

**ADDISON COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

SOLID WASTE IMPLEMENTATION PLAN
Adopted by the ACSWMD Board of Supervisors

Amended: June 21, 2018

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SECTION 1. INTRODUCTION

This Solid Waste Implementation Plan (“SWIP”) has been developed by the Addison County Solid Waste Management District (“District”) to manage solid wastes within its member municipalities in conformance with Vermont’s Solid Waste Management Plan¹.

The Vermont Solid Waste Act of 1987, commonly known as Act 78, mandated that a State Waste Management Plan be prepared based on a hierarchy of integrated waste management. Each municipality was required to join or participate in a regional planning commission or solid waste management district’s planning efforts. The districts had to prepare, adopt and implement a plan to manage solid waste within and among its member municipalities in accordance with the State’s waste management hierarchy. To this end, the Addison County Solid Waste Management District was formed, and the first District Plan was adopted on March 19, 1992².

In 2014, a new sustainability vision was developed by the Vermont Agency of Natural Resources (“ANR”) and incorporated into a new Vermont Materials Management Plan (MMP). The MMP contains new performance standards, including those focused on implementing Vermont’s landmark Universal Recycling Law, or “Act 148.” They are:

- 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); and
- Conserve resources, minimize energy consumption, and reduce greenhouse gas (GHG) emissions, and other adverse environmental impacts.

The District’s SWIP provides information on how various waste streams are managed in the 20 member towns of the District based on data collected across the District, as evidenced in the Data Supporting the SWIP (Appendix A). The District uses this data to educate and encourage its members embrace waste prevention, reduction, diversion and proper disposal. The SWIP also contains siting criteria and the procedures for approving new facilities in the District.

¹ Vermont Materials Management Plan, as adopted in 2014.

² First formal adoption in 1992, after preliminary plans were adopted on June 21, 1990 and July 26, 1991.

SECTION 2. PERFORMANCE STANDARDS (SWIP TEMPLATE & CHECKLIST)

SWIP Template & Checklist

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

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

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

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

SWME Profile

Name of SWME	Addison County Solid Waste Management District
Year Chartered (if applicable)	1988
Mission for Materials Management	The Addison County Solid Waste Management District is a union municipal district that exists to cooperatively and comprehensively address the solid waste management interests of its member municipalities. The mission of the District is to: promote waste reduction; maximize diversion of wastes through reuse, recycling, and composting; provide for the disposal of remaining wastes; and seek environmentally sound and cost-effective solutions in all of its programs, services, and facilities.

Names of Member Town(s)*	Addison, Bridport, Bristol, Cornwall, Ferrisburgh, Goshen, Leicester, Lincoln, Middlebury, Monkton, New Haven, Orwell, Panton, Ripton, Shoreham, Starksboro, Vergennes, Waltham, Weybridge, Whiting.
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General

G1	Disposal and Diversion rates for the SWME's jurisdiction. Include the calculation of the total disposal and per capita disposal rate for municipal solid waste from the jurisdiction for the SWME.
Data tracking system:	There is a system in place for tracking and reporting diversion rates biannually and disposal rates annually (check box) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No please indicate the deadline date below for when system will be in place).
Plan for Annually tracking data:	The ACSWMD's estimated MSW diversion rate for 2013 was 52.48%. Total MSW disposal for 2013 was 12,698 tons. The est. seasonally adjusted population in 2013 was 32,968. Using ANR's calculations, the 2013 MSW disposal rate was 2.11 lbs/person/day, and the 2013 MSW diversion rate was 2.33 lbs/person/day. The District tracks its disposal rate annually, and calculates its diversion rate every two years as part of the SWIP Reports to ANR, using in-house databases and spreadsheets. The District's Waste Management Ordinance (WMO) requires all commercial haulers to be licensed. All commercial haulers collecting MSW/ C&D generated in the District and destined for disposal are required to pass through the District Transfer Station in Middlebury. The MSW/ C&D is weighed, and the town of origin is recorded. The District also annually reports on ReTrac the special wastes, recyclables, HHW/CEG, Universal Waste, etc. that pass through its Transfer Station. Any MSW/ C&D that is allowed to bypass the Transfer Station is also tracked. The District relies on the VSWDMA auditor to assist with tracking any MSW/ C&D that may have bypassed the Transfer Station.
Expected Timeframe	Ongoing

G2	Within 6 months of VT ANR approval, post approved SWIP on SWME website.
Plan for Posting:	The District will post the approved SWIP on its website (www.AddisonCountyRecycles.org) no later than six months after approval.

G3	Within 3 months of VT ANR approval, submit one newspaper article or op-ed piece introducing SWIP.
Plan for Submittal:	The District Manager will prepare a newspaper article or op-ed piece introducing the SWIP to the general public within three months of VT ANR approval. The District will also send copies of the SWIP to its Board members, Town Clerks and Addison County Regional Planning Commission.

G4	Within 6 months of VT ANR approval, conduct a survey of constituents on current knowledge; including variable rate pricing, recycling, organics, C&D, HHW/CEG, electronic waste, and universal waste. Survey to be done at beginning and end of SWIP term.
Plan for Surveys:	The District will procure outside assistance with developing a survey to send out to its constituents within six months of VT ANR approval. The District survey will include all questions provided by the ANR Template, and will be administered at both the beginning and the end of the SWIP term.

G5	Hold two public meetings during SWIP term, one before the end of the second year, the second in the fifth year.
Planned Meeting Schedule:	The District will hold two public meetings during the SWIP term, according to the above schedule. One meeting will be held in the Spring of 2016, and one in the Spring of 2019. The public meetings will be held after ANR’s preliminary approval of the draft SWIP and Waste Mgmt. Ordinance.

G6	Develop and maintain a webpage linked to a homepage for the SWME that lists regional management options for waste material (A through Z).
Date Planned for publishing Webpage:	The District currently maintains an A-Z guide on its webpage, www.AddisonCountyRecycles.org . After receiving the results of the survey, the District will ensure that the A-Z guide is modified, if necessary, to address the education needs of the public.

G7	Adopt and implement variable rate pricing for municipal solid waste from residential customers and show plan for bringing haulers and facilities into compliance.
Description of Program and copies of ordinances passed:	The District has a Waste Management Ordinance and an Illegal Burning & Disposal Ordinance in effect, as described in Section 6. Appendix F contains a copy of both ordinances. The District will work with haulers (including “fast-trash” and other mobile operations) to ensure that the variable rate pricing systems are in place through the hauler licensing process. The flow-control provision within the District’s Waste Management Ordinance eliminates the need for facility waste pricing review. With the exception of town drop-offs, no additional facilities are collecting MSW within the District’s member towns.

G8	Collect contact information for all commercial solid waste haulers and a list of services they provide within the SWME jurisdiction.
Description of collection process:	The District already maintains a list of licensed commercial solid waste haulers, a list of services they provide and the geographic area they cover. This information is updated annually via the commercial hauler licensing process.
Expected Timeframe:	Ongoing, plus annual review and adjustment, if necessary.

Recyclables

<p>R1</p>	<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>Description of program:</p>	<p>There are 18 public and 4 private schools in the ACSWMD. Because the District has had a mandatory recycling ordinance in effect since 1993, all schools in the District already have some form of a recycling program in place, and several schools are diverting organic waste. Currently, at least one elementary school is composting school-wide (Ferrisburgh) using an on-site system, while several other schools (Addison, Lincoln, Ripton, Weybridge, Cornwall, and Robinson Elementary) have maintained small-scale or educational composting activities in recent years. Middlebury Union High School began diverting food waste in 2013. The District worked with Whiting, Leicester, Lincoln, Vergennes, and Addison elementary schools during the 2014 school year to guide initial efforts toward school-wide organics diversion. The District provided financial support in the form of grant funding for the construction of an on-site composting system for Mt. Abraham Union High School, and provided technical support for the Vergennes Union High School's current on-site compost system. The District conducted an onsite recycling audit for Vergennes Union High School in 2014. The District hosted facility tours at its Transfer Station in Middlebury for several area school groups in 2014.</p> <p>Priority for 2015 will be given to the schools that have demonstrated a willingness to either enhance their existing recycling program or to begin diverting organic material for composting. In the first year, the District will reach out to all District schools to collect baseline information on existing waste diversion programs, and will conduct waste audits in these schools when possible. To this end, the District will hire 1 new FTE to supplement the existing FTE (Program Manager) to share responsibility for all school outreach and assistance efforts. The District will meet specifically with the area's largest elementary school, Mary Hogan Elementary, in 2015 to discuss recycling and organics diversion programs. The District created a dedicated grant fund for school waste diversion in 2014, and will strive to continue funding for school diversion projects in future years. The current grant funds are available for capital projects. The District will work with a minimum of 3 schools per Plan year, with a goal by the end of the Plan term of enhancing waste diversion activities in more than 50% of District schools.</p> <p>The District will track the status of all school recycling and organics programs in its member towns. Outreach activities will include recycling of all mandated recyclables consistent with the July 1, 2015 ban and diversion of food scraps consistent with the July 1, 2020 ban. The District will work with at least 15</p>

R1	<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>schools on both recycling and organics by the end of the SWIP term to ensure that the 50% minimum is reached.</p>
Expected Timeframe:	<p>ACSWMD will meet or exceed the performance standard each year to achieve reaching more than 50% of schools by the end of the Plan term.</p>

R2	<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>
Description of campaign:	<p>In 2014, the District created a page on front page of its searchable website, AddisonCountyRecycles.org, dedicated to Act 148’s waste diversion goals. The page contains links to various sites within ANR’s ACT 148 public information website. The District created newsletters in 2013 and 2014 that were direct-mailed to 16,000 households, featuring news and information about VT’s Act 148. The District hosted a dinner for all area waste haulers in order to provide information on ACT 148 requirements and gather feedback on upcoming waste and recycling changes. The District exhibited at four different public events in 2014, during which it distributed handouts describing VT’s new Universal Recycling Law.</p> <p>During each of the Plan years, the District will implement a multi-media public outreach campaign to raise awareness about Vermont’s Universal Recycling Law. The District will create and distribute a semi-annual newsletter that will be mailed to every district household. The District will create various advertisements in at least 3 local newspapers papers that promote recycling and composting, and will also promote Universal Recycling through paid radio advertisements. The District will continue to exhibit at special events in the area, including at a minimum, the Addison County Fair and Field Days, the Middlebury Earth Day Festival, and Dead Creek Wildlife Day. The District will participate in Addison County’s Sustainable Living Expo whenever it is held. The District will periodically include a flyer in the Addison County Chamber of Commerce newsletter, and will make brochures and handouts available for the public at the Chamber office in Middlebury. The District will maintain a supply of informational brochures at all town recycling drop-offs, including the District Transfer Station in Middlebury. Posters and handouts will also be provided on a regular basis to each of the District’s Town Clerk offices during each Plan year. Periodic mailings will be provided to all haulers licensed by the District to inform them of Act 148 milestones. The District will tailor its outreach</p>

R2	Implement an ongoing multi-media public outreach campaign to inform the residents and businesses of the preferred practices to recycle materials including plan for raising awareness of the provisions from the UR law: 7/1/15-landfill ban and public space recycling.
	campaign message for specific residential and industrial sectors when necessary during Plan implementation.
Expected Timeframe:	The outreach campaign will be coordinated with ongoing annual events and various deadlines as specified in the MMP.

R3	Conduct outreach to at least 2% or 20 businesses/institutions (whichever is greater) in the region per year to increase their recycling and access to recycling in their public spaces, ensuring that a minimum of 10% of the businesses and institutions have been reached by the end of the SWIP term.
Description of outreach plan:	<p>The District maintains a database with listings for all businesses and institutions in its member towns. This database will be maintained and updated on an ongoing basis throughout the Plan term in order to accurately assess outreach progress. Outreach will be conducted toward 2% of businesses per Plan year. The Outreach Plan will focus on increasing access to waste diversion in business/ institutional public spaces, and providing technical assistance to businesses in the following areas: Container type, size, and placement; administrative improvements; assistance with signs and labels; and technical training for staff.</p> <p>Outreach will be conducted by a new hire (Public Outreach Coordinator) and the Program Manager. Businesses will receive a paper mailing and follow-up phone calls. Follow-up communication or site visits will be conducted as needed. The District estimates that there are approximately 2,400 businesses within its member towns. The District will conduct outreach to at least 50 businesses each year of the plan term.</p>
Expected Timeframe:	ACSWMD will complete outreach to 2% of businesses each plan year in order to reach at least 10% by the end of the Plan term.

R4	<p>Provide technical assistance for waste reduction at public and private events.</p> <p>*If technical assistance covers recyclables and organics, only one description is required.</p>
Description of program:	<p>The District currently provides technical assistance for waste reduction at approximately 10 area public events each year. Event organizers can borrow special event recycling containers from the District at no cost. The District will provide assistance with signage and container placement as necessary. In particular, the District has established a presence at the Addison County Fair and Field Days by providing free use of 70 special event recycling containers, including container deployment and removal, during the week-long event. The District will continue to partner with the Chamber of Commerce and its</p>

R4	Provide technical assistance for waste reduction at public and private events. *If technical assistance covers recyclables and organics, only one description is required.
	member towns to incorporate recycling options into all large public events, and will also include organics recycling suggestions for all events. The District will seek to partner with Chamber to conduct outreach to specific businesses that work with private events, such as event planners and catering services. Outreach will include both recyclables and organics diversion strategies.
Expected Timeframe:	ACSWMD will coordinate annual technical assistance with specific MMP requirements for both recycling and organics as they become effective until the end of the Plan term.

R5	Include outreach & options for textile reuse and recycling.
Description of program:	The District promotes textile reuse and recycling options in outreach materials, including radio, newspapers, the District website, and the District newsletter. In 2015, the District will develop its own year-round textiles recycling option for all District residents at its Transfer Station in Middlebury. All textiles will be collected, including both reusable and non-reusable textiles, shoes, belts, hats, and soft toys. The District plans to partner with HOPE, a local community action group, to sort and market all textiles. This new program will continue annually through the Plan term.
Expected Timeframe:	Outreach for existing textile reuse and recycling options will continue each year, and the new textile collection program will be implemented and advertised in 2015.

Organics

O1	Work with at least 10% or 2 schools (whichever is greater) to implement a school-wide waste reduction program (covering recyclables, organics, and HHW) each year ensuring that 50% of schools are reached by end of SWIP term. *Please note if this description is provided above in the recyclables section.
Description of program:	See Section R1 for description of program covering both recyclables and organics.
Expected Timeframe:	See Section R1.
O2	Implement an ongoing public education and outreach campaign to inform the residents, businesses, and institutions (hospitals, nursing homes, colleges, correctional facilities, and other large waste generators) of the better ways to manage organic materials. Must include at a minimum the plan for raising awareness about the organics disposal bans (leaf and yard debris and food scraps) and food recovery hierarchy from the UR Law.

O1	<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.</p> <p>*Please note if this description is provided above in the recyclables section.</p>
Description of campaign:	<p>The District currently conducts outreach to residents and businesses on organics diversion through radio, newspaper, brochures, special events, targeted mailings, the District website, and the District newsletter. The District offers food scrap recycling and leaf/ yard waste recycling for residents at its Transfer Station in Middlebury.</p> <p>The District will promote all aspects of the Act 148 organics diversion requirements in all upcoming outreach materials. Outreach materials will include local options for food scrap and yard waste diversion, the ANR food recovery hierarchy, and organics disposal bans. Specific outreach will initially be targeted toward the businesses that will be required to comply each year as the generator requirements take effect.</p>
Expected Timeframe:	The District will coordinate outreach with yearly diversion requirements as specified in the MMP in order to meet this performance requirement.

O3	<p>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.</p>
Description of outreach plan:	<p>The District has partnered with Casella Waste Management and Vermont Natural Ag. Products since 2006 to collect organic materials from the area's largest generators and deliver them to a certified composting facility. The District currently has more than 10 area businesses diverting food waste through this program. The District also purchases backyard compost bins and kitchen collectors in bulk and makes them available to all area residents at a discounted price.</p> <p>The District will develop a list of area food-based businesses as a baseline for determining the number of businesses that will be contacted each year.</p> <p>Outreach will be conducted by a new hire (Public Outreach Coordinator) and the Program Manager. Businesses will receive a paper mailing and follow-up phone calls. Follow-up communication or site visits will be conducted as needed. The District estimates that there are approximately 175 food-based businesses within its member towns. The District will conduct outreach to at least 20 businesses each year of the plan term.</p>
Expected Timeframe:	The District will coordinate outreach with yearly diversion requirements as specified in the MMP in order to meet or exceed this performance requirement.

O4	Provide technical assistance for waste reduction at public and private events. *Please note if this description is provided above in the recyclables section.
Planned Tasks:	See Section R4 for description of program covering both recyclables and organics.
Expected Timeframe:	See Section R4.

O5	Contact and collaborate with local food redistribution groups and networks to conduct outreach and education to food service businesses and institutions about the opportunities to donate quality food within the region to feed people.
Planned Tasks:	The District will begin by contacting HOPE (a local food shelf), the Addison County Relocalization Network (ACORN), and the Vermont Food Bank to inventory area food redistribution groups and networks. Once an inventory has been developed, the District will begin contacting these groups and networks to generate strategies for connecting generators of food waste to food donation groups. The District will follow through with these strategies annually during the plan term through meetings and targeted mailings.
Expected Timeframe:	The District will develop an inventory of existing networks by July 1 of the first Plan year, and will begin conducting annual outreach to businesses and institutions by the end of the first year. The District will report on its efforts annually by July 1st.

O6	Establish or promote year-round collection location for leaf and yard debris within SWME region. List existing location or the plan to establish and timeline for reaching operational capacity.
Planned Tasks:	The District currently offers affordable, year-round leaf and yard debris collection for all its residents and businesses at its Transfer Station in Middlebury. The District will continue to offer this collection during the entire Plan term.
Expected Timeframe:	Leaf and yard debris collection has been implemented. The performance standard is currently met and will continue to be met through the Plan term.

Construction & Demolition (C&D)

C1	Implement a multi-media outreach campaign to inform the residents and businesses of the preferred practices for the reduction of C&D materials generated and for end-of-life management.
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C1	Implement a multi-media outreach campaign to inform the residents and businesses of the preferred practices for the reduction of C&D materials generated and for end-of-life management.
Description of campaign:	<p>The District currently promotes C&D waste reduction and recycling annually through distribution of brochures and its semi-annual newsletter. The District also promotes C&D reuse and recycling on its website. The District offers a free, year-round C&D reuse option for all residents and businesses at its Transfer Station in Middlebury.</p> <p>The District will continue to promote C&D reuse and recycling in a variety of outreach materials each year, and will report on outreach activities annually by July 1. Outreach will be targeted toward local contractors in the region.</p>
Expected Timeframe:	The outreach campaign will be coordinated with ongoing annual events and various deadlines as specified in the MMP.

C2	Establish a program for clean wood recycling prior to July 1, 2016 to coincide with the UR Law landfill ban.
Description of program:	The District Transfer Station serves as the central location for clean wood drop-off. The District uses a private contractor to chip the wood. The chipped wood pile is provided as free mulch to the general public. Xmas trees are collected in member towns in January, and are hauled to the Transfer Station, where the District has them chipped for Merry Mulch, and offered free of charge to the general public. Member towns are meeting to discuss their options for accepting clean wood at the Town Drop-offs. The Bridport Drop-off and the Lincoln Drop-off already accept clean wood. The District will assist them in considering options for collection and final disposition of the clean wood that they collect. The District has also been meeting with VT Natural Ag Products, the local compost facility, to establish a receiving area for clean wood from commercial haulers. See also, the District's C&D diversion initiatives.
Expected Timeframe:	Ongoing, with assistance to member towns and VNAP to prepare for the July 1, 2016 deadline.

C3	Establish at least one collection location for asphalt shingles collection and drywall by end of the SWIP term in each SWME's jurisdiction.
Planned Tasks:	The District will coordinate with ANR to develop markets and specifications for both asphalt shingles and drywall, while assisting ANR in addressing any of these local impediments. Pending the outcome of these efforts, the District will further investigate options for either hosting collection of both asphalt shingles and drywall at its Transfer Station in Middlebury, or partnering with a private entity to develop a collection and recycling program.
Expected Timeframe:	The District will report on efforts to develop these collection programs annually by July 1, and will meet the goal of establishing each collection programs by the end of the Plan term.

HHW & CEG

H1	Work with schools and VT ANR's Environmental Assistance Office to provide information and technical assistance on HHW/CEG hazardous waste handling, disposal, waste reduction, recycling and assistance accessing cost effective disposal options. Work with at least 10% or 2 schools (whichever is greater) each year ensuring that 50% of schools are reached by end of SWIP term.
Description of program:	<p>ACSWMD will dedicate 2 FTE staff to address this performance standard. Staff will work with school administrators, custodial staff, teachers and students at a minimum of three schools per Plan year to provide information on:</p> <ol style="list-style-type: none"> 1) Environmentally preferred purchasing options for classroom, office, and lab supplies, cleaning products, etc.; 2) Proper purchasing and handling to reduce the volume of hazardous waste generated; 3) Creating school-wide EPP purchasing policies; 4) Creating school-wide use and end-of-life management policies and procedures for hazardous materials; 5) Building awareness of long-standing, low-cost or free options for HHW/CEG disposal at the ACSWMD HazWaste Center; 6) Building awareness of ANR's EAO availability for further assistance.
Expected Timeframe:	ACSWMD will reach out to a minimum of at least three schools per Plan year, and will exceed the requirement of reaching 50% of all schools by the end of the Plan term.

H2	Implement a multi-media outreach campaign to inform residents, businesses and institutions of environmentally preferable purchasing and of the preferred practices for hazardous materials including pharmaceuticals.
Description of program:	The District will promote adoption of environmentally preferable purchasing (EPP) and Hazardous materials management practices. The District will distribute this information, including information on disposal bans and managing pharmaceuticals, in its online and printed materials, ads, and promotions.
Expected Timeframe:	The outreach campaign will be coordinated with ongoing annual events and various deadlines as specified in the MMP.

H3	Work with 2% or 20 (whichever is greater) of businesses and institutions within jurisdiction per year on proper disposal and waste reduction information, ensuring that at a minimum 10% of the business and institutions are reached by the end of the SWIP term.
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Description of program:	<p>ACSWMD will dedicate two FTE staff to address this performance standard. Staff will work with a minimum of 2% of businesses and institutions per Plan year to provide information on:</p> <ol style="list-style-type: none"> 1) Environmentally preferred purchasing options for office supplies, cleaning products, etc.; 2) Proper purchasing and handling to reduce the volume of hazardous waste generated; 3) Creating business-wide EPP purchasing policies; 4) Creating business-wide use and end-of-life management policies and procedures for hazardous materials; 5) Building awareness of long-standing, low-cost or free options for HHW/CEG disposal at the ACSWMD HazWaste Center; 6) Building awareness of ANR's EAO availability for further assistance.
Expected Timeframe:	<p>District staff will provide information to 2% of District businesses per Plan year, reaching a total minimum of 10% of businesses by the end of the Plan term.</p>
H4	<p>Year 1: Establish a minimum of 2 HHW/CEG events per year, or access to a permanent facility.</p> <p>Year 2: Demonstrate that year-round HHW/CEG collection exists for additional MMP-specified materials; provide 2 HHW/ CEG events per year or access to a permanent facility for items not listed.</p> <p>Year 3: Demonstrate that year-round HHW/CEG collection exists for additional MMP-Specified materials; provide 3 HHW/CEG events per year or access to a permanent facility for products not listed.</p> <p>Year 4: Demonstrate that year-round HHW/CEG collections exists for additional MMP-Specified materials, provide a minimum of 3 HHW/CEG events per year or access to a permanent facility for products not listed, ensure households have access to HHW/CEG event or permanent facility within 15 miles.</p> <p>Year 5: Demonstrate that year-round HHW/CEG collections exists for additional MMP-Specified materials, provide a minimum of 4 HHW/CEG events per year or access to a permanent facility for products not listed, ensure households have access to HHW/CEG event or permanent facility within 15 miles.</p> <p>Ensure that minimum requirements outlined in MMP under Convenience are met each year.</p>

<p>Description of plan for each year:</p>	<p>Year 1: The District HazWaste Center in Middlebury will remain open six days/wk. year round for HHW (including all paint) and CEG waste.</p> <p>Year 2: The District HazWaste Center in Middlebury will remain open six days/wk. year round for HHW (including all paint) and CEG waste. The District Transfer Station in Middlebury will continue to accept all batteries (dry-cell and wet-cell), fluorescent lamps, mercury thermostats, all sizes of propane tanks, all electronic waste, and used oil six days/wk. throughout the entire year.</p> <p>Year 3: The District HazWaste Center in Middlebury will remain open six days/wk. year round for HHW (including all paint) and CEG waste. The District Transfer Station in Middlebury will continue to accept all batteries (dry-cell and wet-cell), fluorescent lamps, mercury thermostats, all sizes of propane tanks, all electronic waste, and used oil six days/wk. throughout the entire year.</p> <p>Year 4: The District HazWaste Center in Middlebury will remain open six days/wk. year round for HHW (including all paint) and CEG waste. The District Transfer Station in Middlebury will continue to accept all batteries (dry-cell and wet-cell), fluorescent lamps, mercury thermostats, all sizes of propane tanks, all electronic waste, and used oil six days/wk. throughout the entire year. The District will determine which member towns are beyond the 15-mile distance to the District HazWaste Center in Middlebury, and will provide additional HHW/CEG events as needed.</p> <p>Year 5: The District HazWaste Center in Middlebury will remain open six days/wk. year round for HHW (including all paint) and CEG waste. The District Transfer Station in Middlebury will continue to accept all batteries (dry-cell and wet-cell), fluorescent lamps, mercury thermostats, all sizes of propane tanks, all electronic waste, and used oil six days/wk. throughout the entire year. The District will determine which member towns are beyond the 15-mile distance to the District HazWaste Center in Middlebury, and will provide additional HHW/CEG events as needed.</p>
<p>Expected Timeframe:</p>	<p>Year 1-3: Ongoing with our current permanent facility. Years 4-5: Additional HHW/CEG events will be provided.</p>

Sludge, Septage and Residual Wastes

<p>S1</p>	<p>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.</p>
<p>Description of program:</p>	<p>The District will work with the operators of the municipal WWTFs to develop a new public education and outreach campaign for residents and businesses.</p>
<p>Expected Timeframe:</p>	<p>Begin within one year of the SWIP approval.</p>
<p>S2</p>	<p>SWMEs shall work with their respective municipalities, plant operators, and septic service providers to encourage the beneficial use of biosolids and septage.</p>

Description of program:	Ongoing. In 2011, the District reached 100% beneficial use of biosolids and septage.
Expected Timeframe:	Ongoing, with more focus on cooperative initiatives as the food scrap diversion deadlines kick in each successive year until 2020.

Check List

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

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

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

Disposal rate for the SWME area

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.

SECTION 3. SOLID WASTE FACILITIES SITING CRITERIA & PROCESS FOR INCLUSION IN PLAN

3.1 INTRODUCTION

A significant element of the original State Solid Waste Plan, and the 1991 revision, was the development of siting criteria for solid waste facilities. Districts were required to develop criteria to supplement pre-existing State minimums and prohibited areas listed in the *VT Solid Waste Rules*. Criteria were developed using broad citizen participation. A site selection process applying the siting criteria was developed for facilities in the District. In 1990, the District adopted the siting criteria (“District Siting Criteria”) and a site selection process for a lined landfill. In the 2006 SWIP, the District endorsed those landfill criteria and addressed non-landfill facility siting criteria as well.

3.2 STATE OF VERMONT SITING CRITERIA

The State of Vermont mandates that all solid waste facilities meet certain site requirements in order to be certified. Subchapter 5 of the *Vermont Solid Waste Rules*³ lists the site requirements for solid waste facilities certified under Sections 6-303 through 6-305, and under Subchapter 12. Subsection 6-502 lists the prohibited areas in which facilities are not allowed to be located. Subsection 6-503 of the *VT Solid Waste Rules* lists the siting standards that facilities have to meet in order to ensure that an emission or discharge from the facility will not unduly harm the public health and will have the least possible reasonable impact on the environment. Facilities that qualify for categorical certification under Section 6-309, Subchapter 11 or Subchapter 12 of the *Vermont Solid Waste Rules* are exempt from the provisions of Subsections 6-502 and 6-503, but have siting restrictions applicable to those facilities contained within the provisions of those sections.

3.3 LINED LANDFILL SITING CRITERIA AND SITE SELECTION PROCESS

On June 21, 1990, the District adopted 22 additional siting criteria, above and beyond the State of Vermont siting requirements, to guide the Board of Supervisors (“Board”) toward identifying appropriate sites for a lined landfill. These District Siting Criteria resulted from an extensive public process utilizing citizen volunteers, District representatives and staff, the general public and consultants. Table 3.1 below summarizes the adopted criteria for landfill site selection. The Board does not intend to amend these District Siting Criteria and site selection process at this time.

³ *Solid Waste Management Rules*, State of Vermont, ANR Department of Environmental Conservation, Effective March 15, 2012.

Table 3.1. SUMMARY OF DISTRICT CRITERIA FOR LANDFILL SITE SELECTION⁴

	SITING CONSIDERATION	ACCEPTABLE MINIMUM⁵
1.	Size 1A. Landfill Core 1B. Buffer (Isolation) Distance	24 Acres to 34 Acres 500 Feet
2.	Slope	0% to 15% with adequate drainage
3.	Maximum Distance to State Highway	Any distance
4.	Minimum Distance to Roadway	500 Feet
5.	Minimum Distance to Single Residence	1,000 Feet
6.	Minimum Distance to Community	1,000 Feet
7.	Minimum Distance to Historic and Cultural Resource	500 Feet
8.	Distance to Nearest Public Facility (School, Hospital, Nursing Home)	2,500 Feet
9.	Distance to Nearest State or Municipal, Publicly owned Park or Recreation Area	1,500 Feet
10.	Use of Agricultural, Forest, Mineral Lands	Results in acceptable change to land-based business operations.
11.	Restrictions for Aesthetics and Scenic Resources	Blends with or protects the view of an aesthetic or scenic resource.
12.	Use of Deer Yards and Other Critical habitat	Meets VT Fish & Game standards for critical habitat maintenance.
13.	Distance to Surface Waters	300 Feet
14.	Vertical Distance to Groundwater	6 Feet after landfill construction.
15.	Vertical Distance to Bedrock	10 Feet after landfill construction
16.	Distance to Drinking Water Source <ul style="list-style-type: none"> • Private • Public 	1,000 Feet 3,000 Feet
17.	Distance to Property Line	500 Feet
18.	Groundwater Resource Protection	Meets State guidelines for hydrogeological suitability, considering monitoring and intervention capability of site setting. Areas supplied with public water.
19.	Seismic and Land Movement Potential	Avoids geologically active or sensitive areas.
20.	Traffic and Safety	Avoids unreasonable congestion or unsafe conditions.
21.	Ownership Transferability	Areas where property sale conditions are acceptable to District and seller(s).
22.	Climatology	Areas where meteorological conditions are favorable to protecting air quality.

The District's 1992 Solid Waste Management Plan⁶ incorporated a three-step process of: (1) site identification and screening; (2) site ranking to establish a short list of candidate sites; and (3) final evaluation of those sites. This process remains in effect today. The adopted process of site identification and screening uses the "blank-map" approach, and includes a sequential process of applying the siting criteria as information is obtained on possible locations for a lined landfill. The District may also solicit volunteer sites during this phase, provided those sites meet the District Siting Criteria. As each phase of the site consideration is completed, the number of sites narrows from potentially hundreds of sites to three sites for final ranking. Table 3.2 contains ranking definitions⁷ adopted for use in narrowing the number of suitable sites. The ranking criteria are divided into three categories: public health and environmental concerns; aesthetic/ social concerns; and technical concerns.

⁴ "Finding a Place for Waste", adopted by District on June 21, 1990.

⁵ Where specific numerical limit is listed, minimum distance is from the outer perimeter of the landfill core area.

⁶ 1992 ACSWMD Solid Waste Management Plan, Ch. 8, p. 67, "Regional Landfill Siting Process."

⁷ "Finding a Place for Waste", adopted by the District on June 21, 1990.

Table 3.2. LANDFILL SITE FAVORABILITY RANKING DEFINITIONS⁸

SITING (PERFORMANCE) CRITERIA	FAVORABLE	MORE FAVORABLE	MOST FAVORABLE
<i>PUBLIC HEALTH & ENVIRONMENTAL CONCERNS</i>			
Distance to Homes	1,000-1,250 ft.	1,251-1,500 ft.	Over 1,500 ft.
Distance to Community	1,000-1,250 ft.	1,251-1,500 ft.	Over 1,500 ft.
Distance to Public Facility	2,500-3,125 ft.	3,126-3,750 ft.	Over 3,750 ft.
Distance to Surface Waters	300-375 ft.	376-450 ft.	Over 450 ft.
Distance to Nearest Drinking Water Source <ul style="list-style-type: none"> • Private • Public 	1,000-1,250 ft. 1%-25% greater than radius of area of contribution	1,251-1,500 ft. 25%-50% greater	Over 1,500 ft. Over 50% greater
Groundwater Resource Protection	Good monitoring ability and intervention capability	Very Good	Excellent
<i>AESTHETIC/SOCIAL CONCERNS</i>			
Distance to Historic and Cultural Resources	500-625 ft.	626-750 ft.	Over 750 ft.
Distance to Public Parks	1,500-1,875 ft.	1,876-2,250 ft.	Over 2,250 ft.
Aesthetics/Scenic Resources	Partially Visible and Audible	Isolated with Supplemental Screening	Isolated in Natural State
<i>TECHNICAL CONCERNS</i>			
Size	24-42 Acres	43-51 Acres	Over 51 Acres
Slope	15%-8.6%	0-4.5%	4.6%-8.5%

3.4 OTHER SITING CRITERIA AND SITE SELECTION PROCESSES

Transfer Station Siting Criteria

On June 18, 1992, the District Board adopted “Site Selection Criteria for a Transfer Station for Mixed Solid Waste and Materials Recovery Facility (MRF) for Recyclables (see Appendix B). The “ACSWMD Site Selection Criteria for a Transfer Station or Materials Recovery Facility (MRF)” were revised and adopted by the ACSWMD Board on June 21, 2018.

Other Siting Criteria

The District has not adopted siting criteria for other facilities. Such other facilities may include composting and/or anaerobic digester facilities, C&D landfills, or waste-to-energy facilities.

The District Manager will be responsible for reviewing a specific proposed facility and determining whether the facility is in conformance with the District Siting Criteria, to the extent District Siting Criteria exist. With respect to larger, more complex projects, a subcommittee of the Board and/or a consultant will assist in the review. In the case of a District siting process, a subcommittee comprised of Board members, District staff and citizens will be formed. Conformance with the District Siting Criteria is one of the major requirements for inclusion of a facility in this SWIP (see Section 4 below).

⁸ Distances are measured from the outer perimeter of the permitted landfill core.

SECTION 4. FACILITIES INCLUDED IN THE PLAN

4.1 STATE AND DISTRICT REQUIREMENTS

Most solid waste facilities are required to obtain certification by the State of Vermont. Under the state permitting law (10 V.S.A. Section 6605(c)), ANR may not issue a certification or recertification for a solid waste facility (except for a sludge or septage land application project) unless it is included in the district implementation plan (“SWIP”). Solid waste landfills closed after 2/1/1989 are also required to be listed so that they can receive post-closure certifications specifying post-closure monitoring and maintenance. Smaller facilities with categorical certifications (such as composting or recycling facilities) or insignificant waste management event (“IWME”) approvals are not required by the State to be included in SWIP’s.

Section 5(16) of the District Charter (see Appendix C) grants the District the power “to regulate the collection, transportation, resource recovery, recycling and disposal of solid waste within the District and to require that acceptable solid wastes generated within the District and any member municipality therein shall be disposed of only in and upon facilities operated by or on behalf of the District; or in a facility or manner that is part of an approved District Plan.” (Emphasis added). The facilities approved by the District to be included in its SWIP are listed in Table 4.1 below.

Table 4.1. Facilities Included in the SWIP

Facility Name	Owner/Operator	Location	Date Approved by District for Inclusion	Certification Type
ACSWMD Transfer Station	ACSWMD	1223 Rt. 7 South, Middlebury	7/20/89, 7/29/04, 1/24/07, 11/12/08, 10/23/13 (dates approved by ANR)	Full
Middlebury Hauling Division and Recyclables Transfer Facility	Casella Waste Management	Exchange Street, Middlebury	10/7/96, 4/25/05, 11/17/08, 7/17/2017	Categorical, then full
Foster Brothers Farm Composting Facility	Vermont Natural Ag Products	Middlebury	10/21/03, 1/22/04, 1/09, 11/29/13	Categorical
Middlebury College Recycling Center	Middlebury College	609 College Street, Middlebury	4/11/02 (prior Service Bldg. location approved on 5/21/01)	Categorical
Middlebury College Stump/Brush/Untreated wood/concrete/waste soil	Middlebury College	South Street, Middlebury	9/11/01	Categorical
Middlebury College Composting Facility	Middlebury College	South Street, Middlebury	7/28/03, 7/18/14	Categorical
Middlebury College Inert Fill Site	Middlebury College	Gebo Farm, Rt. 125, Cornwall	5/30/01	Categorical
Middlebury Stump Dump (AD004)	Town of Middlebury	Seymour Street Ext., Middlebury	7/25/06, 10/25/10	Categorical
Clark’s Slaughterhouse Composting Facility	Robert & Jerry Clark	Ferrisburgh	10/28/02	Categorical
Bridport Recycling Facility	Town of Bridport	Town Landfill, Happy Valley Rd	5/97, 10/12/04, 7/10/09, 6/30/14	Categorical
Lincoln Recycling Facility	Town of Lincoln	1111 Downingsville Rd.	5/97, 10/12/04, 7/27/09, 6/30/14	Categorical
Monkton Recycling Facility	Town of Monkton	Town Garage, 4047 States Prison Hollow	5/97, 10/12/04, 7/13/09, 6/30/14	Categorical

Facility Name	Owner/ Operator	Location	Date Approved by District for Inclusion	Certification Type
		Rd.		
Ripton Recycling Facility	Town of Ripton	Town Shed, Peddler's Bridge Rd.	5/97, 10/12/04, 7/13/09, 6/30/14	Categorical
Weybridge Recycling Facility	Town of Weybridge	Behind Town Garage, 460 Quaker Village Road.	5/97, 10/12/04, 7/27/09, 6/30/14	Categorical
Whiting Recycling Facility	Town of Whiting	Old Town Garage, 79 So. Main St.	5/97, 10/12/04, 9/4/09, 6/30/14	Categorical
Middlebury WWTF (Biosolids Handling Facility)	Town of Middlebury	Middlebury	8/30/96, 12/18/97, 11/4/02, 7/25/06, 10/1/07, 1/7/14	Categorical
Vergennes WWTF	Town of Vergennes	Vergennes	10/18/90, 8/30/96, 9/22/07, 3/18/14	Categorical, then Full
Orwell WWTF	Town of Orwell	Orwell	8/30/96	Categorical
Shoreham WWTF	Town of Shoreham	Shoreham	??	Categorical
Button Bay State Park WWTF	State of Vermont	Addison	??	Categorical
Basin Harbor Resort Composting Facility	Basin Harbor Club	Ferrisburgh		Exempt from state cert.
Various closed solid waste landfills ⁹			5/19/92 (in original plan)	Post-Closure

4.2 INCLUSION OF NEW FACILITIES AND RENEWAL OF EXISTING FACILITIES IN THE PLAN

As new solid waste facilities are developed, a mechanism is required for review of their certifications in order for the District Board to determine whether the proposed facility is to be included in the District's SWIP. In order to obtain **any** type of certification, and before the certification application is submitted to ANR, a letter from the District is required certifying that the facility is approved and, if applicable, included in the District's SWIP.

Policy on Procedures

1. New Facilities and Programs

For new facilities and programs not identified in the District's adopted SWIP, the following procedure will govern:

A public or private entity proposing to own/ operate a solid waste facility in the District submits a letter of request accompanied by a complete draft State of Vermont certification application to the District Manager. Supporting documentation should be attached that is sufficient to demonstrate property ownership and compliance with the District Siting Criteria (if applicable). The District Manager will determine whether the application is complete and whether the facility is in conformance with the District's "Criteria for Inclusion of New Facilities/Programs" ("District Inclusion Criteria").

⁹ A list of closed landfills in the ACSWMD is attached as Appendix D. The closed solid waste landfills are hereby incorporated into the SWIP and all future revisions or amendments, in order to provide for post-closure certification renewals for post-closure monitoring and maintenance.

Criteria for Inclusion of New Facilities/Programs

In considering whether to approve the inclusion of new facilities/programs, the following District Inclusion Criteria will be utilized:

- The facility/program complies with all District Siting Criteria and local zoning ordinances;
- The facility/program conforms with town plans and the District SWIP;
- The facility/program encourages recycling and/or diversion and improves District residents' access to cost-effective diversion opportunities;
- The facility design is conducive to environmental protection;
- The facility appears to be sustainable in terms of: sizing; layout; adequate volumes in and markets for end products out; adequate short-term and long-term storage capacity; contingency plans for down time due to scheduled or unscheduled maintenance or other interruptions to operation; evidence of trained operational personnel; closure funding; post-closure monitoring program, if necessary;
- The facility's owner/manager does not demonstrate a history of repeated civil or criminal violations of any law or regulation pertaining to the protection of the environment;
- The facility's owner/manager is currently in compliance with District ordinances and the conditions of any licenses required to operate.

If the approval requested is required by State law to be specifically included in the District SWIP (e.g., full certifications), the District Manager will review the proposal and determine whether the facility conforms to District Siting Criteria and the District Inclusion Criteria. If the facility conforms to these criteria, the District Manager will present the issue to the Board. This review will be scheduled for the next regular Board meeting after the District Manager completes the application review. The Board will take whatever action it deems appropriate including, but not limited to, denying or approving the request and/or directing that studies be done or certain conditions be met. Any proposed revision to the SWIP shall be subject to formal warning and notice procedures and one public hearing prior to final action by the Board. After adoption of the revision, the new language will be incorporated into the text of the SWIP.

If the approval requested is not required by State law to be specifically included in the District SWIP (e.g., categorical certifications, mobile facilities or programs), the District Manager is authorized to issue approval letters if, in the opinion of the District Manager, the facility or program will not have a negative effect on the District's ability to implement its adopted SWIP and the facility conforms with the District Siting Criteria and the District Inclusion Criteria. After District Manager approval, the new facility will be listed in an addendum to the SWIP (see Appendix E), which will be distributed to the Board. Any decision of the District Manager under this procedure may be appealed to the Executive Board. Any decision of the Executive Board may be appealed to the Board. All decisions shall be in writing and shall include language indicating the rights of appeal. The District will notify the State in writing of any facility that is included in the revised SWIP.

2. Renewal of Existing Facility Certifications

For facilities and programs already identified in the District's adopted SWIP, the District Manager is authorized to issue a letter stating that the facility or program is included in the SWIP, as necessary, provided that, in the opinion of the District Manager, no significant changes to the facility or program have occurred since the original approval. In the case of facilities or programs that have changed significantly, the District Manager will follow the procedures for inclusion of new facilities or programs.

3. Biosolids and Septage Treatment/Storage Facilities

All Biosolids and septage treatment and storage facilities located within the fenced area of a WWTF are considered to be included in the SWIP, with the exception of composting or other Class A treatment facilities that qualify for distribution to the public. Such composting and other Class A treatment facilities must be included in the SWIP by using the process for approving other solid waste facilities.

4. Existing Facilities in New Member Municipality

When a municipality joins the District, its solid waste facilities will not automatically be included in the SWIP. The District Board will consider the facilities on a case-by-case basis in specifying the terms of a municipality joining the District. See §52 of the District Charter (Appendix C).

SECTION 5. PUBLIC PARTICIPATION PLAN

The District will seek public involvement in the draft SWIP through several media. The District website, www.AddisonCountyRecycles.org, will feature a downloadable version of the draft SWIP for public review and comment, and will include both an email link for electronic comments as well as a mailing address for hard-copy written comments. A press release will be issued to the three local area newspapers and on Front Porch Forum, informing the public of the opportunity to review and comment on the SWIP. The press release will also be mailed directly to all area solid waste facilities, haulers, and business associations. Following ANR approval of the draft SWIP, the District will hold two public hearings on the SWIP to solicit further comments prior to adoption by the District Board. The District will continue its outreach to haulers. The District has solicited input from haulers with a series of meetings for the past two years, some including representatives from the ANR Solid Waste Program.

After SWIP adoption, the District will prepare a newspaper article or op-ed piece introducing the SWIP to the general public within three months of VT ANR approval. The District will also send copies of the SWIP to its Board members, Town Clerks and Addison County Regional Planning Commission. The District will hold two public meetings during the SWIP term; one before the end of the second Plan year, and one during the fifth year. The public meetings will be held after ANR's preliminary approval of the draft SWIP and Waste Management Ordinance.

Any proposed minor revision to the SWIP within the SWIP term - including the approval of a facility for inclusion in the SWIP, updates to lists and other attachments, and minor housekeeping - shall be subject to formal warning and notice procedures and one public hearing prior to final action by the Board. After adoption of the revision, the new language will be incorporated into the text of the SWIP.

SECTION 6. SOLID WASTE MANAGEMENT ORDINANCES

The District currently has two ordinances in effect (see Appendix F):

1. Waste Management Ordinance
2. Illegal Burning and Disposal Ordinance

The Waste Management Ordinance lays out the responsibilities of waste generators and waste haulers in the District. It establishes a licensing program for haulers that contains reporting requirements, weighing requirements and per ton fee payments to the District. The ordinance adopts a District-wide Mandated Recycling system that requires the separation of recyclables, as defined in the ordinance, by the generator and the collection of Mandated Recyclables by the licensed hauler. Finally, the ordinance prohibits the co-

mingling and transport for disposal of solid waste with Mandated Recyclables, Special Wastes and Prohibited Wastes. On February 19, 2015, the Board adopted draft amendments to the Waste Management Ordinance, which were approved by ANR prior to a public hearing introducing the draft. The public hearing was held on July 16, 2015, and the revised Waste Management Ordinance was adopted by the Board on July 16, 2015.

The Illegal Burning and Disposal Ordinance prohibits the burning of solid waste unless it meets certain exemptions allowed by State law, such as the burning of yard waste and natural wood, and burning in a State-licensed solid waste incinerator. The Ordinance also prohibits indiscriminate dumping of solid waste into disposal containers other than one's own, and onto land or into waters of the State for purposes of disposal. Exemptions include the composting of acceptable waste on one's own property or the reuse/recycling of waste.

6.1 FLOW CONTROL OF DISTRICT WASTE

Legal Authority

Section 5(16) of the Charter of the District authorizes the District "to regulate the collection, transportation, resource recovery, recycling and disposal of solid waste within the District and to require that acceptable solid waste generated within the District and any member municipality therein shall be disposed of only in or upon facilities operated by or on behalf of the District; or in a facility or manner that is part of an approved District Plan."

The term "flow control" is commonly used to describe regulations that direct specific wastes to specific facilities as a tool to advance the goals of municipal waste management programs, and to aid in the enforcement of environmental, administrative and other waste regulations. Flow control laws and ordinances adopted by other states and municipalities have been challenged in recent years on constitutional grounds. These challenges have resulted in judicial decisions that have defined the circumstances under which such laws can be adopted and enforced under the Commerce Clause of the Constitution.

Specifically, flow control laws that direct local waste to publicly owned processing or disposal facilities, including transfer stations, recycling centers and landfills, have been held to be facially neutral legislation that does not discriminate against interstate commerce. As such, laws directing waste to public facilities are reviewed to determine whether they impose any incidental burdens on interstate commerce that substantially outweigh the public benefits that they provide. Flow control laws that are limited in territorial scope, do not interfere with the regulatory systems in neighboring jurisdictions, and support a comprehensive public waste management system have been held to be constitutional by the United States Second Circuit Court of Appeals, which exercises jurisdiction over the District.

Purpose

The adoption of flow control regulations in the District will advance the District's waste management program objectives in several ways. The primary objective of flow control is to establish a legally enforceable obligation on the part of waste generators and haulers to participate in the District SWIP, and conform source separation and collection practices to the capabilities of the recycling, transfer, and disposal facilities constructed, operated and/or designated by the District. The District SWIP relies upon an effective separation of the overall waste stream into component parts, for which specific programs and facilities have been, or will be established. Each such component is intended to be managed in the most efficient, reliable, economical and environmentally sound manner available. The integration of source

separation practices by the public, the collection practices of the waste hauling industry, and the disposal practices of the District is essential to the successful implementation of the SWIP.

The flow control provisions contained in the District Waste Management Ordinance directs all Municipal Solid Waste (MSW) and Construction and Demolition Debris (C&D) generated within the District to the District Transfer Station in Middlebury. Limited exceptions to these provisions may be granted through procedures to be set forth in the ordinance.

Specific benefits to be provided through flow control of MSW and C&D to the District Transfer Station include the following:

- Effective enforcement of applicable state and District regulations governing landfill-banned materials, mandatory recycling regulations, and hazardous waste disposal rules to the entire MSW and C&D waste stream.
- Enhanced diversion of recyclables and other materials through enforcement at a central point of inspection.
- Accurate monitoring and record keeping applicable to the entire waste stream, for use in future planning and disposal decisions, and public education campaigns by the District.
- Enhanced benefits from the unit-based pricing policies of the District, which are a key component of the State and District's mission to promote waste reduction, reuse and recycling.
- Enhanced control over potential liabilities to local residents and businesses from improper disposal, through District selection of a landfill or other facility used for disposal of District waste.
- Enhanced ability to collect the District Fee.
- Enhanced financial support of District programs that do not generate revenue.
- Enhanced security and reliability of the District's revenue sources for operating and capital budgets.
- Overall administrative convenience.
- Enhanced competition among hauling companies within the District by providing a municipal facility that all companies may access, at a set price, including those that do not own vehicles that can economically travel to the nearest disposal facility.
- Economies of scale in bidding out large volumes of waste, thereby procuring a more favorable disposal rate and contracted landfill capacity, to the financial benefit of District residents and businesses.
- Reduced air emissions and impacts on roads from consolidating loads from smaller, less efficient vehicles into transfer trailers for long haul out of District.

Implementation

The flow control regulations will be implemented through the Waste Management Ordinance annexed hereto in Appendix F. Among other provisions, the Waste Management Ordinance sets forth penalties and procedures in the event of violation by generators and haulers. It further establishes that compliance with the flow control provisions of the Waste Management Ordinance is established as a condition of the licenses issued to haulers in the District, and that repeated violation of the provisions can result in suspension or revocation of those licenses. Provision is also made for a grace period in the effective date of the Waste Management Ordinance to allow haulers to modify operations, if necessary, in order to comply.

Enforcement

Enforcement of the flow control provisions will be through service of a written summons or other notice to appear before the District Manager to answer allegations of violation. A summons may be served by the Addison County Sheriff's Office or other officer designated by the District. Persons alleged to have violated the Ordinance will be afforded the opportunity for a hearing, and will have the right to be represented by counsel. At the conclusion of any hearing, or upon a stipulation by the alleged offender, the District Manager shall prepare and file a written finding of fact, together with a penalty, if warranted.

Review and Appeal

Decisions of the District Manager shall be subject to appeal to the District Board on the basis of the record presented at hearing or through stipulation. The Board may confirm, reverse, modify, or remand the decision for further proceedings. Decisions of the District Board shall be final and subject to review pursuant to the laws of the State of Vermont.

SECTION 7. CONFORMANCE WITH REGIONAL PLAN

The Addison County Regional Planning Commission acknowledges, per its letter dated July 7, 2015, that the ACSWMD Waste Management Plan conforms to the regional plan, and has the support of the regional planning commission. (Addison County Regional Plan, Utilities, Facilities and Services, Sub-section 7.1 Solid Waste Goal C, Objectives 1(a)-(d) and 3(a)-(e) page 7-8 (2011)).

SECTION 8. LIST OF SOLID WASTE FACILITIES & MATERIALS ACCEPTED

See Facilities Accepting Materials for Recycling in Appendix A.

SECTION 9. CONTACT INFORMATION AND LIST OF SERVICES FOR HAULERS

See Appendix A for a list of licensed commercial haulers and services offered.

SECTION 10. VARIABLE RATE PRICING PROGRAM AND PLAN FOR IMPLEMENTATION

As mentioned in Section 6, the Waste Management Ordinance in Appendix F contains language addressing the variable rate pricing requirements for solid waste haulers and facilities.

APPENDIX A

**ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
SOLID WASTE IMPLEMENTATION PLAN**

6/21/2018

APPENDIX A





LICENSED COMMERCIAL HAULER LIST 2018





COMPANY	FIRST NAME	LAST NAME	STREET	CITY	STATE	ZIP	PHONE	FAX	EMAIL ADDRESS	TYPE OF SERVICE
1-800-GOT JUNK? Vt Metro	John	Wagner	397 Patchen Rd., #3	So. Burlington, VT 05403	VT	05403	846-7714,		Vermont@1800gotjunk.com	Cleanouts. Fast Trash Truck at Desabrais Glass, Middlebury, for trash & recycling, leaf & yard debris and food scraps.
Acker's Waste Management	Wade	Acker	1853 Mountain Rd.	Bristol	VT	05443	cell: 349-2414	453-3388	acker.Wade367@gmail.com	Cleanouts & Roll-offs.
B.K. Services	Brad	Keith	P.O. Box 341	Pittsford	VT	05763	cell: 779-2950	483-2887	BKServices25@yahoo.com	Cleanouts. Fast Trash Truck at Whiting Town Drop-off for trash & recycling, leaf & yard debris and food scraps.
Brenda Kimball	Brenda	Kimball	930 Quaker Village Rd.	Weybridge	VT	05753	545-2891		llabmik@msn.com	Fast Trash Truck at Weybridge Town Drop-off for trash, leaf & yard debris and food scraps.
C & J Haulers	Joe Christy	Fortune Goyette	1732 Sand Rd.	Ferrisburgh	VT	05456	877-2461	877-6706	houseof7@myfairpoint.net	Cleanouts. Fast Trash Truck at Vergennes City Drop-off for trash, leaf & yard debris and food scraps.
Casella Waste Management	Bill	Hubbard	533 Exchange Street	Middlebury	VT	05753	772-6977		william.hubbard@casella.com	Cleanouts, curbside and roll-offs.
Clover State Window & Siding	Marcel	Brunet, Jr	236 Brunet Lane	Vergennes	VT	05491	877-2102		mlbrunet@gmart.net	Roll-offs for C&D.
Cota Trucking Co.	David & Laurie	Cota	6 Curtis Ave	Essex Junction	VT	05452	878-2668	879-5172		Roll-offs for C&D, cleanouts.
County Waste & Recycling Service, Inc. (ACE)	Victor Steve	Valdez Lafollette	P.O. Box 790	Fort Ann	NY	12827	(518)798-3444	(518)798-3422	victorv@wcnx.org steveL@wcnx.org	Curbside.
Denton & Son	Van & Sharon	Denton	64 Paint Works Rd.	Brandon	VT	05733	247-8340			Curbside, Cleanouts, Fast Trash Truck at Leicester Town Drop-off for trash, recycling, leaf & yard debris and food scraps.
Deppman, LLC	Joshua	Deppman	146 Homeplace	Addison	VT	05491	cell: 802-349-5340		deppmanllc@gmail.com	Cleanouts
Desabrais Trash	Joseph	Desabrais	2379 Town Farm Rd	Brandon	VT	05733	989-4332		joseph.desabrais@gmail.com	Cleanouts. Fast Trash Truck at Desabrais Glass, Middlebury, for trash & recycling, leaf & yard debris and food scraps.
Draft Trash	Patrick Nick	Palmer Hammond	1772 Hunt Rd	New Haven	VT	05472	388-6232		thornapplefarm@comcast.net and hammondhorselogging@gmail.com	Curbside.
Earth Waste Systems dba New England Quality Service, Inc.	Sharon	Herbert	49 Wales St., Suite #1	Rutland	VT	05701	775-7722	786-9070	sherbert@earthwastesystems.com	Scrap Metal Collection & Recycling.
Frank D. Lossmann Garbage & Recycling	Frank	Lossmann	22 Church St.	Bristol	VT	05443	453-3906		fwloss@gmavt.net	Curbside, Cleanouts.
Gauthier Trucking Co.	Denise	LaFramboise	5 Gauthier Dr.	Essex Jct.	VT	05452	879-4020	879-4140	dlaframboise@gauthiertruckingvt.com	Roll-offs, Curbside, Cleanouts.

COMPANY	FIRST NAME	LAST NAME	STREET	CITY	STATE	ZIP	PHONE	FAX	EMAIL ADDRESS	TYPE OF SERVICE
Middlebury College	Kimberly or Melissa	Bickham or Beckwith	Facility Services, 84 So. Service Rd	Middlebury	VT	05753	443-5471 or 443- 5267	443-2090	kimberly@middlebury.edu or beckwith@middlebury.edu	Middlebury College only
Moose Rubbish and Recycling	Randy	Orvis	2744 Watchpoint Rd.	Shoreham	VT	05770	897-5637	897-5660	br213@yahoo.com	Cleanouts. Curbside. Fast Trash Truck & Trailer for trash & recycling, leaf & yard debris and food scraps at Bridport Town Drop-off, Lincoln Town Drop-off, Shoreham Town Drop-off and Starksboro Town Drop- off.
Myer's Container Service Corp	Lynn	Bergeron	P.O. Box 38	Winooski	VT	05404	655-4312	655-5609	lynn@theredcanfamily.com	C&D roll-off servicing.
PDS Waste Management, LLC	Steve	Smith	P.O. Box 10	New Haven	VT	05472	453-7548		pds_waste@gmail.com	Curbside. Fast Trash Truck at Monkton Town Drop-off for trash, leaf & yard debris.
R&L Rubbish	Richard	Rheaume	215 Munson Rd	Middlebury	VT	05753	388-6288	388-6288		Curbside. Cleanouts. Fast Trash Truck for trash, recycling, leaf & yard debris and food scraps in Addison, Bingham Memorial School in Cornwall, New Haven on Rt. 17 East next to Fire Station, and at Bristol Town Drop-off.
Seguin Services, LLC	Sean	Seguin	P.O. Box 314	Fair Haven	VT	05743	948-2912	948-2912	seguinservicesllc@gmail.com	Curbside. Cleanouts. Fast Trash Truck at Orwell Trash/Bag Drop, Dundon's Plumbing & Heating, Rte. 22A, Orwell.
Webb & Sons Landscaping Co.	Lyle	Webb	P.O. Box 956	Middlebury	VT	05753	388-4532			Curbside. Cleanouts. Fast Trash Truck at Ripton Town Drop-off for trash, leaf & yard waste and food scraps.
Wyman Frasier	Tracy & Jonathan	Wyman	114 Wyman Rd	Brandon	VT	05733	247-5748		loggerbub@yahoo.com	Curbside. Cleanouts.

Addison County Solid Waste Management District

Town Drop-Off Information

Addison: Town Clerk Office, 65 VT Rte. 17 West    
 Day and Time: Saturdays, 9am - 11am
 Hauler: R&L Rubbish (388-6288)

Bridport: Old Town Landfill on Happy Valley Rd.    
 Day and Time: Saturdays, 7:30 am-12pm
 Hauler: Moose Rubbish and Recycling (897-5637)





Bristol: Town Garage on Pine St.    
 Day and Time: Saturdays, 8am - 12pm
 Hauler: R&L Rubbish (388-6288)




Cornwall: Bingham Memorial School, 112 School St.    
 Day and Time: Saturdays, 1pm - 3pm
 Hauler: R&L Rubbish (388-6288)





Goshen: Curbside Trash and Recycling    
 Day and Time: Wednesdays
 Contact: Marci Hayes (247-3133)
 David Sabatini (247-6350)





Leicester: Town Shed, 2241 Fern Lake Rd.    
 Day and Time: 1st and 3rd Saturday, 9am-12pm
 Contact: Van Denton (247-8340)





Lincoln: 1111 Downingsville Rd.    
 Day and Time: Saturdays, 8am-1pm
 Hauler: Moose Rubbish and Recycling (897-5637)





Middlebury: Desabrais Glass, 198 Boardman St.    
 Day and Time: Saturdays, 8am-10am
 Hauler: Desabrais Trash (989-4332)

Monkton: 4047 States Prison Hollow Rd.   
 Day and Time: 2nd and 4th Saturday, 9am-12pm
 Contact: Amy Moody (453-5847)
 Hauler: PDS (453-7548)
 Casella (388-2915)





New Haven: Next to Fire station on Rte. 17 East    
 Day and Time: Saturdays, 8am-12pm
 Contact: Town Clerk (453-3516)
 Hauler: R&L Rubbish (388-6288)

Orwell: Seguin Services, 344 Rte. 22A    
 Day and Time: Saturdays, 9am-12pm
 Hauler: Seguin Services (948-2912)





Ripton: Town Shed, 333 Peddler's Bridge Rd.    
 Day and Time: 1st and 3rd Saturday, 9am-12pm
 Contact: Warren King (388-4082)
 Hauler: Webb and Sons (388-4532)
 Casella (388-2915)

Shoreham: Behind Congregational Church, Rte. 74    
 Day and Time: Saturdays, 9am-12pm
 Hauler: Moose Rubbish and Recycling (897-5637)

Starksboro: Town Garage, 3904 Rte. 116    
 Day and Time: 1st and 3rd Saturday, 8am-11am
 Contact: Jen Turner (453-2639)
 Hauler: Moose Rubbish and Recycling (897-5637)

Vergennes*: Intersection of Canal and West St.    
 Day and Time: Saturdays, 8am-12pm & Wednesdays, 2pm-6pm
 Hauler: Casella (388-2915) or C&J Hauling (877-2461)


Weybridge: Behind Town Garage, 460 Quaker Village Road    
 Day and Time: Saturdays, 9:30am-11am
 Summer: +Wednesdays, 6pm-7:30pm
 Contact: Brenda Jaring (545-2450)
 Hauler: Kimball (545-2891)

Whiting: Between Fire Dept. & School, 79 So. Main St.    
 Day and Time: 2nd and 4th Saturday, 9:00am-11am
 Contact: Gayle Quenneville (623-7813)
 Hauler: BK Services (483-2800)

*Addison, Ferrisburgh, Panton and Waltham may also use this facility



ADDISON COUNTY SOLID WASTE
 MANAGEMENT DISTRICT
 802-388-2333
 WWW.ADDISONCOUNTYRECYCLES.ORG

 = Recycling
 = Food Scrap Collection
 = Trash
 = Leaf & Yard waste: Contact your hauler to learn about their seasonal pick-up.

Addison County Regional Planning Commission

14 Seminary Street

Middlebury, VT 05753

www.acrpc.org

Phone: 802.388.3141

Fax: 802.388.0038

July 7, 2015

Teresa A. Kuczynski
District Manager
Addison County Solid Waste Management District
1223 Route 7 South
Middlebury, VT 05753

Re: Addison County Solid Waste District Plan

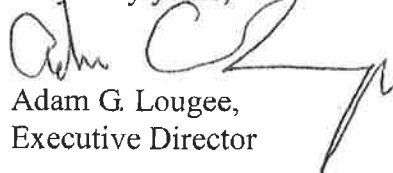
Dear Mr. Kuczynski:

This letter responds to your request to confirm that the newly revised Addison County Solid Waste District ("ACSWD") Waste Management Plan conforms to the regional plan and has the support of the regional planning commission. You have represented that ACSWD's plan proposes continued operation of the Middlebury Transfer Station, but is revised to make changes designed to increase recycling by citizens in the region.

The Solid Waste Subsection of the Addison County Regional Plan supports managing the region's solid waste in a safe, cost-effective and efficient manner. To meet this goal, it supports managing the Region's waste as close to the source as reasonable, to manage recycling in a manner that promotes planning and reduces the chance for human health impacts and environmental degradation and to consider the transportation, water quality and air quality impacts of disposing of the Region's waste. Addison County Regional Plan, Utilities, Facilities and Services, Sub-section 7.1 Solid Waste Goal C, Objectives 1(a)-(d) and 3(a)-(e) page 7-8 (2011). ACSWD's plan amendments, designed to recycle and reuse solid waste for a safe and beneficial purpose close to where the waste is generated constitutes a cost-effective way to promote recycling, save energy consumption and to lower disposal bills for customers.

This letter constitutes the support of the Addison County Regional Planning Commission of ACSWD's proposed plan amendments. Please call me if we can provide you with any further assistance or if you have any questions or concerns regarding this letter.

Very truly yours,


Adam G. Lougee,
Executive Director

agl
cc:

ACRPC Act 250 Committee

Addison	Bridport	Bristol	Cornwall	Ferrisburgh	Goshen	Leicester
Lincoln	Middlebury	Monkton	New Haven	Orwell	Panton	Ripton
Salisbury	Shoreham	Starksboro	Vergennes	Waltham	Weybridge	Whiting



ACSWMD SWIP IMPLEMENTATION REPORT 2015

Adopted on July 16, 2015

Town Drop-Off Recycling Centers in the ACSWMD, 2014

Town	Recycling Coordinator / Contact Info	Facility Address / Hours of Operation	Directions to Facility	Recyclables Collected
Addison	Town Clerk 759-2020	Households may use Vergennes facility	See directions to Vergennes facility.	Co-mingled single stream
Bridport	Town Clerk 758-2483 Moose Rubbish & Recycling 758-2097	Old Town Landfill, Happy Valley Rd., Bridport, VT Sat, 9AM to 1PM	Turn onto Middle Rd. from 22A (just so. of Rt. 125 West). Take immediate left onto Crown Point Rd. At 1.5 miles, Crown Point Rd. makes a 90° right turn – go straight onto Happy Valley Rd. Center is ¼ mile on right.	Co-mingled single stream
Cornwall	R&L Rubbish 388-6288	Truck parked at Town Clerk's Office, 2629 Rt. 30, Cornwall, VT Sat, 1PM to 3PM	Town Clerk's Office parking lot, Rt. 30, in village.	Co-mingled single stream
Ferrisburgh	Town Clerk 877-3429	Households may use Vergennes facility	See directions to Vergennes facility.	Co-mingled single stream
Goshen	Will Mathis - 247-6720 Diane Mott - 247-3189	Goshen Town Garage, 106 Carlisle Hill Rd., Goshen, VT 05733 2d & 4th Sat, 9AM to 11:30AM	From Rt. 73, go east over Brandon Gap. Turn at sign to Goshen. Take first left onto Carlisle Hill Rd. Turn right after bridge. Pass Town Hall / Town Clerk's Office. Shed is on left.	Co-mingled single stream
Leicester	Van Denton 247-8340	2241 Fern Lake Rd., Leicester, VT 05733 1st & 3d Sat, 10AM to 1PM	Take Rt. 7 in Leicester east onto Fern Lake Rd. Center is less than 0.5 miles on left.	Co-mingled single stream
Lincoln	Town Clerk 453-2980	1111 Downingsville Rd., Lincoln, VT 05443 Sat, 8AM to 1PM	Rt. 117 to Quaker Rd., then 3 miles on Quaker Rd. to Downingsville Rd. Right onto Downingsville Rd. for 1 mile. Shed is on left up a dirt road.	Co-mingled single stream, scrap metal, tires
Monkton	Amy Moody 453-5847	4047 States Prison Hollow Rd., Monkton, VT 05469 2d & 4th Sat, 9AM to 12PM	Northeast on States Prison Hollow Rd. Shed is 0.5 miles down road on right at end of long gravel drive. May require proof of residency.	Co-mingled single stream
New Haven	Town Clerk 453-3516	Trucks parked at Rt. 17 East, next to fire station, New Haven, VT 05472 Sat, 8AM to 12PM	Take Rt. 7 to intersection with Rt. 17. Turn onto Rt. 17 and head toward east of town center. Truck is parked next to the fire station on the left.	Co-mingled single stream
Orwell	Town Clerk 948-2032	Dundon's Plumbing & Heating, Rt. 22A Sat, 9AM - 12PM		Co-mingled single stream
Panton	Town Clerk 475-2333	Households may use Vergennes facility	See directions to Vergennes facility.	Co-mingled single stream
Ripton	Warren King 388-4082	Town Shed, 333 Peddler's Bridge Rd., Ripton, VT 05766 1st & 3d Sat, 9AM to 12PM	Rt. 125 into village. Left onto Natural Turnpike Rd. Right onto Peddler's Bridge Rd. Shed is less than 2 miles on left, adjacent to Fire Dept. \$3.00 donation/ household requested per visit.	Co-mingled single stream

Town	Recycling Coordinator / Contact Info	Facility Address / Hours of Operation	Directions to Facility	Recyclables Collected
Shoreham	Town Clerk 897-5841	Rt. 74 (Behind the Congregational Church), Shoreham, VT 05770 Sat, 9AM to 1PM	Take 22A to Main Street in town. Go less than 1 mile to Congregational Church on left. Shed is behind church.	Co-mingled single stream
Starksboro	Jen Turner 453-4927	1686 Rt. 116, Starksboro, VT 05487 1st & 3d Sat, 8AM to 11AM	Off of Rt. 116, south of Town, at the Starksboro Town Garage. Access by a steep dirt road heading east from Rt. 116. \$3.00 donation/ household requested per visit.	Co-mingled single stream
Vergennes	Casella 388-2915	8 Canal Street , Vergennes, VT 05491 Wed, 2PM to 6PM Sat, 8AM to 12PM	Junction of Canal and West Streets (West off of 22A, just south of Vergennes, past the bridge over Otter Creek).	Co-mingled single stream
Waltham	Town Clerk 877-3641	Households may use Vergennes facility	See directions to Vergennes facility.	Co-mingled single stream
Weybridge	Greg Lyons 545-5966	460 Quaker Village Rd., Weybridge, VT 05753 Sat, 9:30AM to 11AM Wed, 6PM to 7:30PM (Summer Only)	From Rt. 23, take Quaker Village Rd. north past elementary school to Town Garage. Shed is up dirt road behind garage.	Co-mingled single stream
Whiting	Grace Simonds 623-7813 BK Services 483-2800	Old Town Garage, Rt. 30, Whiting, VT 05778 2d & 4th Sat, 9:30AM to 11AM	In Whiting, take Rt. 30 about 0.5 miles. Shed is south of gas station, between the school and fire station.	Co-mingled single stream

ACSWMD SWIP IMPLEMENTATION REPORT 2015

Adopted on July 16, 2015

Recycling Tonnage, Town Drop-Off Centers, 2013

TOWN	<i>Total Tons Recycled Through Town Centers 2013.^[1]</i>
Addison	44.87
Bridport ^[2]	160.14
Cornwall	43.78
Ferrisburgh	89.73
Goshen	12.38
Leicester	26.79
Lincoln ^[3]	132.12
Middlebury (College)	499.36
Monkton	55.74
New Haven	113.34
Orwell	16.01
Panton	44.87
Ripton	46.96
Shoreham	62.17
Starksboro	27.04
Vergennes	247.33
Waltham	44.87
Weybridge	80.03
Whiting	22.00
TOTAL TONS	1,769.53

^[1]The towns of Addison, Ferrisburgh, Panton and Waltham use the Vergennes Recycling Drop-off Center, and their tons are extrapolated from the Vergennes totals.

^[2]Includes 97 tons of old paper used for animal bedding. Scrap metal is included in Economic Diversion Table 2.6.

^[3]Single stream totals only – does not include other items such as scrap metal, which are included in Economic Diversion Table 2.6.

ACSWMD SWIP IMPLEMENTATION REPORT 2015

Adopted on July 16, 2015

Recycling Rates per Town - Town Drop-off Centers, Private Recycling Facilities & Curbside Collection, 2013

Town	Total Recycling Tonnage, 2013 - Town Drop-offs, Private Recycling Facs. & Curbside ^[1]	Town Population ^[2]	Per Capita Recycling Rate (lbs)	Number of Households (adjusted for seasonal homes) ^[3]	Recycling Rate per Household, per Year (lbs)
Addison	90.48	1,558	116.13	599	302.10
Bridport	234.59	1,330	352.85	530	886.08
Cornwall	97.53	1,220	159.83	482	404.69
Ferrisburgh	285.86	3,169	180.39	1,278	447.36
Goshen	12.38	201	123.41	91	273.59
Leicester	36.93	1,335	55.33	544	135.90
Lincoln ^[4]	144.26	1,392	207.27	561	514.30
Middlebury	1,445.44	8,574	337.16	2,824	1,023.86
Monkton	92.86	2,028	91.58	759	244.69
New Haven	240.89	1,741	276.76	695	693.71
Orwell	62.15	1,433	86.73	556	223.56
Panton	56.40	713	158.30	281	401.42
Ripton	53.61	656	163.37	294	365.32
Shoreham	109.75	1,347	162.97	543	404.24
Starksboro	79.75	1,904	83.77	748	213.24
Vergennes	538.67	2,605	413.51	1,002	1,075.73
Waltham	47.56	492	193.35	207	460.63
Weybridge	125.36	846	296.50	336	746.19
Whiting	35.56	424	167.73	169	420.83
TOTAL	3,790	32,968	230 Avg. lbs/per capita/yr	12,495	607 Avg. lbs/per household/yr

[1] Addison, Ferrisburgh, Panton and Waltham figures are extrapolated from the Vergennes Recycling Drop-off Center total. Town recycling tonnage from: Server\shared\SWIP\SWIP 2014\Casella.single.stream.2009-2013.District.Summary, as well as Wasteworks for smaller haulers coming to TS. Smaller haulers' totals coming to TS were backed out of TS recycling tonnage so that they aren't double-counted.

[2] Pop. Figures are from UVM CRS (Center for Rural Studies) - based on 2010 US Census. Confirmed population data with Vermont Housing Data Profiles - 2010 Data (www.housingdata.org/profile/)

[3] Vt. Housing Data for seasonal homes and avg. household size per town. Multiplied by 2010 US Census pop.

[4] Other recyclables such as scrap metal are included in the Economic Data Table.

ACSWMD SWIP IMPLEMENTATION REPORT 2015

Adopted on July 16, 2015

District-generated MSW Diverted at the Transfer Station – Comparison of 2001-2013

Material	Cost to Generator 2011	Tonnage 2001	Tonnage 2007	Tonnage 2009	Tonnage 2011	Tonnage 2012	Tonnage 2013	% Increase (Decrease) In Tonnage, 2011-2013	% Increase (Decrease) In Tonnage, 2001-2013
Tires ^[1]	\$2 per passenger tire & up	51	101.42	138.13	214.78		92.12	-57%	81%
Electronics (All types, including CRT's, TV's, computers) ^[2]	\$7/Regular TV \$15/Console TV \$11/Computer System \$6/Monitor, CPU, Printer \$5/Mixed Bag \$.23/lb Large loads \$11/Desktop Photocopier \$5/ea Small Electronics	13	117.87	111.42	169.55		152.28	-10%	1071%
Food Scraps	\$0	0	0	0	0		5.84		
Clean Wood Waste	\$2.50/load residential car/truck \$5/load residential trailer \$45/ton businesses	53	175.28	113.68	96.46		104.18	8%	97%
Leaf & Yard Waste	\$1/load	0	40.06	94.51	51.32		44.00	-14%	10%
Scrap Metal ^[3]	No charge	942	401.77	401.01	282.95		222.82	-21%	-76%
Appliances ^[4]	\$5 per non-freon appliance and \$11 per freon appliance	Weights not available	41.73	20.32	In scrap metal weights	In scrap metal weights	In scrap metal weights		
Books	No charge	18	56.65	35.21	84.62		53.13	-37%	195%
Corrugated Cardboard (OCC)	\$2/cubic yard	12	18.35	17.24	29.08	In single stream weights	In single stream weights		
Single Stream		0	0	24.43	0.00	378.00	420.86	11%	1623%
Reuse Centers				3.25	2.51		5.00	99%	54%
TOTAL w/ Scrap		1,089	953.13	959.20	931.27		1,100.23	-3%	1%
TOTAL w/out Scrap		147	551.36	558.19	648.32		877.41	16%	497%

[1] Decrease in tires from 2011 is due to: (1) major local company's tires bypassing the Transfer Station and hauled directly to market; and (2)

[2] Increase in Electronics in 2011 due to new VT E-Cycles law banning E-waste from landfills and as of 7/1/2011, allowing residents, most small businesses, schools and non-profits (and <7 covered items per visit from anyone as of 7/1/2012) to dispose of computers and TV's at no charge.

[3] The major portion of the scrap metal diversion decline is due to the increase in market value of scrap metal. Even though the District Transfer Station does not charge for scrap metal, larger generators are bypassing the Transfer Station and marketing their scrap directly to

[4] Appliances are processed with scrap metal as of 2011, so their weights are reflected in the Scrap Metal weights.

623.34 total tons from 2013 outgoing log - less 202.48 tons from non-District towns.

378 tons from 2012 outgoing log - year one of program, District towns only.

The District Transfer Station did not begin single stream collection until 2012.

The District Transfer Station ran a pilot project in 2009 to collect single stream from haulers.

ACSWMD SWIP IMPLEMENTATION REPORT 2015

Adopted on July 16, 2015

District Generation, Disposal and Diversion, 2013

Waste Material	Tons, 2013	Notes
C&D Transfer Station incoming	5,839	Includes C&D only.
MSW Transfer Station incoming	12,609	Includes MSW only.
Direct hauled MSW, for disposal	89	Based on hauler reports, District fee receipts, facility reports and audits on waste direct-hauled for disposal at out-of-District facilities.
Direct hauled C&D, for disposal	6	Based on hauler reports, District fee receipts, facility reports and audits on waste direct-hauled for disposal at out-of-District facilities. Does not count toward 50% diversion rate.
Direct-hauled C&D for recycling	???	Large amounts of heavy inert debris (concrete, soil, wood burned for fuel recovery) and reground asphalt not tracked. Does not count toward 50% diversion rate.
MSW diverted at Transfer Station (Includes Special & Universal Waste)	1,129	Includes items listed in Table 2.4 and Table 2.5
HHW and CEG wastes diverted at HazWaste Center	41	
Recyclables collected	3,790	Table 2.3. Includes business & residential curbside collection, and recycling drop-off centers.
Economic recyclables from the institutional, commercial and industrial sectors.	4,668	Includes those recyclables, such as white paper, cardboard, electronics, batteries, returnable bottles & cans, textiles, taken out of District for processing.
Economic diversion from the institutional, commercial and industrial sectors.	1,967	Estimate of wastes sold or brokered as a commodity.
Composting, Residential	533	Based on avg. sale of 100 bins/yr x 12 yrs = 1,200 households x 474 lbs/household/yr.
Composting, Commercial	1,460	Includes two commercial compost facilities.
Reuse Materials	434	Midd. College, 2 reuse centers at Transfer Station, HOPE thrift store sales & other charity donation boxes. Data not available for other reuse stores.
TOTAL MSW & C&D COMBINED GENERATION	32,565	
TOTAL MSW ONLY	26,720	
Less TOTAL MSW DIVERSION	14,022	
TOTAL MSW DISPOSAL	12,698	
MSW Diversion Rate, 2013	52.48%	

These totals do not include non-District C&D brought to the Transfer Station in 2013 (635 tons).

These totals do not include non-District MSW brought to the Transfer Station in 2013 (250 tons).

These totals do not include other non-District items brought to the Transfer Station in 2013 (.67 tons tires, 2.14 tons clean wood, 202.48 tons single stream recycling, and .02 tons yard trimmings (Xmas trees)).

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Per Capita Disposal Rate, 2013

Total annual MSW disposal estimate (tons)	12,698
Total annual MSW disposal estimate (pounds)	25,396,160
Year-round population in 2013	31,170
Seasonal population in 2000	1,798
Total adjusted population = year-round pop. + (seasonal pop.) (% of year)	32,968
Estimated Annual per Capita MSW Generation (lbs./person/year)	1,621
Estimated Daily per Capita MSW Generation (lbs./person/day)	4.44
Estimated Annual per Capita MSW Diversion (lbs./person/year)	851
Estimated Daily per Capita MSW Diversion (lbs./person/day)	2.33
Estimated Annual per Capita MSW Disposal (lbs./person/year)	770
Estimated Daily per Capita MSW Disposal (lbs./person/day)	2.11

**Illegal Dumping/ Burning Complaints in Addison County Solid Waste Management District ^[1]
2000 - 2013**

Town	Population ^[2] seasonally adjusted	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	TOTAL
Addison	1,558	3	4	4	2	4	0	1	1	4	2	1	1	0	1	28
Bridport	1,330	1	7	1	7	3	2	2	3	2	2	3	1	1	0	35
Cornwall	1,220	8	6	4	9	5	5	7	2	4	5	1	2	2	3	63
Ferrisburgh	3,169	7	12	8	7	7	8	5	5	3	5	5	5	6	2	85
Goshen	201	2	0	0	0	0	0	0	1	2	0	1	0	0	0	6
Leicester	1,335	6	8	3	7	7	4	9	2	5	1	5	4	3	1	65
Lincoln	1,392	3	9	4	6	4	0	4	0	4	5	2	1	3	2	47
Middlebury ^[3]	8,574	1	2	3	8	5	2	4	3	0	16	13	10	4	8	79
Monkton	2,028	6	9	5	3	2	2	3	5	4	1	1	4	6	3	54
New Haven	1,741	4	3	6	7	1	2	1	2	1	3	1	4	3	7	45
Orwell	1,433	6	2	4	4	1	0	3	1	1	2	2	1	1	0	28
Panton	713	3	0	2	3	2	1	0	0	0	1	1	2	0	4	19
Ripton	656	0	7	3	4	1	1	2	0	4	8	1	2	2	9	44
Shoreham	1,347	3	9	15	7	4	5	3	2	4	2	3	1	4	4	66
Starksboro	1,904	4	3	0	3	11	2	10	7	6	6	2	1	1	1	57
Vergennes	2,605	1	3	4	3	0	1	3	0	1	0	0	0	2	0	18
Waltham	492	1	0	0	2	0	1	0	1	1	0	1	0	0	1	8
Weybridge	846	1	0	2	1	2	4	2	3	0	1	1	0	0	3	20
Whiting	424	4	3	3	1	1	1	2	1	2	1	0	0	0	1	20
TOTAL	32,968	64	87	71	84	60	41	61	39	48	61	44	39	38	50	787

[1] Source: Addison County Sheriff's Office

[2] Vt. Housing Data for seasonal homes and avg. household size per town. Multiplied by 2010 US Census pop.

[3] Middlebury data is missing for 2008. Prior years are only the cases referred to Middlebury by AC Sheriff, but do not represent all cases handled by the Middlebury Police Dep't. The Middlebury Police Dep't. provided the 2009-2013 figures - cases they investigated, not included in Sheriff's tally.

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Diversion of Special and Universal Wastes at Transfer Station, 2013

Material	Cost to User, 1/1/2011	2011 Tonnage	2011 Tons and Units	Cost to User, 1/1/2013	2013 Tonnage	2013 Tons and Units
Waste Oil	No Charge	11.96	3,418 gallons (7 lbs/gal)	No Charge	9.77	2,790 gallons (7 lbs/gal)
Oil Filters	\$.25/each; \$45/drum	4.40	5,570 Oil filters (1.58 lbs/ filter)	\$.25/each; \$45/drum	3.23	4,093 Oil filters (1.58 lbs/filter)
Auto/Lead Acid Batteries	\$1/ each	9.06	460 batteries (39.4 lbs/ battery)	No Charge	6.83	336 large and 85 small batteries (39.4 lbs/ lg battery, 5 lbs/small)
Household Batteries	No Charge	0.88	1,760 lbs (actual ship weight)	No Charge	3.38	
Mercury Devices	No Charge			No Charge		
Fluorescent Lamps/Bulbs ^[1]						
Compact Fluorescent Lamps (In 2011, U-Tube, Circular or Straight Tubes 2-ft. or <.)	No Charge	0.67	6,685 linear feet (.0001 lb/lf)	No Charge	7.84	NEMA (ReTrac report)
U-tube, circular or Straight Tubes 4 ft or shorter (And in 2011, all other (HID, UV, straight tubes >2 ft.)	\$.50/each	4.99	49,850 linear feet (.0001 lb/lf)	\$.25/each		NEMA
Straight tubes >4 ft, or HID			(in U-tube totals above)	\$.50/ea, or no charge		NEMA
UV, Neon or other Specialty Lamps			(in U-tube totals above)	\$1.95/ each		NEMA
PCB Capacitors and Ballasts	\$2.25/ each	0.83	329 @ 5 lbs each	\$2.25/ each	0.37	RETRAC
Appliances (White Goods)						
Non-CFC White Goods	\$5/ each		895 units (weight included in Scrap metal)	No Charge		(weight included in Scrap metal, Table 2.4)
CFC White Goods	\$11/ each		793 units (weight included in Scrap metal)	\$10/ each		(weight included in Scrap metal, Table 2.4)
Propane Cylinders	1-lb. cylinder = No charge residential, \$1/ea businesses. \$4 per 20-lb. cylinder	2.17	1,136 1-lb cylinders (15 oz/ea.) 140 20-lb (17.5 lbs/ea.) 2 30+/-lb cylinders (25+ lbs/ea.)	1-lb cylinder = No charge residential, \$1/ea businesses. \$3 per 20-lb cylinder	1.92	RETRAC
Fire extinguishers			8 Fire Extinguishers (included in weight)		0.16	65 units @ 10 lbs. Only counting about half, since roughly half went in to scrap metal bin at TS and are already included in scrap total. Other half went to Cota with propane tanks.
TOTAL		34.96			33.50	

[1] VT Mercury Lamp Law – No charge for CFL's. No charge for general purpose mercury bulbs, 10 or </visit.

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Economic Diversion Data 2013

Waste Material	Tons, 2013	Notes
Batteries	20	
OCC / Other Mixed Paper	645	Marketed separately from hauler totals.
Bottle Bill	890	
Textiles (baled for market)	140	
Reuse	429	
Electronics*	65	
Tires	138	
Spent brewery grain to animal feed.	1,300	
Scrap Metal	562	
Other Recyclables	908	
Total	5,097	

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Facilities Accepting Materials for Recycling

Facility Name	Materials Accepted	Location
ACSWMD Transfer Station	Mandatory recyclables, yard trimmings, scrap metal, batteries, mercury-containing devices, PCB ballasts, PCB capacitors, tires, motor oil, oil filters, maple sap tubing, appliances, books, textiles, electronic devices, food scraps, propane tanks, fire extinguishers, reusable household goods, reusable building materials, fluorescent lamps, clean wood	Middlebury
Case Street Redi-Mix	Concrete	Middlebury
Casella Waste Management	Mandatory recyclables	Middlebury
Champlain Construction	Asphalt, concrete, brick	Middlebury
D&F Excavating	Asphalt	Middlebury
Earth Waste Systems	Scrap metal	Middlebury
Good Point Recycling	Electronic devices	Middlebury
HOPE	Textiles, reusable household goods	Middlebury
Pike Industries	Asphalt, concrete, brick	New Haven
Vermont Natural Ag. Products	Food scraps, yard trimmings, clean wood	Middlebury

APPENDIX B

Addison County Solid Waste Management District

Site Selection Criteria for a Transfer Station or Materials Recovery Facility (MRF)

I. INTRODUCTION

The Vermont Materials Management Plan (“Plan”) requires that the Addison County Solid Waste Management District (“District”) Solid Waste Implementation Plan (“SWIP”) include siting criteria for Solid Waste Transfer Stations and Recycling Facilities, including Materials Recovery Facilities (“MRFs”), that require a certification under the VT Solid Waste Management Rules (“Rules”). A Facility includes all buildings and associated outdoor storage, parking, and traffic areas used for daily operations, excluding the access road from the Facility to the nearest approved road.

Siting criteria will be used as a general guide in the search for and review of suitable sites that meet the District’s long-term needs for transfer of waste or processing of recyclables. These Criteria will be used to review proposed locations available through the private sector, through volunteer or real estate opportunities or through a public site screening process.

These Criteria are not intended to be used as site design standards for the construction of facilities. In addition, these Criteria do not apply to waste collection containers and drop boxes such as dumpsters or roll-offs, which are commonly used for the temporary storage of waste by businesses, residences, public agencies, or other generators, unless the containers are part of a Facility that requires certification.

These Criteria do not apply to facilities that are exempt under §6-302 of the Rules.

The District believes that the siting and operation of a transfer or recycling facility requires public confidence in the operator’s capabilities and serious consideration of the cost effectiveness of hauling trash and recyclables. The following principles are therefore established to guide siting considerations:

1. A comprehensive, detailed operations plan for the Facility must be prepared, followed, and monitored;
2. Total system costs and potential cost savings associated with hauling options and Facility locations must be taken into account. As part of this, consideration should be given to the positive and negative effects of the Facility’s proximity to population centers.

II. DEFINITIONS

- A. “Agency of Natural Resources”, “ANR” and “Agency” means the Vermont Agency of Natural Resources.
- B. “Board of Supervisors” means the governing body of the District.
- C. “Distance” means the distance measured horizontally from the outer perimeter of the Facility.
- D. “District” means the Addison County Solid Waste Management District and its successors, and as appropriate in the context, the total area within the boundaries of all member municipalities within the District.
- E. “District Manager” means the Manager of the District, or such Manager's designee.
- F. “District Transfer Station” means the Facility owned by the District on Route 7 South in Middlebury that accepts and/or processes Solid Waste for ultimate Transfer to off-site locations for disposal, Processing, treatment, or incineration.
- G. “Drop-Off Facility” means a Transfer Facility that primarily serves Residents who are Self-Haulers.
- H. “Facility” means any site or structure used for treating, storing, Processing, Recycling, Transferring or disposal of Solid Waste. A Facility may consist of a single or several treatment, storage, Recycling, or disposal units, and may include a Mobile Solid Waste Collection Operation.
- I. “Food Residuals” means source-separated and uncontaminated material that is derived from processing or discarding of food and that is recyclable, in a manner consistent with 10 V.S.A. Chapter 159 §6605k. Food Residuals may include pre-consumer and post-consumer food scraps. “Food Residuals” does not mean meat and meat-related products when the Food Residuals are composted by a resident on site.
- J. “Generator” means a Person who produces Solid Waste by any means including, but not limited to, residential, commercial, institutional, and industrial activities.
- K. “Materials Recovery Facility (MRF)” means a Recycling facility that accepts, aggregates, stores and/or processes recyclable waste materials. Some Recyclables may be stored at the MRF until a large enough shipment has accumulated.

- L. “Municipal Solid Waste (MSW)” means combined household, commercial and industrial waste materials generated in a given area.
- M. “Processing” means any activity 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.
- N. “Processor” means any Person who engages in Processing as defined in Section M above.
- O. “Recyclables” means Solid Waste that may be reclaimed and/or processed and used in the production of raw materials or products.
- P. “Recycled” and “Recycling” means the act of reclaiming and/or Processing using Solid Waste in the production of raw materials or products.
- Q. “Resident” means an individual owning or occupying a dwelling unit in a particular city, town or village within the District.
- R. “Reuse” means Solid Waste that is Reused by the Generator or other Person, in the material’s original or altered state, and is thereby diverted from Recycling, composting or Disposal. Nothing in this definition shall be construed to include incineration of any kind, landfilling, or use as an alternative daily cover for a landfill.
- S “Secretary” means the Secretary of the VT Agency of Natural Resources.
- T. “Self-Hauler” means 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.
- U. “Separate” and “Separation” means the segregation and collection of materials, apart from Solid Waste destined for Disposal, for the sole purpose of Recycling, Reuse, composting, or special handling.
- V. “Solid Waste” means any: Discarded garbage; refuse; septage; sludge from a waste treatment plant, water supply plant, or pollution control facility; Recyclables and other waste destined for composting, Reuse or Recycling; Special Waste; Unregulated Hazardous Waste; and other discarded material including solid, liquid, semi-solid, or contained gaseous materials, but does not include: (i) animal manure and absorbent bedding used for soil enrichment; (ii) high carbon bulking agents used in composting; (iii) solid or dissolved materials in industrial discharges which are point sources subject to permits under the

Water Pollution Control Act (10 V.S.A. Chapter 47); or (iv) Hazardous Waste that does not qualify as Unregulated Hazardous Waste.

- W. “Solid Waste Implementation Plan” and “SWIP” means the Solid Waste Implementation Plan developed and adopted by the District on March 19, 1992 in accordance with the provisions of 24 V.S.A. §2202a, as such SWIP is amended from time to time.
- X. “Solid Waste Rules” and “Rules” means “2016.12.01 Draft VT Solid Waste Management Rules.”
- Y. “Special Waste” means: discarded major appliances; electronics; empty compressed gas cylinders; tires; scrap metal larger than one (1) cubic foot or weighing more than twenty-five (25) pounds; non-friable asbestos-containing materials; liquid latex paint; sludge from a municipal, commercial, or industrial wastewater treatment facility, water supply treatment plant, or air pollution control facility; Leaf and Yard Residuals; Food Residuals; deceased animals of any type or size, and offal; free-standing liquids, including grease; fluorescent light bulbs; mercury-containing devices; PCB ballasts and capacitors; cathode ray tubes; used oil; used antifreeze; waste pesticides; automotive (wet-cell) batteries; nickel-cadmium and other rechargeable batteries; mercuric-oxide batteries; and silver-oxide batteries, which, for whatever reason, are to be managed separately from other Solid Waste. Special Waste does not include Regulated Medical Waste, Regulated Hazardous Waste, and Unregulated Hazardous Waste. The list of Special Waste may be established and modified from time to time by resolution of the Board of Supervisors or by the District acting in accordance with policies and/or guidelines established and adopted by, and that may be amended from time to time by, the Board of Supervisors. A current official list of Special Waste shall be maintained by the District and be available at the District office.
- Z. “Transfer” means to carry, remove, Transport, or shift Solid Waste from one place, Facility, vehicle, trailer, or container to another.
- AA. “Transfer Station” means facilities that manage Solid Waste for both diversion and disposal, including Municipal Solid Waste (“MSW”) and Construction & Demolition Debris (“C&D”) (Solid Waste Rules §6-902(B)).
- BB. “Transport” means any movement of Solid Waste by air, rail, highway, or water.

III. Background

A. Transfer Station

A Transfer Station must obtain a full certification from the VT Agency of Natural Resources (“ANR”) prior to operation. At such a Transfer Station, Solid Waste would be transferred from relatively small volume carriers, such as 15 to 35- cubic-yard compactor vehicles, light trucks with or without trailers, roll-off trucks, cars and other vehicles, and loaded / compacted into high-volume trailers for transport to a disposal site or to recycling facilities. Activities at the Transfer Station would include the collection of a variety of waste materials that are prepared for recycling markets and transported in trailers and other types of vehicles to recyclers.

The District owns and operates a Transfer Station to consolidate MSW and C&D destined for a landfill, incinerator or other disposal facility outside of Addison County. The facility also collects waste materials that are consolidated and transported to reuse, recycling and composting facilities. In considering the siting of additional Transfer Stations, the District would require a Transfer Station capable of handling up to an estimated 50 tons of MSW per day. A facility of this size, including an enclosed building and processing area, would occupy a minimum of one acre of land.

A variety of concerns must be addressed in order to obtain permits from the State and the Town/City where the Facility is located. General concerns about noise, odor control, visual screening, landscaping, traffic, blowing debris, vectors, and potential pollution from the facilities will be addressed through state and local controls, as well as through the criteria listed herein. A Transfer Station must be included in the District’s Solid Waste Implementation Plan and any regional plan.

B. Materials Recovery Facility (MRF)

MRFs are similar to light industrial or commercial enterprises in terms of truck traffic, visual appearance, and operation. At a MRF, recyclables will be delivered to the facility daily. They will be processed, temporarily stored, and then transported to markets specific to each recyclable material.

A MRF must obtain a categorical certification from ANR. Further local control over landscaping, setback, noise and traffic may be provided through requirements of the Town with adopted zoning ordinances. According to §6-302(A)(4) of the Rules, recycling facilities that accept, aggregate, store and/or process less than fifty (50) tons of recyclable materials per year are exempt from regulation.

IV. STATE SITING CRITERIA

According to §6-701 of the Rules, the following requirements apply to all Solid Waste management facilities with the exception of those facilities that meet the requirements for categorical certifications. The requirements of this Subchapter are the minimum requirements, and

additional requirements specific to the type of Solid Waste Facility are presented in the relevant Facility specific subchapters.

Prohibited Areas (§6-702)

Facilities are prohibited from being sited in the following designated areas:

1. Class I and II groundwater areas;
2. Class I and Class II wetlands and their associated buffer zones, as defined in the VT Wetlands Rules, unless a Conditional Use Determination has been issued by the Agency;
3. Class III wetlands and their associated buffer zones, as defined in the VT Wetlands Rules, unless a Conditional Use Determination has been issued by the Agency;
4. Class III wetlands, as defined by the VT Wetlands Rules, unless a Water Quality Certification has been issued pursuant to 40 CFR Part 401, or has been waived by the Agency;
5. A National Wildlife Refuge as designated by the United States Fish and Wildlife Service;
6. A wildlife management area as designated by the Agency;
7. A threatened or endangered species habitat area as designated by the Agency, except for diffuse disposal facilities;
8. Floodways, mapped fluvial erosion hazard zones;
9. Within 100-year flood plains, except for land application sites as provided in §6-1305(E);
10. A watershed for a Class A Waters; and
11. Within 500 feet of an Outstanding Resource Water. This criterion does not apply to previously certified storage, transfer or recycling facilities where there is no expansion of the Facility beyond the previously certified waste management boundary.

Siting Standards (§6-703)

- A. Facilities shall be located such that an emission or discharge from the facility will not unduly harm the public health and safety and will have the least possible reasonable impact on the environment.

- B. An applicant must satisfactorily demonstrate the following:
 - 1. The isolation distances from the high seasonal water table, bedrock and surface waters are sufficient to ensure that an emission or discharge from the Facility will meet all applicable environmental quality and public health standards and rules.

 - 2. The isolation distance to public and private drinking water sources is sufficient to ensure that an emission or discharge from the Facility will not adversely affect drinking water.

 - 3. The isolation distances to property lines must adhere to local zoning regulations, where applicable, for any residence, school, day-care facility, hospital or nursing home, not owned by the applicant and are sufficient to minimize negative impacts such as:
 - i. Objectionable odors off site;
 - ii. Unreasonable visual impact, including light pollution, off site;
 - iii. Increased level of noise detectable off site; or
 - iv. Otherwise adversely affect public health.

 - 4. The minimum isolation distances for the Facility or activity listed in Table A are met, or significantly increased, to make the demonstrations required under §6-703B(1-3) of the Rules.

 - 5. The Facility is not located in areas that have serious development limitations, such as highly erodible soils, steep slopes, or do not have the physical capability to support the facility.

 - 6. The Facility is accessible from a state or federal highway or a Class III or better town highway.

- C. The Secretary may request any additional information necessary to determine if a proposed Facility meets the standards contained in this section.

Numerical Criteria

Excerpt from §6-703 of the Rules, “Table A: Required minimum isolation distances” (for storage, transfer, and recycling facilities):

CATEGORY	Minimum Distances by Facility Type Storage, Transfer, and Recycling Facilities
Minimum vertical separation from high seasonal water table	n/a
Minimum vertical separation to bedrock	n/a
Minimum distance to waters from the waste management boundary	100' ⁴
Minimum distance from waste management boundary to drinking water source not owned by the applicant	100' ⁴
Minimum distance to property line from waste management boundary	50' ⁶
Minimum distance from waste management boundary to residences, schools, daycare facilities, hospitals, and nursing homes, not owned by the applicant	100' ⁷

⁴ These criteria apply for all facilities constructed after the effective date of these Rules and for facilities constructed prior to the effective date of these Rules where expansions or modifications result in a reduction in the isolation distance to a drinking water source.

⁶ These criteria apply only to facilities constructed after July 1, 1998. The Secretary may approve a distance which is less than 50 feet if the operator makes a satisfactory demonstration under § 6-703(B)(3).

⁷ These criteria apply only to initial certification of new facilities or modifications of existing facilities certified after October 1, 2004.”

According to §6-903(A), “Storage, Transfer, Recycling and Processing Facilities Siting”, there are no additional siting requirements for these facilities beyond the requirements of §6-703.

V. REGIONAL SITING CRITERIA

1. Acreage for Facility and buffer zone.

Definition: Acreage is defined as the total land area needed to accommodate the Facility structure, storage/parking area, access roads, and associated lands to buffer the Facility from adjacent uses or roadways.

Acceptable Minimum: One acre of land.

2. Compliance with state, regional and local plans, ordinances and zoning regulations.

The Facility shall be planned, constructed and operated in accordance with applicable regional and local plans and ordinances.

3. Access to Class I Town Highway or State Numbered Route, or better.

VI. PREFERRED SITING CRITERIA

These Criteria further recommend that preference be given to:

1. Utilization or adaptation of existing buildings or structures, to the maximum extent feasible, over construction of a new facility;
2. Sites that are farthest away from residences or public places when sites are determined to be equivalent;
3. Sites on land owned by or available for purchase by the Facility operator.
4. Sites >1 acre.
5. Existing brownfields or paved land to lessen impact on the environment and undeveloped areas and surrounding environment.

APPENDIX C

(H.298)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. CREATION OF ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT

Creation of a union municipal district known as the Addison County Solid Waste Management District, initially comprising the city of Vergennes and the towns of Addison, Bridport, Bristol, Cornwall, Ferrisburg, Leicester, Lincoln, Middlebury, Monkton, New Haven, Panton, Ripton, Salisbury, Shoreham, Starksboro, Waltham, and Weybridge, heretofore effected under subchapter 3 of chapter 121 of Title 24, is confirmed and approved.

Sec. 2. GOVERNING AGREEMENT

The agreement for the creation of the Addison County Solid Waste Management District, as approved by the voters on November 8, 1988, is amended to read as follows:

ARTICLE I
CREATION AND POWERS

SECTION 1. CREATION

Pursuant to subchapter 3 of chapter 121 of Title 24, and upon approval of at least two voting municipalities, a Union Municipal District to be know as the "Addison County Solid Waste Management District" (hereinafter referred to as the "District"), which shall be a body politic and corporate, shall be created.

SECTION 2. PURPOSE

The District is created and shall exist for the purpose of providing a comprehensive system for managing solid waste generated within the member municipalities. The principal elements of the management system may include, but are not limited to, collection, transportation, processing, citizen information and education, land disposal, incinerators, recycling centers, intermediate processing facilities, composting plants or resource recovery facilities, or any combination thereof, as well as any other methods allowed by law. In order to assure that everyone pays the real cost of solid waste management, the primary source of funding for District operations will be based on user fees.

SECTION 3. COMPOSITION

This District shall consist of those municipalities which elect to join the District by votes of their voters present and voting at annual or special meetings duly warned for such purpose, and such other municipalities as are subsequently admitted to the District as herein provided, excepting those municipalities which may withdraw as herein provided.

SECTION 4. DURATION

The District shall continue as a body politic and corporate unless and until dissolved according to the procedures herein set forth.

SECTION 5. POWERS

Except as otherwise provided or limited herein, the District shall have the following powers:

- (1) to operate, cause to be operated, contract for and otherwise provide for the collection and transportation of solid waste, and for the operation and maintenance of solid waste facilities, programs and services of every kind, including but not limited to, sanitary landfills, incinerators, recycling centers, intermediate processing facilities, composting plants or resource recovery facilities,

information and education programs, waste reduction services, or any combination thereof, and to determine and make proper charges for the cost of such facilities, programs and services by rule, regulation or ordinance; such cost for facilities, programs and services may be recovered, in whole or in part, by requiring the owners and operators of facilities accepting solid waste generated from within the District, including facilities within and without the District, not owned or controlled by the District, to charge persons delivering solid waste to such facilities and to remit such charges to the District;

- (2) to purchase, sell, lease, own, acquire, convey, mortgage, improve, and use real and personal property in connection with the purpose of the District, and to construct, develop and maintain solid waste facilities in accordance with federal and state law; District owned and leased real property shall not be exempt from municipal property taxation, except that a municipality by its voters and the District by its Board of Supervisors may agree to exempt District owned or leased property from taxation and to provide for payments to the municipality in such amounts as are agreeable to the respective parties;
- (3) to hire and fix the compensation of employees;
- (4) to sue and be sued;
- (5) to enter into contracts for any term or duration; including but not limited to contracts with consultants and other experts for services, contracts with the State of Vermont or the federal government or any agency or department thereof, for services, and contracts with any participating municipality for the services of any officers or employees of the municipality useful to it;
- (6) to provide solid waste disposal services for the member municipalities, the inhabitants thereof, and the businesses therein, and for such others as its facilities and obligations may allow;
- (7) to contract with a nonmember municipality or a private entity for the disposal of solid waste generated outside the boundaries of the District, provided that the contract will not increase the cost of solid waste disposal to the member municipalities or the inhabitants thereof;
- (8) to contract to pay for solid waste disposal services on the basis of guaranteed amounts, whether delivered for disposal and accepted for disposal or not, of solid waste, with payments based on such guaranteed amounts, whether actually disposed of or not, which payments may be variable and may be determined by formulae expressed in such contracts;
- (9) to the extent that quantities of regulated and unregulated hazardous wastes are found as part of the solid waste stream, to require the separation of, and otherwise plan for and manage such wastes, consistent with applicable state and federal laws and regulations;
- (10) to make recommendations for review and action to its member municipalities and other public agencies which perform functions within the region in which its member municipalities are located;
- (11) to acquire by the exercise of the power of eminent domain any real property located within the District at any time after June 28, 1991 (except for property lying within a municipality that withdrew from the District before November 1, 1991) for the construction and operation of sanitary landfills, transfer stations, and other solid waste facilities, including suitable buffer areas, following the procedures for the condemnation of real property and interests therein provided in 24 V.S.A. § 2299b through 24 V.S.A. § 2299i and in 24 V.S.A. § 2299k, and to enter onto any lands which the District has the power to condemn for the purposes and following the procedures specified in 24 V.S.A. § 2299i. Furthermore, following these procedures, the District may condemn any real property located outside the boundaries of the District, if that property is located within a municipality in which both of the following have taken place: the municipality has entered into a binding host town agreement with the District; the residents of the municipality, by Australian ballot, have approved and ratified the host

town agreement and consented to the District constructing and operating solid waste management facilities within the limits of the municipality. Property already devoted to a public use may be acquired, provided that no real property belonging to a member municipality, the county, the State, or any political subdivision thereof may be acquired without its consent;

- (12) to borrow money and issue evidence of indebtedness as provided by chapter 53 of Title 24;
- (13) to establish a budget and assess member municipalities in accordance therewith;
- (14) to appropriate and expend monies;
- (15) to establish capital reserve funds for public improvements in furtherance of its purpose;
- (16) to regulate the collection, transportation, resource recovery, recycling and disposal of solid waste within the District and to require that acceptable solid wastes generated within the District and any member municipality therein shall be disposed of only in and upon facilities operated by or on behalf of the District; or in a facility or manner that is part of an approved District Plan;
- (17) to issue local franchises and to enact, amend or repeal, any and all rules, regulations and ordinances necessary to manage the collection, transportation, storage, processing, recovery, recycling and disposal of solid waste, or otherwise necessary or desirable for the orderly conduct of the affairs of the District, and to impose penalties for the violation thereof not exceeding \$500.00, and to provide, upon petition of the District to the Superior Court, in addition to such injunctive and other relief as may be available, for civil penalties for the violation thereof not exceeding \$500.00. Any such rule, regulation or ordinance may further provide that each day a violation continues shall constitute an additional, separate and distinct offense;
- (18) to require each member municipality, either directly or through independent parties, to provide one or more collection sites for the solid waste generated within such member municipality and for the transportation of such solid waste to the District facility, together with all costs incident thereto, and to assess any costs resulting to the District as a result of a failure of any member municipality to comply with the District's requirements to such member municipality;
- (19) to accept and administer gifts, grants, and bequests in trust or otherwise for the purpose of the District;
- (20) to exercise all powers incident to a public corporation;
- (21) to exercise any other powers which are exercised or are capable of exercise by any of the District's participating municipalities, and necessary or desirable for dealing with problems of mutual concern.

SECTION 6. PROCEDURE FOR ADOPTION OF ORDINANCES, RULES AND REGULATIONS

Any ordinance, rule, or regulation of the District may be adopted by the Board of Supervisors at a duly called Board of Supervisors' meeting following the following procedure: if the Board of Supervisors desires to adopt an ordinance, rule or regulation, it shall hold at least one public hearing on the proposed ordinance, rule or regulation. Public notice shall be given of the public hearing by publication of the date, place and purpose of the hearing in a newspaper of general circulation within the District on a date not less than 15 days prior to the date of the hearing; the notice shall also be posted in at least three public places within each member municipality and mailed to the Town Clerk of each municipality at least 30 days prior to the date of the hearing. The notice shall make reference to a place within the District where copies of the proposed ordinance, rule or regulation may be examined, and the full text of the ordinance, rule or regulation, or a concise summary of it including a statement of purpose, principal provisions, and table of contents or list of section headings shall also be published. Following such public hearing, the Board of Supervisors may at any duly called Board of Supervisors' meeting adopt the ordinance, rule or

regulation by resolution, and the ordinance, rule or regulation shall become effective upon adoption. An ordinance, rule or regulation adopted in accordance with these procedures may be amended or repealed in accordance with the same procedures. No ordinance, rule or regulation, or amendment or repeal shall be subject to any voter referendum. The foregoing procedure shall not be required for rules as to the internal workings of the Board, or internal administration of this District.

ARTICLE II BOARD OF SUPERVISORS

SECTION 7. AUTHORITY

The voters of the District shall have the power to vote on bonded indebtedness, amendments to the District Agreement, and dissolution of the District as herein set forth. All other power and authority of the District and the administration and the general supervision of all fiscal, prudential, and governmental affairs thereof shall be exclusively vested in a governing body known as the Board of Supervisors.

SECTION 8. COMPOSITION

The Board of Supervisors shall be composed of one (1) representative from each member municipality; each representative shall be a resident of the municipality he or she represents, or may be a nonresident employee of the municipality. No one person may represent more than one municipality.

SECTION 9. APPOINTMENT

- (a) Initial board. The initial Board shall be appointed by the legislative body of each member municipality. Appointments shall be made within 30 days of the effective date of this Agreement and certified by the Clerk of each member municipality to the Board. Within 60 days of the effective date of this Agreement, the initial Board shall meet and shall elect from its membership a Chair and Vice-Chair to serve until the organizational meeting to be held pursuant to Section 10, and until their successors are duly elected and qualified. The initial Board shall also appoint a Clerk and Treasurer pursuant to Sections 24 and 25.
- (b) Subsequent boards. Each year, subsequent to Town Meeting and prior to the annual organizational meeting, the legislative body of each member municipality shall appoint its representative, and shall also name an alternate representative to the Board of Supervisors. Appointments shall be in writing, signed by the Chair of the legislative body and presented to the Clerk of the District. The legislative body, by majority vote, may remove its municipality's appointed representative or alternate during his or her term of office at its discretion. The alternate representative shall represent the municipality at all meetings of the Board of Supervisors that the regular representative is unable to attend and shall have all the rights and privileges of the regular representative in his or her absence.

SECTION 10. ORGANIZATIONAL MEETING

Annually, on the second Thursday in April commencing in 1989, the Board of Supervisors shall hold its organizational meeting. At such meeting, the Board of Supervisors shall elect from among its membership a Chair and a Vice-Chair, each of whom shall hold office for one year and until his or her successor is duly elected and qualified. The Chair and Vice-Chair are eligible to be elected to not more than three (3) successive terms.

SECTION 11. REGULAR MEETING

A schedule of regular meetings of the Board of Supervisors shall be established at the organizational meeting.

SECTION 12. SPECIAL MEETINGS

Special meetings of the Board of Supervisors may be called at any time by the Chair or shall be called by the Clerk upon written request of a majority of the members of the Board of Supervisors. Except in case of emergency, each member of the Board of Supervisors shall be given at least 24-hours' notice of any special meeting of the Board of Supervisors by notice in person, by telephone, or by written notice delivered personally, mailed, or left at such member's usual place of residence.

SECTION 13. QUORUM

For the purpose of transacting business, the presence of 50 percent of the municipal representatives to the Board of Supervisors shall constitute a quorum. However, a smaller number may adjourn to another date. The entire number of regular representatives to be appointed to the Board under Section 9 shall be used to determine a quorum, regardless of whether vacancies exist.

SECTION 14. VOTING

Each representative in attendance at a meeting of the Board of Supervisors at which a quorum is present shall cast one vote for every 2500 population, or part thereof, in the municipality which he or she represents. If a representative is unable to attend, the municipality's duly designated alternate shall be entitled to vote. A member of the Board of Supervisors may not split his or her vote(s). In order for any motion to carry, it must be voted on affirmatively by a minimum of the representatives from one-third of the member municipalities and a majority of the votes cast at a meeting of the Board of Supervisors, except as otherwise provided in this Agreement.

SECTION 15. TERM

All representatives and alternate representatives to the Board of Supervisors shall hold office for one year or until their successors are duly appointed and qualified. Any representative may be reappointed to successive terms without limit.

SECTION 16. VACANCY

Any vacancy on the Board of Supervisors or in an alternate representative position shall be filled within thirty (30) days after such vacancy occurs by the legislative body of the member municipality which appointed the representative or alternate whose position has become vacant. An appointee to a vacancy shall serve until the expiration of the term of the representative to whose position the appointment was made and may thereafter be reappointed.

SECTION 17. RULES OF PROCEDURES

Except as otherwise provided in this Agreement, Robert's Rules of Order shall govern at all meetings.

SECTION 18. COMPENSATION OF MEMBERS OF BOARD OF SUPERVISORS

Each member municipality shall pay to its representative to the Board of Supervisors such reimbursement or expenses as it shall determine reasonable.

ARTICLE III OFFICERS

SECTION 19. OFFICERS

The officers of the District shall be the Chair and the Vice-Chair of the Board of Supervisors, the Clerk of the District, and the Treasurer of the District. The offices of the Clerk of the District and the Treasurer of the District may be held by one person. No other person may hold more than one office at one time.

SECTION 20. BOND

Prior to assuming their offices, all officers shall post bond in such amounts as shall be determined by resolution of the Board of Supervisors. The cost of such bond shall be borne by the District.

SECTION 21. CHAIR

The Chair of the Board of Supervisors shall be the chief executive officer of the District. The Chair shall preside at all meetings of the Board of Supervisors and shall make and sign all contracts on behalf of the District upon approval by the Board of Supervisors. The Chair shall perform all the duties incident to the position and office.

SECTION 22. VICE-CHAIR

During the absence or inability of the Chair to render or perform his or her duties or exercise his or her powers, the same shall be performed and exercised by the Vice-Chair and when so acting, the Vice-Chair shall have all the powers and be subject to all the responsibilities hereby given to or imposed upon the Chair.

SECTION 23. VACANCY

During the absence or inability of the Vice-Chair to render or perform his or her duties or exercise his or her powers, the Board of Supervisors shall elect from among its membership an acting Vice-Chair who shall have the powers and be subject to all the responsibilities hereby given or imposed upon the Vice-Chair.

SECTION 24. CLERK

The Clerk of the District shall be appointed by the Board of Supervisors, shall not be a member of the Board, and shall serve at its pleasure. The Clerk shall have the exclusive charge and custody of the public records of the District and the seal of the District. The Clerk shall record all votes and proceedings of the District, including meetings of the District and meetings of the Board of Supervisors, and shall cause to be posted and published all warnings of meetings of the District. The Clerk shall prepare all warnings of meetings of the District as required by Article V, Section 44. Following approval by the Board of Supervisors, the Clerk shall cause the annual report to be distributed to the legislative branches of its member municipalities. The Clerk shall prepare and distribute any other reports required by laws of the State of Vermont and resolutions or regulations of the Board of Supervisors. The Clerk shall perform all the duties and functions incident to the office of secretary or clerk of a body corporate.

SECTION 25. TREASURER

The Treasurer of the District shall be appointed by the Board of Supervisors, shall not be a member of the Board, and shall serve at its pleasure. The Treasurer shall have the exclusive charge and custody of the funds of the District and shall be the disbursing officer of the District. When authorized by the Board of Supervisors, the Treasurer, or in his or her absence the Chair, may sign, make or endorse in the name of the District all checks and orders for the payment of money and pay out and disburse the same and receipt therefor. The Treasurer shall keep a record of every note or bond issued by the District and of every payment thereon of principal and interest and, if coupons are taken up, shall cancel and preserve them. The Treasurer shall keep correct books of account of all the business and transactions of the District and such other books and accounts as the Board of Supervisors may require. The

Treasurer shall render a statement of the condition of the finances of the District at each regular meeting of the Board of Supervisors and at such times as shall be required of him or her. The Treasurer shall prepare the annual financial statement and the budget of the District for distribution, upon approval of the Board of Supervisors, to the legislative bodies of the member municipalities. The Treasurer shall do and perform all the duties appertaining to the office of Treasurer of a body politic and corporate. The Treasurer shall settle with the auditors within 60 days of the end of the fiscal year, at such other times as the Board of Supervisors may require, and upon retirement from office. Upon retirement from office, the Treasurer shall immediately pay over to his or her successor all the funds belonging to the District and at the same time deliver to his or her successor all official books and papers.

SECTION 26. RECORDS

The conduct of all meetings and public access thereto, and the maintaining of all records, books and accounts of the District shall be governed by the laws of this State relating to open meetings and accessibility of public records.

SECTION 27. AUDIT

The Board of Supervisors shall cause an audit to be performed annually by an independent professional accounting firm or a certified public accountant, who shall be the auditors selected by the Board of Supervisors.

SECTION 28. EXECUTIVE BOARD

The Board of Supervisors shall have the authority to establish an Executive Board and grant such powers as it may deem necessary.

SECTION 29. COMMITTEES

The Board of Supervisors shall have the authority to establish any and all committees as it may deem necessary.

SECTION 30. COMPENSATION OF OFFICERS

Officers of the District shall be paid such compensation and/or reimbursement of expenses as shall be determined by the Board of Supervisors.

SECTION 31. RECALL OF OFFICERS

An officer shall serve at the pleasure of the Board of Supervisors and may be removed by a vote of the Board as set forth in Section 14, except that two-thirds of the representatives of the member municipalities and two-thirds of the votes cast shall be required.

ARTICLE IV FISCAL AFFAIRS

SECTION 32. FISCAL YEAR

The fiscal year of the District shall commence on January 1 and end on December 31 of each year.

SECTION 33. BUDGET APPROPRIATION

- (a) **PROPOSED BUDGET.** Annually, on or before the first day of November, the Board of Supervisors shall approve and cause to be distributed to the legislative branch of each member municipality for

review and comment an annual report of its activities, including a financial statement, and a proposed budget of the District for the next fiscal year. This proposed budget shall include reasonably detailed estimates of:

- (1.) deficits/surpluses from prior fiscal years;
- (2.) anticipated expenditures for the administration of the District;
- (3.) anticipated expenditures for the operation and maintenance of any District solid waste facilities;
- (4.) costs of debt service;
- (5.) payments and other obligations due on long-term contracts;
- (6.) payments due to any capital reserve funds;
- (7.) anticipated revenues from charges for the disposal of solid waste and other sources;
- (8.) the necessary appropriations to operate and carry out the District's functions for the next fiscal year;
- (9.) the proposed assessment, if any, to each member municipality;
- (10.) such other estimates as the Board of Supervisors shall deem necessary to propose.

The Board of Supervisors shall hold a public hearing on or before the last day of November, of each year to receive comments from the legislative bodies of member municipalities and hear all other interested persons regarding the proposed budget. Notice of such hearing shall be given in such manner as the Board may prescribe. The Board of Supervisors shall give consideration to all comments received and make such changes to the proposed budget as it deems advisable.

- (b) **BUDGET, ADOPTION, APPROPRIATIONS.** Annually, on or before the third Thursday in December, the Board of Supervisors shall adopt the budget, appropriate the sums which it deems necessary to operate and carry out the District's functions for the next ensuing fiscal year, determine the assessment of each member municipality, if necessary, for its proportionate share of the sums so appropriated over and above anticipated revenues to the District, and adopt a schedule designating when such assessments, if any, are due and payable by the member municipalities.
- (c) **APPORTIONMENT OF ASSESSMENTS.** In the event that it becomes necessary to levy assessments on the member municipalities, the assessments shall be apportioned among the member municipalities on the basis of relative quantities of solid waste disposal by each member municipality in a District facility if in the judgment of the Board of Supervisors those quantities can be adequately determined, or on the basis of population within each of the member municipalities should the Board conclude that relative waste quantities cannot be adequately determined for each member municipality at the time assessments needed to be levied. Each member municipality shall be assessed a percentage of the sum appropriated equal to the ratio which the waste quantity or population of the member municipality bears to the total waste quantity or population within the District.
- (d) Failure of the Board to take any action required by this Section by its prescribed deadline shall not constitute grounds for any claim or defense as to the invalidity of any assessment.

SECTION 34. COLLECTION

Annually, after adoption of the budget by the Board of Supervisors, the Treasurer of the District shall issue and present a warrant to the legislative body of each member municipality requiring that the amount of such assessment, if any, be paid to him or her in accordance with the schedule of payments adopted by the Board of Supervisors. The legislative body of each member municipality shall draw an order on the municipal treasurer for the amount of such assessment and the municipal treasurer shall pay to the District Treasurer the amount of such order in accordance with the schedule for payments adopted by the Board of Supervisors. If any member municipality shall fail to pay when due any assessment against it by the District, the District shall be entitled to collect interest on any payment due, from its due date at the maximum rate which the municipality is allowed by law to collect on overdue taxes.

Such interest, together with the amount due, court costs, and reasonable attorney fees of the District may be recovered by the District in a civil action under this section, notwithstanding the availability of any other remedy available to the District.

SECTION 35. LIMITATIONS OF APPROPRIATIONS

Appropriations made by the Board of Supervisors for the various estimates of the budget as defined in Section 33(a) shall be expended only for such estimates, but by vote of the Board of Supervisors, the budget may be amended from time to time to transfer funds between or among such estimates, except as otherwise limited herein.

SECTION 36. INDEBTEDNESS

- (a) **SHORT-TERM BORROWING.** The Board of Supervisors may borrow money through the issuance of notes of the District for the purpose of paying current expenses of the District. Such notes must mature within one (1) year. The Board of Supervisors may also borrow money in anticipation of grants-in-aid from any source and any revenues other than assessments through the issuance of notes of the District. Such notes must mature within one (1) year, but may be renewed as provided by general law. The Board of Supervisors may also borrow money in anticipation of assessments to each member municipality in an amount not to exceed ninety percent (90%) of the total amount assessed for each year, and may issue notes of the District which must mature within one (1) year. The Board of Supervisors may also borrow money in anticipation of bond proceeds which have been authorized as provided herein. Said notes shall be issued as provided in chapter 53 of Title 24.
- (b) **LONG-TERM INDEBTEDNESS; LONG-TERM CONTRACTS**
 - (1) **SUBMISSION TO VOTERS.** On a petition signed by at least ten percent (10%) of the voters of the District, the proposition of incurring a bonded debt to pay for public improvements or of authorizing a long-term contract shall be submitted by the Board of Supervisors to the qualified voters thereof at a special meeting to be held for that purpose. In the alternative, when the Board of Supervisors, at a regular or special meeting of the Board of Supervisors called for such purpose, shall determine by vote, that the public interest or necessity demands improvements or entry into a long-term contract, and that the cost of the same will be too great to be paid out of the ordinary annual income and revenue, it shall order the submission of the proposition of incurring bonded debt or of authorizing a long-term contract to the qualified voters of the District at a meeting to be held for that purpose. A "long term contract" means a contract in which the District incurs obligations for which the costs are too great to be paid out of the ordinary annual income and revenues of the District, in the judgment of the Board of Supervisors. The term "public improvements" shall include improvements which may be used for the benefit of the public, whether or not publicly owned or operated. Bonded debt may be authorized for any purpose permitted by chapter 53 of Title 24, or any other applicable statutes for any purpose for which the District is organized. The Board of Supervisors may not submit to the voters more than twice in the same calendar year the proposition of incurring bonded debt to pay for the same or similar public improvement or of entering the same or similar long-term contract.
 - (2) **WARNING OF MEETING.** The warning calling the special meeting of the District to incur bonded debt or to authorize a long-term contract shall state the object and purpose for which the indebtedness or long-term contract is proposed to be incurred or authorized, the estimated cost of public improvements, the amount of bonds proposed to be authorized, and a summary of the terms of any long-term contract proposed to be authorized. The warning shall fix the places where and the date on which the meeting shall be held and the hours of opening and closing the polls. The Board of Supervisors, in consultation with the board of civil authority

of each member municipality shall determine the number and location of polling places; provided, however, that there shall be at least one polling place in each member municipality.

- (3) NOTICE OF MEETING. The Clerk of the District shall cause notice of such special meeting to be published in a newspaper of known circulation in the District once a week for three consecutive weeks on the same day of the week, the last publication to be not less than five nor more than ten days before such meeting. Notice of such meeting shall also be posted in a minimum of three public places within each member municipality at least 30 and not more than 40 days before the meeting and be filed with the clerk of each member municipality and the Clerk of the District prior to posting.
- (4) AUTHORIZATION. When a majority of all the voters present and voting on the question from all the member municipalities at such special meeting vote to authorize the issuance of bonds or to authorize a long-term contract, the District shall be authorized to issue the bonds or to enter into the long-term contract. The ballots cast in each member municipality shall be commingled and counted by a member(s) of the Board of Supervisors with the town clerk from each member municipality, or his or her designee. Article V, Sections 45 (Australian Ballot), 46 (Qualifications and Registration of Voters), 47 (Conduct of Meetings), 48 (Reconsideration or Rescission of Vote), and 49 (Validation of District Meetings) shall apply to any District meeting called to incur long-term debt or to authorize a long-term contract.
- (5) ASSESSMENT. The cost of debt service or of payments under a long-term contract shall be included in the annual budget of the District. The applicable provisions of chapter 53 of Title 24 or other enabling law under which debt is incurred or long-term contract authorized shall apply to the issuance of bonds or other evidence of indebtedness by the District and for that purpose the District shall be deemed a "municipal corporation", the Board of Supervisors shall be deemed a "legislative branch", and the District Treasurer shall be deemed a "municipal treasurer" within the purview of that chapter. Bonds or other evidence of indebtedness and long-term contracts shall be signed by the Treasurer and Chair of the Board of Supervisors of the District.

SECTION 37. CAPITAL RESERVE FUND

The Board of Supervisors may establish and provide for a capital reserve fund to pay for public improvements, replacement of worn-out buildings and equipment, and planned and unplanned major repairs of a disposal facility, in furtherance of the purpose for which the District was created. Any such capital reserve fund shall be kept in a separate account and invested as are other public funds and shall be expended for such purposes for which established. The cost of payments to any capital reserve fund shall be included in the annual budget of the District.

SECTION 38. DISPOSAL FEES

The Board of Supervisors shall establish and periodically adjust charges, including but not limited to tipping fees, for the purpose of generating revenues from sources other than assessments to member municipalities for the District's services in the management of solid waste.

ARTICLE V SPECIAL DISTRICT MEETING

SECTION 39. SPECIAL MEETINGS

The Board of Supervisors may call a special meeting of the District for the purposes of incurring bonded debt or entering into a long-term contract under section 36 or for purposes of dissolution under Section 53 or for reconsideration under Section 48. The Board shall call a special meeting if petitioned pursuant to Section 48 or if

requested pursuant to Section 54 to disallow an amendment to this Agreement, and shall call a special meeting regarding the question of dissolution of the District if petitioned to do so by not less than five percent of the legal voters from each municipality in the District. The Board shall also call a special meeting on the question of incurring bonded debt if petitioned by at least ten percent of the legal voters in the District as defined in Section 36. The Board of Supervisors may rescind the call of a special meeting called by them but not a special meeting called on application of the legal voters of the District or pursuant to Section 54. The Board of Supervisors shall endeavor to have the time of such special meeting coincide with the time of annual municipal meetings, primary elections, general elections or similar meetings when the electorate within the member municipalities will be voting on other matters.

SECTION 40. PLACES OF MEETINGS

At any special meeting of the District, voters of each member municipality shall cast their ballots at such polling places within the municipality of their residence as shall be determined by the Board of Supervisors of the District in cooperation with the Board of Civil Authority of each member municipality.

SECTION 41. PUBLIC HEARINGS

The Board of Supervisors shall hold at least one public hearing prior to any special District meeting at such time and upon such notice as it may prescribe.

SECTION 42. WARNINGS REQUIRED

The Board of Supervisors of the District shall warn a special meeting of the District by filing a notice with the town clerk of each member municipality and by posting a notice in a minimum of three public places in each municipality in the District not less than 30 nor more than 40 days before the meeting. In addition, the warning shall be published in a newspaper of general circulation in the District once a week on the same day of the week for three consecutive weeks before the meeting, the last publication to be not less than five nor more than ten days before the meeting.

SECTION 43. SIGNING OF WARNING

The original warning of any special meeting of the District shall be signed by the Chair of the Board of Supervisors and shall be filed with the District Clerk before being posted.

SECTION 44. WARNING CONTENTS

The posted notification shall include the date, time, place, and nature of the meeting. It shall, by separate articles, specifically indicate the business to be transacted and the questions to be voted upon.

SECTION 45. AUSTRALIAN BALLOT

The Australian ballot system shall be used at all special meetings of the District when voting is to take place.

SECTION 46. QUALIFICATIONS AND REGISTRATION OF VOTERS

All legal voters of the member municipalities shall be legal voters of the District. The member municipalities shall post and revise checklists in the same manner as for municipal meetings prior to any District meeting at which there will be voting.

SECTION 47. CONDUCT OF MEETINGS

At all special meetings of the District, the provisions of chapter 51 of Title 17 regarding election officials (Subchapter 1), voting machines (Subchapter 3), polling places (Subchapter 4), absent voters (Subchapter 6), process of voting (Subchapter 7), count and return of votes (Subchapter 8), recounts and contest of elections (Subchapter 9), and jurisdiction of courts (Subchapter 10) shall apply except where clearly inapplicable. The Addison Superior Court shall have jurisdiction over petitions for recounts. Election expenses shall be borne by the District.

SECTION 48. RECONSIDERATION OR RESCISSION OF VOTE

- (a) A question considered or voted on at any special meeting of the District shall not be submitted to the voters for reconsideration or rescission, except at a subsequent special meeting duly warned for that purpose, and called by the Board of Supervisors on its own motion or pursuant to a petition requesting such reconsideration or rescission signed and submitted in accordance with subsection (b) of this section.
- (b) Where a petition signed by not less than five percent (5%) of the qualified voters from each municipality in the District requesting reconsideration or rescission of a question considered or voted on at a previous special meeting is submitted to the Board of Supervisors of the District within thirty (30) days following the date of that meeting, the Board of Supervisors shall provide for a vote by the District in accordance with the petition within sixty (60) days of the submission at a special meeting duly warned for that purpose.
- (c) A vote taken at a special meeting shall remain in effect unless rescinded at a special meeting called and warned in accordance with this section.
- (d) A question voted on or considered shall not be presented for reconsideration or rescission at more than one subsequent meeting except with the approval of the Board of Supervisors.

SECTION 49. VALIDATION OF DISTRICT MEETINGS

When any of the requirements as to notice or warning of a special District meeting have been omitted or not complied with, the omission or noncompliance, if the meeting and the business transacted at it is otherwise legal and within the scope of the District powers, may be corrected and legalized by vote at a special meeting of the District called and duly warned for that purpose. The question to be voted upon shall substantially be: "Shall the action taken at the meeting of this District held on (state date), in spite of the fact that (state the error or omission), and any act or action of the District officers or agents pursuant thereto be readopted, ratified or confirmed?" Errors or omissions in the conduct of an original meeting which are not the result of an unlawful notice or warning or noncompliance within the scope of the warning, may be cured by a resolution of the Board of Supervisors of the District by a vote stating that the defect was the result of an oversight, inadvertence or mistake. When an error or omission of this nature has been thus corrected by resolution, all business within the terms of the action of the qualified voters shall be as valid as if the requirements had been initially complied with however, upon condition, that the original action thereby corrected by the Board of Supervisors was in compliance with the legal exercise of its corporate powers.

SECTION 50. PRIORITY

When a special meeting of the District is called to act upon a proposition to incur bonded indebtedness or to enter into a long-term contract, the special meeting procedures outlined in Article IV shall control over the meeting procedures outlined in this article in the event of conflict.

ARTICLE VI MISCELLANEOUS

SECTION 51. WITHDRAWAL OF MEMBER MUNICIPALITY

A member municipality may withdraw from the District upon the terms and conditions specified below:

- (1) WITHDRAWAL DURING A PERIOD OF TWELVE MONTHS FROM THE ESTABLISHMENT OF THE DISTRICT
 - (A) The Board of Supervisors shall not enter into any long-term contract, (meaning for a term of more than 12 months) or call a special meeting on incurring long-term debt for a period of 12 months from the date the District becomes a body politic and corporate.
 - (B) A vote of withdrawal taken after the District has become a body politic and corporate but less than 12 months after that date shall be null and void.
 - (C) After the expiration of 12 months from the date the District becomes a body politic and corporate a member municipality may vote to withdraw in the manner set forth herein. If a majority of the voters of a member municipality present and voting at a meeting duly warned for such purpose shall vote to withdraw from the District, the vote shall be certified by the clerk of that municipality and presented to the Board of Supervisors. Thereafter, the Board shall give notice to the remaining member municipalities of the vote to withdraw and shall hold a meeting to determine if it is in the best interests of the District to continue to exist. Representatives of the member municipalities shall be given an opportunity to be heard at such meeting together with any other interested persons. After such a meeting the Board of Supervisors may declare the District dissolved immediately or as soon thereafter as the financial obligations of the District and of each member municipality have been satisfied, or it may declare that the District shall continue to exist despite the withdrawal of such member municipality. The membership of the withdrawing municipality shall terminate as soon after such vote to withdraw as the financial obligations of said withdrawing municipality have been paid to the District.
- (2) WITHDRAWAL AFTER DISTRICT BOND VOTE OR ENTRY INTO LONG-TERM CONTRACT
Notwithstanding subsection 51(1)(C) above, if a member municipality votes to withdraw after the District has voted to bond itself for construction and improvements or to enter a long-term contract, as defined in Section 36, the Board of Supervisors shall hold a meeting to determine if it is in the best interest of the District to continue to exist only after the municipality proposing to withdraw has submitted a Plan to the Board of Supervisors which shall at a minimum provide:
 - (A) that the withdrawing municipality shall continue to be jointly and severally liable with the other member municipalities of the District for all such bonded indebtedness and any long-term contract, as well as any temporary loans in anticipation of the sale of such bonds or receipt of grants-in-aid under section 1773 of Title 24.
 - (B) that the withdrawing municipality shall, at least ten days before any payment is due from the District on such bonded indebtedness, or on any such long-term contract or temporary loan, pay to the District a percentage of such District payment determined on the basis of relative quantities of solid waste disposed of by each member municipality (including the withdrawing municipality) in the calendar year immediately prior to the vote of withdrawal if in the judgement of the Board those quantities can be adequately determined, or, on the basis of population determined as published by the State Department of Health most immediately prior to the vote of withdrawal should the Board conclude that such relative waste quantities cannot be adequately determined.

- (C) that the withdrawing municipality shall pay a share of each assessment levied under subsection 33(c) above and due under Section 34 above. Such share of each assessment shall be based upon the same percentage utilized in subdivision (B) above, and shall be due and payable on the dates specified by the Board in Section 34 above.
- (D) that the withdrawing municipality shall comply with all the provisions of the Plan and pay all reasonable attorney fees and other costs incurred by the District as a result of any default in making a payment when due, and that the full faith and credit of such municipality shall be pledged to making all payments where due.

The Plan shall be executed by a majority of the legislative body of the withdrawing municipality, or a person duly authorized by the legislative body, and shall be accompanied by the certification of the Clerk of such municipality that at the meeting when the vote of withdrawal occurred, the voters of such municipality also voted to authorize the legislative body to execute and file a Plan pursuant to this subsection 51(2) with the Board of Supervisors, and further certifying that the time for petitioning to rescind such vote has passed, and no petition to rescind has been filed. Execution of the Plan as set forth herein shall constitute the municipality's agreement to comply with all terms and conditions of the Plan following withdrawal.

Following the filing of such Plan, and the meeting required by subdivision 51(1)(C) above, the Board shall, unless it declares the District dissolved as provided therein, permit such municipality to withdraw upon condition that it comply with all the terms of the Plan.

- (3) **AUSTRALIAN BALLOT REQUIREMENT FOR WITHDRAWAL VOTE**
Any vote by a member municipality on the question of withdrawing from the District shall be by Australian ballot, and shall be preceded by a public informational hearing on the question. Notice shall be given of such hearing by posting warnings at least ten (10) days in advance of the hearing in at least two (2) public places within the municipality and in the Town Clerk's office. The hearing shall be held within ten (10) days preceding the meeting at which the Australian ballot vote is to be used.

SECTION 52. ADMISSION OF NEW MEMBER MUNICIPALITIES

The Board of Supervisors may authorize the inclusion of additional member municipalities in the District upon such terms and conditions as it in its sole discretion shall deem to be fair, reasonable and in the best interests of the District. The legislative branch of any nonmember municipality which desires to be admitted to the District shall make application for admission to the Board of Supervisors of the District. The Board shall determine the effects and impacts which are likely to occur if such municipality is admitted and shall thereafter either grant or deny authority for admission of the petitioning municipality. If the Board grants such authority, it shall also specify any terms and condition, including but not limited to financial obligations upon which such admission is predicated. The petitioning municipality shall thereafter comply with the approval procedures specified in chapter 121 of Title 24. If a majority of the voters of the petitioning municipality present and voting at a meeting of such municipality duly warned for such purpose shall vote to approve the Agreement and the terms and conditions for admission, the vote shall be certified by the clerk of that municipality to the Board of Supervisors. Thereafter upon satisfactory performance of the terms and conditions of admission, said municipality shall by resolution of the Board of Supervisors become and thereafter be a member municipality of the District.

SECTION 53. DISSOLUTION OF DISTRICT

- (a) **Dissolution by Board of Supervisors.** If the Board of Supervisors by resolution determines that it is in the best interests of the public, the member municipalities and the District that the District be dissolved, and if the District then has no outstanding debt or obligations under long-term contracts, or will have no such debt or obligation upon completion of the plan of dissolution, it shall prepare a plan of dissolution and thereafter adopt a resolution directing that the question of such dissolution and the plan of dissolution be submitted to the voters of the District at a special meeting of the District duly warned

for such purpose. The vote required for passage of such resolution shall be as prescribed in Section 14 except that the votes of the representatives of two-thirds of the member municipalities and two-thirds of the votes cast shall be required for adoption. If two-thirds of the voters of the District present and voting at such special meeting of the District duly warned for such purpose shall vote to dissolve the District and approve the plan of dissolution, the District shall cease to conduct its affairs except insofar as may be necessary for the winding up thereof. The Board of Supervisors shall immediately cause a notice of the proposed dissolution to be mailed to each known creditor of the District and to the Vermont Secretary of State and shall proceed to collect the assets of the District and apply and distribute them in accordance with the plan of dissolution.

- (b) Dissolution Pursuant to Petition. In the event of a vote pursuant to the petition of the voters for dissolution under Section 39 above, the Board of Supervisors shall proceed to prepare and adopt a plan of dissolution and upon adoption of the plan, the District shall then cease to conduct its affairs except insofar as necessary for the winding up thereof, and the Board shall cause a notice of the proposed dissolution to be mailed to each known creditor of the District and to the Secretary of State and shall proceed to collect the assets of the District and apply and distribute them in accordance with plan of dissolution.
- (c) Plan of Dissolution. The plan of dissolution shall:
 - (1) Identify and value all unencumbered assets of the District;
 - (2) Identify and value all encumbered assets of the District;
 - (3) Identify all creditors of the District and the nature or amount of all liabilities and obligations of the District;
 - (4) Identify all obligations under long-term contracts;
 - (5) Specify the means by which assets of the District shall be liquidated and all liabilities and obligations of the District shall be paid and discharged, or adequate provision shall be made for the satisfaction thereof;
 - (6) Specify the amount of monies due from each member municipality, if necessary, to extinguish the liabilities of the District;
 - (7) Specify the nature and amount of any liabilities or obligations to be assumed and paid by the member municipalities;
 - (8) Specify the means by which any assets remaining after the discharge of all liabilities shall be liquidated if necessary;
 - (9) Specify that any assets remaining after payment of all liabilities shall be apportioned and distributed among the member municipalities according to the same basic formula used in apportioning the annual assessments of the District.
- (d) Termination. When the plan of dissolution has been implemented, the Board of Supervisors shall adopt a resolution certifying that fact to the member municipalities whereupon this Agreement and the District created hereby shall be terminated.

SECTION 54. AMENDMENT OF THE DISTRICT AGREEMENT

- (a) The Board of Supervisors may amend this District Agreement by the following procedure. Any vote of the Board required under this Section shall be as prescribed in Section 14, except that the votes of the representatives of two-thirds of the member municipalities and two-thirds of the votes cast shall be required for adoption. The Board of Supervisors at any regular or special meeting of the Board of Supervisors may pass a resolution stating their intent to amend the Agreement. A written copy of the resolution, stating the wording of the amendment and the purpose of the amendment, and the date of a Board meeting scheduled to act on the amendment, shall be delivered to the legislative branches of each municipality and mailed or left at the usual place of residence of each member of the Board of Supervisors at least thirty (30) business days prior to the meeting scheduled to adopt the amendment.

The amendment shall be considered adopted by the Board of Supervisors thirty (30) business days following approval of the Board. However, if a majority of the legislative branches of member municipalities request a special District meeting within such a 30-day period, a special District meeting shall be held on the question of approval of the proposed amendment as provided in Article V and the amendment shall not be adopted unless approved by the District voters.

- (b) Upon adoption by the Board of Supervisors or approval of the voters the amendment shall be submitted and acted on by the general assembly in accordance with the provisions of section 2645 of Title 17. The amendment shall become effective upon affirmative enactment of the proposal, either as proposed or as amended by the general assembly. For the purposes of this Section, the District Agreement shall be considered a municipal charter.
- (c) This Agreement may be amended from time to time in the manner herein provided, but no such amendment shall be made which shall substantially impair the rights of the holders of any bonds or other evidence of indebtedness or substantially affect any obligations under long-term contracts of the District then outstanding or in effect, or the rights of the District to procure the means for payment, continuation, or termination thereof.

SECTION 55. SEVERABILITY

Should any court of competent jurisdiction judge any term, phrase, clause, sentence or provision of this Agreement to be invalid, illegal, or unenforceable in any respect, such judgement shall not affect the validity, legality, or enforceability of the Agreement as a whole or any other part of this Agreement.

SECTION 56. DEFINITIONS

- (a) Solid Waste shall mean any discarded garbage, refuse, septage, sludge from a waste treatment plant, water supply plant, or pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operations and from community activities but does not include animal manure and absorbent bedding used for soil enrichment or solid or dissolved materials in industrial discharges which are point sources subject to permits under chapter 47 of Title 10, the Water Pollution Control Act.
- (b) 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 Secretary of the Agency of Natural Resources, or his or her duly authorized representative 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 1964 and amendments thereto, codified in 42 U.S.C. 2014, is specifically excluded from this definition.
- (c) Population, for the purpose of determining the number of votes to be cast by municipal representatives, amounts of municipal assessments, and other purposes under this Agreement, shall be established by reference to the official Vermont State Department of Health Population Estimate (including group quarters or institutional population) as published most recently preceding the beginning of the District's fiscal year in which the vote is being cast, assessment being determined, or other action is occurring which requires a determination of population (except that for purposes of determining amounts due

under subdivision 51(2)(B), the most recent publication prior to a vote of withdrawal shall be used). In the event that the Vermont State Department of Health ceases to publish population estimates, then the Board of Supervisors may designate another appropriate publication containing population estimates for purposes of establishing population.

- (d) Solid Waste Facility means all contiguous lands, structures, other appurtenances and improvements on the land, used for treating, storing, or disposing of waste. A facility may consist of several treatment, storage, or disposal operational units.

Sec. 3. CONSISTENCY WITH STATE LAW

By ratifying this Agreement, the General Assembly does not intend to ratify or authorize actions or procedures which otherwise would be inconsistent with state law, as state law may be amended from time to time, pertaining to the storage, collection, transportation, processing, recovery or disposal of solid waste.

Sec. 4. DATE OF DISTRICT ESTABLISHMENT

For purposes of this Agreement, the date of establishment of the District and the date the District became a body politic and corporate shall be deemed to be November 8, 1988, and the District shall have all the powers and be subject to all the obligations set forth in the Agreement from that date onward.

Sec. 5. EFFECTIVE DATE

This act shall take effect from passage.

Approved: May 5, 1989

Revised 1991 - To include language in Section 5-1, 5-1, 5-17, and Section 8

Revised 1993 - Section 5-11 Relating to Eminent Domain and Host-Town Agreement, Section 32 changing our fiscal year, Section 33 Budget Appropriation, and Section 51-3 Australian ballot for withdrawal vote.

APPENDIX D

Addison County Solid Waste Management District Adopted Solid Waste Implementation Plan, June 21, 2018
Historic/Closed Landfills Located Within the Addison County Solid Waste Management District

APPENDIX D

TOWN	TYPE OF LANDFILL	Latitude/longitude	Date Opened	Date Closed	Estimated Location/ Road	Sources of Information	Notes/Map
Addison	Town	44 04 55/73 15 07	1955	Unknown	Wilmarth Rd. Ext. (East off Mountain Road)	Jeff Bordeaux, ANR	Road Map only
Bridport	Town	43 57 35/73 19 27	1945	1994 (capped)	Happy Valley Road	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Bridport	Private	43 59 51/73 16 18	1979	1979	Market Road	Ibid	Ibid
Bristol	Town Landfill	Unknown	1926	2015 (capped)	80 Pine St., Bristol	Addison County Solid Waste Mgmt. District (Post-Closure Monitoring)	Google Maps
Bristol	Bristol Waste Management Landfill	Unknown	Unknown	1994	East of 247 Burpee Road, Bristol	ANR Certification AD070 (Post-Closure Monitoring)	
Ferrisburgh	Private/Junkyard	Unknown	Unknown	Unknown	Route 7, North Ferrisburgh	Town Clerk	As licensed haulers, Pickett's brought <7 tons of MSW in 6 years. Casella never serviced this property for trash collection. Trash may be buried or stockpiled on site.
Leicester	Private (J. Johnson)	43 52 02/73 04 00	Unknown	Unknown	Route 53 (Lake Dunmore Road) and Indian Trail	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Leicester	Private (C. Prescott)	43 51 27/73 04 12)	1974	1979	Fern Lake Rd.	Ibid.	Ibid.
Lincoln	Town	72 59 10/44 07 52	Unknown	Unknown (post-1987, capped)	Downingsville Rd.	Jeff Bordeau, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Middlebury	Town	73 10 39/ 44 01 49	Unknown	40's-50's approx.	Colonial Drive, old gravel pit.	Wrong location - Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Div. Correct location confirmed by Steve Webber (Middlebury College) and ACSD drive-by.	State location (73 10 39/44 0149) and Map created by Tate Jeffrey, NRCS are erroneous. Road map only.
Middlebury	Town	Unknown	Unknown	Stump dump closed.	Off Seymour St. Extension	Common knowledge.	Map created by Tate Jeffrey, NRCS
Monkton	Town	44 14 13/73 08 50	Unknown	Unknown	Hollow Road, near Rec. Field	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Monkton	Unknown	44 13 10/ 73 09 18	Unknown	Unknown	Monkton Road at old Barnumtown	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Monkton	Unknown		Unknown	Unknown	Monkton Road, northeast of Post Road	Addison County Sheriff's office	Roadmap only (drive-by)

TOWN	TYPE OF LANDFILL	Latitude/longitude	Date Opened	Date Closed	Estimated Location/ Road	Source of Information	Notes/Map
New Haven	Private (Pike Asphalt)	44 05 20/73 10 34	Unknown	1975	Campground Road and Dallinger Road	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	No Map
Orwell	Private	43 48 27/73 19 14	Unknown	1971	Old Foundry Road	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Orwell	Unknown	43 48 48/ 73 14 04	1969	1970	Abell Corners (Old Sawmill) Road at Lemon Fair River	Ibid.	Ibid.
Orwell	Unknown		Unknown	Unknown	Junction of Shoreham Depot Rd., Royce Hill Rd., Murray Rd., Fisher Road	Addison County Sheriff's Department – Dick Debonis	Roadmap only (drive-by)
Ripton	Private (Old Breadloaf dump, Middlebury College)	43 52 30/72 59 09*	1900	1975	Route 125	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS. Incorrect coordinates, or they refer to a different landfill (old Town Dump?)
Shoreham	Town	43 54 27/73 15 38	1940	Unknown	Buttolph Road, South of Wooster Rd. junction and Bascomb Brook	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Starksboro	Town	44 12 33/73 03 05	1969	1993 (capped)	Old gravel pit off of Rt. 116 (southeast of Tatro Road)	Jeff Bordeaux, ANR; landfill closure grant file, ACSWMD	No Map; Landfill not noted on Pollution Source Inventory
Starksboro	Private (A. Cody)	44 14 48/73 03 42	1955	1965		Jeff Bordeaux, ANR.	Ibid.
Starksboro	Private (G. Rheume)	44 11 37/73 02 40	1965	1975		Jeff Bordeaux, ANR.	Ibid.
Starksboro	Private (G. Rheume)	44 11 54/73 02 22	1971	1976		Jeff Bordeaux, ANR.	Ibid.
Vergennes	Town	44 09 59/73 15 41	1964	1970	Off Canal Street	Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Vergennes	Town	44 10 06/73 15 39	1854	1964	Canal & Mechanic Streets	Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS
Weybridge	Unknown	Unknown	Unknown	Unknown	Weybridge Road (Route 23), <1 mile South of Route 17	Jeff Bordeaux, ANR; Pollution Source Inventory, 1980; ANR Groundwater Division	Map created by Tate Jeffrey, NRCS

*Steve Webber, Middlebury College, from Orthophoto map: Vermont Plain Coordinates are Easterly – 460974.03, Northerly – 161042.16. ANR's coordinates are not Breadloaf's old landfill.

APPENDIX E

**ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
SOLID WASTE IMPLEMENTATION PLAN
JUNE 21, 2018**

**APPENDIX E
CATEGORICAL CERTIFICATIONS or MOBILE OPERATIONS
NOT LISTED IN SWIP**

Categorical Certifications

<u>Facility Name</u>	<u>Date of Approval</u>
Town of Middlebury Biosolids Handling Facility Middlebury	November 4, 2002
American Retroworks dba Good Point Recycling Facility Middlebury	November 28, 2017
Champlain Construction Aggregate Facility Rt. 116, Middlebury	
Clark W. Hinsdale Inert Disposal Facility 6578 U.S. Route 7, Ferrisburgh	October 11, 2017
Chris Acker Cook's Pit Recycling Facility for Asphalt, Brick & Concrete Off of Rt. 116 in Bristol	May 28, 2013

Mobile Drop-off Operations

- Bristol** Town Drop-off
Town Garage on Pine Street, Bristol
R&L Rubbish Fast Trash Truck
- Desabrais Glass Fast Trash Truck in **Middlebury**
198 Boardman St., Middlebury
- Leicester** Town Drop-off
Leicester Town Shed, 2241 Fern Lake Rd., Leicester
Denton & Son Fast Trash Truck
- New Haven** Town Drop-off
Next to fire station on Rt. 17 East, New Haven
R&L Rubbish Fast Trash Truck

R&L Rubbish Fast Trash Truck in Addison
Next to Town Clerk's office, 65 VT Rt. 17 West, Addison

R&L Rubbish Fast Trash Truck in Cornwall
Bingham Memorial School, 112 School St., Cornwall

Seguin Services Fast Trash Truck in Orwell
344 Rt. 22A, Orwell

Shoreham Town Drop-off
Behind Congregational Church, Rt. 74, Shoreham
Moose Rubbish & Recycling Fast Trash Truck

Starksboro Town Drop-off
Town Garage, 3904 Rt. 116, Starksboro
Moose Rubbish & Recycling

Vergennes City Drop-off
(also accepts Addison, Panton, Ferrisburgh, Waltham)
Canal & West Street, Vergennes
C&J Hauling Fast Trash Truck

APPENDIX F

**ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
ILLEGAL BURNING AND DISPOSAL ORDINANCE**

WHEREAS, the Addison County Solid Waste Management District (the "District") exists as a union municipal district under the laws of the State of Vermont; and

WHEREAS, the State Legislature has approved and confirmed the creation of the District through the enactment of the District's governing agreement in No. M-6 of the Acts of 1989, as amended by No. M-5 of the Acts of 1991 (the "Charter"); and

WHEREAS, the District has the authority under the Charter and the General Laws of the State of Vermont to manage and regulate the collection, transportation, resource recovery, recycling, storage, processing, and disposal of Solid Waste within the District, among other things, and to enact, amend, or repeal any rules, regulations, and ordinances otherwise necessary or desirable for the orderly conduct of the affairs of the District and for carrying out the purposes of the District; and

WHEREAS, the District has determined that the burning and disposal practices prohibited by this Ordinance constitute public nuisances, and the District has the authority to regulate and prohibit such practices under 24 V.S.A. 2291 (14); and

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

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

**ARTICLE I
PURPOSE; TITLE**

1.1 Purpose. This Ordinance is enacted to promote the health, safety and general welfare of the District and the inhabitants of its member municipalities and to prohibit Solid Waste disposal practices that pose a danger to the public health and welfare and the environment or constitute a public nuisance.

1.2 Title. This Ordinance shall be known and may be cited as the "Illegal Burning and Disposal Ordinance".

**ARTICLE II
DEFINITIONS**

2.1 As used in this Ordinance, the following terms shall have the following meanings:

A. "Board of Supervisors" shall mean the governing body of the District.

B. "District" shall mean the Addison County Solid Waste Management District, and as appropriate in the context, the total area within the boundaries of all member municipalities within the District.

C. "Facility" shall mean any site or structure used for treating, storing, processing, recycling or disposing of Solid Waste. A Facility may consist of a single or several treatment, storage, Recycling, or Disposal units.

D. "Person" shall mean an individual, partnership, company, corporation, association, institution, unincorporated association, joint venture, trust, municipality, agency, department, and any other legal entity.

E. "Solid Waste" shall mean any discarded garbage, refuse, rubbish, recyclables, Yard Wastes, construction or demolition wastes, and other discarded material including solid, liquid, semi-solid, or contained gaseous materials, but does not include: (i) animal manure and absorbent bedding used for soil enrichment, or (ii) solid or dissolved materials in industrial discharges which are point sources subject to permits under the Water Pollution Control Act (10 V.S.A. Chapter 47).

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

ARTICLE III BURNING OF SOLID WASTE PROHIBITED

3.1. Except as provided by this Article, the burning of Solid Waste is prohibited in the District.

3.2 To the extent allowed by Vermont Air Pollution Control regulations, and with the appropriate local and State authorizations, the following are exempt from the prohibition in Section 3.1.:

A. Burning of materials customarily burned in fireplaces, wood stoves, campfires, and outdoor grills provided such materials are not burned for disposal purposes. Chemically treated wood shall not be deemed to be a material customarily burned in such devices;

B. Burning of Yard Waste and natural wood;

C. Burning by a municipality of natural wood at a place in a member municipality authorized by its legislative branch;

D. Incineration of Solid Waste at any Facility regulated by the Agency of Natural Resources, and having all other necessary permits in accordance with all applicable laws, rules, and regulations (including all air quality permits);

- E. Burning of solid or liquid fuels or structures for the purpose of bona fide instruction and training of municipal, volunteer, and industrial firefighters;
- F. Burning in forest land areas of brush, tree cuttings and slash where the cuttings accrue from logging or site clearing operations; and
- G. Burning for the purpose of weed abatement; disease, forest fire and pest preventions or control; and for the purpose of agricultural, forestry, or wildlife habitat management.
- H. Burning as necessary for the protection of public health or to thwart a hazard.

**ARTICLE IV
ILLEGAL DISPOSAL**

4.1. It shall be unlawful for any Person who is not acting on behalf of the District or a member municipality to enter any Facility operated by or on behalf of the District, or any Facility of any member municipality, when the Facility is not open.

4.2. It shall be unlawful for any person to deposit, dump, or dispose of Solid Waste of any kind in any Facility specified in Section 4.1 or on lands of the owner of such a Facility, without the express permission of the authorized operator of the Facility.

4.3. Without the explicit consent of the owner, it shall be unlawful for any Person to deposit, dump, or dispose of Solid Waste in any disposal container other than:

- A. Their own, or
- B. Containers available for public use (consistent with the normal use for which the public container is available).

4.4. It shall be unlawful for any Person to deposit, dump, or dispose of Solid Waste in any stream or other waters or on any property except by written approval or certification from the Agency of Natural Resources. This Section shall not be construed to prohibit or restrict the composting by an individual of his or her own compostable Solid Waste, or the recycling or reuse of any materials by any Person, or the disposal of Solid Waste by burning as allowed in Section 3.2.

4.5. If a Person violates Section 4.2, 4.3, or 4.4, any such Person shall immediately remove the Solid Waste so deposited or left. Each day following the day of the prohibited act, during which the Solid Waste is not so removed, shall constitute a separate violation of this Ordinance.

**ARTICLE V
ENFORCEMENT AND REMEDIES**

5.1 This Ordinance is designated as a civil ordinance pursuant to 24 V.S.A. §1971(b).

5.2 The following civil penalties are hereby imposed for violation of this Ordinance:

First violation of the Ordinance	\$100
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Second violation of the Ordinance	\$150
Third violation of the Ordinance	\$250
Fourth and subsequent violations of the Ordinance	\$500

Each day a violation continues shall constitute a separate violation.

5.3. In cases where violations of the Ordinance are brought in the Traffic and Municipal Ordinance Bureau, and where the violation is admitted or not contested, in lieu of the above, the following waiver penalties are imposed:

First violation of the Ordinance	\$ 35
Second violation of the Ordinance	\$ 75
Third violation of the Ordinance	\$150
Fourth and subsequent violations of the Ordinance	\$400

5.4 Injunction. In addition to any other remedy provided in this Ordinance or available at law or in equity, the District may institute a suit for an injunction to prevent, restrain or abate violations of this Ordinance.

ARTICLE VI MISCELLANEOUS

6.1 Local Regulation. Nothing in this Ordinance shall be construed to prohibit any member municipality of the District from enacting and enforcing ordinances and regulations regarding the burning or illegal disposal of Solid Waste within its jurisdiction, provided that any such regulation or ordinance is at least as strict as the provisions of this Ordinance.

6.2 Construction. The terms and provisions of this Ordinance are to be liberally constructed so as to best achieve and promote the goals and purposes hereof. 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.

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

6.4 Implementation Date. This Ordinance shall be effective upon adoption by the Board of Supervisors under Section 6 of the District Charter.

Adopted: March 16, 1995