ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
SOLID WASTE IMPLEMENTATION PLAN
2010 IMPLEMENTATION REPORT

SECTION 1. INTRODUCTION

1.1 SOLID WASTE IMPLEMENTATION PLAN

The Solid Waste Implementation Plan ("SWIP") was developed by the Addison County Solid Waste Management District ("District") to manage solid waste within its member municipalities in conformance with the Vermont Solid Waste Management Plan (2005) ("State Plan"). The District SWIP, amended July 25, 2006, covers a period of five years. The Vermont Agency of Natural Resources (ANR) requires an implementation report to be prepared every two years, in order to track the District’s progress and performance in meeting the State’s 50% diversion goal. This is the second Implementation Report submitted since the SWIP was adopted in 2006.

1.2 ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT

Member Towns

The Addison County Solid Waste Management District, a union municipal district, was formed in November 1988 to cooperatively and comprehensively address the solid waste management interests of its 19 member municipalities: Addison, Bridport, Cornwall, Ferrisburgh, Goshen, Leicester, Lincoln, Middlebury, Monkton, New Haven, Orwell, Panton, Ripton, Shoreham, Starksboro, Vergennes, Waltham, Weybridge, and Whiting. The governing agreement, or Charter1, of the District was approved by the Vermont General Assembly on May 5, 1989.

Board of Supervisors

The District is governed by a Board of Supervisors composed of one representative from each member municipality. Board representatives are appointed by the legislative bodies of the member towns.

District Mission Statement

The Board’s mission statement affirms the State hierarchy of waste reduction, pollution prevention, reuse, recycling and composting as the top priorities for an integrated waste management system. The mission of the District is to:

- Promote waste reduction and pollution prevention;
- 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.

Staff

The District is staffed by seven full-time employees - three in the Business Office and four in the Transfer Station – in addition to one part-time administrative assistant and two part-time Saturday staff. District staff may be contacted by mail: 1223 Route 7 South, Middlebury, VT 05753; phone: (802) 388-2333; fax: (802) 388-0271; or e-mail: acswmd@acswmd.org. More detailed information about the District and its programs, including a “How To” Guide, may be found on the District’s website at www.addisoncountyrecycles.org.

The District Transfer Station, HazWaste Center and Business Office are co-located at 1223 Route 7 South, Middlebury, Vermont. The Transfer Station is open for business Mon - Fri, 7:00 a.m. - 3:00 p.m., and Sat, 9:00 a.m.

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- 1:00 p.m. The HazWaste Center is open Tues, Wed, Thurs, 8:00 a.m. – noon, and Sat, 9:00 a.m. - noon. The District Business Office is open Mon - Fri, 8:00 a.m. - 4:00 p.m.

**District Transfer Station**

The District Transfer Station (“Transfer Station”) is a regional solid waste management facility owned and operated by the District. The Transfer Station primarily serves the 19 member municipalities of the District. The Transfer Station began its first full year of operation in 1994. It is located at 1223 Rt. 7, south of Middlebury, on the left just beyond the U.S. Green Mountain Forest Service. The Facility handles an average 68 tons/day of Municipal Solid Waste (MSW) and Construction & Demolition Debris (C&D) and transfers it to out-of-District disposal sites. Other waste materials are collected at the Transfer Station for reuse, recycling and/or composting.

The two **REUSE IT OR LOSE IT!** sheds, one for household goods and the other for construction materials, and the District HazWaste Center are also located at the Transfer Station.

**Wastes Accepted at the District Transfer Station**

The acceptable materials managed at the Transfer Station are:

- Municipal Solid Waste ("MSW"), and Construction & Demolition Debris ("C&D")
- Scrap Metal and Appliances ("white goods")
- Clean Wood (branches, unpainted/untreated dimensional lumber, and pallets)
- Leaf and Yard Waste (lawn clippings, leaves)
- Bulky Waste (furniture, mattresses, etc.)
- Residential Food Waste
- Corrugated Cardboard
- Electronics ("E-Waste")
- Books
- Tires
- Paint
- Used Motor Oil and Oil Filters
- Universal Waste: Fluorescent light bulbs, household and wet cell batteries, mercury thermostats and other mercury containing devices, cathode ray tubes, and PCB ballasts and capacitors
- Propane and other Compressed Gas Waste Cylinders (empty)
- Batteries (wet cell automotive, small sealed lead acid, household, button cell, lithium metal, lithium ion, Ni-MH, and Ni-Cd)
- Non-friable Asbestos containing materials
- Household Hazardous Waste ("HHW") and Conditionally Exempt Generator ("CEG") Waste (at the HazWaste Center only)
- Household items and construction materials (reusable dimensional lumber, doors, windows, etc.) for the District’s **REUSE IT OR LOSE IT!** program.  

MSW and C&D are accepted from out-of-District. Special wastes and hazardous wastes are accepted from member towns only.

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2 See Appendix 1 for a list of acceptable items at the **REUSE IT OR LOSE IT!** centers.
Policies and Ordinances

From time to time, the District Board of Supervisors may adopt policies and ordinances in order to realize its mission and the goals of its SWIP. Such ordinances establish the day-to-day details of implementation systems and provide enforcement mechanisms. The District has two ordinances in effect: the Waste Management Ordinance and the Illegal Burning and Disposal Ordinance.

**Waste Management Ordinance**

The Waste Management Ordinance lays out the responsibilities of waste generators and waste haulers in the District. It establishes a licensing program for commercial haulers that includes reporting requirements, weighing requirements and per ton fee payments to the District. The ordinance adopts a District-wide mandatory recycling system that requires the source separation of recyclables and electronics by the generator. It also requires commercial haulers to offer collection of recyclables if they collect MSW with the exception of: (a) the Town of Middlebury, who contracts for curbside recycling collection; and (b) commercial haulers who park a waste collection vehicle at one of the Town Recycling Drop-offs. Finally, the ordinance prohibits the co-mingling and transport for disposal of solid waste with hazardous waste. Appendix 2 contains the most recent Waste Management Ordinance, revised on July 20, 2006. Also included is the “Policies Implementing the Waste Management Ordinance,” recently amended on November 19, 2009. These documents are also available on the District’s website.

**Illegal Burning and Disposal Ordinance**

The Illegal Burning and Disposal Ordinance (Appendix 3) 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 (with permission of the local Fire Warden) and the burning of campground firewood. Burning in a state-licensed solid waste incinerator is also allowed. 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 property or the reuse/recycling of waste. As Table 1.1 below shows, the number of illegal dumping/ burning complaints in the District has held steady for the past decade.

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Table 1.1. Illegal Dumping/ Burning Complaints in ACSWMD – 2000-2009

<table>
<thead>
<tr>
<th>Town</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>TOTAL</th>
<th>% per Pop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison</td>
<td>1,496</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>2</td>
<td>25%</td>
</tr>
<tr>
<td>Bridport</td>
<td>1,306</td>
<td>1</td>
<td>7</td>
<td>1</td>
<td>7</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>30%</td>
</tr>
<tr>
<td>Cornwall</td>
<td>1,282</td>
<td>8</td>
<td>6</td>
<td>4</td>
<td>9</td>
<td>5</td>
<td>5</td>
<td>7</td>
<td>2</td>
<td>4</td>
<td>5</td>
<td>55%</td>
</tr>
<tr>
<td>Ferrisburgh</td>
<td>2,830</td>
<td>7</td>
<td>12</td>
<td>9</td>
<td>7</td>
<td>7</td>
<td>8</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>5</td>
<td>68%</td>
</tr>
<tr>
<td>Goshen</td>
<td>227</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>5</td>
<td>2.20%</td>
</tr>
<tr>
<td>Lincoln</td>
<td>1,061</td>
<td>6</td>
<td>8</td>
<td>3</td>
<td>7</td>
<td>7</td>
<td>4</td>
<td>9</td>
<td>2</td>
<td>5</td>
<td>1</td>
<td>52%</td>
</tr>
<tr>
<td>Middlebury*</td>
<td>8,765</td>
<td>1</td>
<td>2</td>
<td>6</td>
<td>8</td>
<td>5</td>
<td>2</td>
<td>4</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>47%</td>
</tr>
<tr>
<td>Monkton</td>
<td>2,089</td>
<td>6</td>
<td>9</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>37</td>
<td>1.77%</td>
</tr>
<tr>
<td>New Haven</td>
<td>1,930</td>
<td>4</td>
<td>3</td>
<td>5</td>
<td>7</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>29%</td>
</tr>
<tr>
<td>Orwell</td>
<td>1,295</td>
<td>6</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>24%</td>
</tr>
<tr>
<td>Panton</td>
<td>728</td>
<td>3</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>12%</td>
</tr>
<tr>
<td>Ripton</td>
<td>621</td>
<td>0</td>
<td>7</td>
<td>3</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>8</td>
<td>30%</td>
</tr>
<tr>
<td>Shoreham</td>
<td>1,376</td>
<td>3</td>
<td>9</td>
<td>14</td>
<td>7</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>53%</td>
</tr>
<tr>
<td>Starksboro</td>
<td>2,055</td>
<td>4</td>
<td>3</td>
<td>0</td>
<td>3</td>
<td>11</td>
<td>2</td>
<td>10</td>
<td>7</td>
<td>6</td>
<td>6</td>
<td>52%</td>
</tr>
<tr>
<td>Vergennes</td>
<td>2,822</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>16%</td>
</tr>
<tr>
<td>Waltham</td>
<td>507</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>6%</td>
</tr>
<tr>
<td>Weybridge</td>
<td>866</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>16%</td>
</tr>
<tr>
<td>Whiting</td>
<td>431</td>
<td>4</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>18%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>33,027</td>
<td>64</td>
<td>87</td>
<td>69</td>
<td>84</td>
<td>60</td>
<td>41</td>
<td>61</td>
<td>39</td>
<td>48</td>
<td>61</td>
<td>614%</td>
</tr>
</tbody>
</table>

* Middlebury data is missing for 2008. Prior years include cases referred to Middlebury by the Addison County Sheriff, but do not represent all cases handled by the Middlebury Police Dept. The Middlebury Police Dept. provided information for 2009.

Financing the District

Currently, the District does not assess its member municipalities for any portion of the District’s revenue. It relies upon a combination of: (1) tipping fees collected at the Transfer Station in Middlebury; (2) a per ton District Fee on all waste generated within the District if the waste is destined for disposal; (3) donations or fees at special events sponsored by the District; (4) the sale of items such as compost bins; and (5) state and federal grants, if available.

SECTION 2. WASTE DIVERSION

2.1 RECYCLING METHODS IN THE DISTRICT

The State of Vermont Solid Waste Management Plan set an ambitious goal of increasing the overall statewide municipal solid waste diversion rate to 50% by the year 2005. Although the State’s actual 35% diversion rate fell short of that goal, the District’s diversion efforts have been steadily progressing. Reduction and recycling efforts in the District have now reached the State’s 50% benchmark, as reflected in its 2009 diversion rate (see Table 2.6). This represents an increase of 9% since 2007. The decline in the disposal rate to 2.03 lbs/person/year is also an indicator that the 50% goal has been met.

Recycling programs at the District Transfer Station continue to divert large quantities of material from landfill disposal. (See Tables 2.3 and 2.4). The District’s mandatory recycling ordinance has been in effect since 1993. The District was also the first to mandate the source separation of electronic waste (“E-waste”). District staff has continued to focus its efforts on education and the promotion of waste reduction and recycling as a permanent lifestyle behavior for every resident and business.

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5 Data obtained from Addison County Sheriff’s Office, Deputy Dick Debonis.
District Transfer Station

The District continues to expand its collection and diversion of various materials. State grants have assisted the District in conducting pilot projects and establishing new collection programs:

1. **Mercury-Containing Devices:** The District Transfer Station has taken advantage of several new initiatives for the proper management of mercury-containing devices: (a) collection of mercury dairy manometers from farms around the region as part of a grant program with the VT Department of Agriculture; (b) collection of mercury-containing thermostats for shipment to the Thermostat Recycling Corporation; (c) an exchange program of solar thermometers for mercury thermometers; (d) removal of mercury switches from old appliances that continue to come into the Transfer Station; (e) promotion of Vermont’s Mercury Education and Reduction Campaign and its website, www.mercvt.org; and (f) promotion of the State-sponsored collection programs for fluorescent lamps and mercury-containing button cell batteries at participating area businesses.

2. **Lawnmower Exchange:** In 2006-2009, the District participated in the annual “Mow Down Pollution” lawnmower exchange program with the Alliance for Climate Action’s 10% Challenge campaign. The goal of the program is to reduce air emissions associated with gasoline powered lawnmowers by encouraging residents to exchange their gasoline powered mower with a battery powered electric mower. The District continues to accept retired lawn mowers at its Transfer Station during the exchange events.

3. **Books:** The District Transfer Station accepts hard and soft cover books for recycling year-round. For the past two years, the District has sent books to a vendor that prioritizes reuse and recycles the remainder.

4. **Leaf & Yard Waste:** In 2006, with the closure of municipal stump dumps, the District implemented a leaf & yard waste collection program at the Transfer Station. This is an outlet for residents and businesses that do not have the option of composting in their backyards. This material is hauled to the VT Natural Ag. Products’ composting facility for use in producing compost and topsoil.

5. **Residential Food Waste:** The District collects residential food waste at the Transfer Station for composting at VT Natural Ag. Products. The District continues to sell backyard compost bins and kitchen collectors at a reduced price to all households in the area. The District maintains a home composting demonstration area at the Transfer Station, and uses this site to provide interested homeowners with basic composting tips and techniques. The District plans to further promote and enhance this demonstration area to serve as an outdoor classroom for groups of students and interested area residents.

6. **Clean Wood for Chipping into Mulch:** The Transfer Station also accepts natural wood as part of its clean wood program. We chip the wood and provide the resulting free mulch to residents. Clean, untreated, dimensional lumber is collected as part of this program, providing a less expensive alternative for contractors who wish to separate and recycle materials instead of landfilling them. We also chip Christmas trees and offer the mulch for free as part of our annual Merry Mulch Program. Mulch that is not taken by residents continues to be used for composting.

7. **Electronics:** The District accepts electronic waste (E-waste) at the Transfer Station for recycling. E-waste includes computers (monitors, CPUs and printers), televisions, fax machines, VCRs, DVD players, stereos, CD players, shredders, photocopiers, arcade video games and miscellaneous small items such as cell phones, CDs, DVDs, tapes, cassettes, cords, chips, cards and adapters. In 2009, the District recycled 111 tons of E-waste, or 7.13 lbs/capita, the highest total in the State. Vermont recently became the 21st state to pass an E-waste recycling law, which establishes producer responsibility for collecting and recycling E-waste from households, charities, schools and businesses. The law will ban disposal of E-waste on January 1, 2011, and will provide convenient and free collection of certain electronics beginning on July 1, 2011. It is anticipated that the District Transfer Station will remain a collection point under this new system.

8. **Reuse:** The District’s *REUSE IT OR LOSE IT!* program collects and exchanges reusable household goods and building materials. Many reusable household goods and building materials are regularly brought to the Transfer Station. In this program, materials that still have a useful life are given one last chance for reuse. Household goods
and building materials coming into the Transfer Station for reuse must meet certain criteria. All building materials that meet the criteria for reuse will be accepted free of charge. Larger household goods are subject to a nominal fee. All reusable materials collected through **REUSE IT OR LOSE IT!** are made available to the public at no charge.

9. **Waste oil**: The District continues to collect waste oil at its Transfer Station. The waste oil is sent to a refinery to be re-refined into new oil.

10. **Batteries**: The District continues to use Rechargeable Battery Recycling Corporation (RBRC) for recycling its rechargeable batteries. This is an industry-sponsored, free collection for all rechargeable batteries shipped to RBRC.

11. **Pressurized cylinders**: The District continues to accept Freon tanks, helium tanks, fire extinguishers, propane tanks up to 100lbs in size, and other pressurized cylinders at the Transfer Station. All cylinders received at the Transfer Station are processed for either reuse or recycling as scrap metal.

12. **Paint**: The District continues to collect latex paint year-round in conjunction with its household hazardous waste and conditionally-exempt generator waste collection program. All latex paint collected at the HazWaste Center is screened for recycling potential. The recyclable paint is then delivered to the Chittenden Solid Waste District, where it is blended into a recycled paint product.

**Curbside Recyclables Collection**

All District residents have access, upon subscription service, to curbside collection of recyclables through private, District-licensed, commercial haulers. This is a function of both the District’s licensing procedure and a requirement under the Waste Management Ordinance. The Town of Middlebury contracts with a private hauler to collect recyclables curbside. Other member towns rely upon drop-off centers to collect recyclables. See Table 2.1 for a list of those centers.

**Commercial Food Waste**

The District continues to manage a commercial food waste collection program, which began as a pilot program in 2006 with funding from an implementation grant from ANR. The program relies on a private hauler to collect the food waste and transport it to a local commercial composting facility. Three area grocery stores and one restaurant are currently participating in the program. The District provides program oversight, training for each participating food waste generator, and supplies such as signs, container labels, and biodegradable liners. The food waste is composted separately, then combined and marketed together with a composted bulk topsoil product. In 2009, the program diverted more than 60 tons of food residuals. The District continues to work with local haulers to expand the program to include more businesses.

**Town Recycling Drop-off Centers**

Residents and businesses in 18 District towns now have access to a recycling drop-off center (see Table 2.1). The town recycling drop-off centers are independent of the District. In many cases, they were started by concerned citizens and volunteers, and several continue to be operated entirely by volunteer labor. Table 2.2 summarizes the tons of recyclables collected at each of the town recycling drop-off centers. The Town Recycling Drop-Off Centers are funded and run by the respective towns, through user fees and/or taxes.

*The staff at Hannaford in Middlebury are champions of food residuals composting.*
## Table 2.1. Town Recycling Drop-Off Centers in the ACSWMD, 2009

<table>
<thead>
<tr>
<th>Town</th>
<th>Recycling Coordinator / Contact Info</th>
<th>Facility Address / Hours of Operation</th>
<th>Directions to Facility</th>
<th>Recyclables Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison</td>
<td>Town Clerk 759-2020</td>
<td>Households may use Vergennes facility</td>
<td>See directions to Vergennes facility.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Bridport</td>
<td>Town Clerk 758-2483 Casella 388-2915</td>
<td>Old Town Landfill, Happy Valley Rd., Bridport, VT Sat, 9AM - 1PM</td>
<td>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-degree right turn – go straight onto Happy Valley Rd. Center is ¼ mile on right.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Ferrisburgh</td>
<td>Town Clerk 877-3429</td>
<td>Households may use Vergennes facility</td>
<td>See directions to Vergennes facility.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Goshen</td>
<td>Jeff Cathcart - 247-5413 Vickee Whiting - 247-0174 Town Clerk - 247-3137</td>
<td>106 Carlisle Hill Rd. Goshen, VT 05733 2nd and 4th Sats, 9AM - 11:30AM (mobile unit in shed)</td>
<td>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.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Leicester</td>
<td>R. Hummiston 247-8836</td>
<td>2241 Fern Lake Rd. Leicester, VT 05733 1st and 3rd Sats 10AM - 1PM</td>
<td>Take Rt. 7 in Leicester east onto Fern Lake Rd. Center is less than 0.5 miles on left.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Lincoln</td>
<td>Lance Latrell 453-8442</td>
<td>1111 Downingsville Rd., Lincoln, VT 05443 Sat, 8AM - 1PM</td>
<td>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.</td>
<td>Co-mingled single stream, scrap metal, tires</td>
</tr>
<tr>
<td>Monkton</td>
<td>Town Clerk 453-3800</td>
<td>4047 States Prison Hollow Rd., Monkton, VT 2nd and 4th Sats 9AM - 12PM</td>
<td>Northeast on States Prison Hollow Rd. Shed is 0.5 miles down road on right at end of long gravel drive.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>New Haven</td>
<td>Alan Curler 453-2724 Town Clerk 453-3800</td>
<td>Located on Rt. 17 East, New Haven, VT 05472, next to the fire station. Sat, 8AM - 12PM</td>
<td>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.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Panton</td>
<td>Town Clerk 475-2333</td>
<td>Households may use Vergennes facility</td>
<td>See directions to Vergennes facility.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Ripton</td>
<td>Warren King 388-4082</td>
<td>333 Peddlers Bridge Rd., Ripton, VT 05766 1st and 3rd Sats 9AM - 12PM $3.00 fee per load of recyclables</td>
<td>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.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Shoreham</td>
<td>Casella 388-2915</td>
<td>28 School Rd. (Behind Congregational Church), Shoreham, VT 05770 Sat, 9AM - 12PM</td>
<td>Take 22A to Main Street in town. Go less than 1 mile to Congregational Church on left. Shed is behind church.</td>
<td>Co-mingled single stream</td>
</tr>
<tr>
<td>Starksboro</td>
<td>Jen Turner 453-4927</td>
<td>Old Town Landfill 1686 Rt. 116 Starksboro, VT 05487 1st and 3rd Sats 8AM - 11AM Donation of $3.00/visit</td>
<td>Off of Rt. 116, south of Town, at the Starksboro Town Garage. Access by a steep dirt road heading east from Rt. 116.</td>
<td>Co-mingled single stream</td>
</tr>
</tbody>
</table>
### Table 2.2. Recycling Tonnage - Town Recycling Drop-Off Centers, 2009

<table>
<thead>
<tr>
<th>TOWN</th>
<th>Total Tons Recycled Through Town Centers 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bridport</td>
<td>139.37</td>
</tr>
<tr>
<td>Goshen</td>
<td>14.26</td>
</tr>
<tr>
<td>Leicester</td>
<td>37.77</td>
</tr>
<tr>
<td>Lincoln&lt;sup&gt;6&lt;/sup&gt;</td>
<td>112.08</td>
</tr>
<tr>
<td>Monkton</td>
<td>75.01</td>
</tr>
<tr>
<td>New Haven</td>
<td>127.35</td>
</tr>
<tr>
<td>Orwell</td>
<td>101.50</td>
</tr>
<tr>
<td>Ripton</td>
<td>45.19</td>
</tr>
<tr>
<td>Shoreham</td>
<td>97.63</td>
</tr>
<tr>
<td>Starksboro</td>
<td>33.45</td>
</tr>
<tr>
<td>Vergennes&lt;sup&gt;7&lt;/sup&gt;</td>
<td>511.87</td>
</tr>
<tr>
<td>Weybridge</td>
<td>80.68</td>
</tr>
<tr>
<td>Whiting</td>
<td>15.34</td>
</tr>
</tbody>
</table>

**TOTAL TONS** 1,391.50

---

<sup>6</sup> Single stream totals only – does not include other items such as scrap metal.

<sup>7</sup> Includes the towns of Addison, Ferrisburgh, Panton, and Waltham that use the Vergennes Recycling Drop-off Center.
Table 2.3 below summarizes the recycling rates per town based on 2009 annual reports from town recycling drop-off centers, private recycling centers and private commercial hauling companies (curbside collection).

### Table 2.3. Recycling Rates per Town – Town Drop-off Recycling Centers, Private Recycling Facilities & Curbside Collection, 2009

<table>
<thead>
<tr>
<th>Town</th>
<th>Total Recycling Tonnage, 2009 - Town Drop-offs, Private Recycling Facs. &amp; Curbside</th>
<th>Town Population</th>
<th>Per Capita Recycling Rate (lbs)</th>
<th>Number of Households (adjusted for seasonal homes)</th>
<th>Recycling Rate per Household, per Year (lbs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison</td>
<td>104.05</td>
<td>1,496</td>
<td>264.82</td>
<td>583</td>
<td>356.96</td>
</tr>
<tr>
<td>Bridport</td>
<td>168.29</td>
<td>1,306</td>
<td>284.92</td>
<td>512</td>
<td>657.38</td>
</tr>
<tr>
<td>Cornwall</td>
<td>59.61</td>
<td>1,282</td>
<td>598.28</td>
<td>456</td>
<td>261.44</td>
</tr>
<tr>
<td>Ferrisburgh</td>
<td>260.57</td>
<td>2,830</td>
<td>152.86</td>
<td>1,232</td>
<td>423.00</td>
</tr>
<tr>
<td>Goshen</td>
<td>14.26</td>
<td>227</td>
<td>96.02</td>
<td>103</td>
<td>278.24</td>
</tr>
<tr>
<td>Leicester</td>
<td>42.75</td>
<td>1,061</td>
<td>85.22</td>
<td>512</td>
<td>167.16</td>
</tr>
<tr>
<td>Lincoln</td>
<td>123.19</td>
<td>1,338</td>
<td>214.21</td>
<td>522</td>
<td>471.98</td>
</tr>
<tr>
<td>Middlebury</td>
<td>1,920.07</td>
<td>8,765</td>
<td>547.87</td>
<td>2,782</td>
<td>1,380.35</td>
</tr>
<tr>
<td>Monkton</td>
<td>134.16</td>
<td>2,089</td>
<td>182.02</td>
<td>671</td>
<td>400.19</td>
</tr>
<tr>
<td>New Haven</td>
<td>263.97</td>
<td>1,930</td>
<td>259.05</td>
<td>640</td>
<td>824.91</td>
</tr>
<tr>
<td>Orwell</td>
<td>172.93</td>
<td>1,295</td>
<td>295.43</td>
<td>518</td>
<td>667.70</td>
</tr>
<tr>
<td>Panton</td>
<td>95.78</td>
<td>728</td>
<td>148.83</td>
<td>264</td>
<td>725.58</td>
</tr>
<tr>
<td>Ripton</td>
<td>59.43</td>
<td>621</td>
<td>283.65</td>
<td>252</td>
<td>472.62</td>
</tr>
<tr>
<td>Shoreham</td>
<td>128.66</td>
<td>1,376</td>
<td>328.38</td>
<td>513</td>
<td>502.10</td>
</tr>
<tr>
<td>Starksboro</td>
<td>166.28</td>
<td>2,055</td>
<td>243.63</td>
<td>731</td>
<td>455.26</td>
</tr>
<tr>
<td>Vergennes</td>
<td>545.18</td>
<td>2,822</td>
<td>843.63</td>
<td>1,030</td>
<td>1,059.12</td>
</tr>
<tr>
<td>Waltham</td>
<td>54.47</td>
<td>507</td>
<td>165.17</td>
<td>193</td>
<td>565.89</td>
</tr>
<tr>
<td>Weybridge</td>
<td>105.69</td>
<td>866</td>
<td>260.18</td>
<td>333</td>
<td>635.75</td>
</tr>
<tr>
<td>Whiting</td>
<td>27.10</td>
<td>431</td>
<td>152.34</td>
<td>164</td>
<td>330.51</td>
</tr>
<tr>
<td>TOTAL</td>
<td>4,446.45</td>
<td>33,027</td>
<td>269.26</td>
<td>12,007</td>
<td>740.67</td>
</tr>
</tbody>
</table>

---

8 Addison, Ferrisburgh, Panton and Waltham figures are extrapolated from the Vergennes Recycling Drop-off Center total.
10 Seasonal adjustment using ACRPC data for seasonal units per town/2 (assume 6-month occupancy).
2.2 BUSINESS RECYCLING

Improving Business Recycling Rates

The District has a system in place to better track construction waste hauled in contractor vehicles. The Waste Management Ordinance defines “contractors” as persons who transfer or transport solid waste generated within District borders for compensation as part of a construction and/or demolition job, as long as the quantity of waste transported and disposed does not exceed 100 tons in a rolling year. To track this, “contractors” are identified and issued a numbered sticker for their vehicles. All waste brought into the Transfer Station by them is tracked monthly. If they are identified as disposing greater than 100 tons in any 12-month period, they have to become licensed commercial haulers.

The District promotes business recycling through a new program of voluntary waste assessments. Businesses can sign up for a free waste assessment by District staff that is tailored to their particular organization, and concludes with a useful report that focuses on specific areas of interest. The goal of assessment is to create a pathway for improving recycling, composting, and waste diversion efforts. As an incentive for volunteering to host an assessment, the District provides a free 23-gallon centralized office recycling container to any business that participates. The District also maintains a supply of these containers for other interested businesses to purchase.

In addition to recycling and waste reduction outreach to businesses, the District continues to provide safe and cost-effective recycling and disposal of hazardous waste from all Conditionally Exempt Generators (CEGs) in its 19 member towns. The District provides technical information on regulatory compliance with the Vermont Hazardous Waste Management Regulations by distributing the State’s CEG Handbook and promoting the State’s online CEG Tutorial website, www.vtceg.org. The District also promotes safe removal and handling practices for asbestos containing materials, and distributes a Vermont Department of Health brochure on the asbestos impacts from renovation and demolition activity. The District collects non-friable asbestos at its Transfer Station in Middlebury, provides information to homeowners and contractors on proper packaging requirements, and sells low-cost asbestos disposal bags. The District collects lead paint chips at its HazWaste Center from businesses requiring proper disposal under Vermont’s regulations for lead paint disposal.

2.3 THE IMPACT OF SINGLE STREAM RECYCLING

The District-wide switch to single stream recycling in 2002 has resulted in a marked increase in the District’s overall diversion rate. This method of recycling is easier for the consumer and the town drop-off centers, and more cost-effective for the haulers. All District-licensed commercial haulers and town recycling drop-off centers are using the single stream method.
2.4 WASTE DIVERTED AT THE TRANSFER STATION

Table 2.4 below lists the general wastes diverted in the District, and Table 2.5 below lists the special and universal wastes diverted at the Transfer Station. As summarized in Table 2.6, the District diverted 4% of its total MSW waste stream in 2009 through diversion and recycling efforts at the Transfer Station and HazWaste Center.

![Image](https://example.com/image)

A typical load of household hazardous waste arrives at the District HazWaste Center.

Table 2.4. General MSW Diverted at the Transfer Station – Comparison of 2001-2009

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tires</td>
<td>$2 per passenger tire &amp; up</td>
<td>51</td>
<td>101.42</td>
<td>138.13</td>
<td>36%</td>
<td>171%</td>
</tr>
<tr>
<td>Electronics (All types, including CRT’s, TV’s, computers)</td>
<td>$7/Regular TV $15/Console TV $11/Computer System $6/Monitor, CPU, Printer $5/mixed bag</td>
<td>13</td>
<td>117.87</td>
<td>111.42</td>
<td>-5%</td>
<td>757%</td>
</tr>
<tr>
<td>Raw Wood Waste</td>
<td>$50/ton</td>
<td>53</td>
<td>175.28</td>
<td>113.68</td>
<td>-35%</td>
<td>114%</td>
</tr>
<tr>
<td>Scrap Metal Appliances</td>
<td>No charge</td>
<td>942</td>
<td>401.77</td>
<td>401.01</td>
<td>0%</td>
<td>-57%&quot;</td>
</tr>
<tr>
<td>Appliances</td>
<td>$5 per non-freon appliance and $11 per freon appliance Weights not available</td>
<td>18</td>
<td>56.65</td>
<td>35.21</td>
<td>-38%</td>
<td>96%</td>
</tr>
<tr>
<td>Books</td>
<td>No charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corrugated Cardboard (OCC)</td>
<td>$2/cubic yard</td>
<td>12</td>
<td>18.35</td>
<td>17.24</td>
<td>-6%</td>
<td>44%</td>
</tr>
<tr>
<td>Single Stream</td>
<td>No charge</td>
<td>0</td>
<td>0</td>
<td>24.43&quot;</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL w/ Scrap</td>
<td></td>
<td>1,089</td>
<td>913.07</td>
<td>861.44</td>
<td>-6%</td>
<td>-21%</td>
</tr>
<tr>
<td>TOTAL w/out Scrap</td>
<td></td>
<td>147</td>
<td>511.30</td>
<td>460.43</td>
<td>-10%</td>
<td>213%</td>
</tr>
</tbody>
</table>

11 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 local scrap metal yards.

12 This figure represents the weight of Freon appliances only. In 2009, all non-Freon appliances were managed together with scrap metal. Incoming quantities were only down by 11% from 2007 - most likely due to the increase in value of scrap metal and the ability of generators to market scrap directly.

13 Includes single stream recyclables generated by the District office and Transfer Station. Also, for 12 weeks in 2009, the Transfer Station accepted single stream recycling from commercial haulers as a short pilot project. The OCC from contractors, residents & District office/Transfer Station was combined with that recycling. For tracking purposes, the OCC portion has been moved to the OCC category.
Table 2.5. Diversion of Special & Universal Wastes at Transfer Station, 2009

<table>
<thead>
<tr>
<th>Material</th>
<th>Cost to User, 1/1/2009</th>
<th>2009 Tonnage</th>
<th>2009 Tons and Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Oil</td>
<td>No charge</td>
<td>12.32</td>
<td>3,520 gallons (7 lbs/gal)</td>
</tr>
<tr>
<td>Oil Filters</td>
<td>$.25/each</td>
<td>4.19</td>
<td>5,301 Oil filters (1.58lbs/filter)</td>
</tr>
<tr>
<td>Auto/Lead Acid Batteries</td>
<td>$1 each</td>
<td>12.63</td>
<td>641 batteries (39.4 lbs/battery)</td>
</tr>
<tr>
<td>Household Batteries</td>
<td>No charge</td>
<td>0.52</td>
<td>1,044 lbs (actual ship weight)</td>
</tr>
<tr>
<td>Mercury Devices</td>
<td>No charge</td>
<td>0</td>
<td>Did not have enough to ship in 2009.</td>
</tr>
<tr>
<td>Antifreeze</td>
<td>No charge</td>
<td>1.69</td>
<td>385 gallons (8.8 lbs/gallon)</td>
</tr>
<tr>
<td>Fluorescent Lamps/Bulbs</td>
<td>$.25 per 2-linear ft.</td>
<td>3.47</td>
<td>36,499 linear ft (.19 lb/lf)</td>
</tr>
<tr>
<td>PCB Capacitors and Ballasts</td>
<td>$3 per ballast</td>
<td>1.22</td>
<td>2,440 lbs</td>
</tr>
<tr>
<td>Non-CFC White Goods</td>
<td>$5 per unit</td>
<td></td>
<td>1,054 units (weight included in CFC number)</td>
</tr>
<tr>
<td>CFC White Goods</td>
<td>$11 per unit</td>
<td>20.32</td>
<td>807 units (20.32 tons white goods)</td>
</tr>
<tr>
<td>Propane Cylinders</td>
<td>1-lb. cylinder = No charge.</td>
<td>1.53</td>
<td>850 1-lb cylinders (15oz. Ea)</td>
</tr>
<tr>
<td></td>
<td>20-lb cylinder = $4 ea.</td>
<td></td>
<td>120 20-lb (17.5 lbs/ ea.)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4 30+ lb cylinders (25+ lbs/ ea.)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>57.89</strong></td>
<td></td>
</tr>
</tbody>
</table>

2.5 DISTRICT GENERATION, DISPOSAL AND DIVERSION RATES IN 2009

Table 2.6 below summarizes how the District’s waste stream is managed. The MSW and C&D combined generation total is for all waste that the District has been able to track from a variety of sources, including licensed commercial haulers. The disposal total is comprised of MSW entering the District Transfer Station and MSW direct hauled for disposal. The diversion total consists of: scrap metal direct hauled for recycling; MSW diverted at the Transfer Station; universal waste diverted; HHW and CEG waste diverted; recyclables collected curbside and at recycling drop-off centers; economic recyclables; economic diversion; and residential composting. It does not include diverted C&D, however. The District does not track C&D diversion, because it is not considered eligible for inclusion in the State of Vermont’s diversion estimates. In addition to C&D, the State does not allow a claim of diversion for: institutional, commercial and industrial materials reused through economic diversion; wastewater treatment facility sludge; glass aggregate; and automobiles. The State does not include these materials in measuring state diversion rates so that they will be consistent with U.S. EPA guidelines that are designed to compare diversion rates in all states equally. Appendix 4 includes samples of public educational materials, brochures, and ads used to promote District programs.
Table 2.6. District Generation, Disposal & Diversion, 2009

<table>
<thead>
<tr>
<th>Waste Material</th>
<th>Tons, 2009</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>C&amp;D Transfer Station incoming(^{14})</td>
<td>5,540</td>
<td>Includes C&amp;D only.</td>
</tr>
<tr>
<td>MSW Transfer Station incoming(^{15})</td>
<td>12,012</td>
<td>Includes MSW only.</td>
</tr>
<tr>
<td>Direct hauled MSW, for disposal</td>
<td>221</td>
<td>Based on hauler reports, District fee receipts, facility reports and audits on waste direct-hauled for disposal at out-of-district facilities.</td>
</tr>
<tr>
<td>Direct hauled C&amp;D, for disposal</td>
<td>145</td>
<td>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.</td>
</tr>
<tr>
<td>Direct-hauled C&amp;D for recycling</td>
<td>?</td>
<td>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.</td>
</tr>
<tr>
<td>Direct-hauled scrap metal for recycling</td>
<td>171</td>
<td>Includes 2009 diversion amounts reported as direct-hauled to scrap yards.</td>
</tr>
<tr>
<td>MSW diverted at Transfer Station</td>
<td>919</td>
<td>Includes items listed in Table 2.4 and Table 2.5</td>
</tr>
<tr>
<td>(Includes Special &amp; Universal Waste)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HHW and CEG wastes diverted at HazWaste Center</td>
<td>38</td>
<td>Tonnage from 2009 HazWaste Center quarterly reports, plus 5.54 tons latex paint sent to CSWD for recycling.</td>
</tr>
<tr>
<td>Recyclables collected</td>
<td>4,446</td>
<td>Table 2.3. Includes business &amp; residential curbside collection, and recycling drop-off centers.</td>
</tr>
<tr>
<td>Economic recyclables from the institutional, commercial and industrial sectors.</td>
<td>3,206</td>
<td>Includes those recyclables, such as white paper, cardboard, electronics, batteries, returnable bottles &amp; cans, textiles, taken out-of-district for processing.</td>
</tr>
<tr>
<td>Economic diversion from the institutional, commercial and industrial sectors.</td>
<td>1,967</td>
<td>From NERC 2002 Survey: includes those wastes sold or brokered as a commodity.</td>
</tr>
<tr>
<td>Composting, residential</td>
<td>546</td>
<td>Based on avg. sale of 100 bins/yr x 12 yrs = 1200 households x 474 lbs/household/yr.</td>
</tr>
<tr>
<td>Composting, Commercial</td>
<td>924</td>
<td>Includes two commercial composting facilities</td>
</tr>
<tr>
<td>Reuse Materials</td>
<td>204</td>
<td>Midd. College, 2 reuse centers at Transfer Station, and HOPE thrift store sales only.</td>
</tr>
<tr>
<td>TOTAL MSW &amp; C&amp;D COMBINED GENERATION</td>
<td>30,341</td>
<td></td>
</tr>
<tr>
<td>TOTAL MSW ONLY GENERATION</td>
<td>24,655</td>
<td></td>
</tr>
<tr>
<td>Less TOTAL MSW DIVERSION</td>
<td>12,422</td>
<td></td>
</tr>
<tr>
<td>TOTAL MSW DISPOSAL</td>
<td>12,233</td>
<td></td>
</tr>
<tr>
<td>MSW Diversion Rate, 2009</td>
<td>50.38%</td>
<td></td>
</tr>
</tbody>
</table>

\(^{14}\) This figure does not include non-District C&D brought to the Transfer Station in 2009 (357.75 tons from Brandon, Bristol, Charlotte, Hancock, Rochester, and Salisbury).

\(^{15}\) This figure does not include non-District MSW brought to the Transfer Station in 2009 (342.41 tons from Brandon, Bristol, Hancock, and Salisbury).
Table 2.7 below shows the estimated per capita generation, diversion, and disposal rates for the seasonally adjusted population of the District. Note that these rates are based on total MSW generation and diversion only. The inclusion of C&D and other non-eligible materials in these rate calculations would result in higher per capita rates for generation and disposal.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Table 2.7. Estimated Daily Per Capita Disposal, 2009</strong></td>
<td></td>
</tr>
<tr>
<td>Total annual MSW disposal</td>
<td>12,233</td>
</tr>
<tr>
<td>estimate (tons)</td>
<td></td>
</tr>
<tr>
<td>Total annual MSW disposal</td>
<td>24,465,980</td>
</tr>
<tr>
<td>estimate (pounds)</td>
<td></td>
</tr>
<tr>
<td>Year-round population in 2009</td>
<td>31,243</td>
</tr>
<tr>
<td>Seasonal population in 2000</td>
<td>1,784</td>
</tr>
<tr>
<td>Total adjusted population</td>
<td>33,027</td>
</tr>
<tr>
<td>= year-round pop. + (seasonal pop.) (%) of year</td>
<td></td>
</tr>
<tr>
<td>Estimated Annual per Capita MSW</td>
<td>1,493.06</td>
</tr>
<tr>
<td>Generation (lbs./person/year)</td>
<td></td>
</tr>
<tr>
<td>Estimated Daily per Capita MSW</td>
<td>4.09</td>
</tr>
<tr>
<td>Generation (lbs./person/day)</td>
<td></td>
</tr>
<tr>
<td>Estimated Annual per Capita MSW</td>
<td>752.26</td>
</tr>
<tr>
<td>Diversion (lbs./person/year)</td>
<td></td>
</tr>
<tr>
<td>Estimated Daily per Capita MSW</td>
<td>2.06</td>
</tr>
<tr>
<td>Diversion (lbs./person/day)</td>
<td></td>
</tr>
<tr>
<td>Estimated Annual per Capita MSW</td>
<td>740.79</td>
</tr>
<tr>
<td>Disposal (lbs./person/year)</td>
<td></td>
</tr>
<tr>
<td>Estimated Daily per Capita MSW</td>
<td>2.03</td>
</tr>
<tr>
<td>Disposal (lbs./person/day)</td>
<td></td>
</tr>
</tbody>
</table>

The graph in Table 2.8 below displays the District’s MSW disposal v. diversion in pounds per capita per day for the years 2001 - 2009. The point at which the two lines intersect demonstrates that the District has reached the 50% State diversion goal in 2009.

---

16 2009 Annual Estimate of the Population for Minor Civil Divisions in Vermont -- Original Source - Population Division, US Census Bureau (District member towns only).
17 VT Housing Data 2000, Addison Cty RPC (2.55 persons/household) (District member towns only).
Table 2.8. ACSWMD MSW Disposal v. Diversion (lbs/capita/day), 2001-2009

ACSWMD MSW Disposal v. Diversion Lbs/Capita/Day - District Towns Only
2001 - 2009

<table>
<thead>
<tr>
<th>Year</th>
<th>Disposal/Capita</th>
<th>Diversion/Capita</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>2.33</td>
<td>1.21</td>
</tr>
<tr>
<td>2002</td>
<td>2.35</td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>2.45</td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>2.50</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>2.56</td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>2.54</td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td>2.29</td>
<td></td>
</tr>
<tr>
<td>2008</td>
<td>2.26</td>
<td></td>
</tr>
<tr>
<td>2009</td>
<td>2.03</td>
<td></td>
</tr>
</tbody>
</table>

Lbs/Capita/Day

2001 2002 2003 2004 2005 2006 2007 2008 2009
SECTION 3. BIOSOLIDS AND SEPTAGE MANAGEMENT

There are currently six (6) permitted wastewater treatment facilities (WWTF’s) within the District. Of the six facilities, only one (Middlebury) is currently land applying its Biosolids. Data provided in Tables 3.1-3.3 represents 2008-2009 figures unless otherwise noted.

Table 3.1. Inventory of Sludge and Septage Generators in ACSWMD, 2008-2009

<table>
<thead>
<tr>
<th>Generators</th>
<th>Total Annual Amount Generated in 2008-2009</th>
<th>Location of Generator</th>
<th>Present Final Management Options</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Biosolids (Facility Name)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vergennes WWTF</td>
<td>50 dry tons/year(^{18})</td>
<td>Vergennes, VT</td>
<td>Land applied in Vergennes.</td>
</tr>
<tr>
<td>Middlebury WWTF</td>
<td>4.99 dry tons (4.53 dry metric tons) (assuming 15% solids), CY2009(^{19})</td>
<td>Middlebury, VT</td>
<td>Landfilled at Interstate Waste Services (Moretown).</td>
</tr>
<tr>
<td>Middlebury WWTF</td>
<td>585.01 dry tons (530.70 dry metric tons), Class A(^{20})</td>
<td>Middlebury, VT</td>
<td>Land applied in Addison County.</td>
</tr>
<tr>
<td>Shoreham WWTF</td>
<td>14,000 gallons, 0.300 dry tons (assuming 0.5% solids)(^{21})</td>
<td>Shoreham, VT</td>
<td>Taken away by Doran Bros. in Fair Haven, to further treatment at Ft. Edward WWTF in NY.</td>
</tr>
<tr>
<td>Orwell WWTF facility</td>
<td></td>
<td>Orwell, VT</td>
<td>Per State, no new pumping since 2000.</td>
</tr>
<tr>
<td><strong>TOTAL Biosolids</strong></td>
<td><strong>640.30 dry tons</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Septage</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private septage haulers operating in the District.</td>
<td>1,804,250 gallons(^{22})</td>
<td>Varies.</td>
<td>All to Middlebury WWTF, except for one hauler who land applies at out-of-state site.</td>
</tr>
<tr>
<td>Basin Harbor Club</td>
<td></td>
<td>Vergennes, VT</td>
<td>Per State, no new pumping since 2000.</td>
</tr>
<tr>
<td>Button Bay State Park</td>
<td>30,000 gallons</td>
<td>Ferrisburgh, VT</td>
<td>Per State, no new pumping since 2000. Pumped by P&amp;P every 10 years.</td>
</tr>
<tr>
<td>Goodrich Corporation</td>
<td>24,063 lbs. aluminum tri-hydrate(^{23})</td>
<td>Vergennes, VT</td>
<td>Handled by Clean Harbors</td>
</tr>
<tr>
<td>Vergennes WWTF</td>
<td>200,000 gallons(^{24})</td>
<td>Vergennes, VT</td>
<td>Land applied 1 million gallons of septage behind JobCorps in Vergennes, accumulated over a period of 4-5 years.</td>
</tr>
<tr>
<td><strong>TOTAL Septage</strong></td>
<td><strong>2,034,250 Gallons</strong> <strong>24,063 Lbs.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

\(^{18}\) Martin Williams, Vergennes WWTF (1/7/10).
\(^{19}\) Bob Wells, Middlebury WWTF (1/7/10).
\(^{20}\) Bob Wells, Middlebury WWTF (1/7/10).
\(^{21}\) Eric Leonard, Shoreham WWTF (1/7/10).
\(^{22}\) Verna Watson, Middlebury Town Office (6/9/10).
\(^{23}\) Kevin Hanson, Goodrich Corporation (8/12/10).
\(^{24}\) Martin Williams, Vergennes WWTF (1/7/10).
Although the State of Vermont does not currently allow industrial wastewater/sludge diversions to be included in the beneficial reuse rate established in Table 3.3, the District wishes to acknowledge the exemplary efforts of local industries. In many cases, they have undertaken changes in their processes and engineering, at considerable expense, in order to successfully divert their wastewater sludges. In regard to industrial sludges and wastewater, the District feels strongly that the diversion efforts undertaken by industry should be acknowledged by inclusion in the beneficial reuse rate.

### Table 3.2. Industrial Sludges and Wastewater Generated in District, 2009

<table>
<thead>
<tr>
<th>Industrial/Processing Wastewater Sludges</th>
<th>Total Annual Amount Generated</th>
<th>Location of Generator</th>
<th>Present Final Management Option</th>
</tr>
</thead>
<tbody>
<tr>
<td>Otter Creek Brewery</td>
<td>500,000 gallons of slurry (spent yeast and waste beer)</td>
<td>Middlebury</td>
<td>Used as fertilizer.25</td>
</tr>
<tr>
<td>Green Mountain Beverage</td>
<td>72,000 gallons tank bottoms</td>
<td>Middlebury</td>
<td>Now being processed through Essex Junction (municipal ww) digester (Hauled by Hardigan).26</td>
</tr>
<tr>
<td>Cabot/AgriMark</td>
<td>2,248,000 gallons whey waste mixed with manure for land application.</td>
<td>Middlebury</td>
<td>Wastewater solids pretreated for pH and sent to Middlebury WWTF; waste whey added to manure silos around Addison County through indirect discharge permit.27</td>
</tr>
<tr>
<td></td>
<td>2,864,000 gallons liquid whey fed to cattle.</td>
<td>Middlebury</td>
<td>Local feed program - liquid fed directly to cattle on various farms within about a 30-mile radius.28</td>
</tr>
<tr>
<td>TOTAL Industrial Wastewater Sludges</td>
<td>5,684,000 gallons</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The State of Vermont identified a target goal of 75% beneficial use rate for biosolids. ACSWMD currently has a 99% beneficial use rate.

### Table 3.3. Biosolids Beneficial Use Rate for 2009

<table>
<thead>
<tr>
<th></th>
<th>Biosolids – Land Applied</th>
<th>635.01 dry tons</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Biosolids – Composted</td>
<td>0</td>
</tr>
<tr>
<td>3</td>
<td>Biosolids – Beneficially Used (total of lines 1,2)</td>
<td>635.01 dry tons</td>
</tr>
<tr>
<td>4</td>
<td>Biosolids – Landfilled</td>
<td>4.99 dry tons</td>
</tr>
<tr>
<td>5</td>
<td>Biosolids – Used as Daily Cover</td>
<td>0</td>
</tr>
<tr>
<td>6</td>
<td>Biosolids – Incinerated</td>
<td>0</td>
</tr>
<tr>
<td>7</td>
<td>Biosolids – Disposed (total of lines 4,5,6)</td>
<td>4.99 dry tons</td>
</tr>
<tr>
<td>8</td>
<td>Total tons generated</td>
<td>640 dry tons</td>
</tr>
<tr>
<td>9</td>
<td>Biosolids Beneficial Use Rate</td>
<td>99 % Beneficial Use Rate</td>
</tr>
</tbody>
</table>

25 Mike Gerhart with Otter Creek Brewing Company, 6/9/10, personal communication.
26 Dan Rowell, 6/16/10, personal communication.
27 Bernie Boudreau, Plant Manager, Cabot/AgriMark, 6/17/10 personal communication.
28 Ibid.
SECTION 4. DISTRICT HAZWASTE CENTER

The District HazWaste Center is located at the Transfer Station, and is open year-round for District residents and CEGs. Opened in 2005, it affords residents an opportunity to dispose of HHW four days per week. Small businesses that qualify as CEGs are also accepted year-round by appointment. The HazWaste Center has allowed the District to improve the efficiency, availability and safety of collection. Participation rates have been steadily climbing since the opening of the HazWaste Center.

Table 4.1 below summarizes the number of residents and CEGs bringing their hazardous waste to the Transfer Station in 2009.

<table>
<thead>
<tr>
<th>Month</th>
<th>Number of Residents</th>
<th>Number of CEGs</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>26</td>
<td>7</td>
</tr>
<tr>
<td>February</td>
<td>33</td>
<td>7</td>
</tr>
<tr>
<td>March</td>
<td>66</td>
<td>10</td>
</tr>
<tr>
<td>April</td>
<td>108</td>
<td>10</td>
</tr>
<tr>
<td>May</td>
<td>130</td>
<td>10</td>
</tr>
<tr>
<td>June</td>
<td>126</td>
<td>8</td>
</tr>
<tr>
<td>July</td>
<td>136</td>
<td>9</td>
</tr>
<tr>
<td>August</td>
<td>124</td>
<td>11</td>
</tr>
<tr>
<td>September</td>
<td>126</td>
<td>9</td>
</tr>
<tr>
<td>October</td>
<td>149</td>
<td>10</td>
</tr>
<tr>
<td>November</td>
<td>122</td>
<td>8</td>
</tr>
<tr>
<td>December</td>
<td>65</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,211</strong></td>
<td><strong>106</strong></td>
</tr>
</tbody>
</table>

*District staff inspects a capacitor for the presence of polychlorinated biphenyls (PCBs).*
SECTION 5. DIVERSION OF SPECIAL AND UNIVERSAL WASTES

Table 5.1 below lists the wide variety of special and universal wastes now accepted and managed year-round at the Transfer Station. Waste oil will no longer be collected at the Vergennes Recycling Drop-off Center as of July 2010.

Table 5.1. Collection Options for HHW, CEG, Landfill Banned & Special Wastes (2009)

<table>
<thead>
<tr>
<th>WASTES</th>
<th>COLLECTION DROP-OFF LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AUTOMOTIVE</strong></td>
<td></td>
</tr>
<tr>
<td>Waste Oil</td>
<td>District Transfer Station</td>
</tr>
<tr>
<td>Oil Filters</td>
<td>District Transfer Station</td>
</tr>
<tr>
<td>Tires</td>
<td>District Transfer Station Area retailers selling tires Auto Repair Facilities</td>
</tr>
<tr>
<td>Antifreeze</td>
<td>District HazWaste Center</td>
</tr>
<tr>
<td>Lead Acid Batteries</td>
<td>District Transfer Station Area retailer selling batteries</td>
</tr>
<tr>
<td><strong>HHW</strong></td>
<td></td>
</tr>
<tr>
<td>Pesticides</td>
<td>District HazWaste Center</td>
</tr>
<tr>
<td>Household Chemicals</td>
<td>District HazWaste Center</td>
</tr>
<tr>
<td>Paint/Related Wastes</td>
<td>District HazWaste Center</td>
</tr>
<tr>
<td>Ni-Cd &amp; Lead Acid Batteries</td>
<td>District HazWaste Center</td>
</tr>
<tr>
<td><strong>ELECTRICAL PRODUCTS</strong></td>
<td></td>
</tr>
<tr>
<td>Fluorescent Light Bulbs</td>
<td>District Transfer Station Area retailers</td>
</tr>
<tr>
<td></td>
<td>District Transfer Station</td>
</tr>
<tr>
<td>PCB Ballasts &amp; Capacitors</td>
<td>District Transfer Station</td>
</tr>
<tr>
<td>Consumer Electronics (computers, monitors, TV’s)</td>
<td>District Transfer Station Good Point Recycling (commercial only)</td>
</tr>
<tr>
<td>White Goods</td>
<td>District Transfer Station</td>
</tr>
<tr>
<td><strong>OTHER SPECIAL WASTES</strong></td>
<td></td>
</tr>
<tr>
<td>Non-friable Asbestos</td>
<td>District Transfer Station</td>
</tr>
<tr>
<td>Friable Asbestos</td>
<td>Green Mountain Environmental</td>
</tr>
<tr>
<td>Medical wastes, regulated</td>
<td>No local option; referrals made upon request</td>
</tr>
<tr>
<td>Mercury-added Products</td>
<td>District HazWaste Center</td>
</tr>
<tr>
<td>Dead Animals</td>
<td>Varies depending on the circumstances – contact the District</td>
</tr>
<tr>
<td>Propane &amp; Other Pressurized Cylinders</td>
<td>District Transfer Station Area retailers and propane dealers</td>
</tr>
</tbody>
</table>
SECTION 6. PRICES IN THE DISTRICT, 2009

Table 6.1 lists the prices of solid waste facilities and services in the ACSWMD area in 2009. Prices are averaged, or the range of prices is listed. Table 6.2 lists the 2009 prices at the District Transfer Station. (A 2010 Price List is included as part of the Waste Management Ordinance in Appendix 2 of this Report).

Table 6.1. Prices in the ACSWMD Area (June 2009)

<table>
<thead>
<tr>
<th>MATERIAL</th>
<th>FACILITY/SERVICE</th>
<th>COST TO USER</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MSW</strong> (Municipal Solid Waste)</td>
<td>Residential Curbside Pickup</td>
<td>Average: $4/bag per 30-gallon bag.</td>
</tr>
<tr>
<td></td>
<td>Roll-off Rentals</td>
<td>Too many variations to list (usually a combination of: a charge per roll-off, of varying sizes, + a charge per service event + a charge per ton).</td>
</tr>
<tr>
<td></td>
<td>In-District drop-offs, fast trash trucks</td>
<td>$2.50/bag - $3.50/bag per 30-gallon bag (Avg. $3/bag)</td>
</tr>
<tr>
<td><strong>Recyclables</strong></td>
<td>Town Recycling Drop-off Centers</td>
<td>With the exception of Starksboro and Ripton ($3/household/visit), the town drop-offs accept recyclables at no charge. Most or all of the cost of recycling is paid for with municipal taxes.</td>
</tr>
<tr>
<td></td>
<td>Fast Trash Trucks</td>
<td>$3 per 30 lbs, $5.50 bi-weekly</td>
</tr>
<tr>
<td></td>
<td>Private Hauling Companies</td>
<td>$10/mo. to $13.50/mo. for alternate weekly collection of residential curbside recyclables. Commercial rates vary depending on material and volume.</td>
</tr>
<tr>
<td><strong>C&amp;D</strong> (Construction/demolition debris)</td>
<td>District Transfer Station</td>
<td>$122.50/ton</td>
</tr>
<tr>
<td><strong>Tires</strong></td>
<td>District Transfer Station</td>
<td>$2 per passenger tire&lt;br&gt;$6 per large truck tire&lt;br&gt;$20 per off-road vehicle &amp; heavy equip. tire&lt;br&gt;$0.06/lb.</td>
</tr>
<tr>
<td><strong>Appliances</strong></td>
<td>District Transfer Station</td>
<td>$5 per pc./ Non-freon&lt;br&gt;$11 per pc./ Freon</td>
</tr>
<tr>
<td><strong>Clean Wood</strong></td>
<td>District Transfer Station</td>
<td>$50/ton, $10/cu.yd.</td>
</tr>
</tbody>
</table>
Table 6.2. Prices at the ACSWMD Transfer Station (January 1, 2009)

<table>
<thead>
<tr>
<th>DESTINATION</th>
<th>MATERIAL</th>
<th>COST TO USER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disposal</td>
<td>MSW (min. load size of 5 cu.yds., or ½ ton)</td>
<td>$122.50/ton, min. fee $61.25</td>
</tr>
<tr>
<td></td>
<td>C&amp;D</td>
<td>$122.50/ton, min. fee $6 for &lt;100 lbs.</td>
</tr>
<tr>
<td></td>
<td>Non-Friable Asbestos</td>
<td>$330/ton</td>
</tr>
<tr>
<td></td>
<td>Bulky Wastes</td>
<td>$6/each for large, $4/each for small</td>
</tr>
<tr>
<td>Re-Use</td>
<td>Construction Material</td>
<td>No Charge</td>
</tr>
<tr>
<td></td>
<td>Household Goods</td>
<td>NC/&lt; 20 lbs, $1/20 - 50 lbs, $3/ &gt;50 lbs.</td>
</tr>
<tr>
<td>Recycling</td>
<td>Scrap Metal, Appliances, Tires, Electronics (Computers, TV’s), Corrugated Cardboard, Books</td>
<td>(See Table 2.4)</td>
</tr>
<tr>
<td>Recycling or Disposal</td>
<td>Universal Wastes</td>
<td>(See Table 2.5)</td>
</tr>
</tbody>
</table>

The District collects a $33.40/ton fee on all waste generated in the District and destined for disposal. This basic District Fee pays for District administration, debt service and all diversion programs offered by the District, such as HHW collection, special waste, recycling and public education. In November 2009, the District Board adopted a new fee of $10.00/ton on contaminated soils that are approved by the ANR for use as Alternative Daily Cover at the landfill.

The District tracks the full cost, including labor, of managing the various materials at the Transfer Station using full cost accounting. As part of its annual budget adoption process, the District Board makes a policy decision to subsidize all or a portion of the cost of items such as HHW in the unit fees for MSW and C&D disposal. With respect to HHW, the full subsidy reflects the importance of capturing the more hazardous elements of the waste stream by accepting them at a lower rate than the cost of managing them.

SECTION 7. CONCLUSION

As the District continues to improve its waste diversion rate, new opportunities for reducing, reusing, and recycling materials will develop. The realization of new technologies and management strategies for further segregation and processing/recovery of materials, whether they are household recyclables or industrial wastes, may have a marked effect on the overall diversion rate. On the horizon are increased efforts to promote shared responsibility for products throughout their lifecycle. Vermont recently saw several new initiatives toward producer responsibility with the formation of the Vermont Product Stewardship Council and adoption of the State’s first electronic waste recycling law. It is likely that the District will continue to promote a product stewardship model for additional materials as well.

Recent studies by the U.S. Environmental Protection Agency and the Product Policy Institute concluded that products and their packaging may account for 44% of all greenhouse gas emissions in the United States. In the next few years, Vermont’s solid waste districts will continue to evaluate this relationship, which may bring solid waste management to the forefront of efforts to conserve energy and to preserve our environment well into the future.
General acceptance guidelines:

1) All items placed in the shed should be readily usable and safe to operate in its current condition, with little or no broken parts or missing pieces.

2) Any items (with the exception of books) that are already recycled under a separate program at the transfer station will not be accepted for reuse. These items include televisions, computer monitors or CPUs, tires, Freon appliances, household chemicals, tires, etc.

3) Clothing and other textiles are not accepted.

<table>
<thead>
<tr>
<th>Household Goods Category</th>
<th>Accepted</th>
<th>Not Accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Appliances (non-Freon)</td>
<td>Most small appliances judged to be reusable.</td>
<td>Microwaves, shop vacs, floor scrubbers, halogen lamps, humidifiers, air purifiers, or large stereo systems.</td>
</tr>
<tr>
<td>Books</td>
<td>Most general reading books in good condition.</td>
<td>Romance novellas, Reader’s Digest Condensed books, old encyclopedias, textbooks. (These books will be accepted in the Book Recycling Program.)</td>
</tr>
<tr>
<td>Electronics</td>
<td>Most small consumer electronics in good working condition</td>
<td>Computer monitors or CPUs, televisions, large stereo systems.</td>
</tr>
<tr>
<td>Furniture</td>
<td>Most furniture in good condition.</td>
<td>Furniture with stains, tears, odors, pet hair, or structural damage. Large metal desks, or mattresses/boxsprings.</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>Housewares, games, toys, sporting goods, weight benches, free weights, etc.</td>
<td>Automotive parts, medical supplies, curtains, motorized exercise equipment, life preservers/ jackets, bike helmets, bike seats, car seats, potty seats, diaper pails, baby baths/ bath accessories, wall-to-wall carpeting, bath mats, large area rugs, cribs, high chairs, strollers, swings.</td>
</tr>
</tbody>
</table>
**REUSE It or LOSE It**

**Building Materials**

General acceptance guidelines:

All building materials placed in the shed should be readily usable in their current condition. Items should not require extensive repair or preparation.

<table>
<thead>
<tr>
<th>Construction Material Category</th>
<th>Accepted</th>
<th>Not Accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kitchen and Bath Fixtures, Plumbing</td>
<td>Architecturally-significant tubs, shower stalls, toilets, sinks (must be white or off-white in color). Vanity sets w/ no damage.</td>
<td>Regular tubs, sinks, countertops. Colored toilets or sinks. Old faucets, drains, or shower heads.</td>
</tr>
<tr>
<td>Cabinets</td>
<td>Kitchen cabinets in good condition.</td>
<td>Heavily soiled or water damaged cabinets.</td>
</tr>
<tr>
<td>Doors</td>
<td>Interior or exterior doors.</td>
<td>Doors w/ peeling paint or rot. Steel commercial slab doors. Half light doors. Doors w/ asbestos insulation.</td>
</tr>
<tr>
<td>Hardware</td>
<td>Doorknobs, locks w/ keys. Hinges, clasps, handles, tools (hand &amp; power). Fasteners: larger boxes of nails, screws, etc.</td>
<td>Locks w/o keys, broken items.</td>
</tr>
<tr>
<td>Insulation</td>
<td>Fiberglass rolls, insulation board 16 ft² or larger.</td>
<td>Loose insulation pieces. Cellulose insulation.</td>
</tr>
<tr>
<td>Lumber / Plywood</td>
<td>Framing lumber 6’ or longer, free of nails, screws, bolts, staples, etc. May be pressure treated. Boards suitable for interior use over 4’ and no nails. Plywood, OSB, or particle board 16 ft² or larger.</td>
<td>Rot, nails, screws, or staples. Painted or stained wood. Warped, cracked, or broken wood.</td>
</tr>
<tr>
<td>Tiles</td>
<td>New ceramic kitchen &amp; bath tiles.</td>
<td>Broken corners, grout or glue on either side. Vinyl tiles.</td>
</tr>
<tr>
<td>Flooring</td>
<td>Hardwood flooring in good shape. New vinyl or laminate flooring.</td>
<td>Used laminate or vinyl flooring.</td>
</tr>
<tr>
<td>Windows</td>
<td>Double-paned, insulated, double-hung or awning style casements. Shutters in good condition.</td>
<td>Storm windows, single panes, picture windows. Rot or breakage.</td>
</tr>
<tr>
<td>Lighting</td>
<td>Prefer unique fixtures in good condition.</td>
<td>Fluorescent fixtures, ceiling fans.</td>
</tr>
<tr>
<td>Various / Misc.</td>
<td>Metal work, rebar, steel, copper, gates, stairways in good condition, fencing.</td>
<td>Hot water heaters, fireplace screens, grates, ductwork.</td>
</tr>
</tbody>
</table>
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 (the "Charter"); and

WHEREAS, pursuant to its Charter and the State Solid Waste Management Act, the District has developed and adopted a Solid Waste Implementation Plan (the "Plan") providing for, among other things, Separation, collection, Transport, Recycling and Disposal of Solid Waste; and

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

WHEREAS, the Board of Supervisors has determined that the goals and benefits of the Waste management program set forth in the Plan, together with the environmental quality of the District and efficient administration of the District, will be assisted by the direction of all acceptable Solid Waste to the District Transfer Station in Middlebury for Disposal; and

WHEREAS, the District has the authority under the Charter and the General Laws of the State of Vermont to: provide Solid Waste Disposal services for its member municipalities; manage and regulate the collection, storage, Transport, resource recovery, Recycling, and Disposal of Solid Waste within the District; make proper charges for its facilities, programs, and services; and enact, amend, or repeal any and all 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 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, its member municipalities and their inhabitants and the general community by promoting Waste reduction, Reuse and Recycling; fulfill the District's responsibilities under 24 V.S.A. 2202(a); regulate the Separation, collection, Transport, Recycling and Disposal of Solid Waste within the District; facilitate the adequate provision of Solid Waste Recycling and Disposal services such that the Generators of Solid Waste
pay costs reflecting the real costs of Waste management; regulate Waste Disposal practices that pose a danger to the public health and welfare and the environment; make proper charges for the District's facilities, programs, and services; implement and further the District Plan and the State's Waste Management Plan; and provide for the efficient, economical, and environmentally sound management of Solid Waste.

1.2 **Title.** This Ordinance shall be known and may be cited as the "District Waste Management 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. "Clean-Out Service Provider" shall mean any Person who cleans out Solid Waste from a residential or business property located within District borders, and collects, Transfers, or Transports the Solid Waste for compensation.

C. "Clean Wood" shall mean Discarded brush, trees, raw (unpainted and untreated) dimensional wood or lumber, or untreated wood pallets. Clean Wood does not include manufactured particleboard, oriented strand board, plywood, painted wood or wood treated with preservatives.

D. "Commercial Hauler" shall mean any Person who collects, Transfers, or Transports Solid Waste generated within District borders for compensation, including Clean-Out Service Providers and operators of a Mobile Solid Waste Collection Operation.

E. "Compost" and "Composting" shall mean the controlled biological decomposition of organic matter through active management to produce a stable humus-rich material.

F. "Conditionally Exempt Generator" shall mean any business Generator of Hazardous Waste that meets the criteria as defined in Subchapter 3, Section 7-306 of the Vermont Hazardous Waste Management Regulations.

G. "Contractor" shall mean any Person who Transfers or Transports Solid Waste generated within District borders for compensation as part of a construction and/or demolition job, as long as the quantity of Waste Transported and disposed does not exceed one hundred (100) tons in a rolling year.

H. "Designated Area" shall mean an area designated for placement of Solid Waste for collection, which must be readily accessible at all times by a conventional Solid Waste collection truck and not directly on the travelled portion of any public road or sidewalk. An area may be so designated through mutual agreement between a Person and his, her, or its Commercial Hauler. However, the location of a Designated Area shall not violate any applicable local or municipal ordinance. For purposes of this Ordinance, a municipally owned Drop-Off Facility is also considered a Designated Area.
I. “Discarded” shall mean when the original Generator of a material has released his or her direct control of the material. This will be assumed to have occurred when the original Generator of the material has delivered the material to a treatment, storage, Composting, Recyclables Processing, Transfer, or Disposal Facility or has had the material collected for delivery to a treatment, storage, Composting, Recyclables Processing, Transfer, or Disposal Facility.

J. “Disposal” or “to Dispose” shall mean: (1) the incineration of any Solid Waste other than Clean Wood for fuel; (2) the placement of any Solid Waste in a landfill; or (3) the discharge, deposit, injection, dumping, spilling, leaking, or placing of any Solid Waste into or on any land or water so that such Solid Waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any ground or surface waters. Disposal does not include the placement of Solid Waste in a Transfer, Composting, or Recyclables Processing Facility that is in compliance with this Ordinance and is fully permitted at the time of placement.

K. "District" shall mean 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.

L. "District Manager" shall mean the Manager of the District, or such Manager's designee.

M. "District Transfer Station" shall mean 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.

N. “Drop-Off Facility” shall mean a Transfer Facility that primarily serves Residents who are Self-Haulers.

O. “Executive Board” shall mean the subcommittee of the Board of Supervisors established under the District’s Charter.

P. "Facility" shall mean 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.

Q. "Generator" shall mean a Person who produces Solid Waste by any means including, but not limited to, residential, commercial, institutional, and industrial activities.

R. "Hauler" shall mean any Person that collects, Transports, or delivers Solid Waste generated within the District.

S. "Hazardous Waste" shall mean any material or substance which, by reason of its composition or characteristics, is from time to time defined as hazardous either by 42 U.S.C. §§ 6901 et seq., or by 15 U.S.C. § 2605(e), or by 42 U.S.C. §§ 9601 et seq., or by 10 V.S.A. Chapter 159, or by any laws of similar purpose or effect, or by any regulations promulgated under any of the foregoing, and any other material which the Federal Environmental Protection Agency, the Vermont Agency of Natural Resources or
its Secretary, or the Vermont Department of Environmental Conservation, or any similar governmental agency or unit having jurisdiction, shall determine from time to time is ineligible for Disposal, whether by reasons of being toxic, reactive, ignitable, corrosive, strong sensitizers, or which generate pressure through decomposition, heat, or other means, which in the judgment of the State may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such Waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters of the State. All special nuclear source or by-product material, as defined by the Atomic Energy Act of 1954, is specifically excluded from this definition.

T. “Household Hazardous Waste” shall mean any Waste from households that would be subject to regulation as Hazardous Waste if it were not from households.

U. "License" shall mean any License issued or required pursuant to Article IV hereof.

V. "Mandatory Recyclables" shall mean: clear, green, and brown glass bottles and jars; aluminum, steel and tin cans; translucent high density polyethylene (HDPE) bottles and jugs; colored HDPE plastic bottles; polyethylene terephthalate (PET(E)) bottles; boxboard; corrugated cardboard; newspaper; glossy magazines, catalogs and other publications; and mixed office paper. The list of Mandatory Recyclables 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 Mandatory Recyclables shall be maintained by the District and be available at the District office.

W. “Mobile Solid Waste Collection Operation” shall mean the operation of a vehicle or trailer, or a container on or attached to such vehicle or trailer, used to collect Solid Waste from Self-Haulers, provided that: (a) the vehicle or trailer is registered and inspected as required by the State; (b) the vehicles, trailers, or containers used to collect Solid Waste must prevent the release of all Solid Waste and related liquids; and (c) Solid Waste collected pursuant to such an operation is delivered to a certified Waste management Facility by the end of the next business day, or within 48 hours of collection, whichever is later.

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

Y. "Plan" shall mean 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 Plan is amended from time to time.

Z. “Processing” shall mean 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.
AA. “Processor” shall mean any Person who engages in Processing as defined in Section 2.1(Z) of this Ordinance.

BB. “Prohibited Materials” shall mean materials that shall not be accepted at the District Transfer Station or District-Designated Facility; provided, however, that the Board of Supervisors may accept certain Prohibited Materials or designated components thereof at a District-Designated Facility, pursuant to rules and regulations (i) adopted by the District, and (ii) approved by resolution of the Board of Supervisors. The list of Prohibited Materials 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 Prohibited Materials shall be maintained by the District and be available at the District office.

CC. “Recyclables” shall mean Solid Waste that may be reclaimed and/or processed and used in the production of raw materials or products.

DD. “Recycled” and “Recycling” shall mean the act of reclaiming and/or Processing using Solid Waste in the production of raw materials or products.

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

FF. “Reuse” shall mean 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.

GG. “Scale” or “Licensed Scale” shall mean a device or Facility approved by the District for the weighing of vehicles used for the delivery, Transport or shipment of Solid Waste generated or delivered within the District or destined for disposal.

HH. “Self-Hauler” shall mean a Person who Transports and delivers his or her own Solid Waste or Solid Waste from other individuals within a member municipality for no compensation.

II. “Separate” and “Separation” shall mean the segregation and collection of materials, apart from Solid Waste destined for Disposal, for the sole purpose of Recycling, Reuse, Composting, or special handling.

JJ. "Solid Waste" shall mean any: Discarded garbage, refuse or rubbish; Recyclables and other Waste destined for Composting, Reuse or Recycling (unless the context indicates that "Solid Waste" does not include such materials for the particular purpose of any part of this Ordinance); Special Waste; Unregulated Hazardous Waste; Yard 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) 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 (iii) Hazardous Waste that does not qualify as Unregulated Hazardous Waste.

KK. "Special Waste" shall mean, for purposes of this Ordinance: 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; Yard Waste; 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.

LL. "Tiered Schedule" shall mean a system of providing for collection of Solid Waste based on different levels of service, thus creating a financial incentive for Persons to Recycle, Reuse, Compost or generate less Solid Waste. Fees established solely on the quantity of Solid Waste of a Generator (such as per bag, per cubic yard, or per pound fees), or the offering of a choice of bi-weekly, monthly, bi-monthly, and quarterly collection frequencies, shall be deemed to satisfy the requirements of this Ordinance as to Tiered Schedules, provided that the fees established for Recyclables or Solid Waste destined for Composting shall be less than the fees established for Solid Waste destined for Disposal.

MM. "Transfer" shall mean to carry, remove, Transport, or shift Solid Waste from one place, Facility, vehicle, trailer, or container to another.

NN. "Transfer Facility" shall mean any Facility to which Solid Waste is Transferred from one vehicle, trailer, or container to another, or deposited onto a floor.

OO. "Transport" shall mean any movement of Solid Waste by air, rail, highway, or water.

PP. "Unlawful Conduct" shall mean any act, or failure to act, in violation of any provision of this Ordinance, any rule, or regulation enacted by the District, any term, condition, or restriction imposed upon, or required by, any License issued or required under the terms of this Ordinance or any applicable law or regulation relating to the Management of Solid Waste. Unlawful Conduct shall subject the violator to civil penalties as provided in this Ordinance.

QQ. "Unregulated Hazardous Waste" shall mean Hazardous Waste that, prior to its delivery to a Facility, would be classified as either Household Hazardous Waste or Hazardous Waste from a Conditionally Exempt Generator, pursuant to and determined in accordance with the rules and regulations of the U.S. Environmental Protection Agency and the State of Vermont.
RR. "Waste" shall mean a material that is: Discarded; or is being accumulated, stored, or physically, chemically or biologically treated prior to being Discarded; or has served its original intended use and is normally Discarded; or is a manufacturing or mining by-product and is normally Discarded, including, without limitation, Solid Waste.

SS. "Yard Waste" shall mean: trees; tree stumps; brush; wood chips generated from these materials; lawn clippings; leaves; weeds; and other organic, compostable materials accumulated during the normal maintenance or restoration of a yard, garden, recreational field, or other area covered with vegetation.

ARTICLE III
RESPONSIBILITIES OF GENERATORS

3.1 General

A. All Generators within the District shall Separate their Solid Waste according to the provisions of this Ordinance and any policies, procedures or practices adopted by the Board of Supervisors to implement this Ordinance.

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

3.2 Separation of Solid Waste. Except as hereinafter provided in Section 3.2(F) of this Article, every Person who generates Solid Waste within the District shall Separate Mandatory Recyclables, Special Waste, Unregulated Hazardous Waste, and Yard Waste from such Solid Waste. Recyclables shall be free of food or other residues and non-recyclable parts. This Section shall not be construed to prohibit or restrict the Composting or the Reuse or Recycling of materials by a Resident, or by a Person as part of such Person’s normal commercial, manufacturing, or industrial process.

A. Separation of Mandatory Recyclables. Mandatory Recyclables shall not be disposed with other Solid Waste. Except as provided in Section 3.2(F) of this Article, all Generators shall Separate Mandatory Recyclables from other Solid Waste, place the Mandatory Recyclables in a container designated for Recycling, and handle them as specified in Section 3.2 of this Article.

B. Separation of Special Waste. Special Waste shall not be disposed with other Solid Waste. Special Waste shall be Separated and placed in Facilities that manage that particular Special Waste and are fully permitted at the time of placement.

C. Separation of Unregulated Hazardous Waste. Unregulated Hazardous Waste shall not be disposed with other Solid Waste. Unregulated Hazardous Waste shall be separated and delivered to a special collection event or placed in Facilities that manage Unregulated Hazardous Waste and are fully permitted at the time of placement.

D. Separation of Yard Waste. Yard Waste shall not be disposed with other Solid Waste. All Yard Waste shall be managed using an alternative method that is in conformance with the State of Vermont Air Quality Rules and local ordinances.
E. **Responsibility of Generators.** Any Mandatory Recyclable, Yard Waste, Special Waste, Unregulated Hazardous Waste, or Solid Waste destined for Disposal not properly Separated, placed, hauled or disposed in accordance with this Ordinance shall remain the responsibility of the Generator, and shall be retrieved and corrected by such Person within twenty-four (24) hours’ notice thereof.

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

3.3 **Disposal of Solid Waste.** After proper Separation of Mandatory Recyclables, Special Waste, Unregulated Hazardous Waste and Yard Waste from Solid Waste, each Generator shall either set such Solid Waste in a Designated Area for collection by a Commercial Hauler or deliver such Solid Waste to a Designated Area at a Facility that is legally authorized and permitted to accept such Solid Waste. All such Solid Waste placed in a Designated Area shall be placed in the area in a manner such that each component may be collected Separately. This Section shall not be construed to prohibit or restrict the Composting by a Person of his or her own Yard Waste, or the Recycling or Reuse of any materials by any Person, or the burning of Clean Wood for fuel.

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

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

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

ARTICLE IV
LICENSING

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

A. **Commercial Hauler’s License.** Except as provided in Section 4.2 of this Ordinance, no Commercial Hauler shall collect, Transport, or deliver Solid Waste generated within the District unless such Commercial Hauler holds a valid License from the District, issued as provided in this Article.

B. **Processor’s License.** A Processor’s License shall be required for any Person, other than Self-Haulers, Drop-off Facilities, Mobile Solid Waste Collection Operations, and Persons required to
accept beverage containers under 10 V.S.A. Chapter 53, to accept, receive, or allow the acceptance or receipt for storage or Processing in the District of Recyclables or Compostable materials.

C. **Transfer/Disposal Facility License.** A Transfer/Disposal Facility License shall be required for any Person, other than Self-Haulers, Drop-off Facilities, and Mobile Solid Waste Collection Operations, to accept, receive, or allow the acceptance or receipt in the District of any Solid Waste destined for Disposal.

D. **Scale License.** A Scale License shall be required for any Scale used to document the delivery, Transport, or shipment of Solid Waste generated or delivered within the District and destined for Disposal.

4.2 **Exemptions.** The following Commercial Haulers are exempt from the License requirement of Section 4.1:

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

B. Freight companies that: (a) collect Recyclables prepared according to end market specifications and Transport them directly to a fully-permitted end market or to out-of-District Processing/brokering facilities; (b) collect Unregulated Hazardous Waste and Transport it directly to a certified Hazardous Waste Facility as defined in the Vermont Hazardous Waste Management Regulations; or (c) collect Special Waste in exchange for the purchase of a replacement item.

C. Contractors, as defined in this Ordinance.

4.3 **RESERVED -**

4.4 **License Application.** The District shall establish the requirements for each type of License. A Person seeking a License shall obtain a License application from the District office. License applications may be obtained in person during normal business hours at the District’s office or may be requested by mail. Such application shall be accompanied by the Licensing Fee established pursuant to Section 4.7 hereof.

4.5 **Amendments to License**

A. A Person may request to amend an existing License. The District shall promptly consider any requests for amendments within the timeframe for License Applications under Section 4.6 of this Article. In order to become effective, any amendments must be approved in writing by the District Manager.

B. A License holder shall seek to amend an existing License under the following circumstances: (1) a significant change in operation; (2) the assignment of services to subcontractors; (3) the addition of vehicles; (4) change in ownership; or (5) dissolution of business.

4.6 **Expiration of License, Renewal.** Each License shall expire on the June 1st next following its date of issuance, provided, however, that in the event an application is made for renewal prior to the
expiration date of a License, such License shall remain in force until such time as the District Manager issues a final decision on the renewal application, but subject to Section 4.8 below. Any renewal application shall comply with the application requirements in this Article and be accompanied by the Licensing Fee as prescribed in Section 4.7. A License shall not be assignable or transferrable, and upon any assignment or transfer, the License shall automatically expire and become null and void.

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

4.8 Administration of Licensing Program. The District Manager shall administer the Licensing program established by this Ordinance.

A. Commercial Hauler’s License and Scale License

(1) Within thirty (30) days of receipt of a completed Commercial Hauler’s License or Scale License application, the District Manager shall make a determination on the License application, and the District shall thereafter notify the applicant in writing whether the License application is: (a) accepted; (b) conditionally accepted subject to the applicant’s fulfillment of any number of conditions and/or requirements; or (c) denied and the reason(s) for denial.

(2) Any applicant for a Commercial Hauler’s License or Scale License aggrieved by any decision of the District Manager may appeal to the Board of Supervisors, which may hear the appeal, or may designate a Committee thereof to hear the appeal. Upon notice and hearing, the Board, or such Committee, may affirm, reverse, or modify the decision of the District Manager. Any such appeal shall not stay the District Manager's decision, and shall be filed with the District Manager within thirty (30) days of mailing of the decision to the applicant, by registered or certified mail, addressed to the applicant at the address shown on the License, or to such other address as the applicant may designate in writing mailed to the District by the aforementioned method, and if not so filed, the decision of the District Manager shall be final and binding on such applicant.

B. Processor’s License and Transfer/Disposal Facility License. Within sixty (60) days of receipt of a completed Processor’s License or Transfer/Disposal Facility License application, the District Manager shall make a determination on the License application, and the District shall thereafter notify the applicant in writing whether the License application is complete. The District Manager shall then forward the complete application to the Executive Board for their review at their next scheduled meeting. The Executive Board shall then forward the application to the Board of Supervisors for final consideration of whether the License application is: (a) accepted; (b) conditionally accepted subject to the applicant’s fulfillment of any number of conditions and/or requirements; or (c) denied and the reason(s) for denial.

4.9 Standards for Issuance of License. In order to obtain, reinstate, or renew a License, a Person shall:
A. Properly complete and file all necessary application forms and the materials described in subsections (C)-(F) below;

B. Pay the Licensing Fee established under Section 4.7;

C. Obtain, prior to commencing activities under the License, all other necessary permits and licenses from the State and all agencies thereof and all applicable member municipalities of the District;

D. Demonstrate compliance with all District Plan criteria, and other rules, regulations and ordinances pertaining to the management of Solid Waste as enacted by the District and all applicable Federal, State, and local laws, rules and regulations;

E. Not be delinquent in any payments owed to the District;

F. Demonstrate that an education and training program for employees is in place and is sufficient to ensure safe and proper conduct of the applicant’s activities under the License;

G. Demonstrate adequate financial resources to enable the applicant to safely and properly conduct the applicant’s activities under the License;

H. Demonstrate that the applicant’s activities under the License will not have an undue adverse impact on human health or the environment, nor impose any undue burden upon the community. A permit issued by a State agency so finding shall be considered satisfactory evidence that this condition has been met.

4.10 Commercial Hauler’s License Requirements. Commercial Haulers must abide by the following requirements:

A. Each Commercial Hauler’s License shall designate the allowable destinations for all Solid Waste that is collected, Transferred, or Transported under the License. The District Manager reserves the right to modify any and all Licenses previously issued upon notice to the holder of such applicable License that it may not Transfer or Transport Solid Waste to a Facility if the District finds that such Facility has failed to operate in compliance with all material laws, regulations, and permits applicable to such Facility, or the operator of such Facility has been found to have engaged in Unlawful Conduct, or the Facility is no longer a District-Designated Facility.

B. The Commercial Hauler shall identify by make, model, State registration number, VIN number, tare weight (supported by the weigh slip of a Licensed Scale), and capacity of each vehicle the Commercial Hauler proposes to use to collect and Transport Solid Waste, and demonstrate that each vehicle identified will not leak or spill Waste, and will not create a nuisance with respect to noise, odor, or litter; and all such qualifying vehicles shall be noted on the License. The Commercial Hauler shall physically mark each vehicle and container with the Commercial Hauler’s name, logo, trademark, or other identifying symbol or license number. If the Commercial Hauler proposes to use any additional vehicles not identified at the time of application, the Commercial Hauler shall identify the vehicle and make the demonstration required by subsections (C) and (D), and the District shall add any such qualified vehicle to the License.
C. The Commercial Hauler shall demonstrate that liability insurance is in force for each vehicle noted on the Commercial Hauler’s License, in amounts as may be required in procedures established by the Board of Supervisors, by a Certificate of Insurance providing that such insurance shall not be cancelled, nor reduced in coverage, without at least ten (10) days’ prior written notice to the District.

D. The Commercial Hauler shall file a Tiered Schedule with the License application, except as may be exempted under Section 4.12(E).

E. The Commercial Hauler shall identify on the License application each Licensed Scale operator and the location of each Licensed Scale the applicant will use in order to comply with Section 4.12(C) below, and file the written authorization of any such operator other than the District, in a form satisfactory to the District Manager, so that the District, its agents, employees, and independent contractors may inspect such operator's records regarding the weight of the applicant's vehicles. The District shall note each Scale operator and the License number and location of each Scale on the Commercial Hauler’s License. If the Commercial Hauler proposes to use any additional Licensed Scale not noted on the Commercial Hauler’s License, the Commercial Hauler shall identify the Scale operator and the location of such Licensed Scale and furnish a similar authorization as to the additional Scale operator. The District shall note any additional Licensed Scale and Scale operator on the Commercial Hauler’s License.

F. The Commercial Hauler shall pay any past due amounts owed to the District.

G. The Commercial Hauler shall demonstrate the ability to comply with the provisions of this Ordinance and, in situations where a Commercial Hauler's License has been revoked pursuant to Section 8.3, demonstrate that corrective actions have been taken, as necessary, to ensure that the Commercial Hauler will comply with this Ordinance. In situations where past payments to the District have been late or where the District Manager has reason to believe that the District may be at risk for late payment or non-payment of Tipping Fees or District Fees, the District Manager may require that the demonstrations required by this subsection include the provision of a letter of credit or other security in amounts and on terms necessary to ensure proper payment.

H. The Commercial Hauler shall demonstrate conformance with all applicable local, Vermont State and Federal licensing requirements, including proof of a Vermont State Waste Transportation Permit for all vehicles.

4.11 Terms, Restrictions, and Conditions of Licenses. The District Manager may attach to any License such reasonable terms, restrictions, and conditions as are necessary to ensure that Solid Waste is Separated, collected, Transported, Recycled, and disposed in an environmentally sound manner, and to ensure compliance with this Ordinance.

4.12 Responsibilities of Commercial Haulers and Other Haulers

A. A Commercial Hauler shall not use any vehicle not noted on the Commercial Hauler’s License for the collection, Transport, or delivery of Solid Waste generated within the District, nor shall any such vehicle be used for such purposes during any period of time when the insurance required by Section 4.10(C) is not in force, nor shall any Commercial Hauler use a Scale in order to weigh vehicles as
required by subsection (C) below unless such Scale is noted on the Commercial Hauler’s License, and the authorization required by Section 4.10(E) is in effect.

B. Each Commercial Hauler shall comply with all the terms and conditions of the Commercial Hauler’s License and the requirements of this Ordinance. Each Hauler who is not a Commercial Hauler shall comply with all the terms and conditions of this Ordinance applicable to Haulers who are not Licensed.

C. Each Commercial Hauler, and each Hauler who is not Licensed, shall cause each vehicle Transporting a load of Solid Waste generated within the District to be weighed either through the use of District owned or operated truck scales or another Licensed Scale. In cases where a Commercial Hauler uses Scales owned or operated by the District, the District shall be responsible for producing and maintaining weight information of such loads. In cases where a Commercial Hauler uses non-District owned or operated Scales that have been Licensed, the Commercial Hauler shall:

1. Obtain a weigh slip from the Scale operator, showing the date of weighing, and the vehicle's loaded and unloaded (gross and tare) weights.
2. Note on each such weigh slip whether the vehicle weighed contained Recyclables or other materials destined for Composting, Reuse or Recycling, or other Solid Waste, using such distinguishing abbreviations as the District Manager may prescribe;
3. File with the District, by the seventh (7th) day of each month, all weigh slips required to be obtained under subsection C(1) for vehicles weighed during the calendar month just ended, with the notations required by subsection C(2) above, and the Commercial Hauler's or other Hauler's name and address;
4. File with the District, by the seventh (7th) day of each month: (a) a summary, on such form as the District Manager may prescribe, showing, for the month just ended, the total Solid Waste collected, total Recyclables and other materials destined for Composting, Reuse or Recycling collected, and the total Solid Waste collected after subtracting Recyclables and materials destined for Reuse, Recycling, or Composting; and (b) such other information, on forms to be provided by the District, as the District Manager may prescribe.
5. Furnish the District Manager, within ten (10) business days of the District Manager's written request, such documentation as the District Manager may require to verify or substantiate the information required under C(1)-(4) above, or to otherwise determine the amount of Solid Waste collected during a calendar month or its components.

D. Each Commercial Hauler, and each Hauler who is not Licensed, shall keep and maintain such records within the State of Vermont as will enable the District to determine compliance with this Ordinance, including but not limited to records on a daily basis of the amount of Solid Waste generated within the District that is collected and/or Transported by such Person for purposes of Disposal; separate records shall be kept showing on a daily basis, total Solid Waste collected and/or Transported, the amount of such Waste consisting of Recyclables and other materials destined for Reuse, Recycling, or Composting, and the amount of Solid Waste after subtracting Recyclables and other Separated materials; such records shall include, on a daily basis, the gross and tare weight information for each vehicle collecting and/or Transporting loads of Solid Waste required to be weighed under subsection (C) above. All such records shall be made available to the District and its agents for inspection and copying during normal business hours of the District. The records for each day of operation shall be retained for at least five (5) years. It is the
responsibility of each Commercial Hauler to inform its customers of the material separating and reporting requirements of this Ordinance.

E. Each Commercial Hauler shall provide (independently or through duly Licensed subcontractors) collection of Mandatory Recyclables at least once monthly to all customers for whom such Commercial Hauler provides collection of Solid Waste destined for Disposal. A Commercial Hauler may not offer, and his or her customers may not subscribe to, trash-only collection service unless: (a) curbside collection service of Mandatory Recyclables is provided or subcontracted by the District or a member municipality; or (b) a Commercial Hauler obtains an exemption from the District. Exemptions may be provided for the Commercial Hauler: (a) contracting with a municipality or the District to collect Solid Waste at a municipally-owned or District-owned Drop-off Facility that collects Mandatory Recyclables; or (b) servicing Generators who market their Mandatory Recyclables directly to Recycling brokers, Processors, or manufacturers, or who self-haul their Mandatory Recyclables to Recycling Facilities that are fully permitted at the time of delivery.

F. No Commercial Hauler shall require their customers to sort Mandatory Recyclables (except in situations where more than a 15-gallon container per week of one or more Mandatory Recyclables are generated), into more than two groups, one group of fibers (including but not limited to white paper, newspaper, cardboard, and magazines) and a second group of containers (including but not limited to glass, plastic, and metal containers). Mandatory Recyclables and any other Recyclables set out by customers for collection shall be rejected by the Commercial Hauler if the Recyclables contain five percent (5%) or more (by volume) of contaminants, and the Commercial Hauler shall indicate to the Generator the reason why the Recyclables were rejected.

G. Except as provided herein, each Commercial Hauler shall offer Tiered Schedules to all the Commercial Hauler’s customers within the District, mail notice of such Tiered Schedule options to all customers at least once per year, and show in all customer billings, fees for collection and handling of Recyclables or other Separated Waste separately from fees for Solid Waste destined for Disposal. Each Commercial Hauler's Tiered Schedule shall be filed with the District with the Commercial Hauler’s annual License application, and shall otherwise be available to the District upon request.

H. Each Commercial Hauler shall gather and submit, if requested by the District, information documenting as to Solid Waste generated within the District:

1. Participation rates (the percentage of customers Recycling in a set time period) for any route, not more than once/year, according to a methodology approved by the District Manager; and

2. Capture rates (the percentage of Recyclables found in garbage, by weight or by volume, as determined by sorts of customers' Solid Waste) on any route according to a methodology approved by the District Manager, not more than once per year unless the District Manager has determined, through visual inspections, that one or more of the Commercial Hauler's loads of Solid Waste contain five percent (5%) or more (by volume) of Recyclables.
I. Each Commercial Hauler, and each Hauler who is not Licensed, shall prepare and furnish to the District when arriving at the District Transfer Station, an itinerary, upon a form approved by the District Manager, that shows the total quantity of Solid Waste collected within each municipality served by the Hauler's vehicle.

J. No Commercial Hauler, and no Hauler who is not Licensed, shall (i) knowingly collect or Transport for Disposal Solid Waste that has not been Separated as required by Article III of this Ordinance, or (ii) co-mingle any such Solid Waste previously Separated in the collection or Transport thereof. Any non-Separated Solid Waste shall be rejected by the Hauler, who shall notify the Generator of such Solid Waste of the reasons for rejection. Any rejected Solid Waste shall remain the responsibility of the Generator for delivery to a Facility authorized to receive it. However, at such time as the non-Separated Solid Waste is collected by a Hauler, the Solid Waste becomes the concurrent, joint, and several responsibility of the Generator and the Hauler who collected the Solid Waste to deliver it to a Facility authorized to receive it. This provision shall not be construed as authorizing the collection or Transport of non-Separated Solid Waste.

K. No Hauler shall place or cause to be placed any Solid Waste on private property unless lawfully authorized by the owner of the property and such placement of Solid Waste on the property is lawfully permitted. Each Commercial Hauler shall include such Solid Waste in its reports required by Section 4.12(C) of this Ordinance.

L. All vehicles used to collect Solid Waste must retain and prevent the release of all Solid Waste contained in the vehicle.

M. All Solid Waste that is destined for Disposal and collected by a Hauler must be delivered to a certified Waste management Facility by the end of the next business day, or within 48 hours of collection, whichever is later.

N. Each Commercial Hauler shall provide Recycling instructions to new customers when service commences and to all customers on an annual basis, at a minimum.

O. No Hauler shall knowingly collect or Transport for Disposal any Solid Waste that has been co-mingled with any Unregulated Hazardous Waste.

P. Any Solid Waste co-mingled with Unregulated Hazardous Waste shall be rejected by the Hauler, who shall notify the Generator of such Solid Waste of the reasons for rejection. Any Solid Waste so rejected shall remain the responsibility of the Generator for delivery to a Facility authorized to receive it. However, at such time as any Solid Waste co-mingled with Unregulated Hazardous Waste is collected by a Hauler, the Waste becomes the concurrent, joint, and several responsibility of the Generator and the Hauler who collected the Solid Waste, regardless of whether knowingly or unknowingly, to deliver it to a Facility authorized to receive it and to pay all charges and fees associated with the proper handling and Disposal of such Waste. This provision shall not be construed as authorizing the collection or Transport of Solid Waste mixed with Hazardous Waste or Regulated Medical Waste.

Q. Each Commercial Hauler, and each Hauler who is not Licensed, shall deliver all Solid Waste collected within the District, after proper Separation of Mandatory Recyclables, Special
Waste, Unregulated Hazardous Waste, and Yard Waste from such Solid Waste, to the District Transfer Station in Middlebury, or such other District-Designated Facility for Disposal.

ARTICLE V
USE OF DISTRICT OR DISTRICT-DESIGNATED FACILITIES

5.1 Use of District Facilities. A Person delivering Solid Waste to a Facility owned or operated by the District shall follow all of the procedures and practices established by the District for use of the Facility, and shall deliver to the Facility only such types of Solid Waste as: (i) the Facility is certified to accept; and (ii) the Board of Supervisors by resolution approves for delivery to the Facility.

5.2 Prohibition. No Person may deliver to a District owned or operated Facility or to a District-Designated Facility Solid Waste that does not meet the Separation requirements of this Ordinance, nor may a Person deliver Prohibited Materials to a District owned or operated Facility or District-Designated Facility. Nothing within this Ordinance shall be construed at any time to restrict the ability of the District to refuse to accept Hazardous Waste or other Prohibited Materials at the District Transfer Station or any other District-Designated Facility. The District may, from time to time, provide alternative Disposal means at the District Transfer Station or other District-Designated Facilities for selected Prohibited Materials. All Disposal requirements specified herein may be amended or adjusted 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.

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

ARTICLE VI
ESTABLISHMENT AND PAYMENT OF CHARGES

6.1 Tipping Fees. The Board of Supervisors shall adopt, and revise from time to time, charges on a per ton and/or other unit basis for Solid Waste delivered to a District Facility ("Tipping Fees"), in order to generate revenues and defray some or all of the direct and indirect costs of operation of the District Transfer Station and any other Facilities owned or operated by the District, and the costs of Transport out and Disposal of Solid Waste delivered to any such District Facility. In establishing and from time to time revising the Tipping Fee, the Board will assign to (and may from time to time make additions to and/or deletions from) costs of operation, all or portions of those costs which it desires to defray by the Tipping Fee charge, which may include, but are not limited to, labor, benefits, utilities, all or portions of fixed District costs and expenses, fuel, maintenance and repair, Transport and Disposal, taxes and fees, and the District Fees. Tipping Fees shall be paid by any Hauler delivering Solid Waste to any Facility owned or operated by the District, based on tonnage or other applicable unit of Solid Waste delivered.

6.2 District Fees. The Board of Supervisors shall adopt, and revise from time to time, a charge per ton of Solid Waste generated within the District that is collected and/or Transported for Disposal.
("District Fee"). The purpose of the District Fee is to generate revenue to defray some or all of District costs other than those to be defrayed by the Tipping Fees. In establishing and from time to time revising the District Fee, the Board will include all or portions of the costs which it desires to defray by the District Fee, which may include, but are not limited to: debt service (principal and interest), capital reserves, any portion of the costs of operation not being defrayed by the Tipping Fees, Special Waste programs, Recycling programs, educational programs, administration costs, and other District Facilities, programs, and service costs. Each Hauler collecting and/or Transporting Solid Waste generated within the District shall pay the District an amount per ton or part thereof which such Hauler collects and/or Transports calculated by multiplying the per ton District Fee by the amount of Solid Waste collected and/or Transported. These charges shall be paid regardless of the final Disposal location, and shall be included in Tipping Fees as to deliveries to a District owned or operated Facility.

A. Exemptions from District Fees. As used in this Section, and for purposes of computing the District Fee charge, the following categories of Solid Waste shall be exempt from the District Fee:

1. Recyclables or other materials the District determines are separated and destined for Reuse, Recycling or Composting;
2. Sludge;
3. Clean Wood for use as fuel;
4. Unregulated Hazardous Waste that is delivered to certified Hazardous Waste Facilities as defined in the Vermont Hazardous Waste Management Regulations;
5. Non-friable Asbestos-containing Materials;
6. Deceased Animals of any type or size, offal;
7. Free-standing Liquids, including grease;
8. Other materials approved by the District.

6.3 Establishment of Fees. The Fees described in Sections 6.1 and 6.2 shall be set and may be amended from time to time by resolution of the Board of Supervisors, in accordance with the budget appropriation procedures in Section 33 of the District Charter. Reasonable notice of such an increase or decrease shall be sent to all holders of Commercial Hauler’s Licenses and Scale Licenses. The District shall also publish a notice of such increase or decrease in one or more newspapers of known circulation in the District at least thirty (30) days prior to the effective date of such increase or decrease.

6.4 Determination of Fees. The fees based on tonnage established by Sections 6.1 and 6.2 shall be determined on the basis of weight through the weighing requirements in Section 4.12(C) above, provided however that if weigh slips and other documentation are not furnished to the District as required by Section 4.12(C), or the District Manager deems such weigh slips or documentation to be unreliable, the District Manager may determine weight of loads of Solid Waste by any reasonable method approved by the Board of Supervisors. Tipping Fees and the District Fee established for Special Waste may be determined by the Board of Supervisors on a basis other than weight.

6.5 Fee Variations and Surcharges. The Board of Supervisors may establish fee variations or surcharges on Solid Waste delivered to District owned or operated Facilities or to District-Designated
Facilities to encourage or otherwise provide economic incentives to comply with the provisions of this Ordinance.

6.6 **Payment of Fees.** The District shall render bills for Tipping Fees and the District Fee to such Persons, and upon such terms, cash or credit, including furnishing of letters of credit on terms and in amounts satisfactory to the District Manager, as the Board of Supervisors establishes by resolution. If a Hauler does not pay a District bill by its due date, the District Manager may place such Hauler on a cash-only basis or prohibit that Hauler's use of the District Facility until the bill is paid. Any billed amount not paid when due shall bear interest at the rate of one percent (1%) per month from its due date. The District Manager may place a Hauler on a cash-only basis at a District owned or operated Facility indefinitely if, in the District Manager’s opinion, such action is warranted.

**ARTICLE VII**

**INSPECTIONS**

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

7.2 **Solid Waste.** All Solid Waste generated within the District and set at a Designated Area for collection by a Hauler, and all Solid Waste deposited at Facilities owned or operated by the District or at District-Designated Facilities, shall be subject to inspection without notice by the District or its agents, for purposes of ensuring compliance with this Ordinance and for the purposes of data collection. Failure to allow inspection shall be a violation of this Ordinance and constitutes Unlawful Conduct.

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

**ARTICLE VIII**

**ENFORCEMENT AND REMEDIES**

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

8.2 The following civil penalties and waiver penalties are hereby imposed for violations of this Ordinance. Civil penalty amounts will be imposed except that in cases where violations are brought in the Vermont Judicial Bureau, and where the violation is admitted or not contested, the waiver penalty amounts will be imposed in lieu of the civil penalty amounts.

A. **Penalties for Violations of Article III**

<table>
<thead>
<tr>
<th>Civil Penalty</th>
<th>Waiver Penalty</th>
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</thead>
<tbody>
<tr>
<td></td>
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</table>
First Violation $100 $50
Second Violation $200 $100
Third Violation $300 $150
Fourth and subsequent violations $500 $250

B. Penalties for Violations of Article IV

<table>
<thead>
<tr>
<th></th>
<th>Civil Penalty</th>
<th>Waiver Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Violation</td>
<td>$500</td>
<td>$250</td>
</tr>
<tr>
<td>Second Violation</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>Third and subsequent violations</td>
<td>$500 and/or revocation of License</td>
<td></td>
</tr>
</tbody>
</table>

C. Penalties for Violations of Articles V, VII and IX

<table>
<thead>
<tr>
<th></th>
<th>Civil Penalty</th>
<th>Waiver Penalty</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$150</td>
</tr>
<tr>
<td>Fourth and subsequent violations</td>
<td>$500</td>
<td>$250</td>
</tr>
</tbody>
</table>

8.3 License Revocation Hearing Rules and Procedures

A. The burden of proof in establishing a violation shall be upon the District.

B. Hearings shall be held before the District Manager or other hearing officer appointed by the Board of Supervisors. The Hearing Officer shall have the power to set the time and place of the hearing, grant recesses and adjournments, rule upon motions and requests, rule upon the admissibility of evidence and make findings of fact.

C. The Commercial Hauler may be represented by counsel.

D. Witnesses shall be sworn and subject to cross-examination. A stenographic record of the proceedings shall be kept.

E. Evidence submitted shall be relevant and may include evidence as to the past performance of the Commercial Hauler. Hearsay evidence shall be admissible, but shall be accorded such weight as the Hearing Officer deems appropriate, consistent with its reliability.

F. Findings of fact shall be made by the Hearing Officer, in writing, upon a preponderance of the evidence.

G. Upon a finding that a violation is proved, the Hearing Officer shall impose such penalty, short of revocation, which shall be applicable, or shall refer the matter to the Board of Supervisors for consideration of revocation of the License. The Board of Supervisors may, on the basis of the record
presented and without further testimony, elect to: (a) revoke the License; or (b) impose a lesser penalty consistent with the circumstances of the offense; or (c) remand the matter back to the Hearing Officer for further action or investigation. In the event of revocation, the decision of the Board shall be considered final, subject to review pursuant to the laws of the State of Vermont.

8.4 **Injunction.** In addition to any other remedy provided in this Ordinance or available at law or in equity, the Board of Supervisors may cause the District to institute a suit in equity for an injunction to prevent, restrain or abate any violation of this Ordinance, and may sue for any unpaid District Fees or Tipping Fees.

8.5 **Refusals and Rejections by the District.** Notwithstanding any provisions in this Ordinance to the contrary, the District Manager may refuse to accept Solid Waste or refuse to allow Disposal at any Facility operated by or on behalf of the District where such Solid Waste does not meet the requirements of this Ordinance.

8.6 **Other Penalties.** The Board of Supervisors shall be authorized to impose any other civil penalty and fine to the maximum extent permitted by law.

8.7 **Attorney’s Fees.** In any action brought by the District to enforce the provisions of this Ordinance, to enjoin violation of this Ordinance, to collect any Tipping Fees or District Fees and/or interest thereon, or to collect any civil penalty or other amount due the District, the Person in violation or liable for amounts due the District shall pay the District its reasonable attorneys’ fees and other costs and expenses of such action.

8.8 **Enforcement of Final Order.** The District may seek enforcement of a final order in the Superior Court or before the Environmental Court for the State of Vermont.

8.9 **Presumptions.** There shall be rebuttable presumptions in the enforcement of this Ordinance that:

A. The placement of any container, which is marked or identified with the name, logo, trademark, or other identifying symbol or license number, or the collection of any container by a vehicle marked or identified with the name, logo, trademark or other identifying symbol or license number, of any Commercial Hauler, at any location within the District, shall be presumptive evidence that said Commercial Hauler is providing Solid Waste collection services at said location within the District as of the date of said placement.

B. Evidence of Solid Waste in a container located as described in 8.9(A) above, and subsequent observation of the same container empty, shall be presumptive evidence that Solid Waste was collected from the container by the Commercial Hauler whose name or other identifying symbol or number is marked on the container or on the vehicle delivering the container.

C. The failure to deliver any Solid Waste to the District Transfer Station within three (3) days of the collection of Solid Waste from any location within the District shall be presumptive evidence of a violation of Section 4.12(M) or (Q) of this Ordinance.
ARTICLE IX
PUBLIC SAFETY

9.1 No Person shall permit or cause any Solid Waste within their control to become a hazard to public travel, health or safety or to become a nuisance of any sort.

9.2 All vehicles used in the Transport or Transfer of Solid Waste must be registered with the State of Vermont.

ARTICLE X
MISCELLANEOUS

10.1 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 collection, Transport, storage, Processing, and Disposal of Solid Waste within its jurisdiction, provided that any such regulation or ordinance is not inconsistent with the provisions of this Ordinance.

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

10.3 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.

10.4 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, said invalidity shall not apply to any other portion of this Ordinance which can be given effect without the invalid provision or application thereof.

Adopted: August 12, 1993
Amended:
- September 30, 1993 -- To establish District Fee at $28.49/ton, and to authorize letters of credit as additional payment option.
- December 16, 1993 -- To amend sections related to Tiered Schedules and allowing capture rate information by volume as well as weight.
- January 19, 1995 -- To change the District Fee from $28.49 to $29.87 per ton.
- August 31, 1995 -- To tighten licensing provisions to assure payment of District Fees and to add section providing for attorney’s fees.
- September 28, 1995 (effective January 1, 1996) -- Board resolution adding to list of Mandatory Recyclables.
- March 21, 1996 -- To change the District Fee from $29.87 to $29.54 per ton.
- June 20, 1996 -- To clearly designate the Ordinance as a civil ordinance and to establish penalty schedules for violations.
- October 16, 1997 – To enact Board resolution deleting polystyrene plastic #6 from the list of Mandatory Recyclables.
- February 18, 1999 -- To change the District Fee from $29.54 to $33.40 per ton.
- February 15, 2001 -- To adjust the fine system and to more clearly define Hazardous Waste. Also to incorporate some general "housekeeping" within the document.
• July 20, 2006 – To adjust the system of fines and to more clearly define Mandatory Recyclables collection. To require the delivery of Solid Waste destined for disposal to the District Transfer Station or other District-Designated Disposal Facility. Also to incorporate some general “housekeeping” within the document.
ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
POLICIES OF THE BOARD OF SUPERVISORS
IMPLEMENTING THE DISTRICT WASTE MANAGEMENT ORDINANCE

In accordance with the Addison County Solid Waste Management District (“District”) Waste Management Ordinance (“Ordinance”), adopted by the District Board of Supervisors (“Board”) on August 12, 1993, as amended, the Board hereby establishes the following Policies to implement the Ordinance:

1. Ordinance Requirements for Designation and Separation of Solid Waste

   1.1 Pursuant to Article 3.2, “Separation of Solid Waste”, of the Ordinance, every Person who generates Solid Waste within the District shall separate Mandatory Recyclables, Special Waste (including Yard Waste), and Unregulated Hazardous Waste.

      (A) Mandatory Recyclables shall be separated from other Solid Waste. A current list of Mandatory Recyclables is included as Attachment 1, and is available at the District office.

      (B) Special Waste shall be separated from other Solid Waste into components as prescribed by the Board of Supervisors. The current official list of Special Waste is included as Attachment 2, and is available at the District office.

      (C) Unregulated Hazardous Waste shall not be disposed with other Solid Waste. Unregulated Hazardous Waste shall be separated and delivered to a special event or Facility that manages Unregulated Hazardous Waste and is fully permitted at the time of placement.

   1.2 Pursuant to Article 5.2, “Prohibition”, of the Ordinance, no Person may deliver to a District-owned or Operated Facility or to a District-Designated Facility Prohibited Materials or Solid Waste that does not meet the Separation requirements of the Ordinance.

      Prohibited Materials are waste materials that shall not be accepted at the District Transfer Station or District-Designated Facility. A current official list of Prohibited Waste Materials is included as Attachment 3, and is available at the District office.

2. Other Separation Requirements at the District Transfer Station

   In addition to the Special Waste listed in Attachment 2, the following items shall be designated as separate components of Solid Waste at the District Transfer Station (“Transfer Station”) located at 1223 Route 7 South in Middlebury, Vermont. These
materials are not to be mixed with other Solid Waste, and must be managed separately as indicated:

<table>
<thead>
<tr>
<th>Item</th>
<th>Issue</th>
<th>Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scrap Metal - smaller than (1) cu. ft. or weighing less than 25 lbs.</td>
<td>Landfill would prefer it to be separated; and it is a viable recyclable.</td>
<td>Recycled.</td>
</tr>
<tr>
<td>Wood Treated with Preservatives such as Creosote, Pentachlorophenol (Penta), Chromated Copper Arsenate (CCA) and Ammonical Copper Arsenate.</td>
<td>The Landfill will accept in larger loads, by appointment only.</td>
<td>Accepted by appointment with the Transfer Station. Transfer Station will set them aside until enough to ship a load to the Landfill.</td>
</tr>
<tr>
<td>Dusty wastes (crystalline silica, cellulose or other insulation, industrial fibers)</td>
<td>Landfill and Transfer Station require it to be managed separately.</td>
<td>At the discretion of the Landfill and Transfer Station, managed, transported, and disposed of separately to minimize exposure.</td>
</tr>
<tr>
<td>Industrial Special Wastes (sludges, huge paper rolls, filter material, wiring, etc.)</td>
<td>Landfill requires an Industrial Waste Form completed, &amp; issues a written approval.</td>
<td>Accepted by appointment with the Transfer Station. Managed in accordance with Landfill preferences, and applicable law.</td>
</tr>
</tbody>
</table>

In the event that a Special Waste not listed above or in Attachment 2 enters the Transfer Station and poses an imminent risk to human health or environment, or is rejected by the Landfill or other District-designated disposal facility, the District Manager has the authority to use his/her best judgment in determining the appropriate course of action and recovering costs for the management of the Special Waste.

3. **Inspection of Waste Deliveries**

All waste deliveries to the Transfer Station are subject to visual review by the Transfer Station Operators or other District representatives. In addition to visual review, there are three types of formal inspections:

3.1 **Staff Review Inspection:** The Transfer Station Operator may conduct a full inspection at any time if there is reason to believe that unacceptable materials are being delivered.

3.2 **Routine Inspection:** Routine inspections will be conducted. Users should expect that the inspections will occur no less frequently than every 40th trip. During these “Routine Inspections,” the Transfer Station Operator shall direct the driver to unload the vehicle for inspection. A portion of the load will be physically sorted as appropriate to determine if any Mandatory Recyclables, Special Waste, Prohibited Materials, Unregulated or other Hazardous Waste, or other unacceptable solid wastes are in the load.
3.3 **Driver Request Inspection:** Upon arriving at the Transfer Station, the driver of a vehicle may request an inspection of his or her load.

During a Staff Review or Routine Inspection, the Transfer Station Operator shall pull and inspect three bags or physically inspect the contents of a bulk load (e.g., roll-off). Any number of bags may be inspected during a Driver Request Inspection. An inspection form (see Attachment 4) will be filled out for any inspection (other than a simple visual review). A copy of the inspection form will be mailed to the Hauler, along with copies of any letters sent to Generators (see Section 6 of these Policies). Following the inspection, the Transfer Station Operator shall be responsible for re-loading the inspected waste into the appropriate container.

There may also be random inspections of residential and commercial trash at the curb prior to collection. These curbside programs will be conducted by District staff.

4. **Establishment and Payment of Fees and Surcharges**

Pursuant to the Ordinance, payment for waste handling services shall be on a user fee basis, according to the following procedures:

4.1 **Tipping Fees**

Pursuant to Article 6.1 of the Ordinance, all Persons delivering Solid Waste to the Transfer Station and Unregulated Hazardous Waste to the HazWaste Center co-located at the Transfer Station will be responsible for the payment of fees as detailed in the Transfer Station rate schedule, included as Attachment 5. The fees listed in the rate schedule shall include both Tipping Fees and the District Fee, as these terms are defined and established pursuant to the Ordinance.

For each load or item of Solid Waste delivered to the Transfer Station, the Transfer Station Operator will issue a receipt indicating the quantity of waste delivered and the fees due to the District. Payment will be required at the time of receipt unless the Hauler qualifies for credit as described below.

4.2 **District Fee**

The District Fee, as defined by Article 6.2 of the Ordinance, shall be $33.40/ton. The District Fee, as defined by Article 6.2 of the Ordinance, shall be $10.00/ton for contaminated soils approved by the VT Agency of Natural Resources (ANR) for use as Alternative Daily Cover (ADC) at a landfill, contingent upon the District receiving: (a) a copy of the summary of analytical test results of the soils measured against the VT State guidelines for approving soils as ADC; and (b) a copy of all written communications from ANR regarding the suitability of the soils for use as ADC.
4.3 **Credit**

Commercial Haulers who hold valid licenses from the District, member municipalities of the District, and any other public entity as may be approved by the District Manager may qualify for credit in paying Transfer Station Tipping Fees. Licensed Commercial Haulers may qualify for credit only upon supplying a satisfactory letter of credit in an amount that represents two months’ normal or expected billings at the Transfer Station. However, credit privileges may be withdrawn if an otherwise qualified Commercial Hauler fails to pay two District bills (whether or not consecutive) by their due dates. In instances where credit privileges have been denied or withdrawn, use of the Transfer Station will be on a cash or prepaid basis only.

4.4 **Issuance and Payment of Bills**

The District will issue bills monthly, normally on the 1st of the month, unless that day falls on weekends or holidays, in which cases bills will be issued on the next regular business day.

Payment of District bills is due in full thirty (30) days from the date of billing. A due date of less than 30 days may be set by the District Manager if the District Manager determines that there has been a history of late payment or reporting, or other similar situation that could place the District at a financial risk or disadvantage. If a Hauler does not pay a District bill by its due date, the District Manager may prohibit that Hauler's use of the Transfer Station until the bill is paid. Any billed amount not paid when due shall bear interest at the rate of one percent (1%) per month from its due date. The District Manager may place a Hauler on a cash-only basis at a District owned or operated Facility indefinitely if, in the District Manager’s opinion, such action is warranted.

4.5 **Solid Waste Not Delivered to the Transfer Station**

Solid Waste generated in the District that is destined for disposal is required to be delivered to the Transfer Station or a District-designated Disposal Facility. However, all Solid Waste generated within the District and destined for disposal is subject to a District Fee, as such Fee is defined and established pursuant to Article 6.2 of the Ordinance, regardless of its final disposal destination.

To be consistent with payment policies for users of the Transfer Station, payment and credit terms for District Fees for waste not delivered to the Transfer Station shall be consistent with Section 4.4 of these Policies. Since payment at the time of delivery is, by definition, not possible, the only allowable payment terms are pre-payment or a letter of credit for two months’ normal or expected billings.
5. **Licensing Fee**

Pursuant to Article IV, “Licensing”, of the Ordinance, any Commercial Hauler, Processor, Transfer/Disposal Facility or Scale, unless exempt by the Ordinance, shall apply to the District Manager for a License. The application and subsequent annual renewals of the License shall be accompanied by a Twenty-dollar ($20.00) fee.

6. **Enforcement of Ordinance**

   6.1 **Education Prior to Enforcement**

   The District undertakes on-going education and public awareness programs to promote compliance with the Ordinance. This includes the District newsletter, local paper, website and other means to advertise and provide the public with information explaining the program.

   6.2 **Violations of Waste Separation Requirements**

   (A) **Mandatory Recyclables and Special Waste**

   Mandatory Recyclables or Special Waste in a load may result in a violation being cited. The Transfer Station Operator will document the nature and extent of any unacceptable waste as part of the inspection process. The Commercial Hauler may be required, at his/her own expense, to remove the unacceptable waste and return it to the Generator for proper handling. The Commercial Hauler is also responsible for any surcharge or penalties on the District tipping fee for delivering non-separated waste (See Section 6.3 of these Policies).

   If, during the inspection process, Mandatory Recyclables, or Special Waste are found, the Generator will be notified in writing of a violation of the Ordinance. The District may exercise its discretion to issue warnings in lieu of violations. A copy of the written notification will be sent to the Commercial Hauler.

   (B) **Prohibited Materials and Unregulated Hazardous Waste**

   Prohibited Materials and Unregulated Hazardous Waste found during a waste load inspection shall constitute a violation of the Ordinance. Following documentation of the violation, the Transfer Station Operator or other District staff will determine the appropriate action to be taken, on a case-by-case basis, based on the nature and extent of the hazards and safety risks involved. The possible actions could include:

   1. reject the load;
   2. allow the waste to continue to the disposal facility;
(3) segregate and store the material under cover on an impervious surface in an appropriate container(s); or

(4) immediately call a hazardous waste hauler for collection of the material.

In deciding whether to accept or reject a load, staff will use their best judgment of whether the load can be handled safely. Once any Unregulated Hazardous Waste is unloaded onto the District’s property, the District will assume possession of the waste to ensure proper disposal – in these cases, for their own safety, customers will not be permitted to retrieve Hazardous Waste from their load.

In the case of a violation, the District staff will fill out an inspection report detailing the nature of the violation and the possibility that penalties and/or disposal charges may be forthcoming. This inspection report shall be copied and attached to the transaction report, and given to the Hauler before he/she leaves the site.

In situations where the Hauler is not also the Generator, the District will work with the Commercial Hauler to identify the Generator, who will be contacted by the District and made aware of any penalties and/or management and disposal fees incurred in the proper management of the Unregulated Hazardous Waste. In situations where the Generator is unknown or if the Commercial Hauler chooses not to provide Generator information, the Commercial Haulers will be held responsible for any management and disposal fees incurred in the proper management of hazardous materials discovered in their loads. In addition, Commercial Haulers shall be responsible for any penalties due for delivering Solid Waste to the Transfer Station that does not meet the separation requirements.

If, during the inspection process, residential Unregulated Hazardous Waste is found, the Generator will be notified in writing of a violation of the Ordinance. The District may exercise its discretion to issue warnings in lieu of violations. A copy of this notification will be sent to the Commercial Hauler. Any person that has received one official warning under this subsection shall be subject to civil penalties under Article VIII of the Ordinance for any future violations. Any Person other than a Resident that mixes Hazardous Waste with other wastes shall immediately be subject to civil penalties under Article VIII of the Ordinance for any future violations.

6.3 Non-Separation Surcharges and Cost Recovery

Consistent with Article 6.5, “Fee Variations and Surcharges”, of the Ordinance, fee variations or surcharges may be established by the District on Solid Waste delivered
to District owned or operated Facilities or to District-Designated Facilities to encourage or otherwise provide economic incentives to comply with provision of the Ordinance. As such, these Policies establish the following non-separation surcharges:

(A) In a “Staff Review” or “Routine” inspection, if all three bags inspected have Mandatory Recyclables and there has been no apparent effort at recycling, the load will be surcharged ten percent (10%). This surcharge will not be applied in “Driver Request Inspections.” A load will also be surcharged ten percent (10%) if five percent (5%) or more of the load (by volume) consists of Mandatory Recyclables, or Special Waste (except for Prohibited Materials and Unregulated Hazardous Waste).

(B) In an initial incident, if any amount of Unregulated Hazardous Waste or Prohibited Materials is found, the load will be surcharged 20 percent (20%). This surcharge will not be applied in “Driver Request Inspections.”

(C) In the discretion of the District Manager, surcharges may be doubled for repeat violators. The District also retains the right to issue penalties for waste separation violations under these Policies when, in the discretion of the District Manager, the nature and extent of the violation is significant enough to warrant further action. If the District must remove the Unregulated Hazardous Waste or Prohibited Materials from a load, the District will charge a minimum hourly fee of $75.00.

(D) Any surcharges will be included on the waste receipt and District bills and are subject to the payment requirements detailed above. Bills associated with the handling and disposal of Prohibited Materials or Unregulated Hazardous Waste will be issued separately, but are also subject to the payment requirements detailed above.

(E) The District may choose to either reject or properly manage Mandatory Recyclables, Special Waste, Prohibited Materials or Unregulated Hazardous Waste that enter the Transfer Station. Management costs for Solid Waste not meeting the separation requirements of the Ordinance shall be borne by either the Generator or the Commercial Hauler, or both. Such costs may include, but are not limited to: disposal, lab tests, staff time, contractor fees, spill cleanup, site investigation and remediation, fines, and lost business. As per Article 8.6, “Other Penalties”, of the Ordinance, other penalties and fines may apply. As per Section 8.7, “Attorney’s Fees”, of the Ordinance, the Person responsible for the violation shall pay the District its reasonable attorneys’ fees and other costs and expenses of any action brought by the District to enforce the provisions of the Ordinance.
6.4 Payment of Charges

Article 6.6 of the Ordinance and Section 4 of these Policies establish requirements for payment of charges and fees. If charges or fees remain unpaid after following these requirements, or if the charges and fees requirements are otherwise violated, the District may institute enforcement actions consistent with Section 6 of these Policies, but may in its sole discretion proceed directly to filing suit in a Court having jurisdiction.

6.5 Exception to Procedures

Notwithstanding any provisions of these Policies, the District may directly institute a suit seeking any remedy or relief authorized by the Ordinance in any instance where Unlawful Conduct threatens public health or safety, the safe operation of District Facilities, or the financial integrity of the District.

Adopted: September 30, 1993

Amended:

- May 18, 1995 – (section 6.3.1), and to authorize letters of credit as additional payment option (section 6.6).
- July 20, 1995 - To change the District Fee from $28.49 to $29.87 per ton (section 6.3.1).
- September 28, 1995 (effective 1/1/1996) - Board resolution adding to list of mandatory recyclables in section 2.1.O.
- February 18, 1999 - To change the District Fee from $29.54 to $33.40 per ton (section 6.3.1).
- February 15, 2001 - To adjust the fine system and to more clearly define hazardous waste. Also to incorporate some general "housekeeping" within the document.
- February 21, 2008 – To clarify changes from the 7/20/2006 Ordinance Amendment, and to fold the “Policy Regarding Designation and Separation of Special Wastes” into these Policies.
- November 19, 2009 – To adopt a District Fee of $10.00/ton for contaminated soils approved by the VT ANR for use as Alternative Daily Cover at a landfill (section 4.2); and to adopt a $20 annual Commercial Hauler License Fee (section 5).
ATTACHMENT 1

ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
1223 Route 7 South
Middlebury, VT 05753
(802) 388-2333

LIST OF MANDATORY RECYCLABLES

The following is a current list of Mandatory Recyclables that are required by the District Waste Management Ordinance to be separated from the waste stream and recycled:

- Clear, green, and brown glass bottles and jars;
- Aluminum, steel and tin cans;
- Translucent high density polyethylene (HDPE) bottles and jugs;
- Colored HDPE plastic bottles;
- Polyethylene terephthalate (PET(E)) bottles;
- Boxboard;
- Corrugated cardboard;
- Newspaper;
- Glossy magazines, catalogs and other publications; and
- Mixed office paper.

*Be sure to check with your town clerk or hauling company – they will advise you on how to prepare the recyclables and where to place them for collection. Your town program or hauling company may offer recycling services for other materials not on this list. Any questions? Call the District at (802) 388-2333, and we can help.*
ATTACHMENT 2

ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
1223 Route 7 South
Middlebury, VT 05753
(802) 388-2333

LIST OF SPECIAL WASTES

The following is a current list of Special Wastes that are required by the District Waste Management Ordinance to be separated from the waste stream:

- 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;
- Yard Waste;
- 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.

The District has diversion programs in place for most of these materials. Any questions? Call the District at (802) 388-2333, and we can help.
ATTACHMENT 3

ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
TRANSFER STATION
1223 Route 7 South
Middlebury, VT 05753
(802) 388-2333

LIST OF PROHIBITED WASTE MATERIALS

Prohibited Waste Materials include but are not limited to the following:

- Those wastes prohibited by local, state (6-701(G)), and federal law;
- Vermont Agency of Natural Resources Non-implemented Waste;
- Hazardous Waste (as defined by the Federal and Vermont Hazardous Waste Rules);
- Regulated Medical Waste;
- Landfill Banned Items consistent with 10 V.S.A. 6621A;
- Liquid Wastes (wastes containing free liquids as defined by Method 9095 (paint filter liquids test as described in “Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods” [EPA Pub. No. SW-846]));
- Non-Approved Special Wastes,*
- Source Separated Recyclables,**
- Waste Containerized Liquids (e.g., soda, beer, coffee);
- Liquid Waste Containers with a capacity of greater than 30 gallons (unless cleaned prior to disposal);
- Animal Carcasses and Remains.

*See ACSWMD List of Special Wastes
**See ACSWMD List of Mandatory Recyclables
Addison County Solid Waste Management District

Waste Load Inspection Form

SAMPLE

ATTACHMENT 4

Ticket #______________

ACSWMD – Waste Load Inspection Form

Inspections Form #________

Instructions:
1. If bagged trash, three bags need to be inspected (from packers and trucks)
2. If bulk load (roll-off) is at least 3 cu.yds, it must be examined.

To be filled out by Transfer Station Staff:

Inspector: ___________________

Recyclables:
Does the load contain 5% or more total of mandatory recyclables? Yes No
If yes, what types of recyclable materials were present? (circle all that apply)

Mixed Fibers Cardboard Glass Containers
Plastic containers Metal Containers Scrap Metal

Hazardous Waste:
Is there hazardous or regulated waste in this load? Yes No
If yes, what types? What happened to the hazardous waste?
Sent to landfill in trailer #______ by ________
Was landfill notified? By whom _______________
Returned to customer? Why? _____________________
To bring to HHW Collection _____________________
Did not want to pay for disposal (universal waste – i.e. ballasts) ________
Load rejected _____________________
Was kept by staff for proper disposal __________
Other _____________________________

To be filled out by Scalehouse Operator:

Date ____________ Customer ____________________________________________

Reason for Inspection (circle one) 40th load Driver Request Staff Request

Type of load: (circle one) MSW C&D Other _________________________________
Was this load surcharged? (circle one) Yes No 10% 20% 40%
Total surcharge $__________________ Origin (Town) __________________________

Name and Address _________________________________________________________

To be filled out by Program Coordinator:

Follow-up letter or call made by ____________________________ Date _______

___________________________________________
ATTACHMENT 5

ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT
TRANSFER STATION and DISTRICT FEE RATE SCHEDULE
Effective January 1, 2010
Transfer Station Hours:
Monday – Friday: 7:00 AM – 3:00 PM, Saturdays: 9:00 AM – 1:00 PM
HazWaste Center Hours:
Tues, Wed, & Thurs: 8:00 AM – Noon, Saturdays: 9:00 AM – Noon
A $1.00 admin fee is charged on all monetary transactions in addition to prices listed below.

WE ACCEPT: |
PRICE/UNIT

Trash (MSW), Construction & Demolition Debris (C&D) ........................................................................................................ $1/25/ton
Minimum Fee - Minimum Load Size -- 1/2 ton for Regular trash only ........................................................ $62.50
Minimum Fee -- 100 lbs. or less -- mixed debris ........................................................................................................ $6.25

Appliances w/ CFCs (refrigerator, freezer, air conditioner, water fountain, vending machine, dehumidifier) .......... $11/ea.
Commercial-Grade A/C Units ................................................................................................................................................. At Cost

Appliances - no CFCs (furnace, washer, dryer, hot water heater, stove, dishwasher, microwave, woodstove, etc). .... $5/ea.

Clean Wood, natural wood or raw lumber/ pallets (untreated, unpainted) – Residential Customers ................... $10/cu.yd.
Commercial Customers ......................................................................................................................................................... $5/ton

Mulch loading assistance (upon request) ......................................................................................................................... $5/load

Corrugated Cardboard (minimum fee $2.00) ......................................................................................................................... $2/cu.yd.

Electronics (larger items or quantities may be charged by weight at the discretion of the scalehouse operator) .... $0.23/lb
Computers, whole systems (includes everything) .............................................................................................................. $1/ea.
Computers, by piece (monitor or CPU or printer) .............................................................................................................. $6/pc.
Fax machine, VCR, DVD, Stereo, CD Player, Shredder (small electronics) ................................................................. $5/pc.

Desktop Photocopier ......................................................................................................................................................... $11/pc.

Arcade Video Games, Stand Alone Photocopier ........................................................................................................... $0.23/lb

Televisions ........................................................................................................................................................................... $0.23/lb

(Regular size TV) ................................................................................................................................................................. $7/ea.
(Conference size TV) ............................................................................................................................................................. $15/ea.

Mixed Bag (cords, adapters, CDs, tapes, cassettes, DVDs, chips, cards, etc. grocery bag size) ................. $5.00

Fire Extinguishers – 5 lbs or > ........................................................................................................................................ $1/ea.

Fluorescent Light Bulbs – Per 2 Linear Feet or Compact Size ...................................................................................... $0.25/ea.
8-Foot, High Intensity Discharge (HID) and Neon ........................................................................................................ $1/ea.

Ultraviolet ........................................................................................................................................................................ $1.75/ea.

Food Waste (residential only) .............................................................................................................................................. No Charge

Hazardous Waste – Residential (not including latex paint or joint compound) ......................................................... No Charge
(Residential latex paint or joint compound) ......................................................................................................................... $2/load

Hazardous Waste -- Business (CEG) -- Must call ahead .............................................................................................. Actual Cost

Leaf & Yard Waste (grass clippings, leaves, small twigs) ............................................................................................... $1/load

Light Ballasts containing PCBs ............................................................................................................................................ $3/ea.

Motor Oil (uncontaminated only, drums by appointment) ............................................................................................... No Charge

Oil Filters ................................................................................................................................................................................ $0.25/ea.
55-gallon drum full (crushed or uncrushed) ......................................................................................................................... $45/drum

Pressurized Cylinders – 1-lb Cylinder (small size) – Residents/Businesses ................................................................. No Charge/$1/ea.
20-lb Cylinder (grill size) ......................................................................................................................................................... $4/ea.

Rates continue on page 2
**Reuse It or Lose It!** (for items accepted at the discretion of the scalehouse operator)

- Household goods weighing <20 lbs.................................................................No Charge
- Household goods weighing 20 lbs - 50 lbs ..................................................$1/ea.
- Household goods weighing >50 lbs...............................................................$3/ea.
- Construction Materials (Reusable dimensional lumber, doors, fixtures, windows, etc.) .................................................................No Charge

**Scrap Metal** ........................................................................................................No Charge

**Tires**
- Passenger Tires ...................................................................................................$2/ea.
- Large Truck Tires ..................................................................................................$6/ea.
- Agricultural Tires ..................................................................................................$20/ea.
- Earthmoving Tires, Extra Large Tires, Large Quantities of Any Tires ..................$0.06/lb.

**District Fee** — On all MSW & C&D (Included in the $125/ton tip fee) .........................$33.40/ton

- On contaminated soils approved by the State of VT for use as Alternative Daily Cover at landfills ..........$10/ton

Contact the District Office (388-2333) if you have any questions about items not listed here.
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
Second violation of the Ordinance $150
Third violation of the Ordinance $250
Fourth and subsequent violations $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