

**SOLID WASTE MANAGEMENT DIVISION
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AGENCY OF NATURAL RESOURCES
STATE OF VERMONT**

**PROCEDURE ADDRESSING
THE SITING OF MUNICIPAL SOLID WASTE LANDFILLS IN PROXIMITY TO AIRPORTS**

July 8, 1994

ADOPTED:

Signature **July 20, 1994**
Barbara Ripley, Secretary **Date**
Agency of Natural Resources

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I. INTRODUCTION

Some wastes deposited at Municipal solid waste landfills ("MSWLFs") prove an attractive food source for certain bird species. However, increased bird populations and bird movements may increase the likelihood of dangerous bird/aircraft collisions if a landfill is site near an airport. For this reason airport safety is an issue in siting, design and operations of municipal solid waste landfill ("MSWLF") units.

On October 9, 1993, the RCRA Subtitle D regulations, 40 CFR Part 258 went into effect. The effective date was delayed until April 9, 1994, for any existing MSWLF units that disposed of 100 tons or less of waste per day. Section 258.10 requires owners and operators of any MSWLF within 10,000 feet of any airport runway end used by turbojets or within 5000 feet of a runway end used only by piston-driven aircraft to demonstrate that the MSWLF unit will not pose a bird hazard to aircraft. In addition, the owner or operator of a proposed new or laterally expanded landfill within a five mile radius of a airport must notify the Federal Aviation Administration (FAA) and the affected airport.

The current Vermont Solid Waste Management Rules also require that landfills within 10,000 feet of a runway used by turbojets or within 5000 feet of a runway used only by piston-driven aircraft not be pose a bird hazard to aircraft.

II. DEFINITIONS

The following definitions is adopted as part of this procedure and should be referred to as necessary.

Airport means public-use airport open to the public without prior permission and without restrictions within the physical capacities of available facilities.

Bird hazard means an increase in the likelihood of bird/aircraft collision that may cause damage to the aircraft or injury to its occupants.

III. REQUIREMENTS

In addition to the requirements for siting landfills in proximity to airports set forth in Section 6-503(b)(7), applicants proposing new or laterally expanded landfills within a five mile radius of a airport runway serving piston-driven or turbojet aircraft shall notify the Federal Aviation Administration (FAA) and the affected airport.