



ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT

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December 30, 2016

Cathy Jamieson, Director
Bryn Oakleaf, Environmental Analyst V
Solid Waste Management Program
VT Dept. of Environmental Conservation
1 National Life Drive – Davis 1
Montpelier, VT 05620-3704

Re: **ANR DEC Draft Biennial Report on Solid Waste**

Dear Cathy and Bryn:

Please accept the following comments by the Addison County Solid Waste Management District (District) on the draft *Biennial Report on Solid Waste* to be submitted to the House and Senate Committees on Natural Resources and Energy by the Agency of Natural Resources Department of Environmental Conservation.

Page 3: Fourth paragraph, after Universal Recycling Law, add “(Act 148) (UR)”. Switch the 33% and 35% labels in the chart. Remove the word “Landfill” and just leave disposal – these weights may include MSW that goes to out-of-state Waste-to-Energy facilities, not just landfills. Also, this chart should state that the data is for MSW only, which is the category that the 50% diversion goal is designed to cover. Any explanation of why the diversion rate took a dive in 2013 after the 2012 adoption of the URL and then rallied? What is the “[1]” after the year 1994? Is that supposed to refer to a footnote?

Page 4: Paragraph 1: From this point on, any reference to the Universal Recycling Law can now use the abbreviated term “UR.” We recommend replacing the term “stagnated” with “stalled” or “settled at” to refer to the 30-36% diversion rate. Reason: Even though the state’s diversion rate held at 35%, it was quite an achievement from 1987, and was consistent with the 35% national average. Add “(MMP)” after Materials Management Plan and continue using that abbreviated term throughout the document. Reference to the 50% diversion rate should state that it only applies to MSW. No reference to HHW in calculating the diversion rate? If ANR wants to establish a separate diversion rate for C&D, it should identify it. No mention of a Biosolids Beneficial Use Rate? How does the DEC come up with an estimated 66% diversion rate after 2022 exactly? No mention of waste reduction, which is our number 1 priority. Under the chart, the note states, “Diverted amount includes estimated error associated with undocumented organics diversion?” What does that mean? Why not take into account undocumented recyclables diversion? From this point on, the report can use the abbreviated term “DEC.”

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Page 5: Paragraph 1: Why not change “discourage non-sustainable packaging . . .” to “encourage sustainable packaging . . .”, a more positive and measurable goal? Paragraph 3: Add “the” before “Bottle Bill.” Next-to-last sentence: “Change “That report estimated that there is an estimated 75% . . .” to “That report estimated a 75% . . .” Last sentence: apostrophe after “Vermonters.” Last paragraph: after “extended producer responsibility”, insert “(EPR).” Last sentence: After the 2013 Waste Composition Study, insert the footnote No. 1 from p. 6 here, as this is the first reference to the study in the report.

Page 6: Paragraph 1: Change reference to read, “the 2013 Waste Composition Study”, and move footnote 1 to p. 5. If a footnote is necessary here as well, insert footnote 2 “Ibid.” Note that the 2013 study used 2011-2012 data. In determining “half of the materials placed in landfills are recyclables, . . .”, is DEC referring to Mandated Recyclables, or any potential recyclables such as plastic film? Paragraph 2: This should clarify that the UR recyclables are the “Mandated Recyclables”, which should be defined here. Paragraph 3: Last sentence: Add “in” after “phased”, and change the references to the UR defined terms: food scraps, leaf and yard debris, and clean wood.” Paragraph 4: Same comment with respect to the term “stagnant.” Does “(commonly defined as “pay-as-you-throw”)” have to be repeated here, as it’s already mentioned in paragraph 2? The term is also repeated in paragraph 6. Change “unnecessarily landfilling items” to “disposal.” Paragraph 5: Change “recycling” to “mandated recyclables” in second sentence. Same comment as above, referring to using the defined terms in the UR. In the chart, add “Mandated” before “Recyclables, and change “Leaf/Yard Waste” to “Leaf & Yard Debris.”

Page 7: Paragraph 4: DEC uses more than annual data reports from certified facilities to estimate the annual diversion and disposal rates. A good percentage of diversion data comes from SWMEs’ tracking of materials that bypass certified facilities, e.g., direct haul from businesses to in-state or out-of-state recycling markets, a factor that makes it more difficult to quantify diversion. Paragraph 5: From now on, use the abbreviated term “SWMEs” including any future references to “municipalities.” In last paragraph: The term “diversion rate” should really be defined earlier on in the document, and should specify “MSW diversion rate” as previously mentioned. Should include “HHW” in the list of material diverted.

Page 8: First paragraph: Add “clean wood” to the fourth sentence after “leaf & yard debris.” Last sentence: Add “after the year 2022” after “66%.” Paragraph 3: Third sentence: Change, “. . . ensure convenience for collection exists within each municipality or region” to “. . . ensure convenient collection within each SWME.” Fourth sentence: Does “results-based accountability” need to be abbreviated, as it is not mentioned again in the document? From now on, use the abbreviated term “HHW” in the report. Last paragraph, “HHW and conditionally exempt generator (CEG) hazardous waste are collected . . .” Change “municipalities” to “SWMEs.”

Page 9: Second paragraph: remove “fluorescent bulbs” from the list, as they are included in the “mercury-added lamps.” Third paragraph, second sentence: “Mandated recyclables” should have already been defined in prior sections. Food scraps ban “by July 1, 2020” was

already referred to as “2014-2020” in the chart on p. 6 (presumably referring to phased-in deadlines for large quantity generators). Third sentence: Add “the 2013” before “Waste Composition Study.”

Page 10: First paragraph: After “Electronic waste” add “(E-Waste)” and continue to use that abbreviated term. Third paragraph: Re: reference to “the amount of material recycled has increased slowly and steadily” – is this annually? Add “the” before “nation” in the last sentence. Last paragraph: Hyphenate “mercury-containing.” Change “has” to “have” in second sentence.

Page 11: Second paragraph: Change “every” to “each” mercury thermostat . . . Third paragraph: Change “In” to “According to” the 2015 TRC Report . . . and “was” to “were.” What happens after the 2017 sunset? Will there be a reevaluation of the program to determine whether to extend its life?

Page 12: Add “EPR” to any reference to these new laws, so that readers understand that references to “manufacturer-funded or manufacturer take-back” are EPR laws.

Page 13: Paragraph 5: Add “of” before “5 gallons.” Paragraph 6: Reference to “116,961 gallons of paint collected” refers to what period of time - annually? The figure is being compared to the “60,000 gallons per year” in the next sentence, so it needs to be clarified.

Page 14: First paragraph: Last sentence, recommend inserting a footnote with reference to the DSM Bottle Bill Study so that readers can see just how much more expensive the program is. Otherwise, our opinion is that this section offers an inadequate cost/benefit analysis. Also, has anyone checked with the Bottle Bill processors regarding the value of their glass? Glass markets seem to be lacking across the U.S. Paragraph 3: Second sentence changed to read, “The remaining 50% disposed . . .”

Page 15: Paragraph 1, first sentence, change “It is believed that approximately. . .” to “An estimated. . .” Our understanding is that the Tire Study was to quantify the number of illegal junk yards and illegally dumped tires that existed in the state. Calculating the generation rate must consider many more factors. Paragraph four, last sentence, change “. . . but it is not feasible to know how much more tonnage that may be since. . .” to “. . . but it is not feasible to measure how much more tonnage may be diverted by reuse organizations that do not keep records.”

Page 16: Paragraph 1 reference to “Vermont did not have a voluntary or mandatory statewide drug stewardship program. . .”: This is inaccurate, as SWMEs have been promoting the voluntary DEA drug collection programs and voluntary collection programs offered by local law enforcement and pharmacies for the past several years. Paragraph 4, add “MSW” before “50% diversion goal.” Last paragraph: Suggest changing “nuanced” to “variable.”

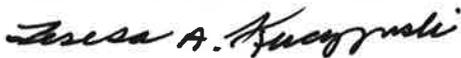
Page 19: Paragraph 1, mention the MMP deadlines for C&D diversion by 2019. Paragraph 3, replace “2012” with “2013” prior to the Waste Composition Study. Last paragraph: Typo in “Textile Reuse.” Add “s” to “discussion.” Last sentence, insert “the VT” prior to “Solid Waste District Managers’ Association.”

General:

- Somewhere in the discussion about organics, please include a reference to the organics management hierarchy established by Act 148, as well as some discussion about providing assistance to the development of new and existing facilities to manage the influx of more organics. Why not mention your ongoing efforts to work with the AAFM to develop guidelines for on-farm use of food scraps as animal feed?
- The discussion on HHW/CEG warrants its own section, with more detail. While we appreciate the annual SWIP grants, they cover only a small portion of our total HHW costs. The EPR programs for HHW such as paints, batteries, mercury-containing lamps have had a positive impact on our ability to continue these collection programs without significantly increasing the rates charged to pay for them.
- Our waste reduction efforts merit some discussion above and beyond the diversion numbers, e.g., the difficulty in measuring waste reduction success, while meeting the stringent waste reduction outreach requirements in the MMP.
- The list of recommendations seems to have faded into the background, for some reason. Perhaps it could be more prominently featured in both the executive summary and the full report.

Thank you for the opportunity to comment on this report.

Sincerely,



Teresa A. Kuczynski
District Manager