

CSWD Ordinance, Current language April 3, 2025

ARTICLE VIII SOLID WASTE MANAGEMENT FEE

8.1. Establishment. In order to provide for the efficient, economical, and environmentally sound Management and regulation of Solid Waste within the District and its member municipalities, there is hereby established a Solid Waste Management Fee. The Solid Waste Management Fee is imposed on all Solid Waste generated in the District including, but not Amended and enacted July 1, 2024 21 limited to, Solid Waste that is collected for Disposal, however, only twenty-five percent (25%) of the fee shall be imposed on all of the 1) Solid Waste approved by the State for use as landfill daily cover and used as landfill daily cover at Facilities within or without the District and 2) construction and demolition debris fines, derived from the processing of mixed construction and demolition debris for Recycling, and processed concrete contaminated with lead paint, when approved by the State for use in landfill site improvements. The following categories of Solid Waste shall be exempt from the Solid Waste Management Fee: 1) Recyclables that are separated from other Solid Waste and recycled; 2) Compostables that are separated from other Solid Waste and Composted or anaerobically digested at Composting Facilities; 3) Biosolids; 4) nonlandfilled Untreated Wood; 5) Hazardous Waste and non-hazardous Solid Waste delivered to certified Hazardous Waste Facilities as defined in the Vermont Hazardous Waste Management Regulations; 6) Regulated Medical Waste delivered to certified Regulated Medical Waste treatment or Regulated Medical Waste Disposal Facilities; 7) Inert Materials, stumps, root masses, rotted wood, and animal carcasses delivered to certified categorical disposal Facilities; 8) Inert Materials approved by the District Executive Director that are used for landfill site improvements; and 9) screened municipal street sweepings, that are approved by the Vermont Agency of Natural Resources to be used in clean fill applications, as well as alternative daily landfill cover, when used as alternative daily landfill cover. The Board of Commissioners may exempt or partially exempt other materials from the imposition of the Solid Waste Management Fee upon good cause shown. The Solid Waste Management Fee is also imposed on 1) any Solid Waste residues generated and collected in the District that are mixed with Recyclables and exceed ten percent (10%) of those Recyclables delivered to Recycling end market Facilities and 2) mixed Solid Waste used in the production of raw materials or products.

8.2. Amount of Fee. The Solid Waste Management Fee is \$30.00 per ton.

8.3. Waiver of the Solid Waste Management Fee. For good cause shown, the District Executive Board may waive or partially waive the imposition of the Solid Waste Management Fee to provide economic incentives to comply with the provisions of this Ordinance, any other ordinance or regulations adopted by the District, District policies, or to reduce the cost of alleviating a specific environmental hazard.

8.4. Weighing. The District shall license one or more Scales for determining the weight of Solid Waste collected within the District for Disposal within or without the District. Any Person required to obtain a Hauler's License and any Self-Hauler delivering Solid Waste to a Transfer/Disposal Facility shall cause any vehicle that has been or is being used to collect any such Solid Waste to be weighed on a District-licensed Scale. Weighings at any District-licensed Scale shall be performed: 1) before any Solid Waste is removed from such vehicle at a Transfer/Disposal Facility of any kind, either within or without the District, and 2) when such vehicle is empty. In the event weighing of a

vehicle is performed at other than a Transfer/Disposal Facility for the Solid Waste in such vehicle, the average tare weight of the vehicle may be used in lieu of actual weighing of the empty vehicle upon approval of the Executive Director. It is presumed that all Solid Waste in every such vehicle was generated within the District. The owner or operator of each such vehicle shall have the burden to demonstrate to the District, by a preponderance of the evidence, that any Solid Waste in any such vehicle was generated outside of the District. If weighing facilities are not readily available, or upon a showing of undue burden, a Hauler may request the approval of the District to pay the Solid Waste Management Fee based upon the estimated weight of Solid Waste such Hauler will collect within the District. Such request shall be made in a License application or an amendment to an existing License. Estimated weights shall be based upon information and evidence reasonably satisfactory to the District and shall be valid for no longer than one (1) year, or such shorter period of time as the District may designate. If weighing facilities are not readily available, or if an undue burden would be imposed on the Hauler, the District Executive Director may authorize the Hauler to use estimated weights for specific and isolated loads of Solid Waste for purposes of calculating the Solid Waste Management Fee due the District.