

Responsiveness Summary to Comments on the Draft 2019 Vermont Materials Management Plan

2012 Act 148, 10 V.S.A. §6604(a)

From May 22, 2019 to July 17, 2019, the Agency of Natural Resources (ANR), Department of Environmental Conservation (DEC) posted the Draft 2019 Vermont Materials Management Plan (MMP) for public comment. The 2019 MMP is submitted in compliance with 10 V.S.A. §6604. ANR also held two public meetings on the Draft 2019 MMP on June 25th in St Johnsbury and June 27th in Montpelier. This Responsiveness Summary was prepared and is submitted to fulfill the Secretary of State filing procedures.

ANR received comments from many organizations during the comment period including Addison County Solid Waste Management District, Bennington County Solid Waste Alliance, Casella Resource Solutions, Central Vermont Solid Waste District, Chittenden Solid Waste District, Composting Association of Vermont (CAV), Conservation Law Foundation (CLF) together with Vermont Public Interest Research Group (VPIRG), Lamoille Regional Solid Waste Management District, Northeast Kingdom Solid Waste Management District, Solid Waste Alliance Communities (towns from Rutland County region), Windham Solid Waste Management District, the towns of Londonderry and Canaan, and two individuals, Larry Gluckman and Shannon Choquette.

Many comments were received related to grammar and wording within the MMP, including suggestions for the Glossary. We incorporated these suggestions into the draft when appropriate but did not add them to the responsiveness summary as they did not warrant individual responses.

INTRODUCTION

No comments received on this section.

STATUTORY AUTHORITY

No comments received on this section.

VERMONT'S WASTE

Act 78

- COMMENT:** A request to “change a few lines that would demonstrate the Vermont spirit of problem solving and not accept the Coventry landfill as the only solution.”
RESPONSE: Language stating regional landfills were “untenable” has been removed and this paragraph now notes that none of these regional landfills are currently operating, generally due to the costs and required economies of scale associated with running a competitive landfill.
- COMMENT:** The landfills in Coventry and Moretown both operated landfill-gas-to-energy facilities producing a source of renewable energy for Vermonters – can you explain why this is not mentioned in the MMP?
RESPONSE: Language was added to explain that the landfills in Coventry and Moretown capture landfill gas used to produce electricity.

2018 Waste Composition Study

3. **COMMENT:** A request to provide reasons for the 11% increase in trash from 2016 to 2017 and add Vermont-specific data for the organics section.

RESPONSE: State economists confirmed that the Vermont economy was strong in 2017 but not noticeably stronger than in 2016. We were unable to draw a direct correlation between the stronger economy and more waste, although we suspect there is a connection. Regarding organics, Vermont data on food waste found in the waste stream was added to this section, in addition to national EPA data.

PLAN PRIORITIES

4. **COMMENT:** Additional plan priorities should include helping create markets for recyclables and support for EPR programs for items that are difficult to recycle.

RESPONSE: These plan priorities are dictated by statute and cannot be changed. ANR is addressing the aforementioned issues in Performance Standard A-R1, Recycling Market Development.

5. **COMMENT:** The State should focus more on waste reduction.

RESPONSE: Reducing waste, not just diverting it from landfills, is ANR's priority. This is why we added a 10% waste reduction goal to the 2019 MMP – A1. To achieve this goal, the Solid Waste program focuses on waste reduction in all of our school, business, and state building outreach, as well as promoting recycling and diversion of organic materials. We also conduct public education and outreach on waste reduction through the media with advertisements, radio and television interviews, press releases, blog posts, articles, and earned media. ANR is giving food waste reduction workshops around the State and purchased bus ads in 2019 using Save the Food materials as well as promoting them, and other waste reduction resources, on social media. ANR will conduct a food waste reduction media campaign starting fall 2019 into 2020.

6. **COMMENT:** The goal should be to reduce both the volume *and* toxicity of the waste stream on the plan priority of “waste processing to reduce the volume or toxicity of the waste stream.” (CSWD)

RESPONSE: ANR is working on both reducing the volume *and* toxicity of the waste stream but in this section, we are stating the existing priorities exactly as they are written in state statute.

MARKET AND FACILITIES ASSESSMENT

Recyclables

7. **COMMENT:** Why is recovery rate being used rather than recycling rate?

RESPONSE: Both recovery rate and recycling rate are referred to in the MMP because they are different measurements. The reference on page 4 to a recovery rate is under the “2018 Waste Composition Study” section, as this rate was developed as part of that study. The recovery rate is the estimated percent of a type of material that actually gets recycled. The recycling rate, also called the “Diversion Rate” (which includes composting) is the overall amount of waste materials generated that are recycled, composted, reused/donated, versus disposed.

8. **COMMENT:** A request to add the range of costs of recycling and charges for municipal solid waste throughout the state as well as a link to the 12 certified food scrap processing facilities.

RESPONSE: Since ANR does not regulate or track recycling or MSW fees, we do not have that data. The link in the MMP to the [2019 Universal Recycling Status Report](#) includes a map of the compost facilities on page 7 of that report.

9. **COMMENT:** The draft states that CSWD has invested in glass processing equipment at their Williston MRF that can process glass to meet construction specifications – what are construction specifications? Are they the same as specs listed in DEC’s PGA policy?

RESPONSE: The construction specifications are the same as DEC processed glass aggregate (PGA) standard. This language was added to the MMP.

10. **COMMENT:** The MMP should be flexible enough to respond to rapidly changing conditions. An example of this is the recent difficulty NEKWMD has had in moving glass. We reached out to ANR for relief of the landfill ban on glass for one, 7-ton load of glass, and ANR was ill-prepared to deal with the situation... There needs to be a mechanism somewhere, whether it’s in the MMP or State statute that allows ANR to react quickly to these situations.

RESPONSE: Legislation would be required to give ANR the authority to approve disposal of mandated recyclables.

Organics

11. **COMMENT:** Recommend separating references to “reducing food waste” from “diverting organics.” Reducing food waste saves natural resources invested in growing, distributing, & packaging as well as reduces use of pesticides, herbicides, etc. Diverting organics from landfill saves space, reduces or eliminates methane production, and puts those resources to better uses listed.

RESPONSE: This language was added to the MMP, and these two topics now have separate sentences.

12. **COMMENT:** Actual numbers of haulers offering food scrap collection services and number of accounts serviced would be a more meaningful statement. Residential areas are seriously underserved except for a few pockets of high-density housing.

RESPONSE: We have added the number of haulers but do not have access to their number of accounts.

13. **COMMENT:** Regarding the “Leaf and Yard Debris, and Clean Wood” section. Burning of wood is neither recycling nor reuse. It is somewhat surprising to see a statement like this in the MMP. Especially given the ANR position on the burning of tires for the same end use – power generation.

RESPONSE: This section simply describes how wood is being managed as required by state statute for the MMP and makes no statement that burning wood is considered “recycling” or “reuse”. ANR views the burning of clean wood as generally less environmentally concerning than the burning of tires.

Product Stewardship & Extended Producer Responsibility

14. **COMMENT:** A request for ANR to spearhead EPR legislation for tires and mattresses and to expand EPR programs to include packaging materials.

RESPONSE: Beyond generally supportive language outlining the value EPR programs to Vermont, the Agency does not commit to creating legislation in the MMP.

Textiles (Used Clothing)

15. **COMMENT:** The perceived increase in textile recycling should be qualified with the percentage of textiles that are actually diverted using an overall estimated generation of textiles. The issue is that the reuse/recycling increase in textiles paints an unrealistic picture of a critically difficult and challenged market. Another commenter wondered if it was the reporting that improved and not the actual diversion of materials.

RESPONSE: Qualifying language was added to note that this textile recycling data lacks reporting from clothing reuse shops like Salvation Army and Good Will, and that these increases may be the result of improved reporting and may not be indicative of improvements in textile recycling trends.

Construction & Demolition

Household Hazardous Waste, Conditionally Exempt Generator Hazardous Waste,

Universal Waste

Tires

Biosolids, Sludge, Septage, and Residuals

There were no specific comments about these sections.

SOLID WASTE IMPLEMENTATION PLAN (SWIP) REQUIREMENTS & APPROVAL PROCESS

16. **COMMENT:** Request to delete conformance with municipal plans as conformance with regional plans should be sufficient.

RESPONSE: This change was made and is in conformance with the requirements of statute.

PERFORMANCE STANDARDS

AGENCY OF NATURAL RESOURCES

17. **COMMENT:** The Beverage Container and Redemption Law should be expanded to include all beverage containers.

RESPONSE: Expanding the Bottle Bill would require legislation. The current Bottle Bill system has significant challenges with the sorting of containers at redemption centers, which should be evaluated before adding additional containers into the program. The Agency does not commit to creating legislation in the MMP.

A1 – Waste Reduction and Diversion Goals

18. **COMMENT:** In consideration of emerging research about life-cycle impacts, we encourage the State to consider moving toward goals that are likely to have more significant, comprehensive, and meaningful environmental benefits than continuing to focus exclusively on tonnage going to landfill. While this is still the most consistent and by far easiest metric to measure, we believe those considerations should not be the only ones driving Vermont's goals. We need to be mindful of the evolving ton as well as what is really the most environmentally beneficial management option for a given material. And which environmental impacts does the State value most? Water quality, air quality, energy production and consumption, toxicity, landfill capacity, jobs, costs, resource consumption, etc. Do these goals reflect the State's values?

RESPONSE: ANR acknowledges that there are many factors that a solid waste program should consider when setting waste-related goals. Indeed, the Single-Use Products Working Group's obligations under Act 69 have caused ANR to look again at life-cycle analyses as well as the emerging plastics issue. State statute is clear that ANR shall prioritize the greatest feasible reduction in the amount of waste generated and shall promote waste processing to reduce the volume or toxicity of the waste stream.

ANR will continue this work while being mindful of emerging research and trends in sustainable materials management.

19. **COMMENT:** A few comments request ANR to create more measurable goals/requirements and one comment pointed out that there is no explanation of how the statewide goals will be accomplished. Most of the ANR standards involve tracking numbers of meetings. There can be no direct correlation to the number of meetings and any of the metrics listed in this section.

RESPONSE: Language was added to explain that fully implementing the MMP will assist with reaching statewide goals, however it is anticipated that other additional initiatives will be needed to fully achieve these goals. Language was added stating that ANR will continue to work with stakeholders and partners to meet state materials management goals. Waste reduction and diversion goals will be achieved in part through implementation of the ANR & SWME performance standards. Reducing waste and diverting it from landfills is a priority of this MMP. This is why a 10% waste reduction goal was added to the 2019 MMP – A1. To achieve this goal, the Solid Waste program focuses on waste reduction in all of our school, business, and state building outreach, as well as promoting recycling and diversion of organic materials. We also conduct public education and outreach on waste reduction. We added more specific measurable goals for ANR business and school outreach.

20. **COMMENT:** How do the goals compare to the 2015 plan?

RESPONSE: The goals to reduce disposal by 25% and increase diversion to 50% remain the same. ANR added two new goals to the 2019 MMP: to reduce overall waste generated by 10% and to increase the amount of food rescued by 10%.

21. **COMMENT:** Why was the metric for disposal changed from pounds per day to pounds per year?

RESPONSE: ANR considers pounds per person per year more compelling than a per day figure.

22. **COMMENT:** The Plan should include performance standards for the elimination of single-use plastics.

RESPONSE: One of the Plan goals is waste reduction and ANR staff promotes waste reduction with Vermonters at every opportunity. Since the passage of Act 69 in 2019, ANR is now part of a Single-Use Products Working Group to evaluate current State and municipal requirements for management of unwanted single-use products and recommend to the General Assembly how to improve statewide management of single-use products, divert single-use products from landfills, and prevent contamination by discarded single-use products.

A2 – MMP Publicity

No comments were received on this section.

A3 – Public Media Education and Outreach

23. **COMMENT:** For the Public Media Education and Outreach Standard - in addition to the number of placements, identifying media placements would be helpful to evaluate coverage.

RESPONSE: ANR agrees that reviewing media placements for their effectiveness and coverage is important and is routinely done when evaluating our media work. However, this level of granularity is not needed in the MMP's Performance standards.

A4 - Direct Business Outreach and Compliance

24. **COMMENT:** A few comments suggested that the ANR performance standards should have a number goal for business outreach the same as SWMEs have in their business outreach performance standards.

RESPONSE: We added a minimum of 250 business contacts that ANR will make over the 5-year period.

25. **COMMENT:** ANR should work with state or national level businesses to dictate how local branches or franchises handle solid waste. ANR should work directly with Vermont Agency of Education (AOE) and supervisory unions to improve waste management at schools.

RESPONSE: ANR is currently working with corporate headquarters of many chain businesses operating in Vermont and plans to continue this work. ANR has also been working with the AOE, the Vermont Principals' Association and the Vermont Superintendents' Association to improve waste management at schools.

A5 –School Outreach

26. **COMMENT:** Suggestion to add information on the geographic representation of ANR visits to both business and school outreach.

RESPONSE: ANR does prioritize and track business outreach on a statewide level by geographic regions and populations centers and will continue to do this in our outreach work.

A7 – Solid Waste Facility and Hauler Compliance

27. **COMMENT:** Spot-checks should be conducted at location of the generator. It's not realistic to hold haulers and disposal facilities responsible.

RESPONSE: ANR does conduct direct outreach and site visits to waste generators in addition to spot checks of transfer stations and disposal facilities. During spot-checks, ANR seeks to contact generators of waste that was improperly disposed. To ensure compliance with disposal bans, it is important for all waste managers at all levels to better understand the requirements and to communicate with generators to prevent knowing disposal.

A8 – SWIP Compliance

28. **COMMENT:** ANR should review and assess the effectiveness of current pay-as-you-throw programs.

RESPONSE: ANR will review compliance with the variable rate pricing requirements of state statute.

A – R1 Recycling Market Development

29. **COMMENT:** More emphasis is needed on improving recycling markets and helping SWMEs address cost increases for recycling.

RESPONSE: ANR is concerned about the rising costs of recycling and the downturn in recycling markets. Unfortunately, ANR has limited options to directly impact recycling markets (global commodities) and does not regulate recycling or solid waste charges. We are discussing this issue with other states and organizations to find common approaches that may help address this issue regionally, if not nationally.

A-O1 – Compost Market Development and Infrastructure Development

30. **COMMENT:** There were many requests for more assistance developing compost markets, especially for ANR to encourage or require procurement by local governments, contractors, and State agencies and fund demonstration projects, for example in stormwater and restoration projects.

RESPONSE: Through ANR's A-O1 performance standard ANR will continue to collaborate with other State agencies and municipalities to encourage the use of compost in applicable projects, but ANR cannot require other State agencies or municipalities to act. While funding for demonstration projects is possible, it would reduce funding available to SWMEs for other solid waste reduction/diversion/safe management needs. Given that this is a 5-year plan, ANR prefers to allow funding to remain flexible to

meet future solid waste needs, however this would not preclude grant funding for a demonstration projects.

31. **COMMENT:** Can ANR assist with increasing anaerobic digestion in the State?

RESPONSE: In the fall of 2018, ANR released an RFP for grant applications for organics processing capacity projects that could include composting, anaerobic digestion, or organics transfer facilities. Two of these projects could help with pre-processing or regionally consolidating food waste for transfer/transport to ADs.

32. **COMMENT:** Consider tracking number of participants, not courses, in Master Composter and Operator trainings.

RESPONSE: This edit has been made to the MMP.

33. **COMMENT:** It is unclear how the number of Master Composter courses relates to compost market development.

RESPONSE: The title of this section was changed from the MMP's preliminary draft dated March 28, 2019 to the April 26th draft from "A-O1 – Compost Market Development" to "A-O1 – Compost Market and Collection Infrastructure Development." Thus, the Master Composter program can assist with infrastructure development in small ways by empowering homeowners to compost at home, reducing the need for larger infrastructure and hauling, and that is why this remains a metric under this section.

34. **COMMENT:** The plan should include performance standards to support and incentivize backyard composting.

RESPONSE: ANR has supported the SWMEs in the past with grants that allowed them to subsidize backyard composters. ANR also supports the Master Composter program which trains Vermonters on the skills to compost successfully at the individual and community levels.

A-O2 – Food Scrap Drop-Off Development and Support

35. **COMMENT:** Suggest adding documentation of food scrap volume at drop-off locations to determine whether this service is being utilized and emphasize outreach and education efforts to make sure population is aware of this opportunity.

RESPONSE: Certified collection locations are already required to report volume of food scraps collected to ANR quarterly. ANR will conduct compliance checks of facilities to ensure these services are available.

36. **COMMENT:** Suggest adding documentation of ANR efforts to reduce food waste.

RESPONSE: ANR's performance standard "A3 – Public Media Education and Outreach" includes conducting public media outreach on waste reduction and this will include food waste reduction. This section was left general to allow maximum flexibility to meet 5-year solid waste planning needs.

A-O3 – Residential Curbside Food Scrap Collection

37. **COMMENT:** One comment suggested adding more tangible actions to increase numbers of food scrap haulers yet another thought we should consider deleting that standard as neither ANR nor SWMEs should assist in cultivating private business endeavors.

RESPONSE: ANR will continue to host regional stakeholder meetings to help provide residents with more options for managing food waste banned from disposal. This serves the statute directive to reduce the "State's reliance on waste disposal to the greatest extent feasible."

A-O4 – Food Rescue Support

38. **COMMENT:** Consider adding “outreach conducted to grocers and other large-scale generators of potentially donatable food as additional documentation.”

RESPONSE: We have added the tracking of these generator meetings to this performance standard.

A-H1 – HHW/CEG Collection

39. **COMMENT:** The list of conditionally exempt generators (CEGs) should be updated annually.

RESPONSE: ANR’s Hazardous Waste (HW) Program is responsible for inspections and registration of conditionally exempt generators of hazardous waste. Currently, the list of generators is updated quarterly, but with the new system that will be in effect, daily updates from the HW RCRA information database will happen. The Hazardous Waste Program, and not the Solid Waste Program, is able to complete these updates as they are notified by CEGs.

A-C1 – Encourage C&D Waste Prevention, Diversion, and Recycling Markets

40. **COMMENT:** We request that ANR include specific actions the agency will take to move other State agencies (e.g., AOT) toward adoption of beneficial reuse standards.

RESPONSE: ANR cannot require other State agencies or municipalities to adopt beneficial use standards but will continue to partner with our sister agencies and encourage the use of these standards.

A-RES 1 – Residuals Recycling Meetings

No comments were received on this section.

SOLID WASTE MANAGEMENT ENTITIES - PERFORMANCE STANDARDS

41. **COMMENT:** We would ask that ANR postpone and reevaluate the requirements for HHW and C&D diversion and instead allow the SWMEs to concentrate on diverting food scraps and ensuring compliance with the existing landfill bans.

RESPONSE: As required by statute, ANR must focus on reducing the toxicity of the waste stream and cannot completely ignore the reduction and diversion of HHW or C&D. In response to comments, we have reduced the number of required annual HHW collection events from four events to two. We have also reduced some of the C&D requirements until markets improve.

G1 – Disposal and Diversion Reporting

42. **COMMENT:** As noted elsewhere, disposal rates, while important, offer an incomplete picture (especially without diversion rates) and are a blunt instrument for tracking progress. We request that the State consider how to incorporate other relevant factors, such as economic activity and diversion rate, into the overall metrics for establishing goals and tracking success.

RESPONSE: ANR does not disagree, however disposal rates are the most easily accessible data available for SWMEs to track. Too much time was previously spent trying to determine SWME diversion rates that were still very inaccurate due to lack of good data.

43. **COMMENT:** Recognizing that not all SWMEs currently have the ability to track diversion rates for all materials, moving everyone toward a standard seems a worthwhile goal. Perhaps the State can offer technical assistance and begin establishing baseline expectations for future diversion tracking requirements.

RESPONSE: For many SWMES collecting and calculating diversion rates is a difficult exercise that frequently results in inaccurate figures. Some SWMEs may have to require specific data be submitted to them by private haulers in order to obtain accurate diversion information. For this reason, the requirement to report diversion rates was removed from the MMP. Establishing a standardized way to calculate these figures is a good suggestion and something ANR will consider for the future.

44. **COMMENT:** A request to have ANR produce disposal reports and eliminate SWME disposal reporting requirement since SWMEs are required to report in ReTrac; the assumption is that ANR already has the data.

RESPONSE: SWMEs have a responsibility for solid waste management in their region and thus tracking their disposal rate is one of the easiest ways to consider how waste is managed in their region and could be improved.

45. **COMMENT:** In general, we are supportive of the SWME performance standards but would like to emphasize that any requirements that add costs to the existing system should be postponed or reconsidered. With market conditions the way they are and the way they are expected to be for the foreseeable future, Vermonters cannot afford to pay more for an already expensive system.

RESPONSE: ANR appreciates and understands the current cost issues facing recycling as well as disposal. Many of the SWME performance standards have been reduced to make for more effective Solid Waste Implementation Plans and while also striving to meet state waste reduction goals.

G2 – SWIP Posting and Publicity

46. **COMMENT:** ANR should write the press release to show a consistent message statewide to publicize the SWIP posting, and SWMEs can publicize locally.

RESPONSE: SWMEs know their local communities best and what specific messages will resonate with each one to most effectively publicize the new SWIP. ANR is willing to consult with SWMEs to help them develop content for their SWIP press release.

G3 – Materials Management Survey

47. **COMMENT:** Several requests to reevaluate some of the survey questions or have ANR administer the survey statewide, perhaps large enough to identify regional differences. Also, a comment that surveys are expensive and time-consuming, and, unless you get a representative sample (which is not required by the MMP), the results are not generalizable to the whole population of the jurisdiction. A better use of SWME's limited education resources is on direct outreach to meet the other performance standards in the MMP.

RESPONSE: This survey requirement has been removed from the MMP.

G4 – A-Z Waste and Recycling Guide

48. **COMMENT:** Is there evidence that supports people use the A-Z Guides? Has it been measured to be effective?

RESPONSE: ANR wants Vermonters to know how to recycle and dispose of common items in their communities. A-Z Guides on websites are a low-cost way for SWMEs to communicate that minimum information and for ANR staff to refer residents to who are looking for solutions to their waste and recycling issues. SWMEs can check their website analytics to determine whether people are accessing their A-Z Guides.

G5 – Variable Rate Pricing

See comment 28.

G6 – Solid Waste Hauling Services

49. **COMMENT:** Can more be done to assure haulers are registered and understand Act 148 requirements? A request to remove the requirement that SWMEs list hauler services and provide only a list of haulers.

RESPONSE: The Solid Waste Program works with the auditor continually on bringing any unlicensed haulers into compliance and alerts them to requirements of the UR Law. In addition, out of state facilities that accept VT MSW provide reports with names of haulers tipping at their facilities. The auditor works to ensure they are licensed in VT and paying the franchise fee to the VT Dept of Taxes. The purpose of SWMEs identifying what services each hauler provides was to give constituents in the SWME's region a list of the services that are available to them for materials management.

50. **COMMENT:** This is very broad. Includes septage? Biosolids? Providing a list of ALL companies offering hauling of any type of solid waste is not particularly helpful to the general public.

RESPONSE: Again, the intent of asking SWMEs to identify what services each hauler provides was to provide the constituents in the SWME's region with a list of the services that are available to them for materials management. SWMEs can choose to tailor their list so that it is helpful to the general public.

OUTREACH – RECYCLING, ORGANICS, HHW/CEG, EPR PROGRAMS

O1 – School Outreach

51. **COMMENT:** Several comments reminding ANR that SWMEs have to be *invited* to assist schools and businesses. ANR should work with the Agency of Education to get a consistent outreach method into the schools and school curriculums. SWMEs should not be held responsible to the standard set in the MMP. In addition, ANR should be the mechanism to determine the “status of compliance with recycling and composting diversion requirements.”

RESPONSE: ANR recognizes that it is often difficult to get schools to focus on waste management. We started a School Outreach Group to help SWMEs engage with schools and will help with schools that are resistant to waste reduction assistance. ANR is working with AOE, the Vermont Principals' Association, and the Vermont Superintendents' Association to increase awareness among school administrators about waste management requirements and the assistance available. All mention of “compliance” in this standard has been removed. The above quote comes from the previous (2014) MMP. We ask SWMEs to communicate the status of recycling and food scrap diversion programs so that we can determine which schools need follow-up from ANR.

52. **COMMENT:** Can ANR provide language that helps specify what is a pre-K school? There are many daycares that do not classify themselves as a pre-school.

RESPONSE: Language was changed in the MMP to remove “pre-K” and rather refer to “K-12” schools as this is the main audience for these solid waste messages.

O2 – Business Outreach

53. **COMMENT:** How do we know businesses aren't in compliance if we haven't conducted outreach? If the goal of this is to ensure that SWMEs follow up on reports of non-compliance, then stating that directly would be more helpful.

RESPONSE: We changed the language to directly state that business visits should be prioritized by those that have not yet been visited first or those whose waste management status is not yet known.

54. **COMMENT:** It would be helpful if ANR provided the Vermont Department of Labor business list as the original list provided by ANR did not include all businesses in area.

RESPONSE: ANR will research business lists available from the Department of Labor.

55. **COMMENT:** Many comments were received that in-person visits should not be a requirement for business outreach as it is too onerous and that connecting via phone, email, and mail are sufficient.

RESPONSE: This requirement was amended in the MMP to allow phone calls or in-person site visits for business outreach.

O3 – Waste Reduction at Events

56. **COMMENT:** Several commenters opposed loaning equipment for waste management at events.

RESPONSE: We removed this requirement from the MMP and reverted to the previous 2014 MMP requirements to provide technical assistance, such as bin signage.

HOUSEHOLD HAZARDOUS WASTE & CEG HAZARDOUS WASTE

H1 – HHW Collection Events and Facilities

57. **COMMENT:** A few comments asked for additional flexibility from the requirement to provide an annual HHW collection event within 20 miles of each town in a SWME district or alliance. This requires larger districts like Windham Solid Waste Management District to offer 4 events per year. Could events only be required based upon some population threshold such as when “90% of residences, excluding seasonal camps, would be within 20 miles of an event within each town of a SWME?” A request to remove the requirement to offer events in smaller towns to meet travel distance mandates and that SWMEs determine the location of the event. Commenters asked if ANR could map possible event locations? Perhaps allowing SWMEs to provide regional collections and using smaller rover mobile collections would prove more efficient, less costly, while still meeting the needs of SWME residents. Further, it was requested that the four-hour minimum event length be reduced to two hours. Request to clarify that if an HHW EPR bill passes, if other materials are collected by SWME then the new HHW facility would not have to collect them.

RESPONSE: ANR is not able to map state population and seasonal camps in order to come up with a better solution to convenient and cost effective HHW collection services. As an alternative to a set number of events, ANR recognizes that regions with permanent facilities, operating at least seasonally one day per week, are significantly more convenient for residents and businesses than single day events. Thus, ANR has amended the HHW requirements to exempt SWMEs with permanent facilities from the annual 20-mile HHW collection event for each town. In reference to minimum hours for events, the MMP allows for this as follows: “If a SWME provides additional events above the minimum requirement, waivers to the minimum duration for each event may be considered by ANR.” In reference to an HHW EPR bill, language already exists within the MMP addressing the possibility of a future HHW EPR law.

58. **COMMENT:** The reduction in the number of events and expansion of the distance to road 20 miles from events will be helpful and a cost-savings. With pending legislation, this section could look very different within the next year. It would be appreciated if in 2020, the SWMEs could use this standard as opposed to the existing standard in our current SWIPs.

RESPONSE: During calendar year 2020, SWMEs will continue SWIP activities conforming to the current 2014 MMP Year 5 requirements, with the exception of **HHW** where SWMEs may choose to follow the 2014 MMP's HHW collection requirements or follow those of the adopted (anticipated) 2019 MMP.

H2 – Collection of Landfill-Banned and Dangerous Materials

59. **COMMENT:** We would appreciate emphasis on Special Recycling/landfill banned items needing to be messaged as having drop-off collection options **separate** from blue-bin recycling. Encouraging use of Special Recycling color and logo also appreciated.

RESPONSE: ANR will continue to promote this messaging for materials needing special recycling (separate from blue bin collection) such as batteries, mercury containing lamps, electronics, propane tanks, etc. and has added language emphasizing this in the MMP.

FOOD DONATION

F1 – Food Rescue

60. **COMMENT:** Consider including schools as a group to work with under food donation.

RESPONSE: Schools were added to the MMP's list under the Food Donation performance standard. Food donation is also mentioned in the school outreach performance standard.

TEXTILES

T1 – Textile Reuse and Recycling

61. **COMMENT:** The Plan should provide a more robust set of performance standards for textiles. One drop-off location or annual event is clearly not sufficient to ensure the State is recycling these valuable materials.

RESPONSE: With the decline in textile markets that has happened internationally over the past five years and the rural nature of VT, many SWMEs have voiced concern over not finding a viable collector for textiles. ANR's intention is to make the draft MMP requirements reasonable and attainable for SWMEs. ANR continues to evaluate textile collection and encourages SWMEs to work with any local reuse stores or charities in their region and when possible work with an outside vendor for rags, shoes and other materials not able to be reused locally.

CONSTRUCTION & DEMOLITION

C2 – Asphalt Shingles and Drywall Recycling

62. **COMMENT:** ANR needs to help create markets for asphalt shingles.

RESPONSE: We are working with the Agency of Transportation to increase use of shingles in their projects as well as municipal projects, such as unpaved roads or road shoulders. ANR will consider use of grant funding to support collection and recycling of asphalt shingles and possibly other C&D materials.

63. **COMMENT:** It would be helpful if ANR could collect and send a list of businesses that collect drywall.

RESPONSE: This has been done by ANR staff in the past and will be updated and sent to SWMEs.

64. **COMMENT:** We believe that the SWMEs should not be required to spend limited time and money on diverting these materials UNTIL markets and recycling infrastructure is more developed in the state or region. Also, we would welcome the opportunity to partner with ANR to work with the building industry to reduce and reuse building materials in construction. To best meet the needs of our construction and

demolition businesses, it would be beneficial to require or incentivize on a state level the submittal of waste reduction plans for construction and demolition jobs.

RESPONSE: ANR agrees that the market for recycled gypsum is currently limited, but industry and states predict future improvements. Industry representatives indicate markets for recycled gypsum are likely to improve as fossil fuel ash feedstocks decline as more renewable energy becomes the norm. Additionally, landfills do not want drywall as it creates toxic, odorous, and corrosive hydrogen sulfide gas. Asphalt Shingles are being recycled in Vermont and can be added to hot mix asphalt in roads, parking lots, and driveways and for use in graveled town highways. Construction Waste Management Plans must be submitted to ANR as part of Act 250 applications for Vermont projects involving greater than 5,000 square feet of demolition and/or new construction. ANR would welcome construction waste management plans required as part of zoning permits at the municipal level, as is being done in several cities around the country. This can encourage more deconstruction and salvage of reusable building components.

RESIDUALS – BIOSOLIDS, WOOD ASH, SHORT PAPER FIBER

R1 – Residuals Recycling Meetings

65. **COMMENT:** With such a diverse audience to be invited, what is the purpose of this meeting? If we know the purpose, we may be able to recommend alternative methods. Public meetings are rarely well-attended.

RESPONSE: The purpose is stated in the first sentence - "To promote the recycling of residual materials." As further stated in the standard, the SWMEs would invite members of the community who need to be knowledgeable about residuals because of their professional responsibilities. These people are the primary audience of these meetings, not necessarily the general public although they could attend.

GLOSSARY OF TERMS

66. **COMMENT:** Request to add a definition for anaerobic digester to the glossary.

RESPONSE: This has been added to the MMP.

67. **COMMENT:** The draft refers to "marketable recyclables" in several areas. I believe this term was changed to "mandated" with the passing of the Universal Recycling law? If not, then it would be good to include and define marketable in the definitions – the only term currently listed in the definitions in mandated.

RESPONSE: The Universal Recycling law did include a statutory definition for "mandated recyclables" which is included in the glossary. Reference to "marketable recyclables" comes from older solid waste management plan statute, however it did not include a definition.

68. **COMMENT:** In "Organic Materials" – Animal waste "is not a subject addressed in this MMP." Does it need to be addressed? It is an issue that needs clarification/public education with respect to disposal of animal carcasses, animal hides left over after composting, and pet litter.

RESPONSE: Animal carcasses and feces are not banned from disposal, nor are they a required MMP topic to address by statute.