



## Vermont Agency of Natural Resources Guidance for Retailer Exemption from Beverage Container Redemption under 10 V.S.A. § 1523b

October 18, 2024

This Guidance supersedes the Vermont Agency of Natural Resources' ("ANR" or "Agency") November 20, 2018 "**Guidance on Eligibility to Qualify for the Retailer Exemption from Beverage Container Redemption under 10 V.S.A. § 1523b.**"

The Vermont Agency of Natural Resources has authority and oversight over the beverage container redemption law in Title 10 Chapter 53 of the Vermont statutes, commonly referred to as Vermont's "Bottle Bill."

Under statute 10 V.S.A. § 1523, retailers of beverages covered in Vermont's beverage container redemption law must accept for redemption any containers of a kind, size, and brand sold by that retailer, unless they have prior approval from the Secretary of the Agency of Natural Resources exempting them from this requirement.

Retailers must apply to the Agency for an exemption. The Agency may approve exemptions for retailers "if a redemption center or centers are established that serve a public need" under 10 V.S.A. §1523(b). A retailer that applies and is approved for exemption may refuse to redeem beverage containers.

10 V.S.A. § 1521(7) states: "redemption center" means a store or other location where any person may, during normal business hours, redeem the amount of the deposit for any empty beverage container [emphasis added] labeled or certified pursuant to section 1524 of this title.'

Therefore, a retailer cannot obtain an exemption from the Agency unless there is a certified redemption center as defined that can serve the public need.

### RETAILER EXEMPTION

Retailers may apply to the Agency for an exemption from beverage container redemption by submitting a "[Retailer Exemption Request Form](#)" along with a "Redemption Center Retailer Exemption Form." The Agency shall review and may approve a retailer exemption request if a certified redemption center, as defined in 10 V.S.A. §1529, that can serve the public need is within 10 road miles of the retailer.

**Serving the Public Need.** The Agency considers the public need served when the retailer provides a letter from a certified redemption center, located within 10 road miles of the retailer, attesting that (1) the redemption center has obtained a certification from the Agency, (2) the proposed exemption will have no impact on their capacity to manage the anticipated increase in empty beverage containers, and (3) that the certified redemption center is currently able to redeem a customer's beverage containers with average wait times of approximately 20 minutes or less.

**Retailer Exemption Expiration.** An exemption under this policy shall last for no more than five years from the date of Agency approval, provided that the redemption center maintains its certification for the life of the exemption. Upon the expiration of an exemption, retailers must submit a new application, including an updated redemption center letter, to the Agency for review and approval.

**Retailer Exemption Termination.** If a redemption center is no longer certified or no longer in operation, the exemption shall expire 90 days from the date the center is no longer certified or no longer in operation.

Redemption centers that have provided a letter supporting retailer exemption and that find their capacity to redeem deposits is exceeded or overburdened may contact the Agency in writing (email is acceptable) to rescind their letter(s) supporting retailer exemption(s).

The Agency may revoke any retailer's exemption approval upon finding that the redemption center serving the public need is unwilling or unable to manage the volume of beverage containers for redemption.

**Public Notification of Retailer Exemption.** Retailers who have received an exemption must publicly post their ANR exemption letter that lists the alternate certified redemption center location information, including name, address, and phone number.

Julia S. Moore, Secretary  
Agency of Natural Resources

By: \_\_\_\_\_

Matthew A. Chapman, Director  
Waste Management and Prevention Division  
Department of Environmental Conservation