

**Architectural Waste****Summary and FAQs**

The 2014 Vermont Materials Management Plan identifies construction and demolition (C&D) waste as one of five material streams that require improved statewide management. C&D debris represents 25% or more of the waste that is sent to the landfill, yet past waste reduction efforts have had limited success in reducing this disposal volume. In response, the Legislature passed Act 175 in 2014, which mandates that certain components of the C&D waste stream be recycled, under certain conditions, as explained below.

**Summary of the Architectural Waste Recycling Law**

Certain components of C&D waste are inherently recyclable. Act 175 now defines these recyclable C&D materials as “architectural waste,” which includes drywall, metal, asphalt shingles, clean wood, plywood, and oriented strand board (OSB). Act 175 also defines a commercial project as a commercial building or a residential building with two or more units. Beginning on January 1, 2015, if a commercial project produces 40 cubic yards or more of architectural waste, and is within 20 miles of a facility that recycles architectural waste, then these materials must be brought to such a facility. Alternatively, these architectural wastes may be recycled or reused in a way that the Agency of Natural Resources deems an appropriate market or end use, including being sent to an out-of-state recycling facility.

**Frequently Asked Questions****1. How can the amount of architectural waste be estimated for a given project, to know if Act 175 applies?**

This is a difficult question to answer simply, given the vast differences in waste - both type and volume - generated from new construction, renovation, and demolition, as well as the differences attributable to different construction types; for example, a masonry commercial building versus a wood framed residential building. Often it will be obvious that a particular building or demolition project will generate much more, or much less, than 40 cubic yards of architectural waste. For those jobs that aren't obviously over or under the 40 cubic yards threshold, an experienced waste hauler may provide your best answer, as tools for estimating C&D or architectural waste quantities are limited. At this time, probably the best data resource is USEPA's "Building-Related Construction and Demolition Materials Amounts."

<http://www.epa.gov/osw/conserve/imr/cdm/pubs/cd-meas.pdf>. The report contains the following – very approximate – average material generation rates:

<b>Project Type</b>	<b>Average Generation (lb/SF<sup>2</sup>)</b>
Residential New Construction	4.39
Commercial New Construction	4.34
Residential Demolition*	50
Commercial Demolition*	158

\*Includes concrete foundation

**2. How is the distance from a job site to a recycling facility determined?**

The distance will be determined from road miles, not “as the crow flies.”

**3. What facilities qualify as “architectural waste recycling facilities?”**

Facilities that recycle one or more components of architectural waste will be identified as such on the ANR’s searchable Materials Management Map. Not all facilities recycle all six components of architectural waste and, as markets change, so may the materials accepted for recycling at any given facility. The ANR will update the map as information from facilities becomes available, but check with any facility listed on the Materials Management Map as accepting C&D materials to confirm what items they currently accept.

**4. What if a project generates more than 40 cubic yards of construction and demolition (C&D) waste, but less than 40 cubic yards of architectural waste?**

Under this scenario, the generator would not be obligated to send these materials to an architectural waste recycling facility, although the Agency would encourage the generator to explore the option.

**5. Is the processing of architectural waste into landfill cover material or landfill road base material considering recycling or an appropriate end use?**

No. Use of a waste in a landfill is not considered recycling, and the object of the architectural waste law is to encourage the development of true recycling markets for the six materials defined as architectural waste. Grinding it for use in a landfill will not spur market development.

**6. What constitutes a legitimate recycling market or end use for a component of architectural waste?**

Recycling is a process of making a new product of value out of a product that has served its original purpose, and the Agency will use this yardstick in determining the legitimacy of architectural waste recycling markets and end uses. Certified facilities accepting architectural waste for reuse or recycling must be willing to divulge to the Agency the final disposition of these materials, including where it is sent and what is the product or end use.

**7. Does a facility need to recycle 100% of an architectural waste component to be considered a legitimate recycler?**

No, the Agency realizes that no facility can capture all of the incoming architectural recyclables, particularly from a mixed load of construction or demolition waste. The Agency does expect a facility, acting as an architectural waste recycling facility, to have best management practices in place to capture components that are feasibly marketable.

**8. How will the Agency enforce the law?**

Initially, as contractors and haulers become aware of their responsibilities under Act 175, and while architectural waste markets become better established, implementing the law will emphasize outreach and education. However, the Agency has compliance and enforcement authority and will take action against both generators and facilities that do not the law.

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