

To: Alyssa Eiklor  
From: Jen Holliday, Director of Public Policy & Communications  
Date: May 17, 2023  
RE: CSWD comments on 2024 VT Materials Management Plan

Thank you for the opportunity to provide input on the development of the 2024 Vermont Materials Management Plan. CSWD believes there is an opportunity for the State to provide leadership on critical solid waste issues facing Vermont, and there are areas where we believe more can be done in this regard.

- **Priorities:** The 2019 Plan priorities were based on statutory requirements, but the MMP was not clear on what specific waste stream(s) should be a priority for the State (and SWMEs) to tackle. The State's priorities should be based on the results from the Waste Composition Study that the State will be conducting this year. This should be clearly outlined in the MMP as the guidepost for the State and SWMEs to focus their diversion and prevention efforts and included in a comprehensive format using all three strategies for reducing waste: education, collection programs and policy development.
- **Policy Work:** Vermont's waste reduction and diversion goals cannot be achieved through education and facilities alone as mandated in the MMP. Policies are a critical and effective tool that can be used to achieve the goals of waste toxicity avoidance and waste reduction and is an area where the State could provide more leadership. We believe the MMP should reflect the State's leadership responsibility in advocating for and developing policies that address these areas specifically:
  - EPR legislation to reduce packaging overall and ensure it can be diverted to beneficial uses
  - Leadership in advocating for policies that prevent products from being sold in the state that contain PFAs.
  - Take actions necessary to identify the environmental impacts of, and support and promote all reasonable beneficial use options for recycled glass, including applications such as Alternate Daily landfill Cover and road projects as well as sand borrow, fiberglass, and glass to glass. This will ensure the State is truly following the Statutory Plan Priority of creating a waste management system that "promotes energy conservation, reduces greenhouse gas emissions and limits adverse environmental impacts."
  - Evaluate existing Variable Rate Pricing guidance and consider changes to achieve statewide waste reduction more effectively.

- **MSW Disposal Capacity:** An estimated 17 years of landfill capacity remains in Vermont, at best. The more likely scenario is that Casella will fill their landfill sooner and in ten to fifteen years Vermont will be left with no in-state disposal capacity. The closure of the Coventry landfill will leave Vermonters with no choice but to dispose of their waste out-of-state, which will be more expensive and more environmentally destructive. The State has an obligation to look at all options for in-state disposal now, including landfilling and waste to energy. Only when those options prove unattainable should we turn to burdening other states with our waste. This is an area of critical concern for our region and the MMP should identify the State's obligation and specific actions being taken to investigate disposal options, costs, and timeframes.
- **Market Research and Development:** Provide more leadership in actively researching available markets and developing markets for difficult to manage materials such as textiles, mattresses, glass, asphalt shingles, and tires. When markets are not available, the State needs to provide flexibility/rule changes that allow material to be used in other applications such as alternative daily cover. At a minimum the State should define the criteria for when "no market" exists for materials where diversion is mandated. When the State determines this criterion is met, ANR should be required to develop a plan for addressing the deficit and the mandate.

### Comments Specific to Current MMP Requirements

Though CSWD continues to meet all MMP performance standards, we believe that some are not appropriate as mandates for local level management and boots-on-the-ground level work that is best accomplished by the SWMEs.

**Biosolids:** As the literal end of the pipeline, wastewater treatment facilities and sludge management entities are best positioned to work together, and with State and regional entities, on biosolids issues. The State is best positioned to advocate for policies that impact treatment facility inputs. Future disposal capacity for residuals is uncertain given the concern regarding PFAS. We need State leadership in helping to find safe and affordable outlets, and if the State bans residuals from landfill disposal the ban should be based on scientific evidence that landfilling residuals will cause environmental harm.

SWMEs should not be responsible for the management of this material nor education related to biosolids/sludge management on any level. We suggest removing the residuals recycling meeting requirement currently in the MMP. Wastewater treatment facilities are well aware of the options for sludge/biosolids management recycling or disposal. SWMEs do not directly manage sludge and should not be put in the middle of the residuals recycling controversy.

**Food Donation:** We have found that it is a challenge to partner or collaborate with local food redistribution groups. These organizations are already targeting food generators, are doing outreach, and have established partnerships. Though we can continue listing food donation groups on our website, partnering with food rescue organizations is not a natural fit for SWMEs. Mentioning food donation as the preferred first option under Act 148's food diversion requirements when working with businesses, institutions, events, and schools along with listing local options willing to receive quality food donations should be the extent of this requirement.

**Business Outreach:** Remove requirement for listing all materials given to businesses. We are moving away from providing paper handouts. Listing all materials that are available and that we provide to businesses is fine but specifying which businesses receive which materials is tedious and time consuming and has no real value in the reporting process.

**Asphalt Shingles:** Markets for asphalt shingle recycling have not developed to provide a reliable outlet. This is an area we would like the State help to develop. Remove requirement for SWMEs to ensure that at least one recycling collection location exists within their region.

**School Outreach:** The Environmental Assistance Office no longer assists schools. This should be replaced in the MMP with other suggested resources such as Project WorkSafe for assistance with writing chemical hygiene plans and hazard communication plans.

As part of the MMP, CSWD would like the State explore partnerships with Agencies such as the Vermont Agency of Education to provide state-wide curriculum related to waste management and waste reduction and prevention.