	MSW, Septage	C/R	Jules	Burnor	(802) 223-3452	31 Welch Park	Middlesex	05602
Jerome Trucking	Curbside	MSW,Rec	R	Lois	Jerome	(802) 849-6933	87 Shaw Rd	Cambridge	05444
Kimbell Compost	Organics Only	Organics	C/R	Charles	Kimbell	(802) 356-3573	225 Maple Street Apt 2	Burlington	05401
Mr. Bults	Transport Only	MSW Transport To Landfill	C	Mike	Labounty	(802) 323-4246	PO Box 846	Newport	05855
Myers Container Corp	Curbside	MSW,Rec,C&D,Organics	C/R	Jeff	Myers	(802) 655-4312	PO Box 38	Winooski	05404
Nolin's Trucking	Curbside	MSW,Rec	R	Greg	Nolin	(802) 655-2455	PO Box 536	Winooski	05404
Office Environments	Special Pickup	Special Pickup	C/R	John	Marrier	(802) 864-3000	PO Box 729	Williston	05495
One Revolution	Organics Only	Organics	C/R	Rob	Connor	(802) 557-7959	PO Box 8154	Burlington	05402
Perras Trucking	Transport Only	MSW Transport To Landfill	C	Heath	Perras	(802) 371-7962	691 Early Grey Rd	Morrisville	05661
Rodney's Rubbish	Special Pickup	Special Pickup	R	Rodney	Companion	(802) 793-3640	3801 Waterbury Stowe Rd	Waterbury Center	05677
Shred Ex	Special Pickup	Material Destruction	C/R	Todd	Klimosky	(802) 863-0404	529 Jasper Mine Rd	Colchester	05446
Shred This, Inc.	Special Pickup	Material Destruction	C/R	Joanne	Forkey	(802) 863-3003	472 Meadowland Dr	South Burlington	05403
Tomra NY Recycling	Transport Only	Rec Transport To Facility	C	Jeff	Lafountain	(203) 447-8782	1 Gero Ct	Essex	05452
Tourville Trucking	Curbside	MSW,Rec	R	Lee	Tourville	(802) 899-2009	PO Box 246	Jericho	05465
Trashaway & Recycling	Curbside	MSW,Rec	R	Gordon	Russell	(802) 985-0181	4966 Shelburne Rd	Shelburne	05482
Vermont Shred	Special Pickup	Material Destruction	C/R	Jon	Lasure	(802) 338-4550	55 Grand Ave	Swanton	05488
Advanced Onsite Services	Special Pickup	Septage	C/R			(802) 891-6949	546 N Harbor Rd	Colchester	05446
Bo's Sewer & Drain Service	Special Pickup	Septage	C/R			(802) 893-7781	164 Manor Dr	Milton	05468
Bundys Sewer & Drain Service	Special Pickup	Septage	C/R			(802) 899-4099	PO Box 77	Jericho	05465
Drummac Septic Service	Special Pickup	Septage	C/R			(802) 528-1095	52 Transfer Station	Highgate	05459
Enviro Tech of VT	Special Pickup	Septage	C/R			(802) 879-4544	2061 Main Rd	Colchester	05446
P&P Septic Service	Special Pickup	Septage	C/R			(802) 658-6243	PO Box 639	Williston	05495
Senesac Septic & Sewer	Special Pickup	Septage	C/R			(802) 863-6322	257 Maria Paloma Dr	Georgia	05468
Working Dog Septic Service	Special Pickup	Septage	C/R	JR	Young	(888) 949-9969	504 Fletcher Rd	Cambridge	05444
Wright's Septic Service	Special Pickup	Septage	C/R			(802) 453-7900	169 Piney Woods Rd	Bristol	05443

MSW = Municipal Solid Waste  
 Rec = Recyclables  
 C&D = Construction & Demolition Debris  
 Special Pickup = usually bulky wastes, yard trimmings, & clean wood  
 C/R = Commercial/Residential



## VARIABLE RATE PRICING PLAN FOR CSWD

As of the submission date of CSWD’s draft SWIP, CSWD has not finalized a variable rate pricing plan for Chittenden County. Below is a draft plan currently under consideration. A final plan will be submitted to ANR for review at a later date.

Rather than specify minimum price differentials or implement a bag, tag, or cart system District-wide, the plan currently under consideration by CSWD is to let each hauler establish an independent variable rate pricing plan. The plan will need to comply with the provisions of the variable rate pricing amendment to CSWD’s Solid Waste Management Ordinance (see below). In exchange, CSWD will establish a disposal reduction goal, a metric to measure individual hauler achievement toward the goal, incentives for haulers to reach the goal, and penalties for those who do not reach the goal. CSWD will collaborate with haulers to develop education and enforcement plans. If this approach is not successful in achieving the stated disposal reduction goal, CSWD will take further action.

CSWD’s proposed variable rate pricing amendment is titled, “Unit-Based Rates.” On the current estimated timeline, the amendment will be approved by the CSWD Board of Commissioners to go out for public comment in January 2015. A public hearing will be held in February, and the amendment will be adopted by the CSWD Board on February 25, 2015.

Haulers will be required to submit their variable rate pricing plan to CSWD by May 1 each year. Their Hauler’s Licenses will not be renewed July 1 if a satisfactory plan has not been submitted (licenses expire annually on June 30). Haulers who fail to maintain a variable rate pricing system may be subject to fines, revocation of license, and/or revocation of waste disposal privileges as specified in CSWD’s Solid Waste Management Ordinance.

A media campaign will be conducted in the late winter and spring of 2015 to educate residents about variable rate pricing.

Draft Amendment:

4.8.K. Unit-Based Rates. Drop-Off, Transfer, and Disposal Facilities and Haulers shall charge residential, institutional, and commercial customers based on the volume or weight of Solid Waste destined for Disposal that is collected at rates that provide a reasonable economic incentive to their customers to reduce the amount of Solid Waste destined for Disposal that they generate.

1) Residential Rates for Curbside Service. In compliance with 10 V.S.A. §6607a(h), the fees for collection of residential Mandatory Recyclables shall be combined on invoices with fees for Solid Waste destined for Disposal and not itemized. Additional fees for additional service, such as collection of yard trimmings or food scraps, special pickups for bulky items, or backdoor service, are permitted.

2) Residential Rates for Self-Haulers. Operators of Drop-Off, Transfer, and Disposal Facilities shall offer a base unit of Disposal service of 33 gallons or less or offer service by weight of municipal Solid Waste destined for Disposal that is delivered by residents to their Facility. Operators of Drop-Off, Transfer, and Disposal Facilities shall charge per unit of municipal Solid Waste destined for Disposal that is delivered to their Facility and shall charge the same fee per each additional equal unit of Solid Waste destined for Disposal. There shall be no charge for residential Mandatory Recyclables accepted at the Facility.

3) Filing of Pricing System. Haulers shall submit evidence of their residential unit-based pricing schedule annually to the District by May 1 for approval. Unit-based rates must be in effect by July 1, 2015.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is made as of September<sup>24</sup>, 2008, by and between the Chittenden Solid Waste District, a Vermont union municipal district (the "District"), and Buel's Gore, Vermont ("Buel's Gore").

**WHEREAS**, Buel's Gore has requested that the District include Buel's Gore as part of the District's Solid Waste Management Plan (the "Plan");

**WHEREAS**, the District is agreeable to including Buel's Gore as part of the Plan on the understanding that the residents of Buel's Gore pay their appropriate share of any solid waste surcharges or taxes that may be imposed upon solid waste by the District from time to time, including the current solid waste management surcharge;

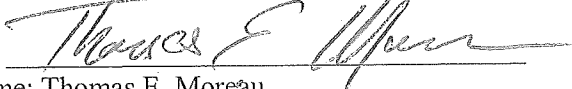
**NOW THEREFORE**, it is the mutual understanding of the parties hereto as follows:

1. Buel's Gore hereby requests that the District include Buel's Gore in the District's Solid Waste Management Plan. The District agrees to include Buel's Gore as part of its Solid Waste Management Plan the next time that CSWD revises it's Plan for other reasons. Buel's Gore understands and acknowledges that it is not a member of the District and shall not have a commissioner or a representative on the Board of Commissioners of the District.
2. Effective immediately upon State approval, CSWD agrees to allow Buel's Gore residents and businesses to use all CSWD facilities and programs at CSWD member rates.
3. Any resident of Buel's Gore using any of the District facilities, or any hauler collecting solid waste from such residents, shall be responsible for all solid waste management fees and all solid waste surcharges or taxes that may be imposed upon solid waste by the District from time to time, including the current solid waste management surcharge imposed within the District.
4. Buel's Gore shall use its good faith efforts to assist the District in enforcing, within the jurisdiction of Buel's Gore, any of the ordinances, rules, and regulations that may be adopted from time to time by the District.
5. Either party may terminate this Memorandum of Understanding upon not less than sixty (60) days prior written notice to the other party and the State of Vermont Solid Waste Management Program.

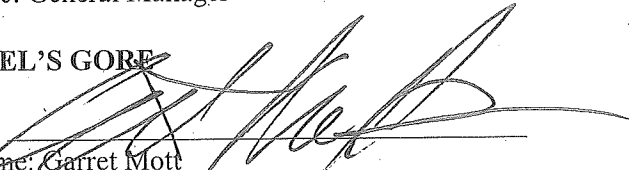
In the event Buel's Gore gives notice of its decision to terminate this Memorandum of Understanding, it acknowledges that it may not be considered part of the District's Plan.

**IN WITNESS THEREOF**, the parties have executed this Memorandum of Understanding as of the date first referenced above.

**CHITTENDEN SOLID WASTE DISTRICT**

By:   
Name: Thomas E. Moreau  
Title: General Manager

**BUEL'S GORE**

By:   
Name: Garret Mott  
Title: Supervisor