

SOLID WASTE IMPLEMENTATION PLAN

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*A Summary of
Current Solid Waste Management Practices and
Proposed Management Strategies*

*For the Vermont Towns of
**Arlington, Dorset, Manchester, Pownal,
Rupert, Sandgate, Shaftsbury, and Sunderland***

Prepared by:



Bennington County Regional Commission
111 South Street, Suite 203
Bennington, Vermont 05201
(802) 442-0713

*BCRC Solid Waste Implementation Plan
Bennington County Regional Commission, Bennington County, Vermont*

“This plan has been developed to manage solid waste in the municipalities of Arlington, Dorset, Manchester, Pownal, Rupert, Sandgate, Shaftsbury, and Sunderland, in conformance with the Vermont Solid Waste Management Plan (2001).”

Contact Person: Lissa Stark

Title: Project Specialist

Mailing Address: Bennington County Regional Commission
111 South Street, Suite 203
Bennington, VT 05201

Telephone: (802) 442-0713 ext. 2

Email: lstark@bcrcvt.org

Fax: (802) 442-0439

IN WITNESS WHEREOF, the towns do hereby adopt by action of the legislative body, this *Solid Waste Implementation Plan* under seal by their duly authorized representatives.

Pownal hereby confirms that the regional Solid Waste Implementation Plan is in compliance with the Town Plan.

Pownal hereby agrees to fund the “Outreach Coordinator” position specified in this plan.

Pownal hereby agrees to implement the programs outlined in this plan.

TOWN OF POWNAL

By:	_____	_____
	Selectperson	Selectperson
	_____	_____
	Selectperson	Selectperson
	_____	_____
	Selectperson	Selectperson

Date: _____

Witnessed by: _____

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* The Appendices serve as a source of information and will be updated or supplemented as new information becomes available. As such, it can be modified without formally amending the plan while providing current, useful information.

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EXECUTIVE SUMMARY

The Bennington County Regional Commission (BCRC) developed this Solid Waste Implementation Plan (SWIP) for an eight-town region in Bennington County, consisting of the Towns of: Arlington, Dorset, Manchester, Pownal, Rupert, Sandgate, Shaftsbury, and Sunderland. The BCRC retained Griffin International, Inc. (Griffin) of Williston, Vermont to assist in initial preparation of the SWIP, which will replace the current SWIP, published in 1992.

Pursuant to Vermont law, the region was required to update its existing SWIP by May 2003. The comprehensive plan was developed to document current waste management practices and facilities (landfills, incinerators, and transfer stations, as well as at recycling and composting sites), and to set a vision with tangible goals for the future of solid waste management in Bennington County.

Data was collected from municipalities, the Regional Planning Commission, owners/operators of management facilities, and private MSW, recyclables, and septage haulers. The data was then analyzed to determine waste reduction, recycling, household composting, in-region disposal / management options, possibility of a long-term solid waste management structure, and facility siting criteria.

Solid waste management in Bennington County occurs through a variety of municipal, regional, and private associations. Municipal solid waste (MSW), recyclables, construction and demolition debris (C & D), compostables, household hazardous waste (HHW), biosolids, and septage generated by the residents and businesses in the county are managed in the region and out-of-state, to include disposal destinations such as landfills, incinerators with energy recovery systems, materials recovery facilities (MRFs), and compost facilities. Currently approximately 60% of waste is disposed out-of-state. Of the waste generated in the region, about 50% of the waste is landfilled in-state, 40% is incinerated at out-of-state energy recovery facilities, and 10% is landfilled at out-of-state landfills.

The Towns of Manchester, Dorset, Arlington, Sunderland, and Sandgate deliver waste to the Northshire transfer station in Dorset and the Sunderland Transfer Station in Sunderland. The Town of Rupert uses a municipal transfer station. Waste generated in the Town of Shaftsbury is delivered to a municipal landfill (acting as a mobile collection unit) and recycling transfer station. The Town of Pownal utilizes a municipal transfer station. Waste from these towns is delivered to an out-of-region incinerator or landfill. Private haulers bring waste collected in the member towns to these destinations, however, private haulers can bring waste collected in these towns to management destinations outside of the region, and private haulers can bring waste collected outside the region to some of these facilities.

The eight-town region generates (and disposes of) approximately 4% of the MSW generated (and disposed of) by the State of Vermont. There are few, and declining, options available for management of MSW in the state; nearly all of the waste generated in the region is eventually disposed of outside the region, although much of the waste generated in the region is sent to in-region transfer stations first. The current diversion rate is about 10%, which can be increased through education, improved participation in household hazardous waste programs, promotion of composting, and increased availability of materials for recycling.

BACKGROUND

The region is seated at the southwestern corner of the state, and is bordered by both Massachusetts and New York State, which increases the options for disposal destinations. The town of Bennington, the Village of North Bennington, and the Towns of Woodford, Londonderry, and Landgrove are incorporated in other SWIPs. However, waste generated in these towns can be disposed at facilities in towns included in this SWIP. Likewise, a portion of waste generated in the SWIP member towns may be hauled to a management facility located outside of the region. For the purposes of this plan, Glastenbury is assumed as a member of the BCRC SWIP, as no municipal management structure exists and residents bring waste to SWIP member towns.

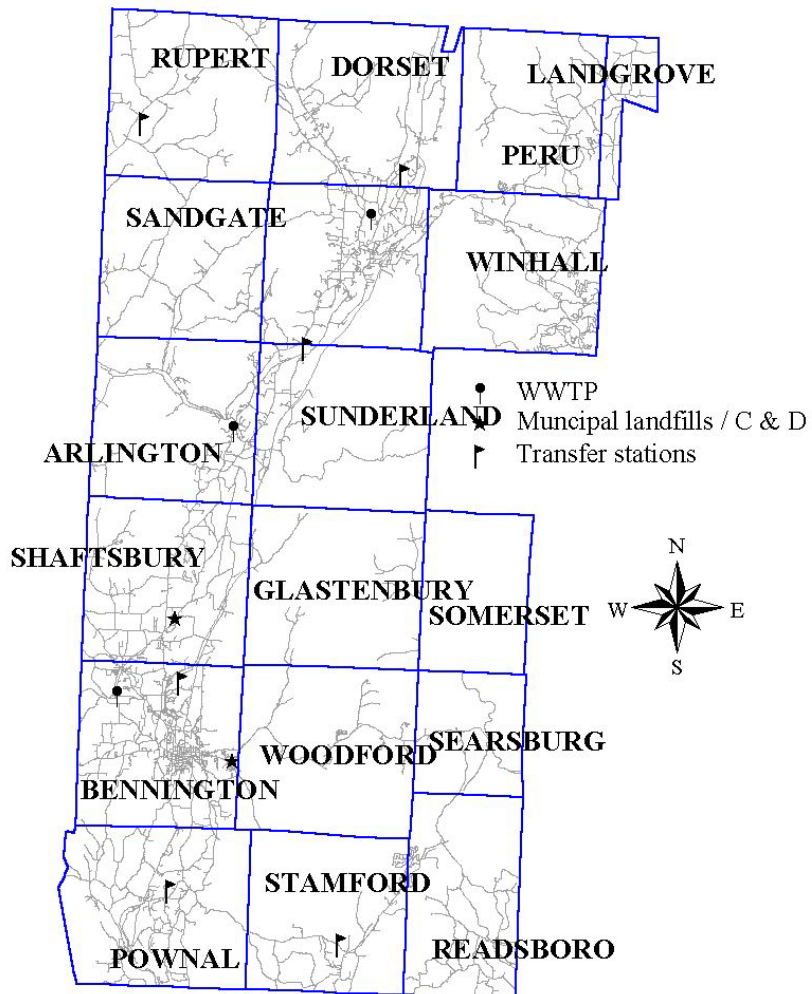
Land use throughout the region is a wide mix of agricultural, residential, industrial, and commercial zones, which results in a variety of waste streams (pre-existing waste composition estimates for the region and the state were used in developing this plan). Town population in SWIP member towns averages approximately 2,075 annual residents, with a range from 353 residents in the smallest town, and 4,180 residents in the largest town. The total year round population in the region is 17,847 residents.

Significant changes are noted between the 1992 Bennington County SWIP and this SWIP. The 1992 plan encompasses all towns in the county, whereas this plan includes the eight-town region. Previously, waste generated in the town of Rupert was disposed of in the Pawlet landfill; waste generated in Peru and Landgrove was sent to the Brattleboro landfill via the Londonderry Transfer Station; waste from Dorset, Manchester, Sunderland, Sandgate, and Arlington was sent to the Adirondack Resource Recovery Association Incinerator (ARRA) in Hudson Falls, New York; waste from Shaftsbury and Glastenbury was disposed in the Shaftsbury Landfill, which is now closed; waste generated in Bennington, Woodford, and Pownal was disposed of in the Brattleboro Landfill.

Disposal Options

WASTE GENERATOR	MANAGEMENT ASSOCIATION	DESTINATION
Arlington	ISWAP	Northshire or Sunderland Transfer Station
Dorset	ISWAP	Northshire or Sunderland Transfer Station
Manchester	ISWAP	Northshire or Sunderland Transfer Station
Pownal	Municipal	Pownal Transfer Station
Rupert	Municipal	Rupert Transfer Station
Sandgate	ISWAP	Northshire or Sunderland Transfer Station
Shaftsbury	Municipal	Shaftsbury Mobile Collection / Transfer Station
Sunderland	ISWAP	Northshire or Sunderland Transfer Station

Bennington County Waste Management Facility Locations



INTRODUCTION

The Bennington County Regional Commission (BCRC) has developed a Solid Waste Implementation Plan (SWIP) for an eight-town region (the region) in Bennington County, consisting of the Towns of: Arlington, Dorset, Manchester, Pownal, Rupert, Sandgate, Shaftsbury, and Sunderland. Pursuant to Vermont law, each town, district, or inter-municipal organization must update its existing SWIP by May 2003 to be in conformance with the November 2001 State Solid Waste Implementation Plan. The BCRC is the lead planning agency for the SWIP, however, authority for management and implementation rests with each municipality.

The following sections contain the data and strategies developed to satisfy the requirements of the state SWIP. The format of this plan generally aligns with the state SWIP template; throughout, the template language is italicized and the responses are in normal font.

GOALS

In order to be consistent with the revised Vermont Solid Waste Management Plan, this plan describes how Arlington, Dorset, Manchester, Rupert, Pownal, Sandgate, Shaftsbury, and Sunderland will achieve the following priorities in descending order of Title 10 V.S.A. Section 6604(a)(1):

1. *The greatest feasible reduction in the amount of waste generated;*
2. *Reuse and recycling of waste to reduce the greatest extent feasible the volume remaining for processing and disposal;*
3. *Waste processing to reduce the volume or toxicity of the waste stream necessary for disposal;*
4. *Land disposal of residuals.*

1.0 ~ IMPLEMENTATION REPORT

“Implementation Reports are part of the SWIP and are to be submitted to the ANR with the SWIP. In order to track future progress and performance, and to remain in conformance with the state plan, implementation reports are required to be updated and submitted to the ANR every two years from the date that the ANR approves the SWIP.”

Data was collected from municipalities, the regional commission, owners/operators of management facilities, and private MSW, recyclables, and septage haulers. Interviews were obtained with town officials and employees, who provided valuable insight on the management options available in each town. Attempts were made to collect information on current management practices from all haulers registered with the VT DEC for septage, MSW, C & D, and recyclables. In instances where data was insufficient to complete the tables in the following sections, known data was extrapolated throughout the town or region to generate an estimate of baseline management practices. The following Sections A – J summarize the current solid waste management practices in the region.

TOWN SUMMARIES

Towns of Arlington, Dorset, Manchester, Sandgate, and Sunderland

The Towns of Manchester, Dorset, Arlington, Sandgate, and Sunderland are currently under contract with Casella Waste Management for a five-year period. Under the agreement, residents and haulers from these towns deliver MSW and recyclables to the Northshire transfer station in Dorset (6,000 tons per year maximum permitted capacity) or the Sunderland transfer station in Sunderland (19,656 tons per year permitted capacity), each operated by Casella Waste Management.

Residents are charged for an access sticker and on a per-bag basis for MSW. Recyclables are no charge upon delivery; however, the towns are charged a monthly fee, weighted by respective populations, for the overall cost of recyclables (container rental, transportation, and MRF costs). Appliances, scrap metal, batteries, and waste oil are collected at the transfer stations with separate fees.

MSW collected at either facility is delivered to a disposal facility at the discretion of the facility owner. In 2001, approximately 57% of MSW collected from the ISWAP towns was landfilled at WasteUSA in Moretown, Vermont. About 29% of the MSW was delivered to the ARRA Incinerator, and about 14% of MSW was landfilled in the Clinton County Landfill. Most recyclables were delivered to the Rutland County Solid Waste District MRF for processing.

Town of Rupert

The Town of Rupert owns a transfer station in the town that is operated by Casella Waste Management. Residents and haulers from these towns deliver MSW and recyclables to the facility. The facility collects MSW, recyclables, appliances, and some bulky wastes year-round. Scrap metal is collected twice per year at no cost to the residents. Tires, C & D, waste oil, and yard wastes are not collected at the facility. The town governs the fee structure.

The collected recyclables are delivered via Casella to the Rutland County MRF, while MSW is mixed in the waste stream from ISWAP towns, with a final destination at WasteUSA landfill, Clinton County landfill, or the ARRA Incinerator.

Town of Shaftsbury

Residents and haulers from the Town of Shaftsbury bring waste to a municipal landfill (which now acts as a mobile collection facility) and recycling center in Shaftsbury, Solid Waste Identification Number BN740, ANR Project Number RU96-0511. The unlined landfill was operating under a 1,000-tons/year exemption, and reached capacity and was capped in 2006. The facility collects MSW, recyclables, compost, and waste oil from residents with access stickers. Tipping fees are charged for appliances, tires, scrap metal, and construction and demolition debris. Town residents are charged for landfill use through local taxes.

TAM, Inc. recently built a transfer station in Shaftsbury; the facility is included in this plan.

The town has an ordinance mandating recycling for all residents and prohibiting open burning and illegal dumping of MSW.

Town of Pownal

The Town of Pownal operates a municipal transfer station in town, which accepts waste collected from residents of Pownal. The facility accepts MSW according to a fee schedule and recyclables free. Waste oil, scrap metal, appliances, and tires are also accepted at the facility.

The Town of Pownal is currently in the process of building a wastewater treatment facility in Pownal; the facility is included in this plan.

A. Calculation of the total annual disposal tonnage for MSW generated in the region:

Table 1 ~ Total Annual Disposal Estimate for Calendar Year 2006 (using rounded actual figures)
This total includes waste that is landfilled or incinerated only, and does not include waste that is recycled or otherwise diverted from disposal.

FACILITIES / SERVICES USED	ANNUAL TONNAGE⁴
Curbside Pickup – Residential ¹	2,577 Casella (South) 62 Casella (North) 519 TAM (includes commercial) None Allied Waste (BFI) 780 Breton-Towslee
Curbside Pickup – Commercial ¹	5,201 Casella (South) 379 Casella (North) N/A Allied Waste (BFI)
Mobile Solid Waste Collection Operations	534.1 Shaftsbury Mobile Collection Unit
In- Region Transfer Stations, Drop-offs, Landfills ²	3,048.96 Sunderland Transfer Station 3,980.25 Northshire Transfer Station 97.76 Rupert Transfer Station 535.74 Pownal Transfer Station
Out-of-Region Facilities Accepting Waste	N/A
TOTAL ANNUAL MSW DISPOSAL (approx.)	17,714.8

¹ Curbside Pickup only offered through private haulers. Note: Allied Waste has 25 commercial dumpster customers in Pownal, but tonnages are impossible to determine based on varying container size, waste type, & frequency of pick-up.

² Most waste is picked up curbside by private haulers and delivered to in-region transfer stations, then sent out-of-region.

B. Calculation of the per capita disposal rate for MSW generated in the region.

Table 2 ~ Per Capita MSW Disposal (i.e. landfilled or incinerated) Est. for Calendar Year 2006

1. Total Annual Disposal Estimate, tons (<i>From table 1</i>)	17,714.8
2. Total Annual Disposal Estimate, pounds (<i>line 1 multiplied by 2000</i>)	35,429,600
3. Year round population ¹	17,847
4. Seasonal population ²	739
5. Transient population ³	5,785
6. Total adjusted population	24,371
7. ESTIMATED ANNUAL PER CAPITA MSW DISPOSAL, lbs/yr	1,453.7
ESTIMATED DAILY PER CAPITA MSW DISPOSAL, lbs/day	3.98

¹ Population based on 2000 U.S. Census.

² The seasonal population was estimated from the 2000 Census figures for population and housing units. Seasonal homes were assumed to be occupied 25% of the year, at an average of 2 persons per unit.

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Bennington County Regional Commission, Bennington County, Vermont*

³ Transient populations were estimated by calculating the number of visitors received by each of the towns in the region. This visitor data was provided by the Economic & Policy Resources, Inc. “Benchmark Study” and the “UVM National Study of the Vermont Visitor 2002”. Estimated total visits to Vermont in 2005 was 13,404,000, of which, Dorset comprised 0.85%, Manchester comprised 6.2%, and Pownal comprised 0.11% of the total. The sum of these visits is 959,726 annually; each visit averages 2.2 days; 5,785 visits daily. The sum of the year round population, seasonal home residents, and transient populations was used to generate the total adjusted population.

Waste Diversion – Recyclables and Compostables Disposed of in 2006 (estimated tons)

Casella (South)	1076.11
Casella (North)	169.08
Casella (Yard Waste)	12
TAM, Inc.	100
Allied Waste	N/A
Pownal Transfer	157.83
Rupert Transfer	37.45
Shaftsbury Landfill	350
TOTAL DIVERTED	1,902.5 tons
Total MSW + Diverted	19,617.3
Diversion Rate	10%

C. List the generators of sludge and septage.

Table 3 ~ Inventory of Sludge and Septage Generators in Towns for Calendar Year 2002

GENERATORS	TOTAL ANNUAL AMOUNT GENERATED (dry tons)	LOCATION OF GENERATORS	PRESENT FINAL MANAGEMENT OPTIONS
<i>BIOSOLIDS</i>			
Manchester WWTP	19.19	Manchester, VT	Compost
Arlington School District WWTP	0.16	Arlington, VT	Compost
<i>SEPTAGE</i>			
Households and other non-sewered buildings throughout the region (gallons of septage)	43.75tons (437,683 gallons ¹)	Throughout the eight town region	Most residuals transported to the Benn. WWTP for eventual compost
<i>OTHER SLUDGES – n/a</i>			

¹ Quantity based on 70-gallons of septage per person using a septic system per template instructions

D. List the facilities that manage sludge and/or septage in your district.

Table 4 ~ Sludge and Septage Management Facilities in Towns

FACILITY FOR FINAL MANAGEMENT	LOCATION
LAND APPLICATION SITES	None
COMPOSTING FACILITY	None
LANDFILL	None
INCINERATOR	None
OTHER	None

E. Calculation of Biosolids Beneficial Use Rate

Table 5 ~ Biosolids Beneficial Use Rate

Reported final destinations for all biosolids generated in the region (but not the amount imported into the region)

DESCRIPTION	AMOUNT, DRY TONS
Tons of biosolids landspread	0
Tons of biosolids composted	19.91
Tons of biosolids beneficially used	19.91
Tons of biosolids landfilled	0
Tons of biosolids used in landfills	0
Tons of biosolids incinerated	0
Tons of biosolids disposed	0
Total tons of biosolids generated	19.91
Biosolids beneficial use rate, %	100 %

F. Current prices of public or private sector solid waste services used by residents of the towns.

Average disposal costs for MSW, recyclables, C & D, tires, appliances, and compost were calculated for the region for 2006. The values reported in Table 6 are averaged for curbside pickup, as it is provided by a variety of private haulers throughout the region. Refer to Appendix B for a full fee schedule by facility.

Table 6 ~ Current Prices

MATERIAL	FACILITY / SERVICE	COST TO USER
MSW	Residential Curbside Pickup Hauler #1	\$36.85/month for 64-gallon container pickup once/week \$21.08/month for 64-gallon container pickup bi-weekly \$13.50/each for 64-gallon container pickup (each)
MSW	Residential Curbside Pickup Hauler #2	\$26.00/month for 64-gallon container pickup once/week \$19.50/month for 64-gallon container pickup bi-weekly \$12.00/each for 64-gallon container pickup (each)
MSW	Residential Curbside Pickup Hauler #3	\$35/month for 64-gallon container pickup once/week \$24/month for 64-gallon container pickup bi-weekly \$12/each for 64-gallon container pickup (each)
MSW	Residential Curbside Pickup Hauler #4 *Hauler utilizes fuel surcharge in rates, therefore, prices listed are estimates and subject to fluctuation. *No maximum number of bags/pick-up.	\$35/month for 64-gallon container pickup once/week \$27/month for 64-gallon container pickup bi-weekly \$25/each for 64-gallon container pickup (each)
	Fast Trash Temporary Trash Drops	None known
Recyclables	All Transfer Stations; Curbside Pickup	No charge

Due to the nature of pricing in a competitive market, private haulers have asked that their individual rates not be disclosed in this planning document. Rates above are listed anonymously.

G. Current destinations for all wastes and recyclables collected at facilities, and current transportation and tipping fees paid by the towns.

Table 7 ~ Current Waste Destinations

MATERIAL	DESTINATION FACILITY	FEE PAID
MSW¹	Adirondack Resource Recovery Associates Incinerator, Hudson Falls, NY (ARRA)	\$57/ton
	ECO – Pittsfield Resource Recovery Incinerator, Pittsfield, MA	\$85/ton
	Shaftsbury Landfill, Shaftsbury, VT	Free 1 st access sticker; \$5.00/2 nd
	County Waste Landfill, Clifton Park	\$75/ton
	Bennington Transfer Station	\$110/ton
C & D Waste	Burgess Brothers Landfill, Bennington, VT	Closed
	B-3 Transfer Station, Canaan, NY	\$75/ton
	County Waste, Clifton Park, NY	\$75/ton
Tires	Northeast Resource Recovery Association	\$120/ton; minimum 18 tons
	North Adams, MA Transfer Station	Not available
Recyclables²	County Waste, Clifton Park, NY	\$35/comingled ton
	Bennington Paperboard / Cardboard	\$20/ton (haulers only)
	Northstar, Chicopee MA	Not available
	FCR – Cleaverack	Not available
	Rutland MRF	Not available
	Apkin Salvage	Not available
	Windham / Brattleboro MRF	Not available
	RSI – Claremont NH	Not available
	Grimmel Industries	Not available
Upstate Trucking	Not available	
OTHER	Advanced Liquid Recycling – Waste Oil	\$110/275-gallon
	Safety Kleen - Batteries – 5 gallon bucket - 55 gallon drum	\$75 \$250

¹ The town of Pownal also pays for transportation of MSW; rental of roll-offs in Pownal and ISWAP towns are not included.

² Disposal fees are not available due to the Market Driven Pricing Schedules and individually negotiated contracts.

H. Contracted or anticipated disposal facilities for MSW and construction / demolition debris for the next five years.

MSW:

The towns of Arlington, Dorset, Manchester, and Sandgate are under contract with Casella Waste Management in the BCRC Integrated Solid Waste Applications Program (ISWAP) for MSW Disposal; Sunderland joins ISWAP for recycling management. These five towns currently bring waste and recyclables to the Sunderland and Northshire Transfer Station; no plans to change this arrangement are currently underway. Rupert joins ISWAP for Household Hazardous Waste collection events.

The Shaftsbury Landfill reached capacity and was capped in 2006. The landfill is now operating as a mobile collection facility. The Town of Shaftsbury currently has an agreement with TAM, Inc. for waste management. TAM, Inc. is building a transfer station near the capped landfill in Shaftsbury. It is expected that the waste will be disposed at the ARRA incinerator or other in-or-out of state destination. The Towns of Pownal and Rupert will continue to utilize the municipal transfer stations in the respective towns for MSW and recycling management.

C & D:

The Burgess Brothers Construction and Demolition Debris landfill in Bennington reached capacity in 2006. They have applied for a permit to expand the facility, although the status of that proposal is unknown. C & D delivered to Shaftsbury and Pownal and collected by private haulers within the region will likely continue to be brought to County Waste in Clifton Park, NY or the ARRA incinerator. C & D is accepted at most transfer stations in the region on a daily basis.

There currently exist no plans to change the destination of C & D collected in the Integrated Solid Waste Applications Program (ISWAP) towns, nor in Rupert.

Biosolids:

The town of Pownal has recently constructed a new 260,000-gpd wastewater treatment plant in Pownal. The activated sludge treatment facility will serve approximately 450 households. The biosolids will be managed on site, via a new composter. It is anticipated that the facility will also accept septage from local haulers. The biosolids are sent to the Bennington WWTP for composting.

It is anticipated that the Manchester WWTP will not increase capacity for at least ten to fifteen years. The Manchester Sewer District does not anticipate increasing service area until this time, with the exception of repairs and associated extensions of existing pipeline. There currently exist no plans to expand or increase service at the Arlington WWTP.

I. HHW / CEG Collection Programs

The state of Vermont requires that collection programs be offered to each household and conditionally exempt generator in the region at least twice per year.

Collection programs for household hazardous wastes, conditionally exempt generator wastes, landfill banned wastes, and special wastes generated in the region are provided by:

Table A ~ HHW / CEG Collection Events

Date of Last two collection events		Number of Collection Days Per Year	Date Of Next Event	Location	Available to Residents of:
04/29/06	10/7/06	2	April 2007	Shaftsbury Landfill	Shaftsbury, Pownal
05/20/06	10/14/06	2	May 2007	Arlington Memorial High School	Arlington, Dorset, Manchester, Rupert, Sandgate, & Sunderland

These events are held at no charge to the residents upon delivery of the items (tax charges often cover the management fees incurred by the operating entity.) Based on data provided by the BCRC, the overall household participation rate for 2006 was approximately 10%.

The towns of Shaftsbury and Pownal jointly offer two collections - one in the spring and one in the fall. In 2006, collections were held at the Shaftsbury landfill in April and October. Events are free for residents.

The BCRC organized two collection events for the Integrated Solid Waste Applications Program (ISWAP) towns in 2006 (the towns of Arlington, Dorset, Manchester, Rupert, Sandgate, and Sunderland). These events were held at the Arlington Memorial High School in May and October. Events are free for residents; small businesses pay applicable disposal fees on-site. Wastes collected at these events included HHW, Electronics, Freon Items, Scrap Metal, and White Goods. Rupert chose not to participate in the Electronics, Freon Items, Scrap Metal, or White Goods components of the events, and should be encouraged to join in those components in the future.

J. Summary of illegal disposal (illegal dumping and burning) problems.

Illegal disposal – dumping and burning – of wastes has declined in recent years, according to the municipalities and local police. The towns of Manchester and Shaftsbury have ordinances prohibiting the burning or dumping of waste, with enforceable standards (refer to Appendix C). Recent years have generated some complaints, but investigations have resulted in no actions necessary. Currently, most of the other municipalities rely on Vermont State Statute, rather than local ordinances. For example, the Town of Arlington relies on the State Fire Wardens Statute; the local Forest Fire Warden is appointed by the State of Vermont and enforces state statute regarding open burning and illegal burning. Manchester and other municipalities rely on Vermont Statute 24 V.S.A. S.2201 (see Appendix C).

The Forest Service is burdened by illegal dumping of large, bulky items in isolated areas. The responsibility of proper disposal of these items to clean up the areas is then placed upon the Forest Service.

Following the receipt of a complaint, the primary enforcement agent (typically the local constable or fire chief) will respond to the scene. If additional assistance is necessary, the Vermont State Police are available. Responses to violations follow a two-step process: 1) enforcement agents try to educate the violator why these actions are illegal, and 2) if there is a lack of cooperation, the perpetrator would be cited in court for the violation.

2.0 ~ WASTE DIVERSION ACTION PLAN

To meet the 50% statewide diversion goal, ANR estimates that the average per capita MSW disposal rate statewide will have to be reduced from 3.4 pounds per person per day to under 2.7 pounds per person per day. In order to meet this goal, all towns must take steps to divert MSW generated in their jurisdiction from disposal (Revised State Plan, Section II, Critical Issue 1).

The current per capita disposal rate for the region is **3.98 pounds per person per day** (Table 2).

The goal of this action plan is to prescribe policies, actions, and programs that will help reduce the per capita disposal rate for MSW generated in the towns. Given the region's personnel, financial, and other constraints, the following action steps describe the strategies to achieve the goal of increased waste diversion and minimizing the per capita MSW disposal rate.

It is expected that a 30% full time equivalent position or contractual service will be necessary to implement many of the action steps described in the following subsections. The position, referred to as the *outreach coordinator*, will likely be filled through a joint effort between the municipalities, the BCRC, and a contracted entity. The primary goal of the outreach coordinator is to implement the education and outreach components of this plan in all towns within the region. This coordination position will be most efficiently created and filled on a regional level.

A. Goal: Reduce waste generation and reduce toxics use.

Action Steps:

- 1) Continue Existing Programs
The towns shall continue to provide the recycling programs, reuse programs, and waste prevention education measures that currently exist, as possible in light of market conditions and other economic constraints.
- 2) Education and Outreach
Educational materials shall be developed to reach schools, households, businesses, and institutions to educate the reasons to reduce waste generation and minimize the use of hazardous / toxic materials. This outreach will be in the form of meetings, newsletters, and website development and updates. Details on these implementation tasks are included in Goal J. The BCRC and member towns will work with other organizations, such as the Association of Vermont Recyclers, on education and outreach.
- 3) Office Policy
The outreach coordinator will investigate the possibility of coordinating bulk purchases of recycled and / or non-toxic office products for towns and institutions in the region (see Section 6). Municipal and regional offices will continue to use recycled paper for letterhead (see Section 6 – Buy Recycled Plan) and encourage the use of soy-based or other non-toxic inks, to the extent possible. Efforts will be made to minimize office paper use via email.

4) Data Collection

To facilitate the data collection process for the Implementation Report and required biennial updates, an effort shall be made to collect continuous data on waste generation and solid waste management procedures, and track generation and diversion trends, with the goal of gathering representative and accurate data. Surveys will be submitted to waste management facilities, private haulers, and businesses and institutions biannually.

B. Goal: Increase reuse.

Action Steps:

1) Swap Shops

Swap Shops have been created at some waste management facilities in the region. Efforts will be made to develop swap shops at each transfer station / recycling center included in the plan, or in other convenient locations throughout the nine town region. Support will be provided to those existing reuse facilities, such as the current program at the Pownal and Rupert Transfer Stations. The swap shops will collect books, appliances, and other usable items (but not chemical or perishable materials). A textile collection will be implemented for rag swap at transfer stations / recycling centers, similar to the temporary operation at the Shaftsbury Landfill.

As part of the effort, the shops will coordinate with the libraries, prisons, schools, hospitals, health care offices, churches, and other social organizations to identify any needed items and create clean, safe collection areas for these items at the swap shops.

The first year of this program will be dedicated to coordinating the opportunities and investigating any liability issues that may be related to the operation of these facilities.

2) Bulletin boards

Bulletin boards will be posted at recycling centers and transfer stations for residents to post notices of “looking to buy/sell” materials and items. The boards will remain at the facilities as long as it remains feasible with a positive response.

3) Website Updates

A link will be posted to the VT Business Materials Exchange and other similar organizations as the materials become available. (See Goal J for further description of the website development.) Municipalities with websites will post links to the BCRC website specifically for solid waste news / updates.

4) Education and Outreach

A major portion of the education and outreach component of this SWIP will occur in schools. Time will be allotted each year to meet with the schools and discuss reuse, recycling, and waste management procedures. An effort will be made to encourage art teachers in the region to develop curriculum that specifically reuse otherwise wasted items in projects.

C. Goal: Increase the residential (single and multi-family) recycling participation rate, capture rate, collections efficiencies, and types of materials recycled.

Action Steps:

- 1) Continue Existing Programs
Existing recycling programs will be continued. Efforts will be made to continue the “no charge” policy for recyclable materials at drop-offs.
- 2) Education and Outreach
Efforts will be made to lists recyclable materials and where they are accepted by postings on the website, municipal websites, at transfer stations, and will continue to be distributed to those that request it.

The local yellow pages currently list facility locations, hours of operation, and recyclable materials accepted. The coordinator will ensure that this recycling guide is updated annually.

D. Goal: Increase the seasonal home/ resort participation rate.

Action Steps:

- 1) Education and Outreach
Efforts will be made to work with local realtors to develop and provide educational materials regarding recycling policies in the area. These materials will be distributed to the realtors with requests to forward to the buyers upon sale or rental of seasonal and vacation homes.

The coordinator will contact resorts and other commercial hospitality industries and associates to distribute the same materials regarding recycling policies and opportunities for visitors.

An award / public recognition program will be developed to provide an incentive for participation in the recycling program. The program may be coordinated with the local chamber of commerce, and rely on donations or grants for financial rewards or plaques.

E. Goal: Increase the commercial recycling participation rate, capture rate, collections efficiencies, and types of materials recycled.

Action Steps:

- 1) Education and Outreach
Newsletters will be distributed as described in Goal J. As these newsletters will be distributed to businesses, a portion of the printed material will be dedicated to describing how businesses can begin to recycle if they are not currently, include waste reduction ideas, waste characterization analysis tools, a directory of recyclers, and a list of commercial solid waste services.

As described in Goal D – Action Step 2, a recognition program will be developed to reward those establishments with outstanding recycling practices.

2) Website Updates

A link to the Business Environmental Partnership and the Green Hotels Program will be posted on the website. (This program is a voluntary business assistance and recognition program that focuses on smaller businesses and promotes reducing toxics and waste generation, increasing recycling, conserving energy and resources, and adopting environmental standards.)

3) Data Collection

As described in Goal A – Step 4, every year, in conjunction with the Implementation Report, a survey will be submitted to establishments in an effort to collect information processed and materials used at locations, activities at the site, and recycling and source reduction efforts. With this information, the outreach coordinator will be able to provide more focused technical assistance those businesses who request it and to coordinate cooperative efforts between businesses that may reduce recycling costs.

F. Goal: Increase the institutional recycling participation rate, capture rate, collections efficiencies, and types of materials recycled. (at schools, governments, hospitals, etc)

Action Steps:

1) Continue Recycling Programs

In an effort to develop a uniform approach to recycling in the region, and to expand existing programs, support will be provided to continue existing programs in schools to the extent possible and assistance shall be provided to implement programs in those schools without comprehensive programs. Outreach will focus especially with Elementary Schools. A program will be developed to provide incentives / awards for those schools / classes with the best diversion rates. At a minimum, the following schools will be approached in this project.

Long Trail School – private	Burr and Burton – private
Dorset Elementary	Fisher Elementary School (Arlington)
Arlington High School	Manchester Elementary School
Pownal Elementary School	Shaftsbury Elementary School

Private schools and early education / nursery schools may also be targeted. In order to assess current and potential programs in institutions, a survey might be one option considered by the *outreach coordinator*. For more education and outreach steps, see Goal J.

G. Goal: Prevent the incineration or disposal of marketable recyclables.

Action Steps:

1) Continue Existing Programs

Efforts will be made to continue (to the extent possible as determined by the market and other economic conditions) the current recycling programs in the nine towns, and efforts will be made to maintain consistency in the materials collected, to encourage participation.

- 2) Solid Waste Ordinances
Solid waste ordinances (source separation ordinances) will continue to be enforced. The towns will work to publicize any monitoring programs through newsletters or website updates, as an effort to improve enforcement. Towns without existing ordinances will be encouraged to develop an ordinance or equivalent mandatory recycling program.
- 3) Education and Outreach
Materials that summarize the recyclables collected at each facility will be published and distributed, and posed on the website (see Goal J.)

H. Goal: Increase construction/demolition debris reduction, reuse, and recycling.

Action Steps:

- 1) Education and Outreach
The website will be used to post links to C & D recycling centers and contacts for contractor assistance. The coordinator will work with contractors to provide meetings or other programs to raise awareness of the recycling opportunities and grant monies available. Efforts will refer to state initiatives and local market evaluations that are published through builder association newsletters.

Over the next five-year period, the coordinator will contact local facilities and C & D haulers to investigate opportunities to develop a separation program. The program would provide financial or other incentives for contractors that bring loads to the disposal facility that have already segregated recyclable materials. Incentives could include a reduction in the disposal fee. A similar program has been implemented at the Northeast Resource Recovery Association, where acceptable materials can be exchanged with other recycled products. For example, soil fines are available for use as lined landfill cover or aggregate, at a reduced or no charge.

I. Goal: Increase organic waste recycling (yard, food waste, brush stumps, papers)

Action Steps:

- 1) Composting Bins
The BCRC, in conjunction with some organizations, currently offers composting bins for sale during the spring months. Efforts will be made to continue this offer. If demand increases, it is possible that the periods of availability could be increased.
- 2) Outreach and Education
Organic waste constitutes a high percentage of the Vermont waste stream (approximately 19 – 37%). Much of this waste can be composted or otherwise diverted from the waste stream. The newsletters and websites will be used to reach residents in the region to increase awareness and improve education on organic waste recycling. The education efforts will remind residents that private, on-site composting systems can operate without negative aesthetic effects (such as

strong odors) and can be inexpensive with minimal labor requirements. The education program will also include a segment on vector reduction at compost sites.

Efforts will be made to work with the ANR in increasing awareness about the Master Composter Program in the southern portion of the state and encouraging local participation in the program.

The proposed outreach program in the elementary schools includes a component on composting. Efforts will be made to continue the composting programs for cafeteria waste in local schools (Dorset Elementary & Shaftsbury), and provide technical (and possibly financial) assistance to continue these programs and begin programs in other schools. The region plans to provide elementary schools with composting bins, if a school chooses to develop a composting program. Efforts will also be made to encourage secondary school biology and chemistry teachers to develop educational programs within regular curriculum or via electives to introduce students to the science behind composting. Schools will be encouraged to develop education programs on organic recycling. Materials and support will be provided to schools, as appropriate and available.

3) Website Updates

The website will be used to present a variety of information. One page will include links to the ANR, the VT compost network, and the compost list serve, in the hopes of conveying information on grants and technical assistance for start-up or expansion of compost facilities, improving collection programs, and equipment.

J. Goal: Implement an ongoing waste diversion education / informational/ outreach program for schools, youth, consumers, and businesses.

Action Steps:

Most of the implementation tasks presented in this SWIP focus on education and outreach methods. Many of the tasks have been discussed under other goals throughout this SWIP. The following steps summarize those tasks.

1) Public Outreach Programs

These programs will be primarily fulfilled through the development and maintenance of an informational website and through the publication and distribution of newsletters three times per year.

At a minimum, the website will include the following information:

- Solid Waste Facility Locations, Hours of Operations, & Materials Collected
- List haulers and contact phone numbers
- HHW Collection Event Dates & Materials Accepted
- Reuse, Reduce, & Recycle Information and Links
- C & D Recycling Information, Grants, and Assistance Links
- Composting Information & Links

- Biosolids & Contaminant Reduction Information
- Hotel, Commercial, and Institutional Links for Recycling or Public Recognition
- Dates for special events, such as: HHW collections, Use Less Stuff Day, America Recycles Day, Buy Recycled, Green Up Day, and Free Metal Day.
- Newsletters will be posted after they are distributed to the public
- Monthly Updates will be added as interesting or new information or stories are developed
- Implementation Report and Contact Information will be posted for haulers to submit data
- Links to ANR's Environmental Assistance and Waste Management web pages

Newsletters will be published three times per year. The newsletters will be distributed through a variety of means, which may include direct mailings, attachment to municipal bills, or inserts in newspapers or fliers. The newsletters will include similar information as the website. It is expected that two of the newsletters will be published prior to the Spring and Fall HHW collection events. The newsletters will carry stories, and may report on progress of educational programs in the schools. It is expected that the newsletters will be submitted to households, institutions, commercial establishments, municipalities, and schools.

The BCRC and member towns will work with other organizations, such as the Association of Vermont Recyclers, on education and outreach.

3.0 ~ BIOSOLIDS AND SEPTAGE MANAGEMENT PLAN

“Develop and describe an action plan for the management of septage and biosolids generated in the municipalities.”

A. Acceptable Options ~

There are several options for managing biosolids, septage, and other sludges... all acceptable options for managing biosolids, septage, and other sludges generated within the region are checked in the following table, even if the option is located outside the region. Note that choosing an option as acceptable does NOT mean the towns have to site such a facility, nor does it mean specific facilities are “included in” the SWIP”.

Table 8 ~ Acceptable Management Options for Sludge and Septage

MANAGEMENT OPTION	CHECK IF ACCEPTABLE
Land Application	<input checked="" type="checkbox"/>
Composting or further treatment to qualify for distribution	<input checked="" type="checkbox"/>
Landfilling or use as landfill cover (both require dewatering)	<input checked="" type="checkbox"/>
Incineration	<input checked="" type="checkbox"/>
Regional septage receiving and/or treatment facility	<input checked="" type="checkbox"/>
Other wastewater treatment plants	<input checked="" type="checkbox"/>
Other (specify)	

B. Beneficial Use

According to the calculations in Section 1E Table 5, 100% of the biosolids generated at wastewater treatment plants in the region are beneficially used.

C. Barriers

Identify barriers to the beneficial use of biosolids in your district, multi-town alliance, or town. What steps will be taken to address these barriers and increase the beneficial use of biosolids.

According to the state plan, biosolids that are landspread or composted (to a Class A quality for distribution for the public) are considered to be beneficially used. Biosolids that are landfilled, used as daily cover, or incinerated are not considered beneficially used. The following describes the barriers to beneficial use of biosolids in the region, and the steps that will be taken to address these barriers and increase the beneficial use of biosolids.

Currently, it appears that biosolids used in the region may be by private households. The current zoning and other ordinances in each of the nine towns do not prohibit any of the uses of biosolids described in Table 8. It is likely that the biggest barrier to the beneficial use of biosolids in the region is a lack of education regarding the health impacts of landspreading biosolids. The action steps that will be taken to address the barriers and increase the beneficial use of biosolids are:

1) Education and Outreach

Educational materials will be developed and distributed to septic haulers for distribution to customers with bills for pumping septic tanks, and the same materials will be distributed semiannually with sewer bills to those on the Manchester system. These materials will also be distributed to those in Pownal when the system is opened. The materials will include information materials that can and cannot be disposed of down the drain, as described in the following sections.

D. Identification of Contaminants

How will the municipality identify and reduce sources of contaminants in biosolids generated in the municipality?

The following steps will be taken by the municipalities to identify and reduce the sources of contaminants generated in the municipality. The biosolids addressed in this segment are generated at the two WWTPs in the region (Arlington School District and Manchester).

Identification of Contaminants

To the extent possible, the two facilities will continue operations in accordance with their approved facility plans and existing certifications, and upon request, provide results of the monitoring to the outreach coordinator or region for review. The results will periodically be reviewed for any indication of contaminants in the residuals, with the intention of determining probable sources. These sources will then be addressed in the educational methods described below. The outreach coordinator will work with the municipalities to compare the results to the average concentrations of various contaminants in the waste stream (once they are developed by ANR).

Reduce Sources of Contaminants

Education and Outreach efforts will be made as follows. In addition, this information will be distributed via outreach in the water / sewer bills for the towns of Pownal (upon opening) and Manchester, and in the billing for septic tank pumping for the remainder of the towns not served by a municipal system.

- A list of materials that can and cannot go down the drain, to dispel the “out of sight out of mind” mindset. (This shall include a reminder that “the drain” consists of the kitchen sink, the garbage disposal, the toilet, the shower, and the laundry facilities.)

- Certain materials will clog a septic system or damage the system, which will lead to pollution of groundwater / soils → which will impact water supply wells or plants will uptake the contaminants or surface water contamination will impact animals.
- The same materials could clog sewer pipes and disrupt the biological processes at the WWTPs, resulting in pollution of discharge stream, high repair / tertiary treatment costs, or hazardous biosolids which result in even greater costs.

E. Describe the municipalities' plan for public outreach on biosolids and septage management.

The municipalities will implement the programs discussed above. As mentioned, the tasks of the outreach coordinator described in Subsection D will be used for public outreach in the water / sewer bills for these two (three) towns, and in the billing for septic tank pumping for the remainder of the towns not served by a municipal system.

The outreach coordinator will also contact the town of Bennington WWTP / public works department as necessary for coordination or identification or contaminants or outreach, as most of the septic tanks pumped in the region are delivered to this facility.

4.0 ~ HHW, CEG, LANDFILL BANNED, AND SPECIAL WASTE PLAN

Household Hazardous Waste (HHW) is a solid waste generated by a household that has some characteristics of hazardous wastes. These characteristics include wastes that are ignitable, corrosive, reactive, and toxic. Automotive fluids and batteries, household chemicals (such as toilet bowl cleaners, bleach, pool chemicals, etc.), oil-based paint, mercury, and electrical products with hazardous components are some examples of HHW that is generated by households. The solid waste Rules (effective January 15, 1999) define HHW as waste that would be subject to regulation as hazardous waste if it were not from households.

Conditionally Exempt Generator Waste (CEG) means hazardous waste generated (typically by a business or institution) that is conditionally exempted from certain provisions of the Vermont Hazardous Waste Management Regulations. CEG's must generate less than 220 pounds of hazardous waste, or 2.2 pounds of acutely hazardous waste and CEG's must not accumulate more than 2,200 pounds of hazardous waste or 2.2 pounds of acutely hazardous waste at any time. CEG's must handle and store all waste properly. This includes placing materials in compatible containers, properly labeling them, and storing them under cover and securely.

Special Wastes are categories of solid waste that pose special environmental, health or safety concerns or have certain characteristics (e.g. size, composition) that cause problems in handling or management. The Solid Waste Management Rules (effective January 15, 1999) designate asbestos waste, regulated medical waste, CEG waste, liquid wastes, and liquid containers with a capacity of 30 gallons or higher. Other wastes that may require special handling include tires, HHW, industrial sludges, bulky wastes, and large appliances.

Landfill-Banned Wastes are solid wastes that have been banned (by statute) from landfills in Vermont. These include waste oil, white goods (washing machines, dryers, refrigerators, ranges, etc.), tires, paint (including paint thinner, remover, stains, varnishes, but not solidified latex paint), lead-acid batteries, nickel-cadmium (Nicad) batteries, small sealed lead acid batteries, non-consumer mercuric oxide batteries, and labeled mercury-added consumer products. Mercury added consumer products include but are not limited to thermostats, thermometers, manometers, barometers, and switches. Mercury-added switches include, but are not limited to tilt switches, flame sensors, and thermocouples.

Statute (Title 24 V.S.A. Section 2202a) outlines the following priorities for municipal HHW/CEG/Special Waste Plans:

- Reduce or eliminate the use of hazardous or toxic substances;
- Reduce the generation of toxic waste;
- Proper management of HHW / CEG waste; and,
- Reduce the toxicity of the waste stream.

A. Specific Wastes

Table 9 ~ Collections for HHW, CEG, Landfill Banned, and Special Wastes

WASTE	COLLECTION / DROP-OFF LOCATION	COST TO USER
AUTOMOTIVE WASTES		
Waste Oil ¹	ISWAP ² – at Transfer Stations Rupert – Local Stores Shaftsbury – at Landfill Pownal – at Transfer Station Advance Auto, Bennington	No charge No charge No charge No charge Advance Auto in Bennington allows free 5 gal/person/day
Oil Filters ¹	ISWAP – Not collected Rupert – Not collected Shaftsbury – Not collected Pownal – Not collected	Collected at most auto garages & at Advance Auto in Bennington for free (for residents from any town)
Tires	ISWAP – at Transfer Stations Rupert – Transfer Stn OR Granville, NY Shaftsbury – At Landfill Pownal – at Transfer Station	See Appendix B
Antifreeze	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – HHW	No charge No charge No charge No charge
Lead-Acid Batteries	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – at Transfer Station	No charge No charge No charge No charge
HOUSEHOLD RELATED WASTES		
Pesticides	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – HHW	No charge No charge No charge No charge
Household Chemicals	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – HHW	No charge No charge No charge No charge
WASTE	COLLECTION LOCATION	COST TO USER
Paint / Related Wastes	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – HHW	No charge No charge No charge No charge
NiCad and Lead Acid Batteries	ISWAP – HHW Rupert – HHW	No charge No charge

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	Shaftsbury – HHW Pownal – HHW	No charge No charge
WASTE ELECTRICAL PRODUCTS		
Fluorescent lights / ballasts	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – HHW	No charge No charge No charge No charge
Consumer Electronics <i>(program not required)</i>	ISWAP – HHW Rupert – at Transfer Station Shaftsbury – at Landfill Pownal – at Transfer Station	No charge for ISWAP towns at HHW events See Appendix B
White Goods	ISWAP – HHW Rupert – at Transfer Station Shaftsbury – at Landfill Pownal – at Transfer Station	No charge for ISWAP towns at HHW events See Appendix B
OTHER SPECIAL WASTES		
Asbestos <i>(program not required)</i>	ISWAP – on req. at Trnsfr Stns Rupert – Not accepted Shaftsbury – Not accepted Pownal – Not accepted	ISWAP & Rupert residents can bring asbestos to HHW events upon request
Medical Waste <i>(program not required)</i>	ISWAP – Not accepted Rupert – Not accepted Shaftsbury – Not accepted Pownal – Not accepted	Not applicable
Mercury-added products	ISWAP – HHW Rupert – HHW Shaftsbury – HHW Pownal – HHW	No charge No charge No charge No charge
WASTE	COLLECTION LOCATION	COST TO USER
Dead Animals <i>(program not required)</i>	ISWAP – Not accepted Rupert – Not accepted Shaftsbury – Not accepted Pownal – Not accepted	Not applicable
OTHER WASTES		
Not applicable		

¹ Waste Oil and Used Oil filters are collected by some local stores (i.e. Advance Auto in Bennington) and private sector automotive garages throughout the region; residents are requested to call ahead for availability.

² Residents of the Integrated Solid Waste Applications Program (ISWAP) member towns (Arlington, Dorset, Manchester, Sandgate, and Sunderland) use the Northshire and Sunderland Transfer Stations.

B. HHW/CEG/Special Waste Planning

Address the following elements of HHW/CEG/Special Waste/Landfill-Banned Waste Planning as required by 24 V.S.A Section 2202a(c)(4):

Collection and Management Programs, Changes, and Improvements

If a collection and management program is not currently available for any of the wastes listed in Table 9, how, where, and when will you provide convenient collections at a reasonable cost.

At this time, all wastes required in Table 9 have collection programs available to residents in each of the towns. The following steps will be taken to improve participation rates throughout the region.

Overall, opportunities for combining the Northshire (ISWAP) and Shaftsbury/Pownal collection events will be investigated. The resulting four HHW events would be available to residents of all the towns. The intent of this action would be to make events more convenient by reducing driving distances and distributing the events throughout the year.

BCRC will continue to coordinate HHW and CEG collection events for the towns of Arlington, Dorset, Manchester, Rupert, Sandgate, and Sunderland twice per year at a central location, typically at the Arlington High School. Due to the various types and quantities of wastes collected, and the high participation rates at events, it is unlikely that an alternate location (large, open area with appropriate ingress/egress for traffic flow) for events could be found in the Northshire. Yearly HHW/CEG surveys will continue to be provided to the Waste Management Division. BCRC will provide such documentation on behalf of those towns with which it contracts for HHW/CEG event management.

The town of Shaftsbury will continue to coordinate and hold two events per year at the Shaftsbury landfill. Pownal will attend these events until such time that the town can hold their own events in Pownal. Shaftsbury and Pownal will be responsible for providing yearly HHW/CEG surveys to the Waste Management Division, upon request.

A Memorandum of Understanding to increase participation rates in Household Hazardous Waste collections was signed by the nine SWIP towns in 2002. Participation rates in HHW collections have increased dramatically since the MOU was signed; a contributing factor to this increase was the addition of new wastes (such as electronics, scrap metal, and white goods) collected at HHW events in the Northshire. A copy of the MOU is included in Appendix C.

Over the next five years, the following collection and management program changes and improvements are proposed for all of the towns included in this SWIP.

1) Continue existing

Residents in the region will continue to be provided with opportunities to participate in at least two collection events per year. The public notice program for the events currently includes the following:

- Announcement signs along the most traveled roads and posters at waste collection facilities and in municipal offices;
- Advertisements in the Bennington Banner and Manchester Journal newspapers;
- Notices are posted on the BCRC website and public access TV; and,
- News of the events travels by word of mouth.

2) Proposed Practices

Prior to the HHW / CEG Collection Events, efforts will be made to improve the public notification programs. The public outreach programs that will be implemented as part of this SWIP will also include HHW collection announcements and recommendations for the proper disposal of HHW.

- At least one issue of the newsletter will be distributed prior to the spring HHW collection events. The newsletter will include a reminder of the upcoming HHW events and proper management practices for the wastes.
- Improved marketing will be implemented that will include banners over the main roads (in Manchester, Shaftsbury, and Bennington) and a public service announcement on youth oriented radio stations (WEQX) to increase participation.
- Scheduling will not conflict with holiday periods.

3) At the HHW / CEG Collection Events:

The region will make an effort to develop an incentive program for residents and CEGs to participate in the collection events.

- Small “gifts” distributed to all participants or to every Xth participant, such as a coupon for an ice cream cone;
- Gift certificates supplied by area businesses;
- Prizes to top three participants that bring in the most, most unique, traveled the farthest, etc.;
- Handout pamphlets on HHW, waste reduction, non-toxic alternatives, etc.;
- Have a well-known personality at the collection; or
- Other forms of entertainment to attract participants and minimize boredom while waiting.

After the HHW Events, the coordinator will ensure that articles in local papers are published that cover attendance, participation rates, and the proposed date of the next event. This information will also be noted in the newsletters and on the website.

Disposal of HHW, CEG waste, and landfill banned-materials

How will you minimize the amount of HHW, CEG waste, and landfill-banned materials being disposed in solid waste facilities (i.e. in solid waste landfills and incinerators):

To minimize the amount of HHW, CEG waste, and landfill banned-materials being disposed in the solid waste facilities, the outreach and education components discussed in this SWIP shall be implemented. The newsletters (at least one per year to residents) and website will be used in addition to the public announcements discussed above to inform residents of proper disposal of HHW, CEG waste, and landfill-banned materials. Educational materials are currently published by the

organizations and municipalities and are distributed at transfer stations / landfills / recycling centers, which list the materials banned from disposal with MSW. These notices will be posted on the websites, and will be used to suggest containers that will safely store the materials until the next collection event. The outreach shall be targeted not only at households, but also at encouraging participation by commercial generators. Efforts shall be made to collect better data at collection events.

HHW Education Program

Currently, the public notification program discussed above is implemented. Schools and Town Officials are encouraged to volunteer at HHW collection events, and many do so. Towns in the region plan to improve the education program through annual newsletters, websites, and outreach to schools.

Efforts will be made to organize at least one educational program per year per school to illustrate what is meant by hazardous waste and what the ramifications can be of improper disposal.

Educational Materials

The newsletters, mailings, and website will illustrate the definition of hazardous waste and what the ramifications can be of improper disposal, and may include quotes from participants. The school outreach programs that are discussed in Goal J will include education on HHW. Opportunities for inviting presenters to the elementary schools will be investigated. The school presentations will be used to capitalize on the influence on students' parents.

Education and technical assistance program for CEGs.

Describe the education & technical assistance program for Conditionally Exempt Generators (CEGs). Currently, the notification programs discussed above are implemented. Informational materials are distributed to CEGs when available and appropriate, including information on wastes and training opportunities. Greater effort will be made to mail HHW information to businesses on an annual basis.

Other

Provide any additional information about how your programs for household hazardous waste, conditionally exempt generator waste, landfill-banned waste and special waste will achieve the priorities of 24 V.S.A. Section 2202a:

- § *Reduce or eliminate the use of hazardous or toxic substances;*
- § *Reduce the generation of hazardous waste;*
- § *Proper management of HHW/CEG waste; and*
- § *Reduce the toxicity of the waste stream.*

To achieve the priorities of VSA (reduce or eliminate the use of hazardous or toxic substances; reduce the generation of hazardous waste; proper management of the HHW / CEG waste; and reduce the toxicity of the waste stream) the programs discussed above will be implemented. The municipalities will ensure that the collection events are run by licensed providers, who will provide safe services for the residents.

5.0 ~ UNIT BASED PRICING

A. Evaluate Current Pricing

Unit-based pricing means the amount people and businesses pay to get rid of trash is based on how much they throw away, typically on a per bag, per container, or per ton basis. This is similar to how we pay for electricity. If we use more, we pay more. If we can conserve, we save more. With unit-based pricing, the resident who reduces, reuses and recycles pays less for solid waste disposal than his/her more wasteful neighbor.

To provide financial incentives for waste reduction, reuse, recycling and composting, develop an action plan for implementation of volume or weight based charges (unit based pricing) for municipal solid waste disposal. The action plan should address waste generated by residences and businesses, and collected, transferred or disposed by the public or private sector. The unit based pricing structure should reflect the true cost of waste management and should provide an economic incentive for the generators to minimize waste.

A number of unit-based pricing systems can be used, including bag systems (pay-per-bag), sticker or tag systems (pay for a sticker for each bag), billing based on the size/number of containers and/or frequency of pickup. To provide effective financial incentives, avoid rate structures that give a discount if more bags are generated, and make sure there is a smaller container option or less frequent pickup option that rewards those who reduce, reuse, and recycle. Fact sheets and worksheets are available at www.epa.gov/epaoswer/non-hw/payt or from the Solid Waste Program.

A. Evaluate Current Pricing

Review the cost information you collected in Section 1 (Implementation Report), Table 6. Determine if any of the pricing plans are not unit based and do not provide an incentive to reduce, reuse and recycle. Common disincentives include “free” unlimited municipal trash service, “volume discounts” after so many bags, lack of smaller containers or less frequent pickup for curbside service, meaningless price differences between small and large toter pickup prices, annual flat fee permits for unlimited disposal, etc. For each pricing plan that does not currently create an effective incentive to reduce, reuse and recycle, address it in your unit based pricing action plan. You may need to work with area haulers and solid waste facilities or consider ordinances to implement unit based pricing. List pricing plans that are not unit based or do not provide an incentive to reduce, reuse, and recycle:

All towns in the region have implemented an incentive to reduce, reuse, and recycle. Currently, the municipalities in the region all utilize a form of pay as you throw (PAYT) for MSW. Current fee schedules by facility are included in Appendix B. Private hauler rates are included in Section 1.

According to the State Solid Waste Plan, a community with tax-based funding of waste services must implement strong programs (such as education and promotion, providing convenient services, and mandatory recycling) in order to offset the lack of economic incentives and meet the goals of this plan. At this time, all of the municipalities in the region are implementing a solid waste management

program that involves unit based pricing; pricing based on the amount of waste generated. Some of the towns require residents to purchase a permit sticker to access the solid waste facility, in addition to the fee per bag or item. The implementation of PAYT programs encourages waste diversion in the form of composting and recycling to reduce the cost to the waste generator.

All of the private haulers in the region that offer curbside residential pick-up were surveyed to obtain rates on their pick-up services. Rates are listed on page 22 of this plan. Haulers charge flat rates for curbside pick-up, depending on the size of the container and the frequency of pick-up. These haulers normally have a limit on the amount of material they will pick up (for example, 3 bags per 64 gallon cart). Haulers #1, #2, and #3 are utilizing Unit Based Pricing. Hauler #4 does not utilize Unit Based Pricing at this time. For all of the haulers except #4, residential curbside pickup in this fashion is operating in a form of PAYT because rates are higher for the more frequent and/or larger containers; more waste generated equals higher cost to the waste generator. Currently, there is no structure in place to reward a customer who generates less than the maximum number of bags allowed per pick-up. Further research and discussion should take place on this issue.

After evaluating the current fee structures set in place at each facility, one can draw the conclusion that all municipalities in this SWIP are utilizing Unit Based Pricing. None of the facilities offer free disposal of MSW, and all pricing seems to be high enough to encourage waste diversion in the form of recycling and/or composting. Time should be devoted to encouraging recycling and composting, especially in curbside pick-up services.

B. Unit Based Pricing Action Plan

In order to be consistent with the state plan, unit-based pricing action plans are expected. Describe the unit-based pricing plan you have in place or will be putting in place. If implementation of unit based pricing is not proposed, provide the reason for any exceptions and describe the alternative mechanisms (such as education and promotion, providing convenient services, and mandatory recycling) to be used to promote waste reduction.

The towns will continue the programs currently implemented until such time that the individual town / municipalities deem it necessary to otherwise change to improve recycling in the towns. Pricing will be evaluated and reassessed periodically, and altered as needed by the municipality/facility.

In the case of Hauler #4 who is not currently using Unit Based Pricing, efforts will be made to work with the hauler to change to a Unit Based Pricing system.

6.0 ~ BUY RECYCLED PLAN

A. How to increase use of recycled products, composted material and used products

Describe how you will increase the use of recycled products, composted material and used products in your municipality or member towns.

Through the implementation of this plan, the municipalities and regional office will make concentrated efforts to increase the use of recycled office products. Education will be the focus for the outreach coordinator. Efforts will be made to implement the following:

1) Update Website

The website will include links to the EPA informational pages on the types of recycled materials, beyond office products, and potential suppliers. Links will be posted to compost suppliers in the region. Links will also be posted that indicate the various swap shops / secondhand stores in the region for clothing, books, and electronics, as well as links to the ANR Environmental Assistance and Waste Management web pages.

2) Swap Shops

The establishment of swap shops as discussed in the Goals and Action Steps will provide a way to increase the circulation of used products.

3) Compost

Facilities with compost piles will make the final product available for residents.

4) Regional Coordination and Education

The outreach coordinator will investigate the feasibility of purchasing the recycled products in bulk, and then distributing them (primarily paper products) to the municipalities, in the hopes of making the use of recycled products easier on each office.

The educational materials that are distributed to both the private and public sector will include a BCRC “Product of the Month”. The outreach coordinator will research a recycled material with a probable benefit of use in the region, and publish background information on the product, including suppliers and costs.

B. Education on how to buy recycled

Describe how you will increase the use of recycled products, composted material and used products in your municipality or member towns.

Through the development of the website (with links to Buy Recycled informational pages), the education component will be implemented. The outreach coordinator will meet with municipal officials to present the opportunities to buy recycled, and will encourage all municipal / regional offices to step towards the goal of 50% recycled office products by 2008. Educational programs and information will be made available to residents and businesses, as appropriate.

C. List products currently used

List the recycled/used/composted products currently purchased and/or used by the town(s):

Table B ~ Recycled Products

TOWN	RESPONSIBLE PARTY	RECYCLED PRODUCT			
		Office	Non Office	Road	Etc
BCRC	Secretary / Book Keeper	Letterhead & envelopes: 50% total recovered fiber; 20% post consumer; paper scratch pads	Composting Bins	--	--
Arlington	Town Clerk	Letterhead and envelopes	Composting Bins	--	--
Dorset	Town Clerk	Letterhead and envelopes	Composting Bins	--	--
Manchester	Town Manager	Letterhead and envelopes; scratch pads; paper towels	Composting Bins	--	--
Pownal	Town Clerk	Letterhead and envelopes	Composting Bins	--	--
Rupert	Town Clerk	Letterhead and envelopes	Composting Bins	--	--
Sandgate	Town Clerk	Letterhead and envelopes	Composting Bins	--	--
Shaftsbury	Town Clerk	Letterhead and envelopes	Composting Bins	Crushed glass from recycling facility for road projects	--
Sunderland	Town Clerk	Letterhead and envelopes	Composting Bins	--	--
Stamford	Town Clerk	Letterhead and envelopes	Composting Bins	--	--

D. Additional products plan to use in future

List any additional recycled/used/composted products that you plan to purchase in the future.

Currently, there are no plans other than those identified in Section A for these offices to expand their recycled material usage; however, the outreach coordinator will work with the municipalities in an effort to obtain a greater percentage of all office materials recycled. The preliminary steps to buying recycled will be education, which will be generated through the newsletters and the webpages.

E. Responsible Party

Who is the individual responsible for evaluating purchases for opportunities to "buy recycled" ?

See Table B.

7.0 ~ ILLEGAL DISPOSAL PLAN

- A. *Describe your action plan to be implemented at the district or local level to reduce illegal burning and dumping. Adoption and enforcement of an ordinance are recommended as part of the plan (contact the Solid Waste Planner at 241-3444 for a sample ordinance). If ordinance and enforcement mechanisms are not adopted, your plan must include other means that will achieve equivalent results. Demonstrate how the proposed activities will achieve similar results to an ordinance and enforcement, and how reductions in illegal disposal will be determined. The action plan on illegal disposal also needs to address education, and the cost and convenience of available alternatives to illegal dumping and burning. [Identify which apply] Ordinance in place (attach copy of ordinance); Enforcement mechanism in place; Ordinance adoption in process; or No ordinance in place and no adoption in process.*
- B. *If an ordinance and enforcement are not proposed, describe what other strategy (ies) to reduce illegal disposal will be taken and how it will achieve similar results to an ordinance and enforcement. Explain how the effectiveness of the proposed strategy will be determined.*

Copies of the ordinances are included in Appendix C for the towns of Manchester and Shaftsbury. The remaining municipalities will be encouraged to implement illegal disposal ordinances and/or to improve the existing solid waste ordinances to include a section on illegal disposal. Currently, most of the other municipalities rely on Vermont State Statute, rather than local ordinances. The Town of Dorset defers to this Statute and utilizes the Town Health Officer for enforcement of the Statute. The Town of Arlington relies on the State Fire Wardens Statute; the local Forest Fire Warden is appointed by the State of Vermont and enforces state statute regarding open burning and illegal burning. The Town of Pownal relies on Vermont Statute 24 V.S.A. S.2201 (see Appendix C) and the Select Board utilizes either the Fire Warden or Constable for enforcement. The Town of Sandgate utilizes Vermont Statute 24 V.S.A. S.2201 and enforcement is provided by the Constable. The Town of Sunderland relies on the Vermont Statute and utilizes the services of the Fire Warden for enforcement. The Town of Rupert relies on the Vermont Statute, with the Select Board maintaining enforcement responsibility.

- C. *Describe the ongoing education program to prevent open burning and dumping*
To improve the ongoing education program to prevent burning and dumping, the region plans to improve education. Currently, reminders are submitted with local fliers and distributions from towns / facilities. An effort will be made to increase the circulation of these documents to all residents, and shall include references on the website to the ANR and similar contacts. In addition, the BCRC has sponsored open burning workshops, which are open to the public. These workshops offer information and presentations on illegal burning by various Vermont State agency staff, including Vermont Department of Environmental Conservation and Air Quality. Individual towns or the Outreach Coordinator will mail information to all residents about illegal disposal.

- D. *For each town covered by your SWIP, evaluate the convenience of proper disposal of various wastes generated in that town:*

Table 10 is split in two parts, and describes the convenience of each facility by the farthest haul a resident would have to make to reach the disposal facility, and the hours of operation.

Table 10a ~ Evaluating Convenience

Town and Type of Waste	Convenience	
	Furthest Haul Distance	Facility
DORSET		
Residential MSW	9.50 miles	Northshire Transfer Station
C & D		
Tires		
White Goods		
Recyclables		
MANCHESTER		
Residential MSW	6.25 miles	Northshire or Sunderland Transfer Station
C & D		
Tires		
White Goods		
Recyclables		
ARLINGTON		
Residential MSW	9.75 miles	Sunderland Transfer Station
C & D		
Tires		
White Goods		
Recyclables		
SANDGATE		
Residential MSW	12.75 miles	Sunderland Transfer Station
C & D		
Tires		
White Goods		
Recyclables		
SUNDERLAND		
Residential MSW	3.00 miles	Sunderland Transfer Station
C & D		
Tires		
White Goods		
Recyclables		
SHAFTSBURY		
Residential MSW	7.25 miles	Mobile Collection Facility (Shaftsbury)
C & D		
Tires		
White Goods		
Recyclables		

TYPE OF WASTE	FARTHEST HAUL DISTANCE	FACILITY
POWNAI		
Residential MSW	7.50 miles	Pownal Transfer Station
C & D		
Tires		
White Goods		
Recyclables		
RUPERT		
Residential MSW	7.75 miles	Rupert Transfer Station
C & D		
Tires	11 miles	Granville, NY
White Goods	7.75 miles	(white goods 2/yr)
Recyclables		

Table 10b ~ Facility Information

Facility Key	Facility Name	Days and Hours of Operation	Cost To User – MSW Disposal
1	Northshire Transfer Station	M - F 8:00 – 14:00 Sat 8:00 – 12:00	See Appendix B
2	Sunderland Transfer Station	M, T, Th, F 7:30 – 14:00 Sat 7:30 – 11:30	
3	Rupert Transfer Station	Sat 0900 – 1500 Sun 1200 – 1500	
4	Pownal Transfer Station	W, F, Sat 8:00 – 16:00	
5	Shaftsbury Landfill	T, Th 1100 – 1600 Sat 0700 – 1600	

An alternative to self-hauling waste and recyclable materials to transfer stations is to use a private hauler. There are several private haulers operating curbside pick-up services throughout the region. Private haulers charge for their services, but many residents prefer to pay for curbside pick-up rather than self-hauling to the transfer station for convenience.

The private haulers include Allied Waste (BFI), Casella Waste Management, TAM, Inc., and Breton-Towslee Rubbish Removal.

- E. Describe your strategy to discourage illegal disposal by making legal disposal more convenient and less expensive. Possibilities include expanding the hours at transfer stations, expanding the materials accepted, accepting bulky wastes for free or reduced rates during one week every year, accepting several tires from each household every year, etc.*

To discourage illegal disposal by making legal disposal more convenient and less expensive, the towns will continue efforts to offer the services currently available (to the extent possible). The Towns of Pownal, Rupert, and Shaftsbury currently offer “free metal days” where residents can dispose of metal at no charge; the two events per year in Rupert also include free disposal of appliances. The Town of Pownal allows residents two days per year for free disposal of appliances on any two days the resident chooses. In addition, the Towns of Arlington, Dorset, Manchester, Sandgate, and Sunderland offer collection events that include free disposal of Freon items, appliances, scrap metal, and electronics. Collections events are not held during holiday periods; residents of each town have the opportunity to attend a minimum of two events per year.

8.0 ~ SOLID WASTE FACILITIES SITING CRITERIA

- A. *Describe any siting criteria and site evaluation processes which are currently in effect for solid waste management facilities that may be proposed by any private or public entity in any of the towns. The description should include:*
- 1) *A listing of the criteria and site evaluation process and the types of solid waste facilities that the criteria and evaluation process apply to; and,*
 - 2) *A description of how the criteria differ for different types of solid waste facilities (e.g. lined landfills, unlined C & D, transfer stations, food waste composting, etc).*

The criteria listed in this plan apply to siting in the towns of Arlington, Dorset, Manchester, Rupert, Pownal, Sandgate, Shaftsbury, and Sunderland.

The town of Shaftsbury Town Plan Section 9.6 states: “Recycling, Reuse, and composting shall play a major role in solid waste management in the town of Shaftsbury. Any new solid waste facility must not be located on agricultural land, result in noise, traffic, or odors that would disturb residential areas, nor shall any such facility be sited so as to degrade any important environmental resource.”

The siting of a solid waste facility within the region is subject to local, regional, state, and federal rules, regulations, permitting requirements, and planning restrictions. Proposed facilities or projects not already included in the SWIP must be first approved and adopted by each of the towns within the SWIP, via an amendment to the SWIP. This process must be completed successfully before an applicant (proposed facility) may submit an application for certification to the Agency of Natural Resources. Proposed facilities will be reviewed to determine that they meet the siting criteria in place at the time. Facilities must assist with the overall program to reduce, reuse, recycle, dispose, and properly handle the various components of the solid waste stream.

Solid Waste Facility Review and Siting Criteria

Introduction

The siting of any solid waste facility within the area served by the Bennington Region (eight towns) Solid Waste Implementation Plan (SWIP) is subject to local, regional, state, and federal rules, regulations, permitting regulations, and planning restrictions.

Table 12 of the SWIP includes existing facilities included in the SWIP.

All owners/operators of solid waste facilities requiring certification by the State of Vermont which are not specifically identified in this SWIP, except for sludge and septage land application projects, shall:

1. Provide assurance that the facility will be in conformance with all local, state, and federal laws, rules, regulations, and ordinances while it is in operation, and
2. Obtain approval of the participating SWIP towns (hereinafter referred to as “Towns”) in the form of a resolution by each town to include the facility in this SWIP.

Notes:

1. Major expansions to existing facilities may be subject to the review process and criteria herein, if the participating towns deem such review necessary.
2. Similarly, the Towns may waive or modify the review process and criteria if it is determined that any facility modifications, changes, expansions, or improvements are minor or that the scope of review is adequate for the facility under consideration.
3. Facilities providing services to residents and businesses in this SWIP, but located outside of this Regional SWIP, are included by reference to the extent that such facilities permit the provision of such services (e.g. Burgess Bros. C&D covered by the Town of Bennington SWIP).

Review of Proposed Facilities

The state certification process requires that a solid waste facility be included in the local or regional SWIP in order to receive state certification. Consequently, public or private entities desiring to operate a solid waste facility in the Region covered by this SWIP shall initiate a review with the Towns (starting with the host town) prior to or concurrently with an application for certification to the Agency of Natural Resources. Facilities which are exempt from the State Solid Waste Management Rules are also exempt from this SWIP, but may be subject to local bylaws or ordinances.

Wastewater Treatment Facilities (WWTF): All biosolids and septage treatment and storage facilities located within the fenced area of a WWTF covered by this SWIP are considered to be included facilities, with the exception of composting and other Class A treatment facilities that qualify for distribution to the public. Such composting and other Class A treatment facilities must be included in the SWIP in accordance with the review process herein.

The review of landfills or combustors are subject to all the review criteria provided herein, including the Level II Evaluation and Ranking system, attached hereto. All other facilities are subject to the following review process.

Process

- A. Applicants for proposed facilities shall submit a letter to the Towns (and BCRC as facilitator) requesting inclusion in the Bennington Regional SWIP. The request shall include a statement and information which addresses the following:
 - 1. The purpose and benefits of the proposed facility(ies), including consistency and advancing the goals of the Bennington Regional Solid Waste Implementation Plan (SWIP).
 - 2. Compliance/consistency and status of the proposal with respect to the municipal plan and zoning bylaw of the host municipality.
 - 3. Compliance/consistency with the Bennington Regional Plan, including applicable policies such as solid waste, land use, transportation, environment, and any regional or inter-municipal impacts.
 - 4. Ability to comply with Vermont’s siting standards of Solid Waste Management Rules, as amended. Include/identify any criteria or issues which may affect state certification.
 - 5. Impacts on public services and infrastructure (municipal, inter-municipal) and provision for compensation/reasonable costs which may be incurred by the municipality(ies) attributed to the facility, if any.
 - 6. Information about a host town agreement, if any, including compensation, liability, operations, indemnification, and environmental remediation. Subject to Vermont’s open meeting laws (negotiations) and access to public records.
 - 7. Address any relevant issues in the Level II Evaluation and Ranking System, incorporated and attached hereto.
 - 8. Any other matter of importance to the host town and municipalities.

- B. Public Participation and Public Meetings: For purposes of including a proposed facility in the SWIP, there will be at least two duly warned public meetings, including one in the host town. The meeting is an opportunity for the project sponsor to present the proposal and for the public to participate in discussions about the facility. Nothing herein limits other meetings that a municipality(ies) and their Board(s) may conduct for informational or regulatory purposes.

- C. Following the review and public meetings, the Towns will consider a resolution to include or not include the proposed facility in the SWIP – starting with the host town. In the event that a resolution is not approved in all Towns, a special meeting will be convened of all Towns to discuss the concerns and to establish a procedure to enable an action. Notwithstanding such action, in no instance will it have the effect to override the decision of the host municipality to include or not include the facility in the SWIP.

LEVEL II – EVALUATION AND RANKING SYSTEM

Part A: Documentation

1. Statement of conditions
2. Statement of issues, potential impacts, or risks associated with the different conditions
3. Statement of the potential to mitigate or ameliorate the identified issues, impacts, or risks

Part B: Impact Assessment

NONE	-	No identified issues, potential impacts, or risks
MINOR	-	Some issues, impacts, or risks identified; Partial mitigation or amelioration is possible
MODERATE	-	Issues, impacts, or risks clearly identified; Partial mitigation or amelioration is possible
MAJOR	-	Major or significant impacts or risks identified; Mitigation or amelioration is not possible or it would be financially or logistically prohibitive

Part C: Ranking

NONE	-	4
MINOR	-	3
MODERATE	-	2
MAJOR	-	1

Technical

1. EXTENT OF SITE EARTHWORK						
- Site Topography						
- Additional Earthwork						
CONSTRAINTS ON FOUNDATION CONSTRUCTION						
- Constraints due to Bedrock Depth						
- Constraints due to Soils/Subsurface Conditions						
- Constraints due to Groundwater Conditions						
CONSTRAINTS ON LANDFILL CONSTRUCTION						
- Constraints due to Bedrock Depth						
- Constraints due to Soils/Subsurface Conditions						
- Constraints due to Groundwater Conditions						
2. IMPACT ON WETLANDS AND OTHER SURFACE WATERS						
- Type of On-Site Wetlands						
- Quantity of On-Site Wetlands						
- Potential Impact on Surface Waters						
- Constraints due to Surface-Groundwater Relationships						
3. POTENTIAL IMPACT ON GROUNDWATER						
- Presence of Faults & Fractures						
- Type of Bedrock Expected						
- Constraints due to Bedrock-Groundwater Relationships						
4. LAND OWNERSHIP						
- Number of Land Owners Involved						
5. MAINTENANCE OF TRAFFIC FLOW						
- Available Unused Road Capacity						
- Change in Traffic Flow During Operation						

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- Increase in Traffic Delays During Operation						
- Distance to a Limited Access Highway						
- Overall Projected Impact on Traffic Flows						
6. SITE CONFIGURATION CONSTRAINTS						
- Constraints on Future Expansion						
- Impact on Neighborhood Under Optimal Site Layout						
7. OTHER DEVELOPMENT CONSIDERATION CONSTRAINTS						
- New Access Required						
- Distance to Existing Power Grid						
- Surface Water Drainage Management Required						

Environmental

8. ECOSYSTEM OR WILDLIFE HABITAT IMPACTS						
- Potential Presence of Unique or Fragile Areas within 1000' of the Processing or Disposal Area						
- Potential Presence of Winter Deer Yards within 300' of the Processing or Disposal Area						
- Potential Presence of Bear Corridors or Feeding Areas within 1/2 Mile of the Processing or Disposal Area						
9. NOISE AND ODOR IMPACTS						
- Existing Background Noise Levels at Sensitive Receptors						
- Potential Noise Levels with Mitigation at Sensitive Receptors						

Note: A receptor may be a neighborhood, institutional building, or single house

Social and Political

10. IMPACT ON PRIME AGRICULTURAL LAND						
- LESA or Equivalent System Score						
11. IMPACT ON ARCHAEOLOGICAL RESOURCES						

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- Potential Presence of an Archaeologically Significant Resource within 1000' of the Processing or Disposal Area							
12. POTENTIAL AVAILABILITY OF THE LAND							
13. IMPACT ON VISUAL AND AESTHETIC QUALITY							
- Extent of Viewshed							
- Visual Compatibility within Context							
- Extent of Site within a Viewshed							
- Ability to Screen Visual Impacts							
14. COMPATIBILITY WITH ADJOINING LAND USES							
- Compatibility with Adjoining Land Uses							
- Conformance with Potential Future Uses for the Site							
- Degree of Buffering by Off-Site Land Uses							
15. COMPATIBILITY WITH LOCAL PLANS AND BYLAWS							
- Zoning of Site							
- Conformance with Solid Waste Policy in Town Plan							
- Ability to Accommodate Proposed Land Use within Plans/Bylaws							
16. ACCESS AND TRAFFIC IMPACTS							
- Length of Development Along Potential Travel Route							
- Density of Houses Along Potential Travel Route							
- Number of Sensitive Receptors Along Potential Travel Route							
17. PUBLIC HEALTH AND SAFETY							
- Potential Risks Associated with an Intermediate Processing Center (IPC)							
- Potential Off-Site Health or Safety Risks Associated with an IPC							
- Potential Risks Associated with Composting							
- Potential Off-Site Health or Safety Risks Associated with Composting							
- Potential Risks Associated with Landfilling							

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- Potential Groundwater Migration Off-Site with Impact on Receptors >1000'						
- Other Potential Off-Site Health & Safety Risks Associated with Landfilling						

Other Site Use or Development Issues

18. OFF-SITE CONSTRUCTION IMPACTS						
- Traffic Impacts						
- Noise Impacts						
- Disturbance of Commercial Activity						
- Visual Impacts						
19. PERMITTING ISSUES						
- Obstacles to Permitting						
20. OTHER SITE SPECIFIC ISSUES & CONSIDERATIONS						
21. OPPORTUNITY/LOSS CONSIDERATIONS						
- Identifiable Community or Neighborhood Impact Compensation Options						
- Extent of Intermunicipal Cooperation						

3) *Documentation as to when and how the criteria were adopted:*

The criteria are adopted through adoption of this SWIP by each municipality individually.

4) *Identify who is responsible for reviewing a specific proposed facility and determining whether it is in conformance with the criteria.*

The individual municipality in which a proposed facility is to be located will be the responsible party for reviewing and determining conformance with the criteria.

5) *A description of how conformance with siting criteria applies to facility “inclusion in the plan” (as described in Section 10.)*

Existing facilities listed in Section 10 that are included in this plan conform to siting criteria, as described in their existing state certifications.

B. If the planning entity intends to own or operate a new facility, describe the facility site selection process that will be used to site these facilities.

Due to the current management structure in the region, with a high dependence on the private sector, it is not likely that the BCRC will intend to own or operate a new facility. The BCRC assists each municipality with planning functions, but it is the responsibility of each municipality to implement its own procedures and programs, including facilities, as needed. If a facility were to be sited, it would need to conform to the criteria described in Section A.

9.0 ~ TOWNS IN DISTRICT / ALLIANCE / ASSOC.

- A. *Use Table 11 below to list all municipalities that are part of the district or inter-municipal association. The list is current as of the date of adoption of this document. Table 11 should be revised and submitted every two years as part of the Implementation Report*

The towns included in this plan are listed in Table 11. This list is current as of 2007. This table shall be updated and submitted as required. Although a traditional district or inter-municipal association for solid waste management does not exist, the towns listed in Table 11 have committed to this SWIP for regional solid waste management.

Table 11 ~ Towns included in the District / Inter-Municipal Association		
TOWN	DATE ACCEPTED INTO ORGANIZATION	DATE LEFT ORGANIZATION
Arlington	September 7, 2007	
Dorset	November 20, 2007	
Manchester	November 20, 2007	
Pownal	November 8, 2007	
Rupert	October 23, 2007	
Sandgate	October 1, 2007	
Shaftsbury	October 30, 2007	
Sunderland	December 4, 2007	

Currently, the towns in Bennington County that are not included in this SWIP / organization are Bennington, Woodford, Landgrove, Peru, and Stamford. Bennington and Woodford are collectively developing their own SWIP, and Landgrove and Peru have joined the SWIP prepared by the Londonderry Group. Stamford has chosen not to be included in this plan through their decision not to implement the programs required in this SWIP.

Since there is no solid waste district in Bennington County presently, it is the decision of the towns in the region whether or not to pursue a more formal solid waste management structure. The BCRC will suggest that communities form a committee to look at structure options. The various structure options include:

Solid Waste Management District

A Union Municipal District is a legal authority created under Title 24 of the Vermont Statutes, with a charter that is approvable by the legislature. This formal arrangement creates the district, which can impact taxes, fees, and has the power of enforcement. By joining, municipalities cede responsibility of solid waste management to the district. A district can set policy to implement SWIP action steps, including a ban on disposed items, collection methods, and destinations. A district is, in essence, a municipality, which can sue and be sued, enter into contracts, and may acquire debt financing.

Interlocal Contract / Solid Waste Alliance

An interlocal contract is created and approved by the Attorney General, and defined in the Vermont Statutes. In this arrangement, municipal select boards maintain the authority of taxation and enforcement, but the alliance provides a structure to create budgets, perform assessments, develop the SWIP, and provide specialized services (such as HHW and special collections). This arrangement is not so much an entity, but an implementation structure. Representatives from each member town typically serve on an Alliance Board. Funding is generated by a per capita fee and grants, and a host alliance fee is often charged from private active facilities located in member towns.

Joint Municipal Survey Committee & Private Contracts

This management structure provides a loose but formal working agreement between municipalities. While municipalities maintain legal authority, an agreement is developed that delineates contractual obligations but has no power to resolve disputes or implement the SWIP. This cooperative approach often addresses material collection, transportation, marketing, and disposal. Private contracts are developed as legally binding agreements between municipalities, organizations, and private companies. These agreements often relieve municipalities of most financing and administrative requirements through a per capita fee.

Current Management Structure

The BCRC currently has an arrangement with eight SWIP member towns without a formal written agreement. The towns involved with the Integrated Solid Waste Management Program (ISWAP) are currently associated with a private contract. The current strategy allows a cooperative approach to planning for all eight towns, yet does not officially allow provisions for implementation of the steps outlined in the SWIP. All towns are responsible for implementation of the SWIP in their community.

B. Describe the process used to review and accept new towns into the district or multi-town alliance and/or include them in the SWIP

If a town shows interest in becoming a member of this SWIP, it shall formally request such from the BCRC. Acting as liaison, the BCRC shall then obtain agreement from the other towns in this SWIP via a SWIP Amendment document. Once each of the eight towns has approved the amendment, the SWIP will include the new town.

C. When towns are accepted into the district or multi-town alliance, describe whether or not the solid waste facilities in these towns are automatically “included in” the SWIP.

When new towns are accepted into this SWIP, the solid waste management facilities in the new towns are automatically included in the SWIP, provided the solid waste siting criteria in Section 8 are met.

D. Describe the process to allow towns to leave the district or multi-town alliance.

Towns may leave the SWIP at any time with written notice to BCRC and other member towns.

10.0 ~ FACILITIES IN THE PLAN

A. Existing Facilities in the SWIP

Under State Law (10 V.S.A. Section 6605(c)), the Agency of Natural Resources shall not issue a certification or recertification for a solid waste facility (except for a sludge or septage land application project) unless it is included in the SWIP.

Table 12 lists what existing facilities are included in this SWIP.

Facility Name	Owner/Operator	Location	Type
Northshire Transfer Station	Casella Waste Mgt	Dorset	Transfer Station
Sunderland Transfer Station	Casella Waste Mgt	Sunderland	Transfer Station
Rupert Transfer Station	Town of Rupert & Casella Waste Mgt	Rupert	Transfer Station
Pownal Transfer Station	Town of Pownal	Pownal	Transfer Station
Arlington School District WWTP	Arlington School District	Arlington	WWTP
Manchester WWTP	Town of Manchester	Manchester	WWTP
Shaftsbury Landfill	Town of Shaftsbury	Shaftsbury	Closed/Mobile Collection; Recycling
Pownal Landfill	Town of Pownal	Pownal	Closed
Sunderland Waste Mgt Landfill	Sunderland Waste Mgt	Sunderland	Closed
Pownal WWTP	Town of Pownal	Pownal	WWTP
TAM Transfer Station	TAM, Inc.	Shaftsbury	Transfer Stn

All biosolids and septage treatment and storage facilities located within the fenced area of a wastewater treatment plant are considered to be “included in” the SWIP, with the exception of composting or other Class A treatment facilities that qualify for distribution to the public. Such composting and other Class A treatment facilities must be “included in” the SWIP by using the process for solid waste facilities.

Facilities providing services to residents and businesses in this SWIP, but located outside this Regional SWIP, are included by reference to the extent that such facilities permit the provision of such services (e.g. Burgess Bros. C&D covered by the Town of Bennington SWIP).

B. Review Process for Proposed Facilities

Describe how proposed facilities will be reviewed for inclusion in the plan. Explain the process to be used to determine if solid waste facilities proposed to be located in the municipality or district will be “included in” the solid waste implementation plan. The chosen process will determine, in part, how much “say” the town(s) or district has when new facilities are proposed.

The process may reference the siting criteria (developed in Section 8 above), existing zoning ordinances, and town plan criteria, may require a host town agreement, may “include” certain categories of facilities automatically, or may defer to the requirements of the Vermont Solid Waste Management Rules for some or all types of facilities. For example, it may be easier to “include” all inactive landfills (as a category) automatically so that your SWIP does not have to be amended to include a specific inactive landfill in order for certification for post-closure monitoring and maintenance to be issued. Whatever approach is taken by the town or district, the standard(s) for being “included in” the solid waste implementation plan should be clear

The process used to determine if solid waste facilities proposed to be located in the region will be included in the SWIP is:

All proposed facilities (not already included in this SWIP) must be included in the SWIP through a plan amendment. The facility must meet the siting criteria in Section 8 of this plan, as well as satisfy any additional criteria listed in existing zoning ordinances or town plan in the proposed host town. Upon receiving a request for a SWIP amendment to include a proposed facility, the BCRC shall review the Regional Plan and SWIP to confirm that the proposed facility is in conformance with those plans.

For purposes of including a proposed facility in the SWIP, there will be at least two duly warned public meetings, including one in the host town. The meeting is an opportunity for the project sponsor to present the proposal and for the public to participate discussions about the facility. Nothing herein limits other meetings that a municipality(ies) and their Board(s) may conduct for informational or regulatory purposes.

Following the review and public meetings, the Towns will consider a resolution to include or not include the proposed facility in the SWIP – starting with the host town. In the event that a resolution is not approved in all Towns, a special meeting will be convened of all Towns to discuss the concerns and to establish a procedure to enable an action. Notwithstanding such action, in no instance will it have the effect to override the decision of the host municipality to include or not include the facility in the SWIP.

11.0 ~ BUDGET AND TIMELINE

A proposed budget and timeline for the implementation of the tasks described in the plan has been developed as required. The proposed tasks and frequency are summarized in Table 13. The proposed implementation budget is included in Appendix A. The budget is provided as a source of information, and will be updated or supplemented as information becomes available. As such, it can be modified without formally amending the plan while still providing current and useful information. The budget and timeline for implementation of the tasks described in this SWIP will also be revised and updated every two years as part of the implementation report.

Table 13~ Summary of Implementation Tasks and Timeline

Action Step	Frequency	Next Scheduled / Complete By
Public Outreach Program: Website Development	Development in Year 1; Ongoing Updates Year 2 - 5	Spring 2008* Ongoing
Public Outreach Program: Newsletters	Three times per year	First issue upon adoption of the SWIP
Seasonal Resident Outreach Program: Move-In Packets	Once per year	Spring 2008
School and Institution Outreach Programs	Ongoing	Fall 2008
Recycling Outreach Program	Ongoing	Spring 2008
Reuse Program	Ongoing	Winter 2008
Biosolids Outreach Program	Once per year	Spring 2008
C & D Outreach Program	Once per year	Summer 2008
Public Recognition Programs	Every two years	Fall 2010
Implementation Reports	Ongoing Data Collection Development every two years	Spring 2008 Spring 2010
General Coordination Work	Ongoing	Ongoing

*Actual Date will be One Year from Date of Adoption of the SWIP – other timeframes will be adjusted as necessary based on date of adoption

Appendix A includes the following items:

Item 1: Coordinator Position Budget & Timeline

Item 2: Coordinator Position Cost per Town

Item 3: Annual Budgets for Recycling, Integrated Solid Waste Applications Program (ISWAP), and Household Hazardous Waste Collections by Town

12.0 ~ PUBLIC PARTICIPATION PLAN

Describe the process used to ensure early and sustained public participation in the development and implementation of the plan. Local citizens, businesses, organizations, institutions, and solid waste management facility owners should be notified of the opportunities to participate in the public process for plan development and implementation. In addition to any public meetings which are scheduled for plan development, at least two public hearings are required prior to plan adoption. ANR recommends these be held after the draft plan receives “pre-approval” from ANR, so that the final draft can be reviewed and discussed by interested parties.

The public process used in the development of this plan is intended to ensure early and sustained public participation in the development and implementation of this plan.

Opportunities to participate in the plan development have been extended to local citizens, organizations, businesses, solid waste management facilities, and institutions.

Three public meetings were held in the development of the plan. The first meeting was held on January 16, 2003, in Arlington, Vermont. The second meeting was held on March 5, 2003 in Arlington, Vermont. The third meeting was held on April 23, 2003 in Arlington, Vermont. Meetings were advertised via direct mailings, media notification, telephone, and website. Each meeting was warned at least fifteen (15) days in advance. Numerous memos and telephone contacts were made to towns during the development of this plan.

A page on the Griffin International Website was posted in January 2003, and was updated throughout 2003. The website included a summary of current progress, notes / slides from meetings and presentations, and copies of the draft plan. The public was encouraged to participate in the plan through links with contact information to either Griffin or the BCRC via email, telephone, or written correspondence. A draft of the SWIP was/is also posted on the BCRC website for public review.

The BCRC and Griffin International personnel contacted each of the municipalities for the data collection phase. The Town Select Boards and officers were provided with contact information if at any point they choose to offer feedback on the plan or any solid waste management practices. The facility owners and many private haulers were also contacted in the preparation of the Implementation Report, and invited to provide feedback on the methods to improve solid waste management in the eight-town region.

After pre-approval of the plan was granted by the ANR on July 12, 2007, the BCRC held two public hearings prior to municipal plan adoption. Public hearings were held on August 27 and 28, 2007 at the BCRC offices in Arlington. Following the hearings, each of the eight involved municipalities will follow the required adoption procedures.

13.0 ~ CONFORMANCE WITH OTHER PLANS

Your SWIP must be in conformance with any municipal and regional plans adopted in accordance with 24 VSA Chapter 117. Demonstration may be in the form of a letter from the applicable regional planning commission and the municipal planning board which states that they have reviewed the SWIP and explains how the SWIP conforms with the regional and municipal plan, copies of pertinent sections of the regional or municipal plan, or other documentation that demonstrates conformance.

The following table summarizes the documents that were reviewed for conformance.

Table C ~ Conformance Requirements

PLANNING ENTITY	REVIEW DOCUMENT
Bennington County Regional Commission	Bennington County Regional Plan
Town of Arlington	Arlington Town Plan
Town of Dorset	Dorset Town Plan
Town of Manchester	Manchester Town Plan
Town of Pownal	Pownal Town Plan
Town of Rupert	Rupert Town Plan
Town of Sandgate	Sandgate Town Plan
Town of Shaftsbury	Shaftsbury Town Plan
Town of Sunderland	Sunderland Town Plan

To show conformity, copies of the relevant sections of each Town Plan and the Regional Plan were sent in May 2003 to:

Mr. Jeff Fehrs
 Planning and Grants Administrator
 Solid Waste Program ~ Waste Management Division
 VT DEC ~ VT ANR
 103 South Main Street
 Waterbury, Vermont 05671 – 0404

Copies of the Town Plans that were submitted were the most recently adopted versions and included all sections applicable to solid waste management within each town. The SWIP is in conformance with each of the Plans listed above with regard to solid waste management.

Through adoption of this SWIP (see adoption pages at front), each town confirms that the SWIP is in conformance with their Town Plan.

The relevant section of the BCRC Regional Plan is included here, as adopted in 2002.

*Solid Waste Implementation Plan
Bennington County Regional Commission*

10.4 Solid Waste Facilities (excerpt from Regional Plan, adopted 2002)

Solid waste management has become one of the most important, and controversial, issues facing communities in the region. Local landfills have reached or are rapidly approaching capacity; state solid waste laws and regulations are compelling local action in many areas; and a growing environmental awareness in the populace have brought such terms as “recycling,” “waste reduction,” and “composting” into everyday usage.

Under Vermont’s “Act 78,” the BCRC was responsible for creating what is now referred to as “A Solid Waste Management Implementation Plan for Bennington County.” New state regulations have instructed the revision and update of Plans in every region in Vermont, to be completed in the near future.

There is currently one active municipal landfill in the region, which is located in Shaftsbury. In addition, towns make use of four transfer stations – Bennington, Dorset, Sunderland, and Rupert – to collect trash and recyclable materials. The Bennington Transfer Station takes recyclables and mixed solid waste. The Sunderland and Dorset (Northshire) Transfer Stations/Recycling Centers collect mixed solid waste, construction and demolition debris, special wastes, and recyclables. Only residents and businesses from the Towns of Arlington, Dorset, Manchester, Sandgate, and Sunderland may deliver recyclables to the Sunderland and Northshire Transfer Stations. The requested certified throughput capacity of the Sunderland Transfer Station is 19,656 tons per year. The current certified throughput capacity of the Northshire Transfer Station is 6,000 tons per year, with a permitted maximum of 10,000 tons per year. (Refer to Tables 10.3.1 and 10.3.2)

TABLE 10.3.1

Unlined Construction and Demolition Debris Landfills: As of January 2001				
<u>NAME</u>	<u>LOCATION</u>	<u>DATES OF OPERATION</u>	<u>TOTAL PERMITTED CAPACITY (TONS)</u>	<u>REMAINING CAPACITY</u>
Burgess Brothers, Inc.	Bennington	1995 - Present	70,000	13,000
Unlined Municipal Solid Waste Landfills: As of January 2001				
<u>NAME</u>	<u>LOCATION</u>	<u>DATES OF OPERATION</u>	<u>TOTAL PERMITTED CAPACITY (TONS)</u>	<u>ESTIMATED YEAR OF CLOSURE</u>
Town of Shaftsbury	Shaftsbury	Prior to 1989 - Present	1,000 Tons Per Year	
Transfer Stations : As of 2002				
<u>NAME</u>	<u>LOCATION</u>			
Town of Pownal	Pownal			
Sunderland Waste Management	Bennington			
Casella Waste Management	Sunderland			
Town of Rupert	Rupert			
Town of Shaftsbury (Recycling Ctr)	Shaftsbury			
Casella Waste Management	Dorset			

TABLE 10.3.2

Town Disposal Methods and Sites: As of 2002			
<u>TOWN</u>	<u>IN-TOWN METHOD</u>	<u>OUT OF TOWN DISPOSAL SITE</u>	<u>ALT. DISPOSAL SITE</u>
Pownal	Transfer Station		
Stamford	Inactive Incinerator		
Bennington	Transfer Station		
Woodford	None		
Shaftsbury	Landfill/Recycling Ctr		
Glastenbury	None		
Arlington	None		
Sunderland	Transfer Station		

*Solid Waste Implementation Plan
Bennington County Regional Commission*

Sandgate	None
Manchester	None
Rupert	Transfer Station
Dorset	Transfer Station
Peru	None
Landgrove	None
Disposal Destinations: As of 1992	
Based on Estimated Net Generation	
DESTINATION	PERCENTAGE
Brattleboro	50.5%
Adirondack Resource Recovery	25.9%
Undetermined	14.2%
In-County	7.8%
Pawlet	<u>1.6%</u>
TOTAL	100%

Source: A Solid Waste Management Implementation Plan for Bennington County Note: Stamford is incorrectly listed; should be listed as a transfer station.

Over the course of a six-month period, the Towns of Arlington, Dorset, Manchester, Sandgate, and Sunderland recycle approximately 440 tons of material. The region is home to one construction and demolition debris landfill, located in Bennington. There are two inactive landfills and/or transfer stations in the region, located in the Towns of Stamford and Sunderland. With municipal facilities and options very limited, and likely to become more so as state regulations force closure of existing facilities, it is apparent that regional planning and cooperation will become increasingly important.

For many years, regional and local solid waste planning efforts have encouraged waste reduction, recycling, and household composting. The need for the Bennington region to develop its own facilities for solid waste management is absolutely critical given the highly tenuous nature of the out-of-region disposal options that are being relied upon at this time. When the comprehensive solid waste plan was developed by BCRC in 1992, only 7.8 percent of the region's waste was disposed of within the county. The remaining 92.2 percent of the region's waste was hauled to Brattleboro, Adirondack Resource Recovery, and the Town of Pawlet for disposal.

A food and agricultural waste-composting program currently operates in Arlington, within the tonnage limits established by a categorical certification. This program should be supported by encouraging sources of food waste to participate within the limits of the current certification, and if and when a proposal to expand the operation is presented.

Towns in the region must also identify the most appropriate long-term solid waste management structure. Siting and development of regional facilities for waste recycling, composting, and landfilling will understandably prove controversial. Considerable public participation is necessary to ensure that this process occurs in the most fair and reasonable manner possible. An acceptable site for a solid waste facility cannot be located on important agricultural land, must not result in undue noise, traffic, or odors in residential areas, and must not degrade important natural resources, such as ground or surface waters.

Vermont recently updated the State Solid Waste Plan and has developed guidance for the preparation of municipal and solid waste district plans. Municipalities may adopt a plan individually, or collectively as part of a region or sub-region effort. It is urgent that municipalities consider the options since Solid Waste Management Plans will need to be submitted by May 2003, unless this date is extended.

14.0 ~ APPENDICES AND ATTACHMENTS

To support the SWIP, the following are included as appendices. The appendices include the budget for the implementation tasks and the data collected during the preparation of the tables in the implementation report. The appendices are included as a source of information to support the SWIP, and can be modified as necessary to reflect current conditions without the need to have each town in the region formally adopt an amendment to the SWIP.

Appendix A	Budgets
	<i>Item 1: Coordinator Position Budget & Timeline</i>
	<i>Item 2: Coordinator Position Cost per Town</i>
	<i>Item 3: Annual Budgets for Recycling, Integrated Solid Waste Applications Program (ISWAP), and Household Hazardous Waste Collections by Town</i>
Appendix B	Fee Schedules
Appendix C	Solid Waste Ordinances & Contracts

Appendix A

Coordinator Position Budget by Town
Coordinator Position Timeline
Annual Program Budgets by Town

***Outreach Coordinator Position Budget by Town
~ All Figures in 2003 Dollars ~***

Outreach Coordinator Position	
Average Weekly Hours	12
Hourly Rate	\$15.50
Weekly Wages	\$186
Annual Wages (rounded)	\$9,675
Annual Benefits (15% of Wages)	
Vacation, Sick, Insurance	\$1,451
Annual Expenses	
Computer, Mileage, Supplies	\$2,000
Materials	\$8,927
Administrative (25% of Wages)	
BCRC Oversight	\$2,400
TOTAL ANNUAL COST	\$24,453

<u>TOWN</u>	<u>POPULATION</u>	<u>% OF TOTAL</u>	<u>EST. TOTAL COST</u>
Arlington	2,397	13.4%	\$3,277
Dorset	2,036	11.4%	\$2,791
Manchester	4,180	23.4%	\$5,728
Pownal	3,560	19.9%	\$4,879
Rupert	704	3.9%	\$966
Sandgate	353	2.0%	\$485
Shaftsbury	3,767	21.1%	\$5,162
Sunderland	850	4.8%	\$1,165
TOTALS	17,847	100%	\$24,453

Appendix B

Fee Schedules by Facility, 2007

Material	Northshire	Pownal	Rupert	Shaftsbury	Sunderland
Access Sticker (each)	5.00	17.00	None Req'd	1 Free, 2nd \$5	5.00
MSW (per ton)	107.02				107.02
13 or 15 Gallon Bag		1.50	1.00	1.00	
25 Gallon Barrel		2.50	2.00		
30 Gallon Bag	3.44	3.00	2.00	2.00	3.44
39 Gallon Bag		3.25	3.00		
45 Gallon Barrel		4.00	3.00	3.00	
55 or 60 Gallon Bag		8.25	4.00	4.00	
Cubic Yd Unpacked Trash		22.00	18.00	22.00	
Cubic Yd Packed Trash		45.00			
55 Gal Burning Barrel (FINE)		100.00			
C&D Debris (per yard)		44.00	Not Accepted	40.00	
C&D Debris (per ton)	107.02				107.02
Small Rec Tires (each)		1.50	Not Accepted		
Car Tires (up to 16") (each)	7.80	2.00	Not Accepted	3.00	7.80
Truck Tires (16" to 19") (ea)	14.20	3.50	Not Accepted	10.00	14.20
Oversize Truck Tires (each)		28.00	Not Accepted		
Tractor Tires (each)	22.10		Not Accepted	15.00	22.10
Off-Road Tires (<300 lbs)		80.00	Not Accepted		
Off-Road Tires (>300 lbs)		130.00	Not Accepted		
Large Equipment Tires	64.71	130.00	Not Accepted	15.00	64.71
Rim Charge (if not removed)		1.00		5.00	
Tires (per ton)	600.00				600.00
Furniture/Mattresses (each)	17.50	5.00	5.00	5.00	17.50
Sofa Beds (each)		5.00		25.00	
Tables/Chairs (each)		3.00	2.00		
Electronics (each)	10.00	3.00	5.00		10.00
Electronics (per ton)	600.00				600.00
Appliances (each)	21.22	FREE	5.00	10.00	21.22
Freon Items (each)	40.00	5.00	Not Accepted	15.00	40.00
Auto Batteries (each)	7.80				7.80
Propane Tanks (20-30 lb)		5.00			
Fluorescent Bulbs (per foot)	0.50	Not Accepted	Not Accepted	Not Accepted	0.50
Scrap Metal (per ton)	107.02		2 Collections/yr		107.02
Scrap Metal (per cubic yard)				20.00	

Appendix C

Ordinances & Contracts

TOWN OF MANCHESTER
CHAPTER 5
GARBAGE, REFUSE, LITTERING

- 5-1 Purpose
- 5-2 Statutory Authority
- 5-3 Improper Disposal Prohibited
- 5-4 Civil Designation
- 5-5 Penalties
- 5-6 Enforcement
- 5-7 Severability

5-1 Purpose

This Ordinance has been adopted to protect public health, public safety, and public welfare by prohibiting the improper or unauthorized disposal of solid waste.

5-2 Statutory Authority

This Ordinance has been promulgated under the authority granted the Town's Legislative Body by 24 V.S.A. §2291(12).

5-3 Improper Disposal Prohibited

It shall be unlawful for any person to deposit, or cause to be deposited, any bottles, glass, crockery, cans, scrap metal, plastic, solid waste as defined in 10 V.S.A. §6602, junk, paper, garbage, old automobiles or parts thereof, refuse of whatever nature, or any noxious thing:

- a. on public property,
- b. on private lands of another,
- c. in waters of the State,
- d. in a litter receptacle or dumpster without permission for such disposal being granted by the owner of said receptacle or dumpster.

5-4 Civil Designation

A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. §1974a and 1977 et seq.

5-5 Penalties

A penalty of \$500.00 shall be imposed for a violation of any provision of this Ordinance. The waiver fee shall be established at \$250.00.

5-6 Enforcement

The issuing officials authorized to enforce this Ordinance shall be any Manchester Police Officer.

5-7 Severability

If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Adopted 3/27/95
Effective 5/26/95

TOWN OF SHAFTSBURY CIVIL ORDINANCE REGULATING THE BURNING AND DISPOSAL OF SOLID WASTES

WHEREAS, the Town of Shaftsbury, Vermont has, by virtue of authority granted in 24 V.S.A. 1971 and 24 V.S.A. 2202a(a), the powers to adopt, amend, repeal, and enforce ordinances, and to manage and regulate solid waste disposal, with its boundaries;

NOW, THEREFORE, to protect public health and safety and to promote the responsible use of resources and protection of the environment, the Shaftsbury Selectboard hereby amends and readopts this ordinance to regulate the collection, burning and disposal of solid waste in the Town of Shaftsbury.

ARTICLE 1: DEFINITIONS

- a) “Air contaminants” means fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances, or any combination thereof.
- b) “Disposal” means the discharge, deposit, injection, dumping, spilling, leaking, burning, or placing of any solid waste or any constituent thereof that may enter the environment or be emitted into the air or discharged into any ground or surface waters.
- c) “Emission” means a release into the outdoor atmosphere of air contaminants.
- d) “Incineration” means the burning of solid waste in an enclosed container, such as a furnace, stove, incinerator, or similar device.
- e) “Hazardous waste” means waste that is identified as hazardous in, and regulated by, the Vermont Hazardous Waste Management Regulations, including, but not limited to, waste that contains toxic, corrosive, reactive, explosive or flammable ingredients.
- f) “Open burning” means burning of solid waste in an open fire where the products of combustion are emitted into the atmosphere without passing through a stack, chimney, or other enclosure.
- g) “Person” means any individual, partnership, company, corporation, association, unincorporated association, joint venture, trust, municipality, the State of Vermont or any agency, department or subdivision of the state, federal or other legal or commercial entity.
- h) “Recyclable” means any type of refuse designated by Shaftsbury Selectboard to be separated for recycling.
- i) “Solid Waste” means any discarded garbage, refuse, septage, sludge from a waste treatment plant, water supply plant or pollution control facility, and other discarded material including solid, liquid, semi-solid or contained gaseous materials resulting from industrial, commercial, mining or agricultural operations and from residential and community activities, but does not include animal, manure and absorbent bedding used for soil enrichment or solid or dissolved materials in industrial discharges which are point sources subject to permits under the Water Pollution Control Act, 10 V.S.A. Chapter 47. For the purposes of this ordinance, solid waste shall also include marketable recyclables.
- j) “Solid Waste Facility” means any site or structure used for treating, storing, processing, recycling or disposing of solid waste which has been certified to receive solid waste by the Vermont Agency of Natural Resource under 10 V.S.A. Chapter 159, and has been accepted by the Shaftsbury Selectboard. A facility may consist of a single or several treatment, storage, recycling or disposal units. The only certified and accepted Solid Waste Facility in the Town of Shaftsbury is the Shaftsbury Solid Waste Facility, located at 526 North Road, Shaftsbury, Vermont 05262-0409.
- k) “Natural Wood” means any of the following, provided such material has not been chemically treated with preservatives, paint or oil:
 - k1) trees, including logs, boles, trunks, branches, limbs and stumps;
 - k2) lumber, including timber, logs, or slabs dressed for use;
 - k3) pallets and skids.

This definition does not include processed wood materials such as plywood, particleboard, fiberboard and pressboard.
- l) “Nuisance” means act or condition causing annoyance or undue harm to persons/property/ environment.
- m) “Damage” means an act or condition resulting in material harm to property.
- n) “Judicial Bureau” means the statewide court with special jurisdiction to impartially resolve disputes pertaining to municipal ordinance violations.

ARTICLE II: ILLEGAL DUMPING

- a) It shall be unlawful to dispose of any hazardous waste except in a facility, or by a company certified or approved by the State of Vermont to accept such hazardous wastes.
- b) It shall be unlawful to deposit, dump, dispose of, or allow the disposal of, any solid waste on any land or into any water, public or private, including, but not limited to, municipally or state-owned lands and waters except as follows:
 - b1) The composting of organic material as authorized by the Vermont Solid Waste Management Rules, provided no nuisance is caused;
 - b2) Open burning or incineration as allowed by Article III;
 - b3) The disposal of solid waste in a privately owned or maintained disposal container with the express consent of the owner of the container;
 - b4) Disposal of other materials as approved by the Shaftsbury Selectboard.
- c) Further, it shall be unlawful to deposit, dump or leave solid waste in any publicly owned or maintained container other than solid waste created or originating in public buildings or on their grounds or highways or generated during the use of public buildings, grounds or highways.
- d) Nothing in this article shall be interpreted as affecting the operation or use of a licensed junkyard as defined in 24 V.S.A. Section 2241-2291 or a solid waste disposal facility certified under 10 V.S.A. Chapter 159 and approved by the Shaftsbury Selectboard.
- e) Any person who has violated the prohibitions contained in this article shall immediately remove the solid waste so deposited.

ARTICLE III: OPEN BURNING AND INCINERATION

- a) Except as provided by this article, the burning of any solid waste either by open fire or incineration is prohibited in the Town of Shaftsbury unless the practice has been approved by the Department of Environmental Conservation (“DEC”).
- b) To the extent allowed by the Vermont Air Pollution Control Regulations, a specific permit may be granted by the Fire Warden or Deputy Fire Warden for the following -- except in the Village Residential and Village Commercial Zones (VC 1 and VC 2), as stated in subsection (b5) of this article):
 - b1) The open burning of leaves, brush, garden wastes, slash, slab wood and other such natural wood wastes resulting from property maintenance, logging and clearing operations.
 - b2) The open burning of natural wood, grass, leaves and similar materials for agricultural improvement, forest or wildlife habitat management or festive celebrations.
 - b3) After providing notice to the DEC, the burning of solid or liquid fuels or structures for bona fide training provided that materials other than natural wood are removed from structures to the greatest extent possible prior to the training.
 - b4) With the prior approval of the DEC, burning authorized by the Selectmen as necessary for public health protection or to thwart a hazard.
 - b5) Burning of natural-wood, demolition or construction materials and natural-wood commercial wastes, provided such burning is approved by the DEC.
 - b6) Open burning of natural wood by the Town of Shaftsbury under 10 V.S.A. Section 565.
 - b7) All open burning will be extinguished by 7:00 PM.
- c) The responsible official may refuse to issue a permit if the official has reason to believe a hazardous condition will be created by such burning. Permits, issued under the provisions of this ordinance shall be for a specified date, time and location, and only for specified materials. The Selectboard may establish a fee for the issuance of such permits.

- d) The provisions of this ordinance shall not apply to the burning of natural wood or virgin fuel in a furnace to produce heat or prepare food.
- e) No open burning shall be permitted within the Village Residential (VR) and Village Commercial (VC 1 and VC 2) Zones, as delineated on the current Shaftsbury Zoning Map, except campfires, outdoor grills and fireplaces for recreation or preparing food, provided such burning does not create a nuisance, or damage to properties in the area.

ARTICLE IV: ENFORCEMENT AND PENALTIES

a) This ordinance is a civil ordinance and enforcement shall follow the procedure described in 24 V.S.A. Section 1974a.

b) Penalties:

b1) The schedule of penalties for violation of this ordinance is as follows:

	<u>FULL PENALTY</u>	<u>WAIVER PENALTY</u>
First violation	Violation notice and demand to cease burning and eliminate any burn barrel or similar device.	
Second violation	\$100.00	\$50.00
Third violation	\$250.00	\$125.00
Fourth and subsequent violations	\$500.00	\$300.00

b2) A written notice of violation will be issued for each offense. The waiver fee is paid by a violator who admits or does not contest the violation.

b3) Each day the violation continues, including the day of citation, shall constitute a separate violation. A civil penalty of not more than \$500.00 may be imposed for each violation of the ordinance.

b4) Violation notice for a first offense involving a burn barrel will include permission to dispose of the empty barrel at the Shaftsbury Solid Waste Facility without charge. Subsequent offenses will require prompt disposal of the barrel at the owner's expense.

c) Violations of this ordinance where the penalty is \$500.00 or less shall be brought before the Judicial Bureau. If the penalty for all continuing violations is greater than \$500.00, or injunctive relief other than as provided in this section is sought, the action shall be brought in Superior Court.

d) The Judicial Bureau hearing officer, on application of the Town of Shaftsbury, may order that the ordinance violation cease.

ARTICLE V: DESIGNATION OF ENFORCEMENT PERSONNEL

For purposes of this ordinance, the Selectboard may designate any of the following persons as enforcement officers: a member of the Selectboard, the Town Health Officer, Town Agent, Town Attorney, Constables, Animal Control Officer, or other law enforcement officials.

ARTICLE VI: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

ARTICLE VII: SEVERABILITY

This ordinance and its various parts, sentences, sections and clauses are hereby declared to be severable. If any part, sentence, section or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

ARTICLE VIII: EFFECTIVE DATE

This ordinance shall become effective sixty (60) days after the adoption date shown below.

Adopted this 2nd day of December, 2002

Wynn Metcalfe, Chairman

Barth Vander Els, Vice Chairman

Deborah Maskiell, Member

Peter Cross, Member

John Tiffany, Member

**AGREEMENT FOR SOLID WASTE SERVICES
BETWEEN CASELLA WASTE MANAGEMENT, INC.
AND THE TOWNS OF ARLINGTON, DORSET, MANCHESTER, AND SANDGATE**

Casella Waste Management, Inc., a Vermont Corporation with its principal place of business in the City of Rutland, Vermont (hereinafter "CWM") and the Towns of Arlington, Dorset, Manchester, and Sandgate, Vermont (hereinafter "Towns") hereby enter into an exclusive agreement for solid waste services.

The purpose of this agreement is to set forth the terms and conditions pursuant to which CWM shall provide for the proper disposition of all municipal solid waste, special wastes, and recyclables through its Transfer Station/Recycling Centers located in Sunderland and Dorset, in the County of Bennington and State of Vermont.

NOW THEREFORE, in consideration of the mutual covenants herein exchanged together with the consideration to be paid by the Towns to CWM as hereinafter set forth, the parties do mutually agree:

1. GENERAL OPERATION

A. Hours of Operation. CWM shall assure that commercial haulers and residents of the Towns shall be allowed to deliver non-hazardous municipal solid waste ("MSW"), Special Wastes, and Recyclables to the Transfer Station ~~and~~/Recycling Centers during the following periods (not including the holidays of Christmas Day, New Years Day, Memorial Day, Independence Day, Labor Day, and Thanksgiving Day):

- (i) At Sunderland - Saturdays from 7:30 A.M. to 11:30 A.M.
Mondays, Tuesdays, Thursdays, Fridays - 7:30 A.M. to 2:00 P.M.
- (ii) At Dorset- Saturdays from 8:00 AM to 12:00 P.M.
Monday through Friday from 8:00 A.M. to 2:00 P.M.

Each facility shall be open to any resident or commercial hauler from the Towns.

B. Performance Standards. CWM shall assure that sufficient CWM personnel are present at the Transfer Station/Recycling Centers to assist users. CWM shall also assure that the containers for MSW and recyclables, when full, are replaced with empty containers on a regular basis to minimize inconvenience or delays for haulers and residential users of the Transfer Station—/Recycling Centers. The Transfer Station/Recycling Centers shall be maintained in a neat and orderly state and operated by CWM in a manner that reasonably assures convenient access and public safety, public health, and public order.

C. Signage. CWM shall erect visible and easily perceptible signage at the Transfer

Stations depicting the current user fees that are in effect at any given time during the term of this Agreement and visible and perceptible signage at the Recycling Centers that directs users as to acceptable materials and their appropriate recycling bins.

2. SOLID AND SPECIAL WASTES

- A. Solid Wastes.** CWM agrees to accept at the Transfer Stations, MSW and Special Wastes including, but not by way of limitation, construction and demolition debris, bulky items, and tires generated by the residents and commercial entities of the Towns.
- B. Disposal Sites.** CWM shall dispose of all MSW and Special Wastes at certified disposal sites either owned or affiliated with CWM. Alternate disposal sites may be used at the discretion of CWM. All sites shall be certified and approved by such regulatory authorities having jurisdiction over the facilities being used by CWM.
- C. Fees.** CWM shall assess fees for the disposal of MSW, Special Wastes and specified Recyclables upon commercial haulers and residents of the Towns at rates set forth in Schedule A and accompanying letter from Jim Toher dated August 3, 1999 attached hereto, and, as adjusted pursuant to the terms hereof. MSW and Special Wastes fees shall be adjusted by the following:

Annually, the fees shall be adjusted April 1st by applying the Consumer Price Index North East Region (CPI-NE) for the average of the preceding 12 months. Fees shall also be adjusted to account for the following:

- (i) *Change of Law.* A change in law adopted subsequent to the effective date of this Agreement that results in an increased cost for the services provided by CWM herein. Change of law shall mean the adoption, promulgation, or modification of any federal, state, or local law, ordinance, code, or regulation.
- (ii) *Force Majure.* Force Majure shall mean any contingency from a cause not within the control of CWM including without limitation, acts of God, strikes, lockouts, or industrial disputes or disturbances, civil disturbances, arrests and restraints of rulers of people, interruptions by reasons of governmental entities or the orders of any court of competent jurisdiction, necessity of compliance with any court order, law, statute, ordinance, or regulation promulgated by a governmental authority of competent jurisdiction, acts of any public enemy, wars, riots, civil commotion, blockades, insurrections, epidemics, landslides, lightening, earthquakes, fires, storms, floods, washouts, and explosions.
- (iii) *Change in Disposition.* Developments in specific material markets or programs to otherwise divert materials from disposal which may affect the costs of processing, transportation, and labor or the generation of offsetting revenues.

CWM shall submit a written notification to the Towns of any proposed change in the fee schedule prior to implementation of the change in the fee schedule under subsections (i) through (iii) above. The Towns shall have the right to verify, through independent analysis or information requested from CWM, the validity of applicability of subsections (i) through (iii) in relation to the change and magnitude of the change in the fee schedule proposed. Proposed changes in the fee schedule shall not take effect earlier than thirty (30) days from the time the Towns receive written notification.

3. RECYCLING

A. Recyclables. For the purposes of this Agreement, Recyclables shall include the following: clear, green, and brown glass, newspaper, white paper, corrugated cardboard, magazines, glossy paper, mixed paper, clear and colored HDPE plastic, PETE plastic, tin and aluminum containers, waste oil, scrap metal, and appliances.

B. Material Marketing and Disposition. Upon mutual agreement by both parties, the schedule of materials in Section 3.A. may be amended. CWM shall use its best efforts to market all Recyclables collected during the duration of this Agreement. Should CWM be unable to economically market any of the listed Recyclables, CWM shall notify the Towns of such fact. Upon thirty (30) days notice, the Towns shall then pay CWM additional disposition costs as determined by CWM as long as the costs are equal to or less than the cost of disposal, or the Towns may market the material(s) elsewhere at a lower total net cost. Should the Towns or CWM locate an alternative market for any given Recyclables, CWM shall be offered the opportunity to deliver the Recyclables to the alternative market at the transportation rates appearing in Schedule B.

C. Fees. With the exception of scrap metal and appliances, CWM shall not charge a fee to individual residential or commercial users for recycling. Costs incurred for recycling Recyclables, excepting scrap metal and appliances, shall be paid by the Towns to CWM in accordance with Schedule B attached hereto.

CWM shall assess fees for the processing of scrap metal and appliances upon commercial haulers and residents of the Towns in accordance with Schedule A attached hereto, and as adjusted pursuant to the terms in Section 2.C. above.

D. Green-Up Collection Day. Upon agreement by CWM on an annual basis, CWM will provide free disposal for scrap metal and appliances on Green-Up day for these materials delivered in vehicles owned and operated by the Towns. In addition, upon agreement by CWM on an annual basis, CWM will charge one-half (1/2) the disposal fee for tires on Green-Up day for tires delivered in vehicles owned and operated by the Towns. The Towns shall be responsible for tire disposal costs.

4. UNREGULATED HAZARDOUS WASTE

At the request of the Towns, CWM will cooperate with the Towns in conducting up to two annual unregulated hazardous waste collection events by providing information to the Transfer

Station/Recycling Center users and/or, at the discretion of CWM, providing a site for the collection events. Unregulated hazardous waste shall be defined as the hazardous waste generated by households and Conditionally Exempt Generators (CEGs).

In the alternative, at the discretion and request of the Towns, CWM will organize up to two annual unregulated hazardous waste collection events. If the Towns elect to have CWM organize an event, the fees for each collection event shall be charged on a direct pass through basis plus 4%. Actual invoices for contractor mobilization, transportation, and disposal of materials collected at the event, in addition to advertising and related costs, will be presented as the basis for the charges.

5. GENERAL PROVISIONS

- A. Exclusivity.** The Towns warrant and represent that they will not enter into any other agreement or contract with other parties for the exclusive services covered by in Sections 1. and 2. of this Agreement between the Towns and CWM.
- B. Term.** This Agreement shall become effective September 1, 2000 and extend for a five (5) year period for the Towns of Arlington, Manchester, and Sandgate. This Agreement shall be extend for one (1) year periods for the Town of Dorset. This Agreement shall automatically renew, for all Towns, for a 5-year period at the completion of the initial five-year period unless either party gives notification. Should either party intend not to renew the Agreement for an additional 5-year period, they must provide written notification to the other party of the intent not to renew thirty (30) days in advance of the expiration of the 5-year period then in effect.
- C. Public Relations.** CWM shall make all reasonable efforts to assure that its personnel interact with the public at the Transfer Stations and Recycling Centers in a courteous and cooperative manner.
- D. Access.** Access stickers shall be required of all residents, businesses, and haulers delivering Recyclables to the Recycling Centers. CWM shall use its best efforts to assure that access to the Recycling Centers is denied to users who do not properly display their access permits. Access permits shall be issued to residents, property owners, and haulers collecting Recyclables within the Towns by CWM.
- E. Records.** In a form agreed to by both parties, CWM shall maintain accurate and detailed records relating to the use of the Recycling Centers, permits sold by Town of residence, market revenue generated, and Special Wastes and Recyclables quantity throughputs and their ultimate disposition. CWM shall make all said records readily available for inspection by the Towns upon request.
- F. Inspection.** CWM hereby agrees to allow representatives of the Towns to inspect and monitor operations of the Transfer Station/Recycling Centers. Such inspections and monitoring may be effected by said representatives without prior notice to CWM.
- G. Permits.** CWM covenants and warrants with the Towns that, at any time while accepting MSW, Special Wastes, and Recyclables pursuant to the terms and conditions of this Agreement, CWM shall have, and be in compliance with, all federal, state, and local approvals necessary for its performance.
- H. Insurance.** CWM shall file with the Towns a copy of its Certificate of Insurance

evidencing comprehensive general liability insurance for the operation of the Transfer Station ~~and~~ /Recycling Centers in an amount not less than One Million (\$1,000,000) Dollars. The Towns shall be named as a co-insured under that policy and the same shall be evidenced by the Certificate of Insurance filed with the Towns.

I. Choice of Law. All of the disputes and any alleged defaults with regard to this Agreement shall be resolved pursuant to Vermont law and the parties agree that either party may seek to enforce this Agreement by injunction as well as other remedies provided by law.

J. Breach. In the event CWM shall breach any of the requirements contained in Section 1.B. of this Agreement, the Towns shall give CWM written notice thereof and the action to be performed to correct the breach and in the event it is not corrected within a forty-eight (48) hour period after receiving such notice, the Towns shall have the right to cancel this Agreement.

In the event the breach occurs in any other aspect of this Agreement, the Towns shall give CWM written notice thereof and the action required to correct it. In the event that such breach is not corrected within five (5) days after receiving such notice, the Towns shall have the right to cancel this Agreement. Any failure to exercise the Towns' rights hereunder shall not be deemed a waiver of those rights.

K. Binding Effect. This Agreement shall insure to the benefit of and be binding upon the parties hereto. This Agreement may not be assigned without the approval of the Towns.

L. Waiver. A waiver of any clause of this Agreement must be agreed to by both parties in writing and shall not be construed as a waiver of any other clause.

M. Jurisdiction. This Agreement shall be governed by the laws of the State of Vermont and the parties consent to jurisdiction and venue in the State or Federal Courts located in the State of Vermont.

N. Police Power. This Agreement shall not be considered as a limitation on the police powers delegated to the Towns by the State of Vermont.

O. Notice. Any notice required pursuant to this Agreement shall be in writing.

P. Severability. If any provision of this Agreement or any application of this Agreement to any party is held to be contrary to law, then such provision or application shall not be deemed valid and subsisting, except to the extent permitted by law, but all other provisions or applications shall continue in full force and effect.

Q. Arbitration. In the event any dispute arises in connection with the fees charged by CWM, said disputes shall be settled by the arbitration rules of the American Arbitration Association. This agreement to arbitrate shall be specifically enforceable under the prevailing arbitration law. The award rendered by the arbitrator shall be final, and judgement may be entered upon it in any court having jurisdiction thereof. Any award shall provide for payment within thirty (30) days of the date of award.

(i) Notice of demand for arbitration shall be filed in writing with the other party and with the American Arbitration Association at its regional office. Demand for arbitration shall in no event be made on any claim, dispute, or other matter in question which would be barred by the applicable statute of limitations.

(ii) CWM will carry on operations of the Transfer Station/Recycling Centers during

any arbitration proceedings, unless otherwise mutually agreed to in writing.

ACKNOWLEDGMENT OF ARBITRATION

The parties understand that this agreement contains an agreement to arbitrate. After signing this document, the parties understand that they will not be able to bring a lawsuit concerning any dispute that may arise which is covered by the arbitration agreement, unless it involves a question of constitutional or civil rights. Instead, the parties agree to submit any such dispute to an impartial arbitrator.

IN WITNESS WHEREOF, the parties hereto have executed this Contract under seal by their duly authorized representatives.

**FOR:
CASELLA WASTE MANAGEMENT, INC.**

By _____
Its Duly Authorized Representative
Date _____

Witness

TOWN OF ARLINGTON

By _____
Its Duly Authorized Representative
Date _____

Witness

TOWN OF DORSET

By _____
Its Duly Authorized Representative
Date _____

Witness

TOWN OF MANCHESTER

By _____
Its Duly Authorized Representative
Date _____

Witness

TOWN OF SANDGATE

By _____
Its Duly Authorized Representative
Date _____

Witness

SCHEDULE A Fee Schedule (Omitted)

SCHEDULE B

Recycling Fees and Revenues

A. Fees. The Towns shall pay CWM for the net costs of recycling at the Recycling Center in accordance with Section 3.C. of this Agreement. If the net cost is negative, the Towns shall be responsible for the total cost subject to the limit defined in Section 3.B. and in paragraph (iii) below. Such fees shall be billed to the Towns monthly and shall be payable within 30 days. A charge of 1 and 1/2% will be charged on all overdue accounts. The fees for recycling shall include:

- (i) *Container Rental.* The initial number of containers and monthly rental costs shall be as follows:
- | | |
|-----------------------|---|
| <u>At Sunderland-</u> | (7) - 30 cubic yard closed containers @ \$95.45/month |
| | (1) - 40 cubic yard compactor @ \$150/month |
| <u>At Dorset-</u> | (4) - 30 cubic yard open containers @ \$95.45/month |
| [prorated if | facility is open less than 6 days per week] |

The Towns, at their option, may acquire a number of containers and provide these to CWM under a negotiated agreement for use in collecting recyclables.

- (ii) *Transportation.* Recycling containers shall be hauled to a material market that is most economically practical. Transportation shall be charged at a rate of ~~\$2.06/mile~~ \$1.675/mile per single container pull, ~~and \$3.35/mile per tandem container pull~~ regardless as to whether the subject container was transported in tandem or alone. ~~A recycling container belonging to the Towns, when hauled together with any other CWM container including other CWM accounts, shall qualify as, and be billed to the Towns as, a tandem container pull.~~
- (iii) *Processing.* The Towns agree to pay the processing fees set by a recipient MRF, up to the point at which the combined costs of container rental, transportation, and processing fees, less revenues, is equal to or greater than the cost per ton of disposal, at which point, the Towns may exercise their options under Section 3.B. of this Agreement.
- (iv) *Revenues From Recyclables.* Revenues from Recyclables shall fluctuate with market conditions. CWM will submit evidence of market revenues, or costs if any, to the Towns from all Recyclables delivered.

For materials delivered to the Rutland County Solid Waste District MRF, CWM

shall remit fifty (50%) percent of the revenues, after processing, to the Towns in the form of cash payment. This revenue shall be generated on the date of sale, not on the date of delivery.

For materials delivered to other end markets, CWM shall remit fifty (50%) percent of the revenues generated to the Towns in the form of cash payment or credit depending on the arrangement with the end market. This revenue shall be generated on the date of delivery.

- B. Recyclables Specifications.** CWM will provide the Towns with information and assistance regarding CWM specifications for recycled materials. All materials placed in recycling containers shall meet CWM specifications. In the event of contamination, CWM shall work with the Towns to identify the source and reasons for contamination in the recycling containers and use best efforts to remedy problems. Should contaminated materials continue to be placed in containers after notice to the Towns, such materials shall be disposed of and the Towns shall pay CWM the tipping fee portion (not transportation) of the expenses incurred in such disposal.
- C. Waste Oil.** Removal of collected waste oil will be billed on a direct pass through basis plus 4%. Invoices provided by the recycling vendor shall be submitted as the basis for billing.
- D. Other Services.** Upon request by the Towns, additional services or equipment may be made available at the Recycling Centers for a fee to be negotiated by and acceptable to both parties.

MEMORANDUM OF UNDERSTANDING
TO ADD THE TOWN OF RUPERT TO THE "ISWAP"

WHEREAS a meeting was held on September 20, 2002 to discuss potential remedies to the solid waste management departure in response to letters received by the Towns of Arlington, Dorset, Manchester, Pownal, Rupert, Sandgate, Shaftsbury, Stamford, and Sunderland from New England Waste Services of Vermont; and

WHEREAS the solid waste management departure in reference concerns the lack of at least two Household Hazardous Waste (HHW) events by the Town of Rupert, as indicated by the Agency of Natural Resources Solid Waste Division; and

WHEREAS the Town of Rupert has been asked by New England Waste Services of Vermont and the Agency of Natural Resources Solid Waste Division to commit to remedy this departure; **NOW THEREFORE:**

THIS MEMORANDUM OF UNDERSTANDING, AGREED TO BY THE TOWNS AS SIGNIFIED BY THE SIGNATURES BELOW, offers the following remedy to the departure:

The Town of Rupert will be included in the Integrated Solid Waste Applications Program (ISWAP). This will enable Rupert residents to participate in the two HHW events held annually by the ISWAP.

Through inclusion in the ISWAP, the Town of Rupert agrees to participate in the billing process used by the Bennington County Regional Commission and its consultants. Billing for ISWAP HHW events is based on a population percentage of the total cost of each event, and will now include the Towns of Arlington, Dorset, Manchester, Rupert, Sandgate, and Sunderland.

ARLINGTON

Chair, Select Board

Date Authorized by Action of the Board

DORSET

Chair, Select Board

Date Authorized by Action of the Board

MANCHESTER

Chair, Select Board

Date Authorized by Action of the Board

RUPERT

Chair, Select Board

Date Authorized by Action of the Board

SANDGATE

Chair, Select Board

Date Authorized by Action of the Board

SUNDERLAND

Chair, Select Board

Date Authorized by Action of the Board

MEMORANDUM OF UNDERSTANDING
COMMITMENT TO REMEDY SOLID WASTE MANAGEMENT DEPARTURE

WHEREAS a meeting was held on September 20, 2002 to discuss potential remedies to the solid waste management departure in response to letters received by the Towns of Arlington, Dorset, Manchester, Pownal, Rupert, Sandgate, Shaftsbury, Stamford, and Sunderland from New England Waste Services of Vermont; and

WHEREAS the solid waste management departure occurring in the Bennington region concerns the low participation rates at Household Hazardous Waste (HHW) events throughout the region as indicated by the Agency of Natural Resources Solid Waste Division; and

WHEREAS the Bennington region towns have been asked by New England Waste Services of Vermont and the Agency of Natural Resources Solid Waste Division to commit to remedy this departure; **NOW THEREFORE:**

THIS MEMORANDUM OF UNDERSTANDING, AGREED TO BY THE TOWNS AS SIGNIFIED BY THE SIGNATURES BELOW, offers the following remedies to the departure in an effort to increase HHW participation rates within the Bennington region.

Current HHW Practices:

- * Signs along the roads
- * Front-page advertisement in the Newsguide publication
- * Advertisements in the Bennington Banner and Manchester Journal newspapers
- * Posters (at landfill/transfer stations; in commercial blgs, etc.)
- * BCRC website
- * Public Access TV
- * Word of mouth

Potential HHW Practices (to increase HHW participation):

- * Hold two public forums (north and south county locations) to illustrate what is meant by hazardous waste and what the ramifications can be of improper disposal – target Lions, Rod & Gun clubs, Rotary, etc.;
- * Have a HW trivia game with a prize for the participant that gets the most answers correct;
- * Design and distribute pamphlets at the event and in other pre-event locations illustrating what is meant by hazardous waste and what the ramifications can be of improper disposal. Include quotes from participants;
- * Incorporate a social/information component into the event with entertainment and display elements focused on younger audiences (capitalize on the influence on their parents);
- * Develop a traveling “show and tell” program for school presentations (capitalize on the influence on their parents);
- * Have a contest for area schools designed to create a Tag Line or slogan that encourages participation in the collection events. This contest may be part of the school presentations.
- * Develop participation incentive programs for the day of the event that might include but not be limited to:
 - small token “gifts” distributed to all participants or to every 7th (as an example) participant;

*Solid Waste Implementation Plan
Bennington County Regional Commission*

- gift certificates supplied by area businesses;
- prizes to top three participants that bring in the most, most unique, traveled the farthest
- * Incorporate a raffle into the event;
- * Have a well-known personality at the collection distributing autographed literature;
- * Have some form of entertainment to both attract participants and to minimize boredom while they are waiting in line;
- * Expand marketing venues with a special focus on banners over the road (Manchester, Shaftsbury, and Bennington) and a PSA for youth oriented radio stations (WEQX);
- * Target advertising pesticide and herbicide collection to farms and landscapers
- * Add Rupert to the ISWAP
- * Ask contractor if they can provide educational materials for distribution

Short-Term: The Bennington region towns will make every effort to increase HHW participation rates at the remaining collection events during the year 2002.

Long-Term: The regional Solid Waste Implementation Plan (SWIP) is currently in the process of being rewritten. Future HHW practices (and potential remedies to the departure) will be addressed in the updated version of the SWIP.

ARLINGTON

Chair, Select Board

Date Authorized by Action of the Board

DORSET

Chair, Select Board

Date Authorized by Action of the Board

MANCHESTER

Chair, Select Board

Date Authorized by Action of the Board

POWNA

Chair, Select Board

Date Authorized by Action of the Board

RUPERT

Chair, Select Board

Date Authorized by Action of the Board

SANDGATE

Chair, Select Board

Date Authorized by Action of the Board

SHAFTSBURY

Chair, Select Board

Date Authorized by Action of the Board

STAMFORD

Chair, Select Board

Date Authorized by Action of the Board

SUNDERLAND

Chair, Select Board

Date Authorized by Action of the Board