



WINDHAM SOLID WASTE MANAGEMENT DISTRICT
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Dennis Fekert
Vermont Agency of Natural Resources
Sent via email - Dennis.Fekert@vermont.gov

Re: DRAFT Solid Waste Management Rules Comment Period

Dear Dennis and team,

As you know, the Windham Solid Waste Management District operates a transfer station and a compost facility for its 18 member towns, and implementation of its SWIP. We appreciate Vermont Agency of Natural Resource's efforts to amend the VT Solid Waste Management Rules to help streamline state compliance procedures.

WSWMD is Composting Association of Vermont member; the two of us serve as board members as well. We provided input into the development of comments submitted by CAV's Director, Natasha Duarte. We similarly share her concerns regarding how the organics and compost management rules may be interpreted for community composting sites and farm-based compost operations. The development of procedures and best practice recommendations for these two growing facets of composting may be confusing. Clarification of the Draft Rules as these pertain to community and farm composting is important for those of us working with these operations in order to relay consistent messaging on Vermont regulations and best management practices for these operations.

Please let us know if we can provide additional insights to our comments submitted below.

Windham Solid Waste Management District SWMR Comments 2020

p. 146: Definitions

c) "Compost": *We'd recommend, adding: "...means a stable humus-like material produced by the controlled 'aerobic' biological decomposition through active management 'conducted under approved best management practices'...*

Also, there is a typo under "Composting" – under "managed." We'd again recommend that best management practices be added.

f) "Compostable": *It would be beneficial for composters to include a "certified compostable" definition for serveware and certified compostable collection bags.*

k) "Contaminant" means any **non-biodegradable** material which lends impurity to compost, including but not limited to, glass, metal, plastics, and ceramics.

We'd suggest removing "non-biodegradable" to allow for more flexibility as we learn more about contaminants. Or, instead of "non-biodegradable" (as this term has proven to be very confusing), consider "noncompostable."

p) Food residual: "...does not mean or meat-related products when the food residuals are composted by a resident onsite."

Does this prohibit home and community composters from using an appropriate system, such as an in-vessel (e.g., Jora), which is fully enclosed and wildlife resistant. These systems also reach PFRP temperatures when managed properly. Or, Green Cones, while not composters, these do effectively process meats and are promoted as an organics management tool for smaller scale compost systems.

s) "Organics" means any carbon-based plant or animal material or byproduct thereof which will decompose into soil and is therefore free of non-organic materials and contamination. Examples of organic materials include food residuals, leaf and yard residuals, grass clippings, and non-recyclable paper products. Some facilities, such as WSWMD and Green Mt. Compost also accept kitty litter from residents.

Manures, particularly chicken, rabbit, goat, and even other livestock manures and bedding are promoted for composting all systems – from home and community to commercial/industrial.

If the definition includes manure (livestock, not pet), the types of acceptable manures should be stated in order not to add confusion. Moreover, it might be beneficial to include an additional separate definition of manure and bedding.

§ 6-1103 Organics Specific Exemptions (starting on p 147)

(a) The following activities are exempt from the requirements of this subchapter:

(1) A person(s) composting 100 cubic yards or less annually of combined feedstocks per year of total organics, of which not more than 42 cubic yards per year are food residuals and food processing residuals is not subject to regulation under these Rules. This exemption does not apply to the collection and composting of off-site generated animal offal, slaughterhouse wastes, or animal mortalities.

This is confusing when compared to on-farm composting exemptions. Clarification of the differences between community composting and farms or integrating the exemptions would be helpful.

6-1103 Organics Specific Exemptions: 4) *Does this allow farms to take off-site materials? Seems like a lot of manure. And, does this apply to CC using these feedstocks as long as materials are used onsite?*

6) Composting of food residuals: Similar to above question- *Does this include off-site generation? Why is this so much different from community composting?*

Also, what sort of BMPs are going to be put in place for farms to handle this amount of material? What's to ensure that small farms can manage the material onsite and in accordance with their farm nutrient management plan.

6-1202 "Organic Drop-Off" means a registered facility that is not located at a certified solid waste facility and is approved for the collection of food residuals.

We assume that an "Organic Drop-Off" site is designated as a collection site where collected materials must be hauled to a compost site. This doesn't include collection of organic materials at a composting facility, where participants would drop-off organics. The distinguishing feature is that the collection is integral to the composting facility.

The definition as stated allows for only the collection of food residuals. Does this prohibit the collection of soiled paper (napkins, pizza boxes)? Also, what if the food scraps in the drop-off container are covered with wood shavings as a biofilter. *If these are allowed, we would ask that the definition state this.*

Organics storage containers must be located "50 feet from property lines": This may be unreasonable in both downtown areas (if businesses share dumpsters), and in towns where containers may be located on public works or other town properties. *Is there a possibility of an exemption to this, or some sort of caveat in the definition, such as – "...recommended that storage containers be located 50 feet from property lines, if practical or otherwise operated without odor or other nuisance incidents.*

"Organics Recovery Facility" or "ORF" means a facility where organic materials are collected, treated, and/or stored in preparation for transfer to an anaerobic digester or compost operation. This includes on-farm anaerobic digesters that process food residuals on-site prior to introduction to the digester.

We assume this definition is for collection of materials at sites for anaerobic digestion processing. If this is the case it should be further clarified as to how it differs from an "Organic Drop-Off."

§ 6-302 Exemptions

(a) The following are exempt from the provisions of regulation under these Rules:

(16) The following materials, when used as high-carbon bulking agents in composting:

- (A) Clean wood chips and shavings;
- (B) Bark wood chips;
- (C) Straw;
- (D) Shelled corn cobs;
- (E) Corn stalks;
- (F) Shrub trimmings;
- (G) Clean dry leaves, excluding any leaves vacuumed or accumulated from roadways;
- (H) Coarse sawdust;
- (I) Nut shells;

- (J) Pine needles – brown;
- (K) Non-legume hay – dry;
- (L) Heavily-bedded **horse** manure (carbon to nitrogen ratio of 22-50:1);

We suggest striking the word “horse,” as other types of bedded manure may meet the specified C:N of 22-50:1.

General question: Many small farms are filling a collection niche by collecting food scraps for animal feed and allowing chickens to “graze” on compost prior to composting the materials.

This is not addressed in the SWMR Subchapter 11. We would recommend that some guidance be presented, at least in terms of how these materials should be best managed.

Thank you for the opportunity to provide comments in this important process.



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Executive Director



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Programs Manager

Cc: Michelle Cherrier, WSWMD Board Chair
Natasha Duarte, Director, CAV