

Municipal Solid Waste Management Workshop

Vermont's Universal Recycling Law Act 148 The Basics

Chloe Collins, Associate, Advocacy and Information, VLCT

Gwynn Zakov, Staff Attorney, Municipal Assistance Center



JANUARY 28, 2015

A Brief History

1968 – VT legislature require each municipality to provide a sanitary landfill, incinerator or both.



A Brief History

1970-1971 – State began to enforce Air Pollution Control Regulations.

1972 – State Health Department adopted regulations governing landfills.

1977 – VT legislature adopts 10 V.S.A. Chapter 159 and authorizes the Dept. of Water Resources to adopt solid waste management regulations.



JANUARY 28, 2015

A Brief History

1980 – State Solid Waste Plan adopted.

**1985 – Agency of Environmental Conservation hold
“Solid Waste Summit”**



A Brief History

1986 – Governor Madeline Kunin issues an Executive Order creating a Solid Waste Management Advisory Committee.

1987 – Advisory Committee issued its report & later the VT legislature passes Act 78 – a much needed, and greatly updated state solid waste law.

1989 – Agency of Natural Resources Secretary publishes the updated, comprehensive plan based off Act 78

1989 – The first SWIPs were approved.



JANUARY 28, 2015

This Morning's Agenda

- Overview of Act 148
- Who the law applies to
- How the law applies to different entities
 - What it mandates
 - How it is structured
 - Phase-in dates



JANUARY 28, 2015

What We ARE Talking About Today

24 V.S.A. § 2202a

“Municipalities are responsible for the management and regulation of the storage, collection, processing, and disposal of solid wastes within their jurisdiction in conformance with the State Solid Waste Management Plan authorized under 10 V.S.A. chapter 159. Municipalities may issue exclusive local franchises and may make, amend, or repeal rules necessary to manage the storage, collection, processing, and disposal of solid waste materials within their limits and impose penalties for violations thereof, provided that the rules are consistent with the State Plan and rules adopted by the Secretary of Natural Resources under 10 V.S.A. chapter 159. A fine may not exceed \$1,000.00 for each violation. This section shall not be construed to permit the existence of a nuisance.”



JANUARY 28, 2015

What We ARE NOT Talking About Today

24 V.S.A. § 1971

“A municipality may adopt, amend, repeal and enforce ordinances or rules for any purposes authorized by law.”

24 V.S.A. § 2291

“For the purpose of promoting the public health, safety, welfare, and convenience, a town, city, or incorporated village shall have the following powers:

(12) To regulate or prohibit the storage or dumping of solid waste, as defined in 10 V.S.A. § 6602. These regulations may require the separation of specified components of the waste stream.

(14) To define what constitutes a public nuisance, and to provide procedures and take action for its abatement or removal as the public health, safety, or welfare may require.



JANUARY 28, 2015

What We ARE NOT Talking About Today

24 V.S.A. § 2246

“This subchapter shall not be construed to be in derogation of zoning ordinances or ordinances for the control of salvage yards now or hereafter established within the proper exercise of the police power granted to municipalities, if those ordinances impose stricter limitations upon salvage yards. If the limitations imposed by this subchapter are stricter, this subchapter shall control.”



JANUARY 28, 2015

Act 148 – An act relating to establishing universal recycling of solid waste

GOALS OF ACT 148

Reduce the amount of recyclable items, leaf and yard debris and food scraps from entering our landfills

Make it more convenient for those materials to be collected



Act 148 – An act relating to establishing universal recycling of solid waste

BENEFITS OF ACT 148

- Lower VT's greenhouse gas emissions
- Increase recycling
- Conserve resources and reduce energy consumption
- Stimulate economic growth
- Support the local food system
- Foster stronger community connection



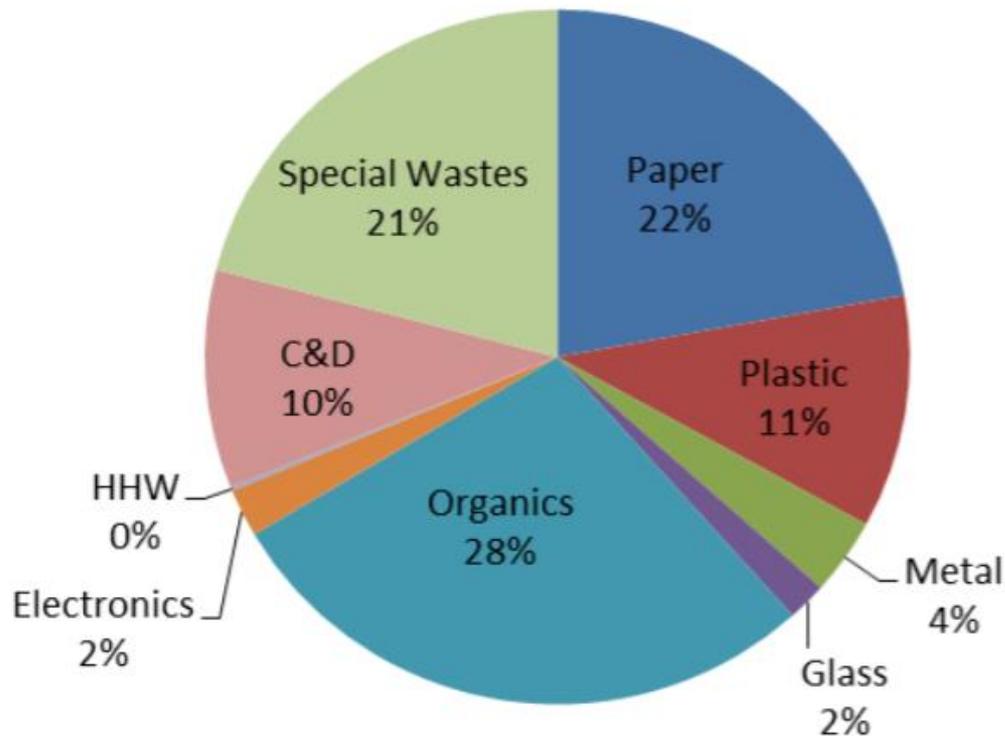
JANUARY 28, 2015

Coventry Landfill



Composition of VT Waste

**FIGURE ES-1:
COMPOSITION OF VERMONT RESIDENTIAL MSW
(Percentage, By Weight)**



Who is impacted by Act 148, the Universal Recycling Law?

1. Residents
2. Trash Haulers
3. Businesses & Institutions
4. Solid Waste Facilities
5. Schools
6. Municipalities



JANUARY 28, 2015

What does the Universal Recycling Law do?

Bans disposal of **recyclables by JULY 1, 2015**

- **Aluminum and steel cans**
- **Aluminum foil and pie pans**
- **Glass bottles and jars from food and beverages**
- **PET and HDPE plastic containers, bottles and jugs**
- **Corrugated cardboard**
- **White and mixed papers**
- **Newspaper, magazines, paper mail, and envelopes**
- **Box board**
- **Paper bags**



JANUARY 28, 2015

What does the Universal Recycling Law do?

Bans disposal of **leaf and yard debris** and clean wood by JULY 1, 2016

Bans the disposal of **food scraps** by JULY 1, 2020, initiated in phases

Requires **solid waste haulers and facilities** to collect these materials. Allows ANR to oversee facility and hauler rate structures to ensure rates are transparent to residential consumers.



JANUARY 28, 2015

How does the Universal Recycling Law impact residents?

Residents will need to recycle, compost and divert the following materials from landfills:

- **Recyclables by JULY 1, 2015**
- **Leaf and yard debris and clean wood waste by JULY 1, 2016**
- **Food scraps by JULY 1, 2020**



How does the Universal Recycling Law impact facilities?

Facility owners that offer trash collection must also collect:

- **Recyclables by JULY 1, 2014**
- **Leaf and yard debris by JULY 1, 2015**
- **Food scraps by JULY 1, 2017**

Facilities cannot charge a separate fee for the collection of residential recyclables, but can charge commercial haulers for collection of recyclables. However facilities can charge for leaf and yard debris and food scrap collection.



JANUARY 28, 2015

How does the Universal Recycling Law impact solid waste haulers?

Solid waste haulers that offer services for managing trash must also offer services for managing:

- **Recyclables by JULY 1, 2015**
- **Leaf and yard debris by JULY 1, 2016**
- **Food scraps by JULY 1, 2017**



Haulers cannot charge a separate fee for the collection of residential recyclables. Haulers can charge for leaf and yard debris and food scrap collection.

How does the Universal Recycling Law impact businesses, institutions, schools and other large food scrap generators?

They need to divert the following materials from the landfill:

- **Recyclables by JULY 1, 2015**
- **Leaf and yard debris and clean wood waste by JULY 1, 2016**
- **Depending on the amount of food scraps generated and distance to a composting facility, deadlines range from JULY 1, 2014 (for those producing 2 tons or more per week) to JULY 1, 2020 (for all the rest).**



JANUARY 28, 2015



Creation of SWME

- **Municipalities are in charge of local recycling and trash collection.**
- **Municipalities can choose whether to contract services to private companies (i.e. Casella) or not**
- **Municipalities may adopt approaches of converting waste to energy through methods such as generating electricity from landfill gas.**
- **Municipalities and Solid Waste Management Entities play an important role in everyday waste management.**



What are Solid Waste Management Entities (SWMEs)?

SWMEs include:

- **Solid Waste Districts – Created by Charter**
- **Solid Waste Alliances and groups of municipalities – Created by Interlocal Contract**
- **Individual municipalities – Towns and cities that have their own plan**

Collectively, known as SWMEs



JANUARY 28, 2015

State of VT: Solid Waste Management Entities Map

Link to the map of the State of Vermont Solid Waste Management Entities:

http://www.anr.state.vt.us/dec/wastediv/solid/pubs/solid_dist.pdf



Variable Rate Pricing for Municipalities

Municipalities must adapt “variable rate pricing,” AKA “unit-based pricing,” by July 1, 2015.

This charges the collection of municipal solid waste from residential customers by volume or weight.



JANUARY 28, 2015

What is Variable Rate Pricing (VRP)? “Pay As You Throw”

A person pays a certain fee for each bag (e.g. volume unit) or for each pound (e.g. weight unit) of trash they throw away. Does not include instances where there is no limit on the numbers of bags or containers.

The system to adopt depends on the needs and dynamics of each SWME.



Pay As You Throw

**Implementing
volume-based
solid waste fees**



JANUARY 28, 2015

What is Variable Rate Pricing (VRP)? “Pay As You Throw”

All SWMEs must require all haulers and drop-off facility operators are using some type of VRP system and to enforce these requirements.

Common VRP Systems:

Imprinted trash bags
Stickers
Per bag punch cards

Containers or cans
Hybrid
Weight-based systems



Variable Rate Pricing (VRP)

VRP has been shown to significantly incentivize waste reduction and diversion of recyclables and compostable materials out of landfills.

Resident that produce less trash are not subsidizing those that produce more.



JANUARY 28, 2015

Examples of VRP in Vermont

- **Royalton, VT transfer station:**

Bag Trash

15 Gallon \$2.00

30 Gallon \$3.50

45 Gallon \$5.25

- **Weathersfield, VT Transfer Station**

Tokens \$2.50 per punch

5 Punch Card \$ 12.50

10 Punch Card \$ 25.00



compost

- food
- bags
- utensils
- cups
- napkins
- wax paper

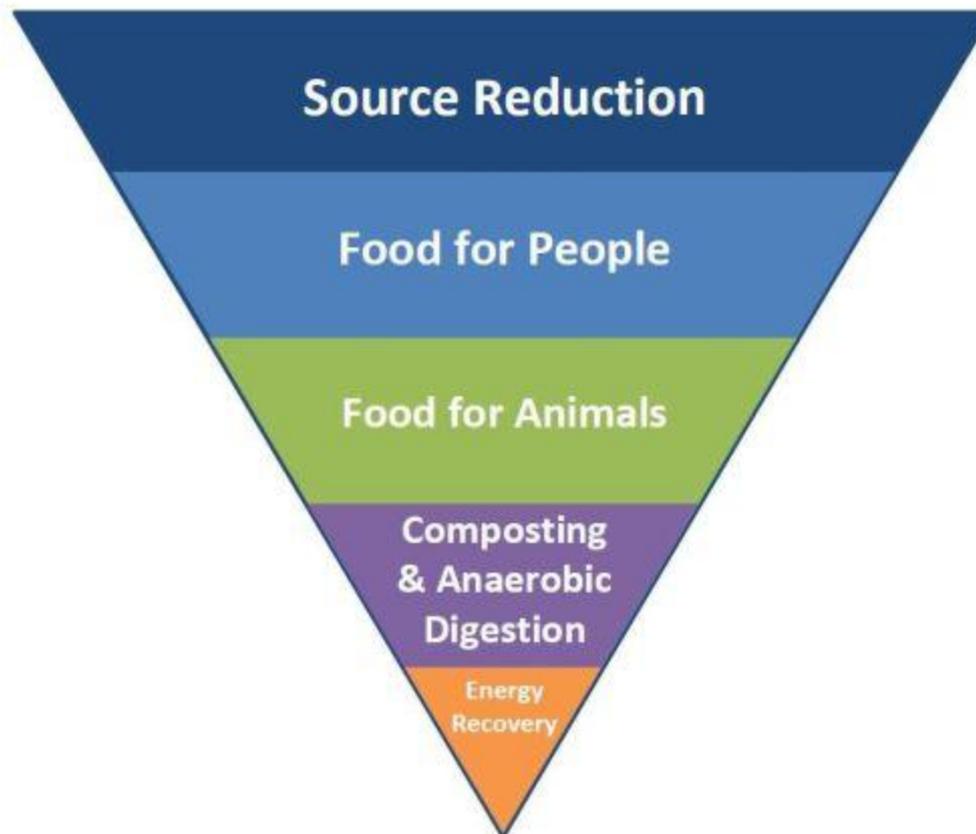


compost



Vermont Food Recovery Hierarchy

Vermont Food Recovery Hierarchy



Food Scraps In Landfill



Food Scrap Management for Businesses

- **Identify all areas of your facility or business where food scraps are produced. For example the cafeteria(s), office kitchenette(s), and break room area(s).**
- **Track what food is wasted. Keeping track of what and how much food is wasted will show what to cut back on to save costs.**
- **Identify ways to reduce food waste that your facility produces.**



Food Scrap Management for Businesses Con.

- **Donate unsold food or close dated /soon to expire food to local food shelf or foodbank.**
- **Divert what cannot be donated. Contact your trash hauler and ask them if they provide food scrap collection services**
- **Train Staff**
- **Request Technical Assistance**



Food Scrap Management for Residents

- Residents have several options, they can compost at home, have a hauler collect their compost, or bring their compost to a local waste management facility.
- The most financial savings will be available for those who home compost.
- For tips and guides on how to best compost at home ANR and the EPA have lots of resources on their webpages.



For Residents: Food Too Good To Waste

- A U.S. EPA initiative to reduce food waste in neighborhoods and households, with a focus on changing individual behavior.
- The program provides toolkits with guidance on how to reduce unused foods in family households, and save money at the same time.
- The first pilot programs began in 2012, and continue to be implemented around the country.



JANUARY 28, 2015

Food Scrap Management for Haulers

- **All haulers who provide trash collection will eventually be required to offer collection of food scraps or to sub-contract with another hauler to provide these services to their customers.**
- **Requires collection at curbside: Haulers that offer services for managing trash must also offer services for managing food scraps by July 1, 2017**



Food Scrap Management for Schools

- **Make a school policy:** A school policy to practice waste prevention and waste reduction techniques, including diverting food scraps from the landfill, will unify the school in spirit and logistics.
- **Educational Tool:** On site composting at schools can be a great opportunity for hands-on education.
- **Students can craft class projects or science experiments around the program.** Topics can include strategies to increase participation, how fast organic materials compost under different conditions, the effect of finished compost on plants, and many other interesting subjects.



Questions



10 V.S.A. 6605I(b)

Beginning July 1, 2015, when a container or containers in a public building or on public land are provided to the public for use for solid waste destined for disposal, an equal number of containers shall be provided for the collection of mandated recyclables. The containers shall be labeled to clearly show the containers are for recyclables and shall be placed as close to each other as possible in order to provide equally convenient access to users. Bathrooms in public buildings and on public land shall be exempt from the requirement of this section to provide an equal number of containers for the collection of mandated recyclables.



JANUARY 28, 2015

Parallel Collection

Refers to the requirement of solid waste haulers and facilities to collect recyclables, leaf and yard debris, and food scraps at the same location as trash

All municipally operated solid waste hauling and facilities must comply with the parallel collection requirements. (transfer stations, drop-offs, landfills)



JANUARY 28, 2015

Parallel Collection for Municipalities

Recycling collection containers must be available in publically owned places by July 1, 2015

“Public building” is a state, county, or municipal building, airport terminal, bus station, school building, or school.

“Public land” is all land that is owned or controlled by a municipal or state governmental body.

Municipalities must comply with the parallel collection requirement for any municipally operated solid waste hauling and facilities.



JANUARY 28, 2015

Parallel Collection: Recyclables

- **SWMEs must offer collection of recyclables for customers.**
- **May not charge a separate fee for collecting recyclables, but can incorporate costs into the overall charge for solid waste collection.**
- **Must collect recycling at least as often as trash is picked up and in a recycling container that is at least as large as the trash container provided.**
- **At SWME facilities, no separate fee may be charged to residents that self-haul listed recyclables to the facility.**



JANUARY 28, 2015

Parallel Collection



Parallel Collection: Leaf and Yard Debris

SWME facilities must offer:

- **Leaf/yard debris collection by July 1, 2015**
- **Food scrap collection by July 1, 2017**
- **May charge for collecting leaf and yard and food scraps.**

SWME haulers must offer:

- **Leaf/yard debris collection by July 1, 2016**
- **Food scrap collection by July 1, 2017**
- **May charge for collecting leaf and yard and food scraps.**



JANUARY 28, 2015

Parallel Collection



Parallel Collection: Leaf and Yard Debris

SWME haulers frequency of collection:

Leaf and yard debris – Minimum 1-2 times per month in the spring and the fall from Approx. April 1 – May 30 and October 1 – November 30. From June – August collect on an as-needed basis.



JANUARY 28, 2015

Parallel Collection Food Scraps

- **Food scraps – Minimum weekly collection from approx. May 1 – October 31, and every other week from approx. November 1 – April 30.**



Questions

