

How Act 148 is Changing Vermont's Solid Waste and Recycling Landscape

Act 148, passed by the Vermont Legislature and signed by the governor in the 2012 legislative session, attempts to increase the rate of diverting recyclable, organic, and compostable materials out of the waste stream that feeds into landfills. Landfill space in Vermont is more limited than ever since the Vermont Agency of Natural Resources (ANR) required the Moretown Landfill to close last summer, leaving the Coventry Landfill as the only commercial landfill open in the state. As well, recycling rates in Vermont have not increased in several years and both ANR and the legislature are committed to raising them.

Act 148 requires the ANR secretary to adopt a solid waste management plan by November 1, 2013, that promotes the following priorities:

1. the greatest feasible reduction in the amount of waste generated;
2. materials management that furthers the development of products that generate less waste;
3. the reuse and closed loop recycling¹ of waste to reduce to the greatest extent feasible the volume remaining for processing and disposal;
4. reduction of the state's reliance on waste disposal to the greatest extent feasible;
5. creation of an integrated waste management system that promotes energy conservation, reduces greenhouse gases, and limits adverse environmental impacts; and
6. waste processing to reduce the volume or toxicity of the waste stream necessary for disposal.

Municipalities and solid waste districts, alliances, and groups are expected to comply with Act 148's mandates, which will take effect over the next few years. All households and businesses will be required to have equal access to collection of recycling and solid waste beginning in 2015. Variable rate pricing of solid waste, beginning in July 2015, will further encourage households and businesses to recycle instead of dispose of recyclables in the trash as refuse. With this type of "pay as you throw" usage, users rent a container whose size reflects the amount of waste they generate – the smaller the container, the lower the rental fee.

Starting in 2016, landfills must ban leaf and yard residual disposal. By 2020, landfills must prohibit food residuals and organic waste, and Vermonters will have to separate them from their trash. A phase-in requirement for large generators of food residuals/organic waste begins as early as 2014.

Last October, DSM Environmental Services of Windsor, Vt., submitted a comprehensive report on the potential impacts of Act 148 to ANR. Titled "Systems Analysis of the Impact of Act 148

¹. a system in which a product made from one type of material is reclaimed and reused in the process or manufacturing of a new product.

on Solid Waste Management in Vermont” (http://www.anr.state.vt.us/dec/wastediv/solid/documents/FinalReport_Act148_DSM_10_21_2013.pdf) it includes a cost analysis and a local governance evaluation, which breaks down costs and services provided by the municipalities and the solid waste districts, groups, and alliances. According to the report, Vermonters will spend more on solid waste management “to achieve the highest recovery rates and the greatest environmental benefits.”

The report estimates that Vermont will have to spend \$7.8 million per year in new waste management system funds to implement single stream recycling. Mandating deposits on beverage containers would also increase costs by \$5 to \$10 million per year, though the report did not take a position on the continuation or elimination of deposits. The consolidation of solid waste districts and alliances and the reduction or elimination of the bottle handling fee could reduce these costs, though with significant impacts to redemption centers and retailers. Another way to reduce costs is to increase the implementation of biweekly collection of refuse and recycling along with the ban on residential organic waste in landfills. Due to public health concerns, curbside collection of residuals generally requires weekly pickups in order to avoid attracting pests.

“Act 148 has the potential to raise materials recovery rates to between 63 and 68 percent,” concludes the report, “and to divert roughly 60 percent of the food residuals, yard residuals and compostable papers for composting, animal feed, and energy (through anaerobic digestion). This increased diversion comes with concomitant reductions in [greenhouse gas] emissions of roughly 23,500 to 27,300 metric tons carbon equivalent per year over the existing system once Act 148 is fully implemented.”

VLCT will closely follow the implementation of Act 148 and any potential legislation that may result from ANR recommendations during the 2014 legislative session and beyond.

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