

Biennial Report on Solid Waste – Comments from the NEKWMD

DEC has continuously linked the passage/implementation of Vermont's Universal Recycling Law (Act 148) with a 5% decrease in trash disposal. While trash disposal decreased statewide in 2015, one year is not enough time to make that kind of conclusion. DEC should be careful in making such assumptions. A 3-5 year period might be more indicative of the impact of Act 148.

DEC anticipates 50% diversion by 2022, then jumps to 66% through diversion of things like packaging/printed materials, textiles, carpet/carpet padding, and bulky items. This "leap of faith" is not explained anywhere in the report and ignores past, current, and future market conditions. There seems to be this belief that if we mandate it, the materials will somehow enter a market where collectors and processors reap the benefits of removing this material from the landfill by selling it. Because of our rural nature in Vermont, we simply do not have access to some markets, in some cases markets simply do not exist, and some markets fluctuate so wildly that we cannot participate. Textiles are a perfect example of a market in flux. Two years ago multiple market players clamored to collect textiles. This year, we cannot get a single entity to venture into the more rural areas of the State.

Increase Construction/Demolition debris diversion – DEC references convenience to residents, but ignores the cost. With poorly developed markets, residents should not be forced to pay more than what it would cost to landfill these materials. DEC suggests they will convene stakeholder groups over the next year. Solid Waste Planning Entities need more time to implement the programs already required of them.

Act 148 created landfill bans of certain items, established parallel collection of trash and recycling, and incentivized diversion through unit-based pricing. By implementing all 3 initiatives simultaneously, it is impossible to determine accurately the impact of any single initiative. Without knowing the impact of these initiatives individually, DEC should not be so quick to embark on additional solid waste initiatives. As mentioned earlier, Solid Waste Planning entities need more time to implement fully Act 148 before taking on the diversion of additional materials.

"The Universal Recycling Law sets out to establish choices and convenience to Vermont residents and businesses." (page 6 of report) While these are admirable goals, DEC has mostly ignored the economic impact of the initiatives – especially in rural communities - the same communities where waste generation rates are low and the ability to pay is low. The legislature passed Act 148 without any funding. The burden of implementing Act 148 has fallen squarely on local governments and private haulers.

Municipal Solid Waste Goals Disposal Rate < 2.69lb/per/day & diversion rate > 50%
These metrics measure vastly different things. One could argue that as the disposal rate decreases, it becomes more difficult to increase the diversion rate (i.e. the less waste to manage, the more expensive per unit it is to divert). The more important metric is the disposal rate. If less waste is generated in the first place, costs in general are lower. At some point, the State should abandon the misleading diversion rate.

An entity that produces 2.0 lbs/person/day, but only diverts 30% of its wastes may be viewed negatively compared to an entity that generates 3.0 lbs/person/day, but has a diversion rate of 50%. The former entity is actually sending less waste to the landfill. Continuing to rely on both metrics does nothing but confuse decision-makers.

While many of these comments are critical of the report, there has been no shortage of effort on behalf of the Agency and the Solid Waste Management Entities to implement Vermont's Universal Recycling Law. All those involved should be recognized for their diligence and commitment to making Vermont a better place to live and work.

Respectfully submitted,

Paul A. Tomasi
Executive Director
Northeast Kingdom Waste Management District