



State of Vermont
Department of Environmental Conservation
Waste Management & Prevention Division
Solid Waste Program
1 National Life Drive, Davis 1
Montpelier, VT 05620-3704

AGENCY OF NATURAL RESOURCES

September 3, 2013

Dear Vermont Solid Waste Haulers,

The purpose of this letter is to help you understand the requirements of Act 148. As you may have heard, Act 148, a landmark universal recycling law, was passed by the Vermont Legislature in June of 2012. Among other things the law bans mandated recyclables from the landfill and requires the phased-in ban on leaf and yard debris, food scraps and clean wood from the landfill. The goal of this law is to increase diversion of valuable materials from the waste stream and provide convenient and consistent recycling and disposal options to Vermont residents and businesses. **All haulers who provide trash collection will eventually be required to offer collection of recyclables leaf and yard debris, and food scraps or sub-contract with another hauler to provide these services to their customers.**

Vermont residents and businesses will be looking to you, their solid waste haulers for assistance and information with their waste reduction needs. The staff of the VT DEC Solid Waste Program and Solid Waste Entities of Vermont (solid waste districts and alliances) will collaborate with you to provide this assistance. More detailed information regarding statewide meetings and outreach tools such as flyers and posters will be made available to you in the coming months.

The following is a list of the main features of the law:

Summary of Act 148 Requirements:

- **Bans disposal of certain solid waste from landfills including:**
 - Mandated recyclables by July 1, 2015:
 - Aluminum and steel cans
 - Aluminum foil and aluminum pie pans
 - Glass bottles and jars from food and beverages
 - PET and HDPE plastic containers, bottles and jugs
 - Corrugated cardboard
 - White and mixed paper
 - Newspaper, magazines, catalogues, paper mail, and envelopes
 - Box board
 - Paper bags
 - leaf and yard debris and clean wood waste by July 1, 2016, and
 - food scraps by 2020 initiated in phases (see below).



- **Requires collection at facilities:** Facility owners that offer trash collection must also offer services for collection of:
 - mandated recyclables by July 1, 2014,
 - leaf and yard debris by July 1, 2015, and
 - food scraps by July 1, 2017.

Facilities cannot charge a separate fee for the collection of mandated residential recyclables, but can charge commercial haulers for collection of mandated recyclables. The costs of collecting recyclables from residents can be included in trash collection fees. Facilities can charge for the collection of leaf and yard debris and food scraps.

- **Requires collection at curbside:** Haulers that offer services for managing trash must also offer services for managing:
 - mandated recyclables by July 1, 2015,
 - leaf and yard debris by July 1, 2016, and
 - food scraps by July 1, 2017.

Haulers cannot charge a separate fee for the collection of residential mandated recyclables. The costs of collecting recyclables from residents can be included in trash collection fees. Haulers can charge for the collection of leaf and yard debris and food scraps.

- Allows exemptions for haulers from the requirement to offer parallel collection of materials. The service area would need to be delineated in a local Solid Waste Implementation Plan (SWIP) and that SWIP would have to be approved by ANR to allow for the exemption.
- Allows ANR to oversee facility and hauler residential rate structures to ensure that rates are transparent to residential consumers.
- Includes a hierarchy for managing food scraps:
 - Reduction at the source
 - Rescuing quality food for people
 - Diversion for agricultural uses, including as food for animals
 - Composting, nutrient management, & digestion
 - Energy recovery
- **Phases in food scrap diversion** by targeting larger food scrap generators first to divert their food scraps (according to the hierarchy) if a certified facility is **within 20 miles** (phased-in by amount generated over time):
 - July 1, 2014 for generators of more than 104 tons/year
 - July 1, 2015 for generators of more than 52 tons/year
 - July 1, 2016 for generators of more than 26 tons/year
 - July 1, 2017 for generators of more than 18 tons/year

By 2020, all food scraps, including those from households, must be diverted with no exemption for distance.

- Provides incentives to divert materials and offers choices for managing waste by requiring municipalities to implement **variable rate pricing (aka Pay As You Throw)** for municipal solid waste from residential customers, based on volume or weight, by July 1, 2015. Haulers are also required to

utilize variable rate pricing systems in accordance with the specific ordinances and rules that are implemented by municipal entities (including solid waste districts, towns, town groups and alliances).

- Provides more recycling options by requiring recycling containers to be located in publically owned places (municipal and state) wherever trash cans are located (except in bathrooms) by July 1, 2015; requires the State House to implement a similar program by July 2012.

In addition to this letter, the Department of Environmental Conservation (DEC), Solid Waste Program is developing new website information that will be specific to haulers; including informational materials, such as flyers and posters for customers, that will be made available soon. Information about Act 148 can be found at the DEC Solid Waste Program website at the following link:

<http://www.anr.state.vt.us/dec/wastediv/solid/home.htm>.

In order for Act 148 to be successful, we need the input and collaboration of haulers, facilities, municipalities, residents, businesses, and other stakeholders. The DEC Solid Waste Program along with Solid Waste Entities will be hosting statewide informational meetings in various regions around the state. All haulers receiving this letter will be notified of these meetings. If you have any questions or comments, please feel free to contact me or your local Solid Waste Entity. Enclosed is a map of Solid Waste Entities and the region they serve.

Sincerely,



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