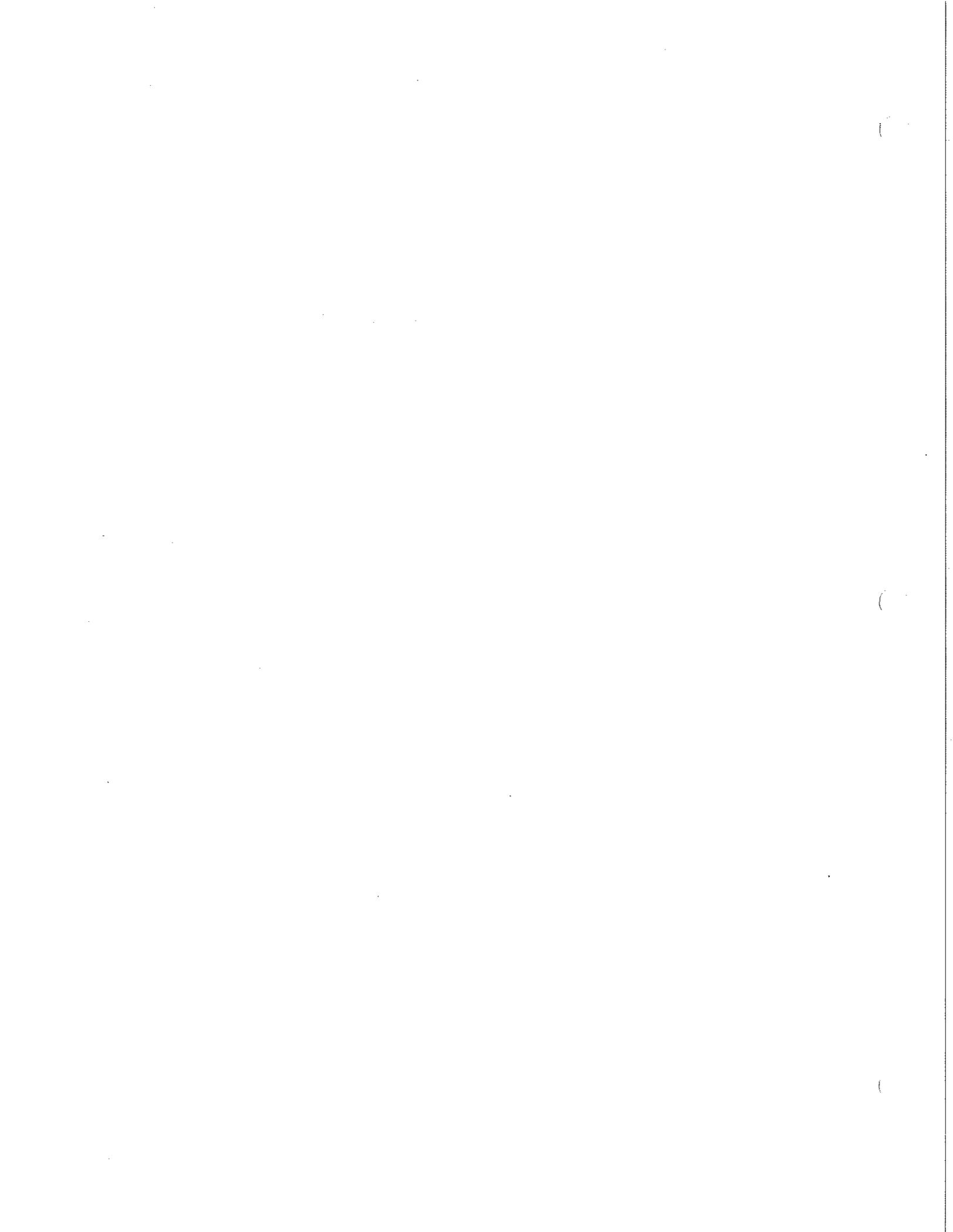


A GUIDE TO VERMONT'S 1987  
SOLID WASTE LAW



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CHAPTER I  
INTRODUCTION

This handbook is intended to provide a step-by-step guide to assist local officials in the implementation of Act 78 of the 1987 General Assembly, Vermont's new solid waste management law. This law creates a solid waste management program which is built upon a partnership between state and local government. For the first time, the state will be in a position to provide financial and technical assistance to municipalities in the implementation of local and regional solid waste management solutions. In turn, municipal solid waste management activities will be expected to conform to the policies established by the 1987 General Assembly and the subsequent state solid waste management plan which emphasize waste reduction and recycling and establish a strategy for proper waste disposal.

History of Solid Waste Management in Vermont

In 1968, the Vermont General Assembly called for each municipality to provide a sanitary landfill, incinerator or both in order to properly dispose of solid waste. Since then, solid waste management in Vermont has been a municipal responsibility. According to current Vermont statutes:

" Municipalities shall be responsible for the management and regulation of the storage and collection of solid wastes within their jurisdiction in conformance with the state solid waste management plan authorized under Chapter 159 (24 V.S.A. 2202a)."

At the time that the original 1968 law was enacted, the accepted method of solid waste disposal in most Vermont towns was open burning. That year, Vermont had approximately 200 dumps which open burned on a regular basis. While this seemed to provide a simple way of getting rid of our household waste, it soon became complicated by our increasing knowledge of the potential hazards caused by air pollutants produced by burning trash. In 1970-71, the state began to enforce Air Pollution Control Regulations and municipalities stopped burning and started to improve the operation of their open dumps. This was done by burying the disposal areas on a more frequent basis with adequate cover material. Consequently, our solid waste vocabulary became more sophisticated and the "town dump" became first a landfill, then a "sanitary" landfill. With each change in definition, the state of Vermont assumed a stronger and stronger role in regulating the management of solid waste by municipalities.

While municipalities have been statutorily responsible for finding practical solutions for solid waste disposal for nearly two decades, the state's statutory role in solid waste management had been almost entirely that of a regulator (except for the beverage container deposit law). In 1972, the State Health Department adopted regulations governing landfills. The state solid waste management program did not really begin until 1977, when the Vermont General Assembly passed 10 V.S.A. 159 and authorized the Department of Water Resources to adopt solid waste

management regulations. Pursuant to the 1977 law, a general state solid waste plan was prepared and adopted in 1980. Since that time, the Department of Water Resources (recently renamed the Vermont Department of Environmental Conservation) has been charged with regulating municipal solid waste management activities, while municipalities have struggled to meet the ever-increasing costs associated with sanitary landfills and waste processing. Federal involvement in waste management has been primarily in the area of hazardous waste. The level of federal support provided to both state and local government for the management of what we normally call trash or garbage has been disappointing. In fact, there have been no federal funds for non-hazardous solid wastes since 1981.

By 1985, these different roles of state and local government in solid waste management had brought about an increasingly difficult situation, which was further aggravated by the simple fact that landfills all over the state were running out of approved space. As both state and local officials came to realize that the demand for suitable landfill space might exceed the available supply in the future the problem of waste disposal gained an increasing sense of urgency. In the meantime, municipalities were growing more and more frustrated with a perceived abundance of state regulations and lack of assistance in a field that had become complicated and costly. At the state level, the Department of Environmental Conservation could only begin to keep up with groundwater monitoring at all of Vermont's

landfills, and incidents of contamination were occurring in many locations. Furthermore, Vermont had been unable to achieve the success in recycling called for by the 1980 State Plan.

In November, 1985, the Agency of Environmental Conservation held a "Solid Waste Summit" to begin to address the many problems and issues that had arisen. The conference featured a host of knowledgeable speakers in the field of solid waste management including state and local officials, environmental advocates, university professors and professional engineers. Two common themes emerged from the conference:

- (1) the need to focus greater attention on waste reduction and recycling as part of a comprehensive, statewide solid waste strategy; and
- (2) the need for the state to expand its role from that of a regulator to include the provision of assistance to municipalities.

In February 1986, Governor Kunin issued an Executive Order creating a Solid Waste Management Advisory Committee. This Committee was to recommend:

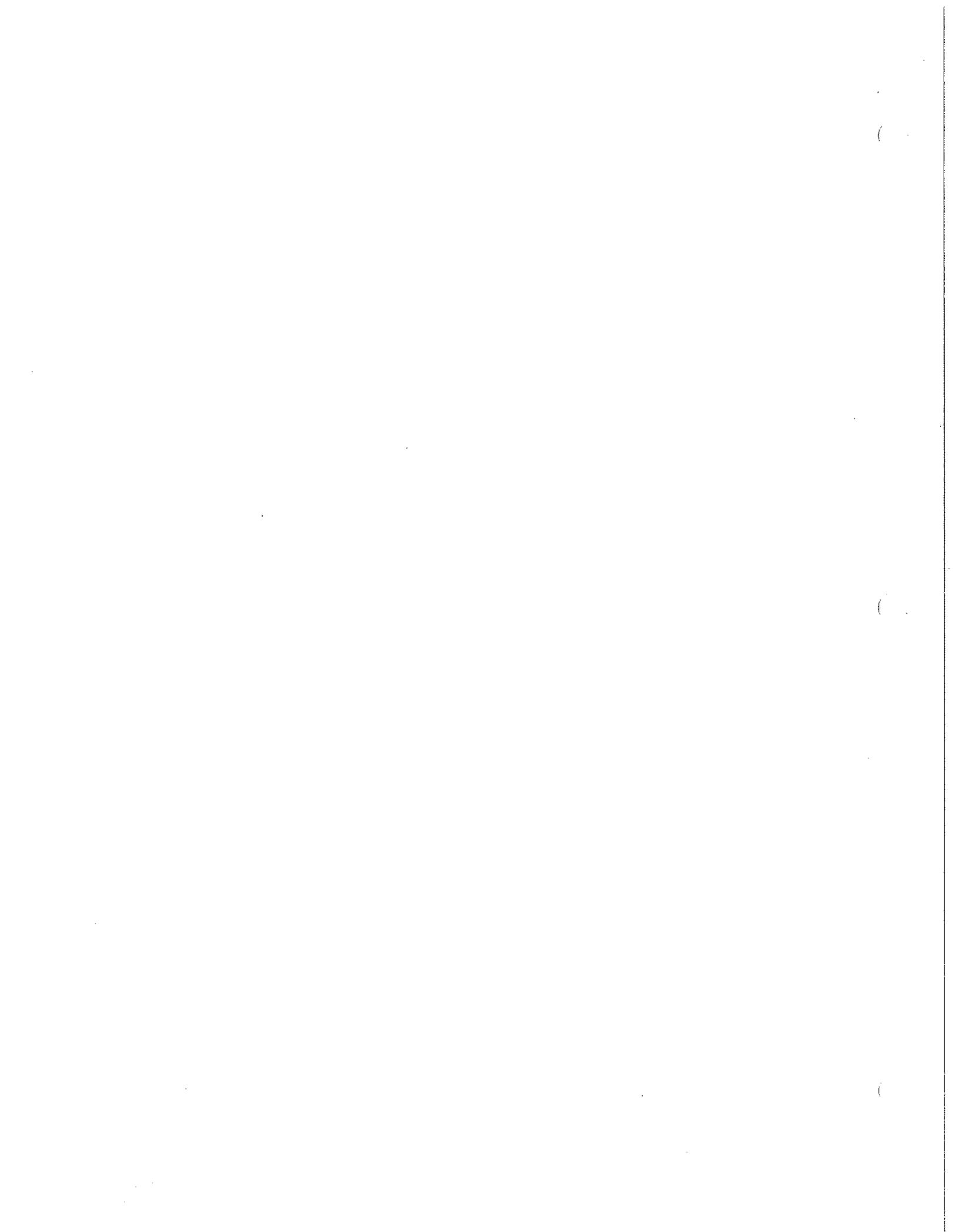
- (1) revisions to the state solid waste management plan;
- (2) legislative initiatives;
- (3) local/municipal actions required for a successful solid waste management program.

The Advisory Committee consisted of a wide variety of individuals with a strong interest in the field of solid waste management. Committee members included representatives from the

Vermont League of Cities and Towns, the Associated Industries of Vermont, the Vermont Public Interest Research Group, the Rutland County Solid Waste District and the New Hampshire-Vermont Solid Waste Project as well as landfill owners, a landfill engineer, a recycling specialist, a regional planning commission representative and municipal and state officials. Representative Curt McCormack of Rutland and State Senator George Little of Chittenden County also served on the committee.

In January 1987, the Advisory Committee issued its report. Utilizing this report as a starting point, Representative Curt McCormack introduced H.196 for consideration in the Vermont Legislature. Although many aspects of the bill changed prior to its ultimate passage (Act 78) in May, 1987, many of the central themes of the new law can be traced back to the recommendations of the Advisory Committee.

The next chapter of this handbook will summarize those elements of Act 78 which are of greatest interest to municipal officials. Subsequent chapters will describe each of these elements in greater detail.



## CHAPTER II

### SUMMARY OF THE NEW SOLID WASTE LAW

#### Declaration of Policy

Act 78 amends the Declaration of Policy under Title 10, Chapter 159, Vermont's existing solid waste management law. Major changes in focus are: an increased State role, the development of user fees to assure everyone pays the real cost of solid waste management, and giving waste reduction, reuse and recycling the highest priorities among all solid waste management alternatives.

Act 78 specifically calls for state government to provide both financial and technical assistance to municipalities in carrying out their solid waste management responsibilities. The law's Declaration of Policy states:

" . . . that the state provide technical and financial leadership to municipalities for the siting of solid waste management facilities and the implementation of a program for the management and reduction of wastes that over the long term is sustainable, environmentally sound, and economically beneficial . . ."

In addition, Act 78's policy statement sets the tone of the entire new law in its emphasis on the need for Vermonters to recognize the real costs of solid waste management and disposal. The law clearly calls for the generators of waste to "pay disposal costs that reflect the real costs to society of waste

management and disposal."

Thirdly, the Declaration of Policy clearly stipulates that the state solid waste management program "should give priority to reducing the waste stream through recycling and through the reduction of non-biodegradable and hazardous ingredients." These priorities also constitute the goals that should be strived for at the local level.

#### New Priorities

Act 78 calls for the adoption of a state solid waste management plan which reflects certain priorities, and then requires all solid waste management activities conducted by municipal, regional or private entities to conform to this plan. The law requires that the state adopt this new plan by April 30, 1988, and that this plan be based on the following priorities, in descending order:

- (A) the greatest feasible reduction in the amount of waste generated;
- (B) reuse and recycling of waste to reduce to the greatest extent feasible the volume remaining for processing and disposal;
- (C) waste processing to reduce the volume necessary for disposal;
- (D) land disposal of the residuals.

This section of the law also says that "Processing and disposal alternatives shall be preferred which do not foreclose the future ability of the state to reduce, reuse and recycle

waste." In other words, enormous capital investments in waste combustion and processing will be discouraged if they inhibit the recycling of waste.

These priorities - waste reduction, recycling, waste processing, and landfill disposal - are a cornerstone of the new law. Eligibility for planning assistance grants and implementation assistance grants is gauged to whether or not the planned facilities will conform to the state plan, which in turn will be based on the priorities established in Act 78. Moreover, a facility will be unable to obtain a certification from the Agency of Natural Resources unless it is part of a regional solid waste plan which complies with the state plan. This particular requirement has real advantages for municipalities, which are discussed in greater detail in Chapter 3.

#### Regional Solid Waste Management Planning

Act 78 places a major emphasis on the need for regional cooperation in order to grapple with the challenges of solid waste management. Because of new requirements for landfill liners and leachate collection systems, air pollution control equipment for waste-to-energy facilities and more, the economies of scale are such that a typical Vermont municipality would be unable to afford to go its own way and construct a facility for use by that municipality only. Act 78 recognizes that pooling resources among municipalities is a much more efficient way to develop comprehensive solid waste management programs which will

be effective and consequently eligible for state financial assistance.

Act 78 creates a planning assistance program for municipalities in which the Agency of Development and Community Affairs will award grants equal to 100 percent of solid waste planning costs. Specifically, these grants will be available to assist municipalities in meeting the requirement that municipalities adopt regional solid waste plans through their regional planning commissions by July 1, 1990. To meet this deadline, a municipality may work directly with a regional planning commission representing that municipality or work through a regional solid waste district which in turn would coordinate with the appropriate regional planning commission.

To encourage regional cooperation, Act 78 requires that municipalities work together through some regional entity in order to be eligible for planning assistance grants. The law requires that by July 1, 1988, each municipality must join or participate in a regional solid waste district that has been organized before January 1, 1988, or join or participate in a regional planning commission's solid waste planning effort. A municipality that does not work with either a district or a regional planning commission by the July 1, 1988, deadline will not be eligible for state funds to plan or construct new solid waste facilities - nor can it use facilities certified for use by the region.

Either a regional planning commission or a solid waste

district "in cooperation with" a regional planning commission may apply for solid waste planning grants. Planning advances of up to \$5,000 are available to cover initial planning costs that may include the costs of preparing a complete application for a planning grant. The sum of \$1 million has been appropriated in the Fiscal Year 1988 State of Vermont Capital Budget to fund planning advances and major planning grants. Further details on the application processes for planning grant advances and planning grants, as well as greater discussion of Act 78's requirements pertaining to regional cooperation, are provided in Chapter 3.

#### Implementation Assistance Program

Once a municipality completes the solid waste planning phase and becomes part of a certified regional solid waste plan, it becomes eligible for financial assistance to help implement the various elements of its plan. Act 78 establishes a state assistance program to provide municipalities with a combination of grants and/or loans to help them undertake a variety of solid waste management activities.

First, the law creates a grant program to be administered by the Agency of Development and Community Affairs. Under this program, grants of up to 40 percent of the cost of construction or equipment will be available. Unlike the planning grant awards, these awards will be made directly to a municipality or group of municipalities organized as a solid waste district. These grants are available for the construction of specific types

of facilities only, such as recycling centers, transfer stations or composting facilities. Grants would also be available for equipment such as compactor trucks, recycling trailers or separation bins. Only facilities which are in conformance with regional and state solid waste plans will be eligible for assistance. Grants will not be available for the construction of sanitary landfills or incineration facilities.

In addition, Act 78 authorizes the issuance of low interest loans from the Vermont solid waste revolving fund to assist in the implementation of programs and facilities, including the construction of major facilities such as landfills or incinerators. So far, details concerning the manner in which this fund will be organized have not been worked out, and no monies have been appropriated for this purpose. It is certain, however, that a facility will be required to be part of a certified regional solid waste plan in order to be eligible for funding. Further details about the implementation assistance program are provided in Chapter 4.

#### New Regulatory Standards

Act 78 establishes two types of regulatory standards governing the construction and operation of solid waste management facilities. The first type are the traditional environmental controls to protect the public health and the environment. The second are regulations which uphold the commitment to the local and regional solid waste planning process.

Act 78 does not change the current requirement that all solid waste management facilities obtain a state certification which is valid for a period of up to five years. However, Act 78 adds the requirement that no new solid waste facility can obtain a state certification unless it is included in a certified regional solid waste plan. Furthermore, after July 1, 1990, even an existing facility cannot be recertified unless it is included in a certified regional solid waste plan. An exception to the latter rule may be made if the Secretary of the Agency of Natural Resources finds that recertification - despite the lack of a plan - is in the public interest.

One of the more important new requirements from a municipal perspective concerns the lining of sanitary landfills. Act 78 requires the following:

1. New landfills placed in operation after July 1, 1987, must be lined and must include leachate collection and treatment systems. There may be an exception to this standard in years to come if pilot projects pursued by the state prove successful in showing that designated parts of the waste stream do not require the use of liners and leachate collection systems.
2. Ash from incineration facilities must be disposed of only in lined landfills, unless recycled in an approved manner.
3. No later than July 1, 1991, the operating portion of most Vermont landfills must be lined. The only

exceptions may be those landfills which were in operation on July 1, 1987, that are certified to receive, or actually receive, less than 1,000 tons of municipal waste per year. Such a landfill may be exempt from the liner requirement if the Secretary of Natural Resources finds that it "will not create a significant risk to public health" or "cause irreparable harm to the environment."

Act 78 creates an interim certification process for those facilities unable to meet the new requirements. It also sets up a system to deal with proposed certifications during the transition period as the new law takes effect. Further details on interim certifications and the transition process are provided in Chapter 5.

#### Solid Waste Facility Tax

In order to provide revenues to fund a state "solid waste management assistance fund" and in order to encourage systems in which Vermonters pay for the disposal of their waste through tipping fees rather than property taxes, Act 78 institutes a tax on all solid waste management facilities in Vermont. This tax is equal to \$2.40 per cubic yard of waste delivered for disposal, or at the request of a taxpayer (i.e., landfill operator), the equivalent amount of \$6.00 per ton.

This tax went into effect on July 1, 1987, with respect to privately owned or operated landfills and will go into effect on

July 1, 1988, with respect to municipally-owned and operated landfills.

The Department of Housing and Community Affairs will be distributing a total of \$150,000 in "User Fee Implementation Assistance" grants to assist municipalities with the transition to solid waste financing systems which are based on tipping fees. Priority consideration will be given to those municipalities which use privately owned or operated landfills, since it is these landfills which will be called upon initially to pay the solid waste facility tax. The Department of Housing and Community Affairs will also provide technical assistance in instituting user fees and hopefully be in a position to put municipalities in touch with other towns or districts that have implemented tipping fee programs.

A municipality that is operating a landfill and does not wish to monitor either the volume or the weight of the waste delivered to the facility may presently elect instead to pay a tax equal to \$3.50 per year per person served by the facility. However, it has been suggested that the General Assembly remove this provision for a per-capita waste disposal tax since it may not provide the incentive to reduce waste.

Waste-to-energy facilities are treated separately under the taxing provisions of Act 78. The general rule is that waste delivered to an incineration facility is subject to the tax and ash is exempt. However, the opposite is true if construction of the incineration facility began before January 1, 1987. In this

instance, the waste delivered to the facility is exempt and the ash is subject to the tax.

A comprehensive discussion of the solid waste facility tax, including the pitfalls of financing solid waste activities through the property tax; the rationale behind the tax exemptions; a description of the solid waste management assistance fund; and details about the administration of the tax is provided in Chapter 6.

## CHAPTER III

### THE SOLID WASTE MANAGEMENT PLANNING PROGRAM

Act 78 charges municipalities with the task of preparing regional solid waste management plans developed from the bottom up. Although regional solid waste plans must adhere to the basic policies set out in the Act and the State Solid Waste Management Plan, it is intended that the plans be developed at the local level. While Act 78 does call for municipalities to work together to adopt regional solid waste plans by a certain deadline, there is enormous flexibility as to the design of the plans themselves. The only hard and fast rules are that municipalities must work cooperatively through a regional entity, and the plan must conform to the state solid waste plan and the policies set forth in Act 78. It is anticipated that each plan will be particularly appropriate to the characteristics and needs of the region for which it was developed.

#### The Basic Requirements for Regional Solid Waste Planning

Act 78's basic planning requirements are twofold. First, municipalities are expected to participate in a regional solid waste planning program (through either a regional solid waste district or a regional planning commission) by July 1, 1988. Secondly, each regional planning commission is required to adopt a regional solid waste plan that conforms to the state plan by July 1, 1990.

The basic requirement for regional solid waste planning is as follows:

"No later than July 1, 1988 each municipality, as defined in 24 V.S.A. 4303(4), shall join or participate in a solid waste management district organized pursuant to 24 V.S.A. Chapter 121 no later than January 1, 1988, or shall join a regional planning commission or participate in a regional planning commission's planning efforts for purposes of solid waste planning."

This requirement does not mean that a municipality must join its regional planning commission if it is not already a member. In the event that a municipality chooses not to join a regional planning commission or a solid waste district, the statute clearly provides the opportunity for non-member participation in the regional solid waste planning effort. It is also possible for a municipality to work with a regional planning commission other than the one with which it is a formal member.

It is also possible to meet this requirement by becoming a member of a regional solid waste district, as long as that district was organized before January 1, 1988. Regional solid waste districts in Vermont have been organized as union municipal districts under the provisions of 24 V.S.A. chapter 121. Existing regional solid waste districts include the Central Vermont Solid Waste District, the Rutland County Solid Waste Management District, the Southern Windsor-Windham County Solid Waste District and most recently the Chittenden County Solid Waste District and the Windham County Solid Waste District. Chapter 7 lists District Chairmen as available resources to

municipalities seeking to join a district. Municipalities considering joining a district are advised to consult with their Town Attorney for a full disclosure of the legal ramifications.

Act 78 provides strong incentives for municipalities to participate in regional solid waste planning. The new law states:

"A municipality that does not join or participate as provided in this subsection shall not be eligible for state funds to plan and construct solid waste facilities, nor can it use facilities certified for use by the region or by the solid waste management district."

In other words, a municipality that does not belong to a solid waste district formed by January 1, 1988, or belong to a Regional Planning Commission must participate in the regional planning process will be barred from using a regional facility. Not only will it be on its own financially, but it will also be expected to be entirely self-sufficient in fulfilling its responsibilities to manage solid waste within its borders.

In addition, the law prohibits certification of new facilities which are not consistent with certified regional solid waste plans. Even existing facilities are foreclosed from recertification after July 1, 1990, if they are not part of a certified regional solid waste plan, unless the Secretary of Natural Resources makes a specific exception. In other words, municipalities which do not participate in the planning effort

not only lose the opportunity to receive state funds, they will seriously risk losing state approval for existing facilities as well.

On the other hand, the law does not require regional facilities, just regional planning. A small municipal landfill may be an appropriate solution as long as this municipality has participated in the planning effort and the landfill is included in the certified regional solid waste plan.

#### The Regional Solid Waste Plan

The second basic planning requirement in Act 78 calls for regional planning commissions to adopt regional solid waste plans by July 1, 1990. These plans are actually to take the format of a "refuse disposal" section of the "utility and facility element" of a regional plan. Vermont law has for many years authorized regional planning commissions to adopt such solid waste plans. 24 V.S.A. 4348a states that a regional plan may include:

"a utility and facility element, consisting of a map and statement of present and prospective local and regional community facilities and public utilities, whether publicly or privately owned, showing existing and proposed educational, recreational and other public sites, buildings and facilities, including public schools . . . water supply, sewage disposal, refuse disposal (emphasis added) . . . and other similar facilities and activities, and recommendations to meet future needs for those facilities, with indications of priority of need."

Under Act 78, each regional planning commission is required to adopt a utility and facility element for refuse disposal that conforms to the state waste management plan and describes in detail how the region will achieve the priorities of waste reduction, recycling, waste processing and landfill disposal (in that order).

Coordination between regional planning commissions and regional solid waste districts is absolutely critical to the development of these regional solid waste plans. In fact, regional planning commissions are required by law to adopt the plans of regional solid waste districts, provided those district plans also conform to the state waste management plan.

Act 78 recognizes the possibility that some municipalities may already have contracts in effect which by their very nature are inconsistent with the state plan and the priorities of waste reduction and recycling. Such a situation might occur, for example, where the potential for recycling was not taken into account during the planning of the capacity of an incineration facility. Just in case, however, Act 78 is very clear not to push such municipalities so far that they must choose between breaching their contracts or violating state law. In fact, the law explicitly states:

"Municipalities or solid waste management districts that have contracts in existence as of January 1, 1987, which contracts are inconsistent with the state solid waste plan and the

priorities established in 10 V.S.A. 6604(a)(1) - (i.e., waste reduction and recycling) - shall not be required to breach those contracts, provided they make good faith efforts to renegotiate those contracts in order to comply.

The law also provides for an extension of the July 1, 1990, planning deadline under certain circumstances. The Secretary of the Agency of Natural Resources is authorized to extend the deadline only if he or she finds that despite good faith efforts to comply, a regional planning commission or solid waste district has been unable to meet the deadline due to either of the following two conditions:

1. unavailability of planning assistance funds under the planning assistance grants program; or
2. delays in completion of a landfill evaluation.

Act 78 requires the Agency of Natural Resources to complete an evaluation of each landfill in Vermont by July 1, 1990, and determine whether each landfill should be closed or continue to operate and whether remedial action is necessary. The results of this evaluation will be instrumental in the development of regional solid waste plans.

#### The Planning Assistance Grants Program

Act 78 demonstrates the commitment of the 1987 General Assembly to thoughtful and comprehensive solid waste management planning by establishing a grant program to support planning costs for regional planning commissions and solid waste

districts. Although it is not certain what those costs might be, the hope was that the program would support the entire bill and provide 100 percent planning grants. The planning grant program will be administered by the Department of Housing and Community Affairs (DHCA) within the Agency of Development and Community Affairs, which has traditionally had close ties with local and regional planning organizations.

Under the new program, the Secretary of Development and Community Affairs is authorized to enter into a contract with a regional planning commission or a regional solid waste district for a grant of 100 percent of eligible planning costs once the Agency of Natural Resources certifies that the proposed planning process:

1. is consistent with the state waste management plan, or prior to the adoption of the state plan, that it is consistent with act 78; and
2. can reasonably be expected to result in a utility and facility section of a regional plan that carries out the requirements of Act 78; and
3. that the proposal together with any other proposals affecting the same region (as defined by regional planning commission boundaries) will result in a comprehensive management plan in the region and reflects a cooperative process within the region.

In order to meet criterion #3, it is especially important that regional planning commissions and regional solid waste

districts with overlapping jurisdictions coordinate with one another. The policy of the Department of Housing and Community Affairs will be to avoid double-funding of particular geographic areas. Instead, regional planning commissions and solid waste districts are encouraged to resolve their differences and submit joint applications. Preliminary planning grants will be available to resolve questions concerning which organization should plan for which municipality, which organization will take a lead role in submitting the planning grant application, and similar matters.

Act 78 authorizes the Secretary of Development and Community Affairs to provide planning advances of up to \$5,000 to be used to develop the more comprehensive applications for the full planning grants. The Department of Housing and Community Affairs has determined that there is a total of \$60,000 (or \$5,000 for each of Vermont's 12 regional planning commissions) available for these preliminary planning advances. Regional planning commissions will have first priority of the use of these funds, provided that they are able to demonstrate efforts toward coordination with existing or forming solid waste districts. Similarly, solid waste districts which apply for funds are asked to coordinate with regional planning commissions, with the objective of bringing in joint applications.

Decisions on preliminary planning advances will be made within 2 weeks of application receipt. DHCA will work with applicants on modifications to applications that may be necessary

in order for them to be funded. A contract will be prepared for each application once an agreement is reached.

Application materials for preliminary planning advances are provided on the following three pages.

## Major Planning Grant Applications

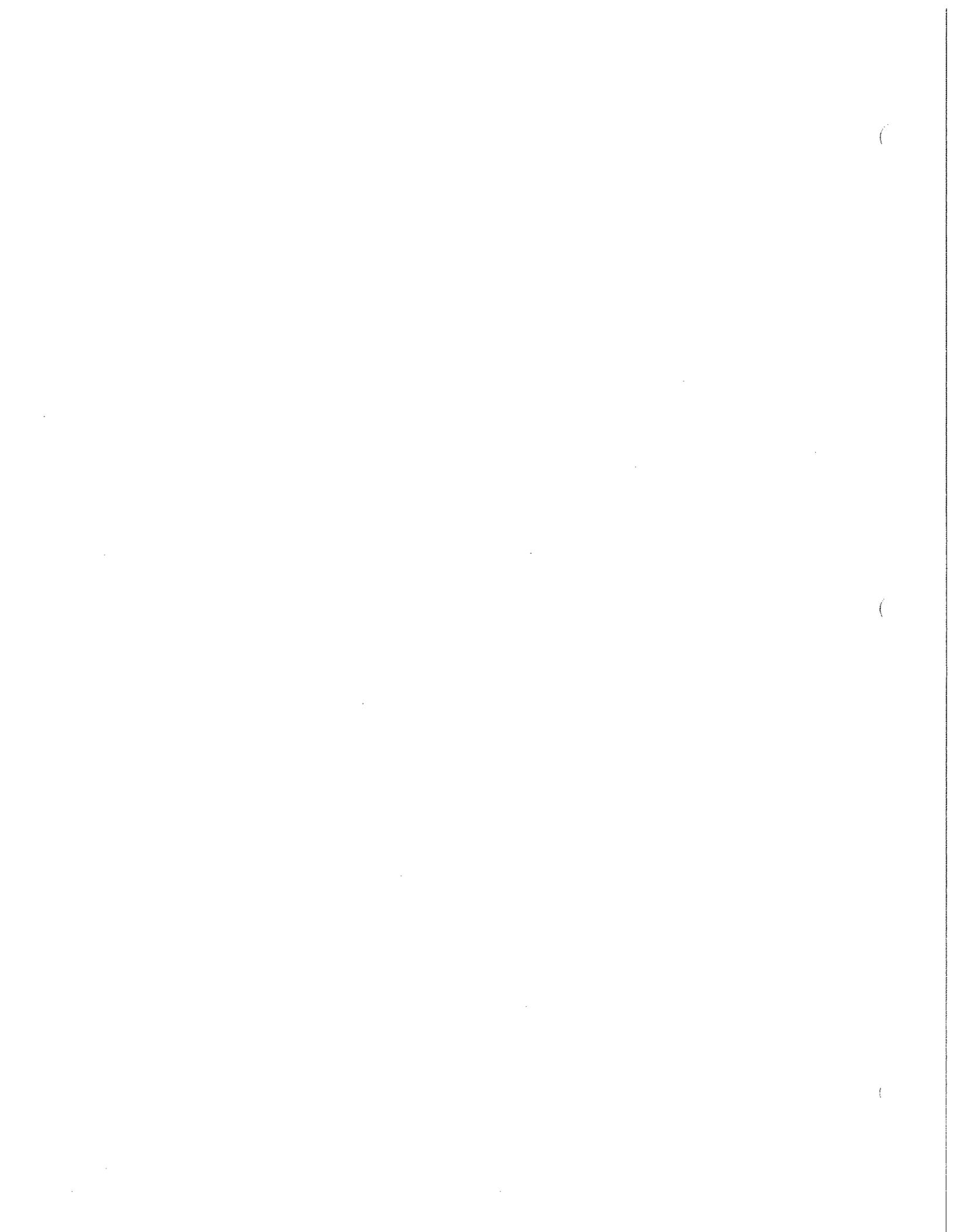
A majority of the funds for major planning grants will be allocated after adoption of State Plan. The following tasks are likely to be included in the State Plan as necessary components of the regional plan. Other tasks may be necessary and each planning grant will be the result of negotiated agreements with the State based on regional characteristics.

- (a) waste stream analysis - what is the quantity, type and location of wastes generated by the region?
- (b) market assessment - what is the potential market for glass, newspaper, corrugated cardboard and other recyclable materials?
- (c) evaluation of waste reduction, recycling, treatment and disposal alternatives - what constitutes the best solid waste management strategy for the region?
- (d) public involvement and education - citizen participation in the planning process, forums, hearings, etc.
- (e) environmental, health and economic impact assessment - what are the long and short-term consequences of each solid waste management alternative?
- (f) site evaluation - evaluation of geological and other environmental features.
- (g) project design - engineering and design costs.
- (h) obtaining permits - the cost of preparing applications for state permits, hiring engineers to attend permit hearings, etc.

Administrative and legal costs also represent activities which are eligible for planning grant assistance. Finally, the costs of preparing the application itself is also eligible, provided that those costs were incurred after June 2, 1987, (the effective date of Act 78) and prior to the approval of the application.

The Department and Housing and Community Affairs may stipulate in their rules that costs and perhaps the grants themselves be phased in order to simplify grant applications and provide an orderly progression of the work. Up to 75 percent of the total grant award will be made available as costs are incurred or in some similar manner. In order to receive the remaining 25 percent of the grant award, the regional commission or solid waste management district must adopt a plan, the Secretary of the Agency of Natural Resources must certify that the plan is consistent with the state waste management plan, and an audit must be completed by an independent auditor.

A total of \$1 million was included in the Fiscal Year 1988 capital construction budget, the majority of which will likely be used to provide planning assistance grants. All municipalities are strongly encouraged to pursue the planning grant application process with the regional commission or solid waste district of which they are a member.



## CHAPTER IV

### THE IMPLEMENTATION ASSISTANCE PROGRAM

In terms of solid waste management, Vermont stands today about where it stood in terms of water pollution control nearly two decades ago. It has become apparent that long-term solutions to our solid waste problems will be enormously expensive and are certainly comparable to the cost of constructing sewage treatment facilities that we have already become accustomed to. Whereas federal dollars were available to assist in the construction of pollution control facilities, no such program exists today for solid waste management. The cost will therefore presumably be borne by state and local government and by the private sector.

Once planning is complete, municipalities will be eligible for implementation grants and perhaps loans for the construction of certain solid waste management facilities, the purchase of necessary equipment and related costs. Eligible activities must be a part of a certified regional solid waste plan that is consistent with the state plan.

#### Implementation Grants

Act 78 establishes an implementation grants program which is designed specifically to fund those activities for which it is not practical to collect user fees. This concept is important in understanding the rationale behind the design of the grants and the loan program, because the program design is based on the policy which calls for generators of waste to "pay disposal costs that reflect the real costs to society of waste management and

disposal." For this reason, the implementation grants program has a strong emphasis on waste reduction and recycling projects as well as on capital equipment, all of which would be difficult to finance through user fees.

Like the planning grants program, the implementation grants program will be administered by the Department of Housing and Community Affairs. But unlike the planning grants program, awards may be made directly to a municipality rather than a regional planning authority. Grants will be available for up to 40 percent of the cost of constructing solid waste facilities that are proposed in a certified regional solid waste plan, or up to 40 percent of the cost of equipment required to implement the regional plan. Recycling facilities, transfer stations, composting facilities, or recycling trailers are all examples of eligible expenses. However, grants will not be available for sanitary landfills or incineration facilities.

A municipality or a regional solid waste district may apply to the Secretary of Development and Community Affairs for implementation grants. Where permits are required for projects covered by a proposed grant all permits for the proposed project must be obtained before the grant is applied for. Although the Agency has not yet designed the application form, Act 78 states that the form must include the following:

- (a) a complete description of the project and its purpose;
- (b) an explanation of the role of the project in the regional solid waste management plan and how and when

- the project will be implemented;
- (c) the cost of the project and the amount of grant requested;
  - (d) evidence that all funding required for implementation of the plan, beyond that provided through state assistance grants and loans, has been obtained, or will be available through user fees or other sources.

Priority will be given to those proposals which are certified by the Commissioner of Health as being necessary to eliminate a hazard to human health and certified by the Secretary of Natural Resources as being able to effectively accomplish the state's priorities of waste reduction and recycling. Otherwise, grants will be awarded based on urgency of need as determined by the Secretary of Natural Resources and to the extent funds are available.

At the present time, funds have not yet been specifically appropriated for the purpose of providing implementation grants. It was envisioned by the General Assembly that the \$1 million included in the Fiscal Year 1988 capital construction budget would be needed primarily for planning grants. However, there is still a possibility that part of these monies may be available for implementation grants. Interested municipalities should contact the Solid Waste Program, Department of Housing and Community Affairs (828-3217) for more information.

Vermont Solid Waste Revolving Fund

In addition to Act 78, the 1987 General Assembly also passed

a bill which establishes a solid waste revolving fund to provide low-interest loans to municipalities for the construction of publicly-owned solid waste management facilities. Through this fund, assistance to municipalities may become available for the construction of major facilities such as sanitary landfills or incinerators. Projects which are eligible for implementation grants assistance would be equally eligible for low-interest loans, and municipalities could choose between financing alternatives. The loan program option provides for the generators of waste to pay for their fair share of the cost of its disposal, since the loan would be repaid through user fees.

Again, a proposed project would need to be included in a certified regional solid waste plan adopted by either a regional planning commission or a regional solid waste district in order to be eligible for a low-interest loan. Applications for loans to finance the purchase of equipment are subject to the same requirement.

No funds have been appropriated to the solid waste revolving fund for Fiscal Year 1988. It is hoped that appropriations will be forthcoming in subsequent years.

## CHAPTER V

### THE REGULATORY SIDE - WHAT TO EXPECT

Act 78 calls for significant amendments to Vermont's rules and regulations concerning the management and disposal of solid waste. Changes include upgraded landfill standards, stronger financial responsibility requirements, a new "interim certification" procedure, and requirements which link the certification of facilities to the regional planning process. The basis of much of this regulatory activity is based on an upcoming evaluation of each of Vermont's existing landfills.

#### Landfill Evaluation

Act 78 requires that, by July 1, 1990, the Agency of Natural Resources must complete a review of every Vermont landfill that is now in operation or under certification to operate. The purpose of the review is to determine whether a landfill should continue to operate, whether it requires remedial action, or whether it should be closed. Each review will assess:

1. the impact of the landfill on groundwater, surface water and air quality;
2. the operating history and compliance status of the landfill; and
3. the potential of the landfill to affect the public health taking into account the proximity to drinking water supplies or buildings in regular use; the nature and extent of actual or expected air and water contamination; the ownership and use of surrounding

land; and the size, age, capacity and use of the landfill.

Within 120 days after the review is complete, the Agency will propose that the landfill be either certified, upgraded or closed. The Agency will require remedial action or closure if the landfill "has caused or is likely to cause a significant risk to public health or the environment."

#### Interim Certification

Landfills which are scheduled for either remedial action or closure because they do not qualify for full certification may receive an interim certification if the secretary finds that:

1. the operation of the solid waste facility is necessary and will result in some public benefit;
2. there is no present, reasonable, alternative means for waste disposal;
3. the facility needs to operate for a period of time so that research or planning for a new, approved facility or construction or operation of a new, approved facility can occur, or so that the existing facility can be closed;
4. the operation of the facility will not create an unreasonable risk to the public health nor be unreasonably destructive to the environment; and
5. the operation of the facility is consistent with an approved plan, or the state solid waste management plan.

Interim certifications may be valid for up to two years, during which time the solid waste facility is expected to meet the requirements of full certification or be closed. An interim certification can be renewed, but not more than once.

#### Full Certification

Act 78 modifies Vermont's requirements for solid waste facility certifications in three major areas: monitoring and closure requirements, upgraded landfill standards, and linking facility certification to regional planning.

#### Closure and Monitoring Requirements

It is now widely acknowledged that closing landfills is a challenging and technical process which requires careful attention and planning. In recognition of this, future solid waste facility certifications are required to contain provisions for erosion control, capping, landscaping, drainage systems and monitoring systems for leachate and gas control. In addition, air as well as surface and ground water must be monitored throughout the life of the facility and for a reasonable time after closure.

Closing a facility and mitigating potential environmental or public health hazards necessitates financial planning as well as environmental monitoring. Any municipality or person operating a facility will have to provide evidence of financial responsibility to insure that adequate funds are available to undertake all appropriate measures to prevent present and future damage to public health and the environment.

### New Landfill Standards

Act 78 requires that new landfills placed in operation after July 1, 1987, must be lined and provided with leachate collection and treatment systems. There is the possibility that exceptions to this rule may be made sometime in the future if the Agency is able to designate particular waste components which are not the source of harmful leachate. In this event, the Agency may waive the requirements for liners in landfills or portions of landfills designated solely to receive these designated wastes. In the meantime, municipal officials should work under the premise that new landfills must be lined and must have systems to collect and treat leachate.

Unless it can be recycled in some manner approved by the Agency, ash from incineration facilities must be disposed of in lined landfills with leachate collection and treatment systems.

Additionally, the operating portion of all existing landfills are required to be lined by July 1, 1991. Landfills in operation on the effective date of Act 78 that are certified to receive or actually receive less than 1,000 tons of municipal waste per year may be exempt from this liner requirement if the Agency finds that they "will not create a significant risk to public health and . . . cause irreparable harm to the environment."

Under the provisions of Act 78, the Agency is required to adopt specific standards for solid waste management facilities by January 15, 1988. These standards will offer greater details

concerning liners and leachate collection systems to be installed at new and/or existing landfills.

#### Facility Certification and Regional Planning

Act 78 establishes new certification requirements which call for all solid waste management facilities to be the product of comprehensive planning on the part of involved local governments. In a nutshell, it will be very difficult for a solid waste management facility to obtain state certification unless that facility is proposed or acknowledged in a duly adopted regional plan. Planning requirements which call for all municipalities to participate in the regional solid waste planning process are described more fully in Chapter 3.

Regional planning objectives are carried out by a number of certification requirements. First, future facility certifications will specify the geographic area to be served by the facility. Secondly, certifications for new facilities will not be granted unless that facility is included in a duly adopted regional plan that is consistent with the state solid waste plan. Thirdly, even an existing facility will be unable to obtain a renewed certification after July 1, 1990, unless it is included in a regional solid waste plan. An exception to the regional planning requirement may be made for existing facilities if the Secretary of the Agency determines that recertification "promotes the public interest, considering the policies and priorities" established in Act 78.

These provisions can potentially give regions substantial

control over solid waste management within their jurisdiction. This is because an outside party will be unable to construct a facility for use by any particular municipality unless that facility has been carefully planned for by that municipality as part of an overall regional solid waste planning strategy. Municipalities will be in a position to accept or reject solutions proposed by other parties according to whether or not that solution was determined to be an acceptable solution during the planning process.

On the other hand, of course, linking regional planning with facility certification also vests municipalities with enormous responsibility over the management of solid waste within their jurisdictions. If a municipality does nothing or chooses not to become involved in regional solid waste planning, sooner or later that municipality will be unable to find a location for waste disposal. Conversely, a municipality which actively represents its residents in the regional planning process will have substantial influence over the who, what and where of municipal solid waste management.

#### Transition

Act 78 outlines a regulatory process to be followed until the time that the state adopts new standards in conformance with the new law. The Secretary of the Agency is required to adopt new standards for solid waste management facilities no later than January 15, 1988. The basic rule is that no certifications can be granted, renewed or significantly amended prior to the

adoption of these new standards. An exception may be made if the Secretary finds that there is "an immediate threat to public health or a compelling public need requiring immediate action to modify an existing certification or order."

However, no facility in operation or certified to operate on the effective date of Act 78 will be put in the position of operating illegally. Facilities in operation on the effective date of Act have been issued transitional operation authorizations permitting their operation to continue in accordance with previously issued certifications, orders or other authorization issued by the Secretary. If public health is threatened, however, the transitional operation authorization may be revoked. Otherwise, the transitional permit will be valid until the Secretary has:

1. completed a review of the facility;
2. established new standards, if required; and
3. issued a new certification, interim certification or close-down order.

Facilities which were certified to operate on the effective date of Act 78 but were not yet operating may place the facility in operation in accordance with the previously issued certificate.



## CHAPTER VI

### THE SOLID WASTE FACILITY TAX

One of the most important concepts underlying Act 78 is the principle that the generators of waste should pay disposal costs that reflect the real costs to society of waste management and disposal. In accordance with this principle, the General Assembly decided that the most appropriate source of revenues to support a new "Solid Waste Management Assistance Fund" would be a tax on the amount of waste disposed of in solid waste facilities throughout Vermont. This tax would optimally be passed on to waste generators, in the form of a "tipping fee" imposed on users of the disposal facility, by the owner of the facility.

While many municipalities already utilize tipping fees to finance solid waste management operations, others still rely on the property tax to support waste management costs. The major disadvantage in financing solid waste management through the property tax is that property values have no relation to the amount of waste generated by a property owner. With different property tax rates in different communities and little guarantee that high property taxes go hand in hand with high income, financing solid waste management through the property tax can often be unfair. Many municipalities have found that a major incentive in trying to develop a successful recycling program is economics. If solid waste disposal costs are supported through property taxes and trips to the local landfill are "free", there is little incentive for a homeowner or business to pursue the

potential of recycling to reduce expenses.

For these reasons, the General Assembly sought to assure that state solid waste management programs were supported by the generators of waste and at the same time encourage all municipalities to move towards local tipping fee structures. To accomplish these purposes, Act 78 institutes a tax on all solid waste management facilities in Vermont. This tax went into effect on July 1, 1987, with respect to privately-owned or operated landfills and will go into effect on July 1, 1988 with respect to municipally-owned and operated landfills. The tax is equal to \$2.40 per cubic yard of waste delivered for disposal. Financial assistance will be made available to municipalities to assist in making the transition from financing solid waste management through the property tax to user-based financing systems.

#### Solid Waste Management Assistance Fund

Act 78 creates a Solid Waste Management Assistance Fund to be made up of revenues collected from the franchise tax on waste facilities and other funds as the General Assembly may appropriate. This Fund will be set up as a fund totally distinct from all other state Funds, with any interest earned deposited in the Fund and balances carried forward each fiscal year.

This special fund may be used for the following purposes:

1. planning, designing, permitting, constructing or operating state or regional recycling or special waste handling facilities (such as tire or battery handling facilities);

2. assessing existing landfills and providing assistance for landfill closures at landfills certified or operating after December 31, 1979, and before January 1, 1987 - provided that closure costs are the responsibility of the municipality or solid waste district requesting assistance;
3. preparing the state waste management plan;
4. hazardous waste treatment or separation pilot projects;
5. developing markets for recyclable material; and
6. costs incurred by the Agency of Natural Resources in administering the Fund and performing the above functions.

This special fund may not be used for other purposes. For example, the Fund is not the source of planning and implementation assistance money for municipalities. Those funds come from a separate appropriation.

#### Payment of the Tax

All persons - private enterprise or municipalities - that are required to obtain state certification to operate a solid waste management facility are required to pay the franchise tax on waste facilities( with the exception of wastes designated on page 43). The tax is imposed based on the amount of waste delivered for disposal at the facility. This means that although both a landfill and a transfer station are required to obtain a state certification, only the landfill would have to pay the tax.

A transfer station is not required to pay the tax because it does not accept waste for "disposal", but merely for transfer to a disposal site.

Privately owned or operated facilities are subject to the tax effective July 1, 1987. Facilities owned and operated by municipalities or solid waste districts are subject to the tax effective July 1, 1988.

The tax is due quarterly on January 30, April 30, July 30 and October 30. Each quarterly return should cover the preceding three months. The tax return currently being utilized by the Vermont Department of Taxes is included at the end of this chapter.

#### Payment Options

Act 78 sets the franchise tax on waste facilities at \$2.40 per cubic yard of waste delivered for disposal at the facility, or at the request of a taxpayer (i.e., facility owner or operator), in the amount of \$6.00 per ton. The taxpayer may therefore choose to pay the tax based either on the volume or the weight of the waste delivered for disposal, or a combination of both methods.

Landfill owners may use a 2:1 compaction ratio to convert loose waste to compacted waste for the purpose of measuring volume to calculate the amount of tax due. In other words, two cubic yards of loose waste would equal one cubic yard of compacted waste for tax purposes. This compaction ratio may not be used for waste that has been partially compacted before

delivery to the landfill, but only for waste that has never been compacted.

A compaction ratio in excess of 2:1 may be used with prior approval of the Department of Taxes or if records are kept which substantiate a higher ratio. In these cases, the operator may use a separate compaction ratio for waste that has been partially compacted before delivery to the landfill. For example, it may be possible to use a compaction ratio of 4:1 for loose waste and 2:1 for partially compacted waste upon approval of the Department of Taxes or if substantiating records are kept. The landfill operator must keep records substantiating the compaction ratio used.

The operator of a solid waste facility also has the option to pay the tax based on the weight of the waste delivered to the facility at the rate of \$6.00 per ton. To do so, however, the operator must have a scale at the facility which is used to weigh the waste. The weight cannot be estimated or weighed elsewhere by others.

Municipalities also have the additional option to elect to pay the tax on a per-capita basis. The per-capita rate is set at \$3.50 per year per person served by the facility, based on the total number of persons served throughout the year by the facility, including seasonal and recreational users. The per-capita rate was intended to be more expensive than either the volume or weight payment options, to provide an incentive for municipalities to move towards tipping fees. Otherwise, the use

of the per-capita payment option would in fact proliferate the subsidy of solid waste management costs through the property tax. It appears from recent experience that, in some cases, the per capita payment option may be economically competitive with the volume and weight methods. For this reason, this payment option may be repealed in years to come.

#### Exemptions

The following wastes are not subject to the solid waste facility tax:

1. wastes delivered to a recycling facility;
2. ash or other residue produced by an incineration facility, provided that construction of that facility began after January 1, 1987;
3. waste delivered to an incineration facility for treatment; provided that construction of that facility began before January 1, 1987;
4. septage and sludge other than that delivered to a landfill for disposal;
5. hazardous waste that is already subject to the tax imposed under 32 V.S.A. chapter 237;
6. brush, logs, stumps and roots deposited into a municipal stump dump.

To reiterate the rule concerning the solid waste facility tax and incineration facilities - jurisdiction depends on the date on which construction of the facility began. If construction of the incineration facility began after January 1,

1987, the waste delivered to the facility is subject to the tax but ash and other residue is exempt. However, if construction began prior to January 1, 1987, the ash is subject to the tax and the waste delivered to the incineration facility is exempt.

#### User Fee Implementation Assistance

Act 78 requires the Secretary of the Agency of Development and Community Affairs to issue grants to a municipalities or solid waste districts to develop and implement a system of user fees to finance solid waste management facilities. The General Assembly appropriated \$150,000 to the Agency of Development and Community Affairs for this purpose. Priority consideration will be given to municipalities which use privately owned or operated solid waste disposal facilities, because these municipalities were subject to the July 1, 1987, effective date for the tax. To the extent that appropriate funds are available, grants may be made for up to 100 percent of the costs of implementing user fee systems. Such costs might include, for example, hiring a landfill attendant or purchasing a computer for the purpose of keeping records of the amount of waste delivered.

After July 1, 1988, each municipality or solid waste district required to pay the solid waste disposal tax is entitled to retain five percent of the amount due in order to defray the costs of tax administration.

It is important to note that the tax return included at the end of this chapter was designed for privately owned and operated

facilities and is certain to differ to some degree from the form that will ultimately be designed for use by municipalities.

## CHAPTER VII

### RESOURCES

In many ways, recycling contradicts the "throw away mentality" to which so many of us have unfortunately become accustomed. Why attempt to reduce waste, reuse materials or recycle when the items we purchase have generally been perceived as easily disposable?

All this is, of course, changing as the cost of waste disposal has begun to climb and the availability of suitable landfill space has diminished. Now more than ever, it makes sense for municipalities to incorporate recycling as part of a comprehensive waste management strategy. Even though it may cost something to recycle because of such factors as the cost of transporting recyclable materials to a processing facility, the recycling option may still be more economical than disposal. If it costs \$45 per ton to dispose of material at a landfill, a municipality could pay up to \$45 per ton to recycle that material and still save money.

The obvious advantage to recycling is that materials which are recycled do not end up in a landfill, thus saving all too scarce landfill capacity. However, recycling can also go a long way towards addressing special problems that certain wastes can cause. For example, recycling batteries that would otherwise be introduced at a waste-to-energy facility can remove a major source of heavy metals from the waste stream and thus reduce the concentration of these metals in ash. Pioneer efforts in

recycling tires can address a major problem at landfills in Vermont and across the country.

Act 78 attributes a high priority to recycling as an integral part of an overall waste management strategy for the State of Vermont. Municipalities are required to conform to a state solid waste management plan which will be based first on the priority of waste reduction and next on the priority of the "reuse and recycling of waste to reduce to the greatest extent feasible the volume remaining for processing and disposal." With the assistance of new programs and projects financed by the State Solid Waste Management Assistance Fund, municipalities will be expected to engage in recycling to the greatest extent feasible. Some of the major purposes of the Fund will be to finance the costs of developing markets for recyclable materials and, most important, to finance the construction and operation of state or regional facilities for the processing of recyclable materials.

Even now, Vermonters are diverting 8 percent of the total amount of waste generated in the State through the successful implementation of the State's beverage container deposit law. Although the main purpose of the law when it was passed in 1973 was to reduce roadside litter, the bottle bill has been beneficial to Vermont by turning the recycling of returnable bottles and cans into a flourishing business. Of the estimated 45,000 tons of solid waste currently recycled in Vermont, 31,500 tons are recycled as a result of the bottle bill.

## Recycling Statewide

Local recycling programs are present throughout the State of Vermont and more are being developed by both the public and private sectors as a result of Act 78. The major sources of centralized information about recycling at this time are the Solid Waste Division of the Department of Environmental Conservation and the Association of Vermont Recyclers (AVR). AVR was formed in 1982 and serves to provide timely information about recycling in order to promote its use in government and among the general public. AVR is located at 55 East State Street, Montpelier, 05602; 223-6009 (Curtis Johnson - President).

Many recycling programs exist throughout the State whose schedules may vary from time to time. The following is a listing of known recyclers throughout Vermont and the materials of interest to them. More information can be obtained by contacting the recycler directly. Some of these listings describe private recyclers, while others are municipal operations which can serve as models to others. Scrap metal recyclers are listed in the yellow pages.

### Addison County

Vanbec 388-9522  
East Middlebury  
Rebecca Stude Price  
newspaper, magazines, cardboard, computer and office paper,  
plastic jugs

Middlebury Recycling Committee 388-7818  
Carol Kirchoff  
newspaper, aluminum, cardboard

Bennington County

Town of Bennington 442-4611  
The Bottle Stop  
512 Main Street  
Bennington  
newspaper

Town of Shaftsbury 442-9162  
newspaper

Caledonia County

North Country Recyclers 633-4993  
Lyndonville  
Shirley Warden  
newspaper, magazines

Tri-Corp Energy Systems 472-6444  
Hardwick  
Jose Perrault  
newspaper, magazines, clean paper

Vermont Newspaper Recycling Ctr. 472-6444  
13 Portland Street  
St. Johnsbury  
Joseph Perrault  
newspaper, magazines, cardboard, plastic containers, aluminum,

Chittenden County

Westview Recycling 658-3323  
Norman Sealy  
newspaper

Burlington Waste and Metal 862-5335  
North Winooski Avenue  
Jay Newcomb  
overissue news, computer paper, white and colored ledger  
(commercial accounts)

Vermont Recycling 658-2995  
175 Lakeside Avenue  
Burlington  
Arthur Rosetti  
plastics, cardboard, glass, aluminum

Town of Charlotte 425-2451  
Burr Vail  
newspaper

Underhill Recycling 899-3433  
George Bradford  
newspaper

Essex County

North Concord 695-2960  
Arnold Forest  
newspaper, cardboard

Franklin County

Enosburg Falls 993-5548  
Carolyn and Theodore Hemenway  
newspaper, magazines

Lamoille County

Lamoille County Landfill and 888-2469  
Salvage Depot, Inc.  
Garfield Road  
Morrisville  
Emery Foss  
newspaper, cardboard, plastic jugs

Manosh Landfill 888-7522  
Hyde Park  
Howard Manosh  
newspaper, mixed paper, cardboard

Town of Stowe 253-7350  
Leo Clark, Town Manager  
newspaper, cardboard, plastic, mixed paper, magazines, clothing

Orange County

Town of Tunbridge 685-3035  
Mary Alice Leonard-Heath  
newspapers

Orleans County

Barton Redemption Center 525-3955  
Winston Dawber  
newspaper, magazines, mixed paper, cardboard, plastic, textiles

Mike Greenway 744-2737  
Lowell  
newspaper, cardboard, aluminum, plastic

Cota Sanitation 744-6658  
Newport  
newspaper, magazines, mixed paper, cardboard, plastic, aluminum,  
textiles



Central Vermont Recyclers 229-4852  
Ron Ball  
newspaper

Worcester Transfer Station 223-3726  
Tom McKone  
newspapers, magazines, plastic milk and detergent jugs, cardboard

Windham County

Town of Brattleboro 247-5721  
Town Manager  
newspaper

Town of Newfane 348-7949  
James Gray  
newspaper, white goods

Town of Rockingham 463-3964  
Jeffrey Francis  
glass, aluminum, household batteries, newspapers

Windsor County

Town of Springfield 885-2104  
Browning Ferris Transfer  
(Eager Beaver Recycling Trailer)  
Paul Ruse  
newspaper, magazines, glass, plastic, aluminum, tin

Town of Ludlow 228-3232  
Dean Brown  
newspapers, magazines, glass, plastic, aluminum, tin

Windsor Recycling Center 674-2782  
Paul Sayah  
newspaper, magazines, glass, plastic, aluminum, tin

Town of Weathersfield 674-2626  
Ernest Torpey, Town Manager  
glass, aluminum, plastic

Town of Cavendish 226-7292  
Cy Bailey, Town Manager  
newspaper, cardboard, glass

Woodstock American Legion Post 24 457-7847  
George Clark  
newspaper

## State Assistance

The Department of Environmental Conservation, Solid Waste Division, will have available a wide range of technical assistance programs and information for municipalities, solid waste districts, regional planning commissions, and other interested groups. A technical assistance section within this Division will be available to work with these groups on technical matters relating to waste management and disposal, while a Recycle and Resource Conservation Section will provide assistance and information on recycling possibilities and programs. A Planning Section will provide guidance and assistance on the preparation of regional and district solid waste plans.

The Agency of Development and Community Affairs will provide advice and assistance relating to the preparation of applications for planning and implementation grants for solid waste activities, as well as advice on the required planning process needed to complete regional or district plans.

The Department of Taxes is available to provide advice and assistance relative to the tax requirements of Act 78.

On the next few pages you will find a list of personnel from these different agencies and departments whom you may contact to secure further information on these matters. In addition, a list of all Regional Planning Commissions and Solid Waste Districts is included.

Agency of Environmental Conservation

Jonathan Lash, Secretary 244-7347  
103 South Main Street  
Center Building  
Waterbury, Vermont 05676

Patrick A. Parenteau, Commissioner 244-8755  
103 South Main Street  
Building 1 South  
Waterbury, Vermont 05676

Edward L. Leonard, Director 244-7831  
Solid Waste Division  
103 South Main Street  
West Building  
Waterbury, Vermont 05676

Division Staff 244-7831  
Steven Maier  
William Ahearn  
Julie Hackbarth  
Alan Liptak  
Brian Heckenberger  
Jeff Robins

Agency of Development and Community Affairs

Elbert Moulton, Secretary 828-3211  
109 State Street  
Montpelier, Vermont 05602

Stephen Holmes, Commissioner 828-3217  
Department of Housing and  
Community Affairs  
109 State Street  
Montpelier, Vermont 05602

Eldon Morrison, Director 828-3245  
Solid Waste Management Planning  
109 State Street  
Montpelier, Vermont 05602

Planning Staff 828-3245  
Chris Wagner  
Polly McMurtry

Department of Taxes

Betsy Anderson, Deputy Commissioner 828-2415  
109 State Street  
Montpelier, Vermont 05602

Regional Planning Commissions

Addison County Regional Planning & Development Commission (Region I)  
58 North Pleasant Street  
Middlebury, Vermont 05753  
Gail Byers, Executive Director  
William Syare, Chairman

388-3141

Bennington County Regional Planning  
Box 342  
Arlington, Vermont 05250  
Gregory G. Burke, Executive Director  
Gedeon LaCroix, Chairman

375-2576  
375-9964

Central Vermont Regional Planning  
26 State Street  
Montpelier, Vermont 05602  
Susan M. Sinclair, Executive Director  
Phil Tonks, Chairman

229-0389

Chittenden County Regional  
Planning Commission  
P.O. Box 108  
Essex Junction, Vermont 05452  
Arthur R. Hogan, Jr., Executive Dir.  
Raymond E. Sterns, Chairman

658-3004

Franklin-Grand Isle Regional  
Planning & Development Commission  
26 Lake Street  
St. Albans, Vermont 05478  
Terry Tatro, Chairman

524-6979

Lamoille County Development Council  
P.O. Box 577  
Morrisville, Vermont 05661  
Barbara Farr, Executive Director  
Duncan Nash, President

888-4548

Northeastern Vermont Development  
Association  
P.O. Box 640  
St. Johnsbury, Vermont 05819  
Charles E. Carter, Executive Director

748-5181

Rutland Regional Commission  
P.O. Box 965  
Rutland, Vermont 05701  
Mark Blucher, Executive Director  
Mary Okin, Chairman

775-0871

South Windsor County Regional Regional Planning & Development Commission P.O. Box 88 Windsor, Vermont 05089 Stuart T. Arnett, Executive Director John Stahura, Chairman	674-9201
Upper Valley-Lake Sunapee Countil 314 National Building Lebanon, New Hampshire 03766 Stephen J. Holmes, Executive Dir. David Roby, President	603-448-1680
Windham Regional Planning & Development Commission P.O. Box 818 Brattleboro, Vermont 05301 Joan Price, Acting Director Hendrik W. Van Loon, Chairman	257-4547
Two-Rivers-Ottaugeuchee Regional Planning & Development Comm. 39 Central Street Woodstock, Vermont 05091 Don A. Bourdon, Executive Director Peter J. Hennison, Chairman	457-3188
 <u>Solid Waste Districts</u>	
Rutland County Solid Waste District The Opera House P.O. Box 965 Rutland, Vermont 05701 District Manager: James A. Dohrman, P.E.	775-6482
Southern Windsor/Windham County Solid Waste Management District Room 336 Moody Building Claremont, New Hampshire 03743 Chairman: Tom Spater, Chester Project Director Joan Price	603-543-1201
Central Vermont Solid Waste Management District c/o City Manager's Office Barre City Hall Barre, Vermont 05641 Chairman: Richard Cate, Manager of Barre City	476-5246

Chittenden Regional Solid Waste                    658-3004  
Disposal District  
c/o Chittenden Regional Planning  
and Development Commission  
P.O. Box 108  
Essex Junction, Vermont 05452  
Temporary Chairman: Brendan S. Keleher  
City Manager, Winooski

Windham County Solid Waste Management            257-4547  
District  
P.O. Box 6427  
Brattleboro, Vermont 05301  
Chairman: John Leader, Putney

Northwest Vermont Solid Waste                    524-2511  
Management  
P.O. Box 867  
St. Albans, Vermont 05478  
Contact: William Cioffi, St. Albans  
City Manager