Universal Recycling – Act 148

The Universal Recycling Law was enacted to move Vermont closer to its Zero Waste goals. During the 2011-2012 legislative session, Vermont lawmakers identified a need to increase the diversion rate of several materials from Vermont landfills. The Universal Recycling Law seeks to increase diversion rates through detailed analysis of our current waste stream and aggressive education of the public, along with specific bans on certain materials entering Vermont landfills over the next several years. The details of this new law are outlined below.

Solid Waste Management Plan

The Universal Recycling Law requires the Vermont Agency of Natural Resources (ANR) to publish a "comprehensive statewide strategy for the management of waste, as found appropriate for certain waste streams…." The plan must be developed with public input, and ANR must include lawmakers in the process. ANR must also consult with manufacturers of commercial products and of packaging used with commercial products, retail sales enterprises, health and environmental advocates, waste management specialists, and state agencies.

The plan is due on November 1, 2013, will be revised every five years, and will include:

- An analysis of the volume and nature of wastes generated in the state, the source of the waste, and the current fate or disposition of the waste.
- An assessment of the feasibility and cost of diverting each waste category from disposal, including the cost to stakeholders, such as municipalities, manufacturers, and customers. Waste categories include the following:
    - Marketable recyclables
    - Leave and yard residuals
    - Food residuals
    - Construction and demolition (C&D) debris
    - Household hazardous waste
    - Other categories identified by ANR
- A survey of existing potential markets for each category of waste that can be diverted
- An analysis of the quantities and types of materials received at recycling facilities, the contamination levels of materials received, and the final disposition of materials from recycling facilities
- An analysis of the existing, statutory beverage container deposit and return requirements and the effectiveness of the existing, statutory requirements for mercury management, mercury lamps, and e-waste in achieving the priorities and goals established by the state solid waste management plan.
- Measurable goals and targets for waste diversion for each category
- Methods to reduce and remove materials from the waste stream
- A coordinated education and outreach component that advances the objectives of the plan, including the source separation requirements, generator requirements to remove food residuals, and the landfill disposal bans the law requires
- Performance and accountability measures to ensure that implementation plans are effective in meeting the requirements of the Universal Recycling Law
- An analysis of the current system, including existing infrastructure and landfill capacity, and an assessment of facilities and programs necessary at the state, regional or local level to achieve the priorities and goals established in the plan.
- An estimate of the costs involved in implementing the current solid waste system in Vermont, the potential costs, cost savings, increased efficiencies, and economic opportunities attendant to the diversion of solid waste categories
- Recommended changes to state law or regulations

The plan must promote the following priorities, as appropriate for each waste category:

- The greatest feasible reduction in the amount of waste generated
- Materials management, which furthers the development of products that will generate less waste
- The reuse and closed-loop recycling of waste to reduce to the greatest extent feasible the volume remaining for processing and disposal
- The reduction of the state's reliance on waste disposal to the greatest extent feasible
- The creation of an integrated waste management system that promotes energy conservation, reduces greenhouse gases, and limits adverse environmental impacts
- Waste processing to reduce the volume or toxicity of the waste stream necessary for disposal

Consumer Fees

Waste haulers in Vermont will not be allowed to charge a separate line item fee on a bill to a residential customer for the collection of mandated recyclables.

- Haulers may, however, charge a fee for all service calls, stops, or collection at a residential property.
- Haulers may also charge a tiered or variable fee based on the size of the collection container provided to a residential customer or the amount of waste collected from a residential customer.
- Haulers may incorporate the cost of collecting recyclables into the cost of collecting solid waste.
- Haulers may charge separate line item fees for leaf & yard residuals and food residuals.

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Food Residuals Management Hierarchy

With regard to Food Residuals, the Universal Recycling Law sets the following priorities (in order):

1. Reduction of the amount generated at the source
2. Diversion for food consumption by humans
3. Diversion for agricultural use, including consumption by animals
4. Composting, land application, and digestion
5. Energy recovery

Food residuals will have to be source separated under a specific timeline. See below for details.

Waste Tires Report

The Agency of Natural Resources is required to complete a report on the management of waste tires in the state by January 15, 2013. The report must include the following:

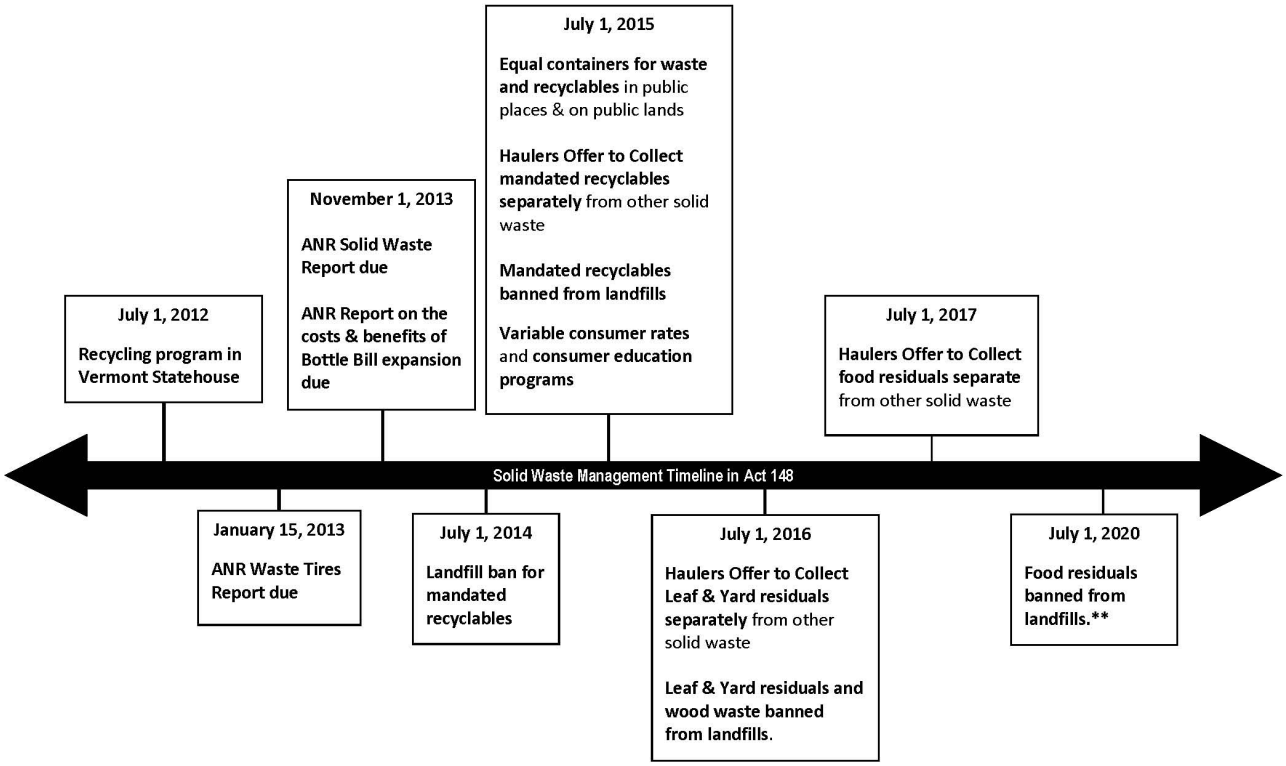
- An inventory of sites where disposal of waste tires is a problem
- An estimate of the number of waste tires disposed of or stored at the problem sites
- An estimate of how much it would cost to properly dispose of the tires
- An estimate of the amount of time required for the proper disposal of the tires

Bottle Bill Expansion Report

The Agency of Natural Resources is required to complete a report on the costs and benefits of expanding the beverage container redemption system to include containers for all noncarbonated drinks by November 1, 2013. The report must include the following:

- An estimate of the cost of implementing the existing beverage container redemption system
- An estimate of the cost of implementing the expansion of the beverage container system, including lost revenues
- An estimate of the cost of implementing a zero-sort, single-stream recycling program
- A summary of the total recycling benefits of a single-stream recycling program in contrast to the beverage container redemption system
- A recommendation from the Secretary of Natural Resources as to whether the beverage container redemption system should be expanded, remain unchanged, or be repealed.

UNIVERSAL RECYCLING LAW TIMELINE:



****Food Residuals** must be separated by persons under the following timeline:
2014: produces more than 104 tons/year - 2015: produces more than 52 tons/year
2016: produces more than 26 tons/year – 2017: produces more than 18 tons/year
2020: any person who generates any amount of food residuals must source separate

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