

To: Board of Commissioners
 From: Dan Goossen, Director of Organics Recycling
 Date: 4/24/24
 RE: ORF Contamination Policy

Note: this is the same memo that was sent in March. The only change that has been made to the draft contamination policy has been to remove the section related to cumulative non-response. This provision unnecessarily complicated the policy and any matters of non-compliance can be dealt with separately via the Compliance Department. A strike-through version of the new policy is attached.

Starting in 2019 and continuing into 2020, following the full implementation of Act 148, Vermont’s Universal Recycling law, CSWD saw a dramatic increase in the quantity of both food scraps and contaminants heading to our compost facility. While the increased organics diversion was a welcome result of the legislation, the resulting contamination posed a challenge. The timing of this change corresponded with growing awareness amongst composters, regulators, and the general public around contaminants of emerging concern in all waste streams including organics. These included microplastics and PFAS (per- and polyfluoroalkyl substances) and the interplay between them.

Beginning in 2020, CSWD began to implement a series of new measures to reduce and remove contamination from the compost stream.

January, 2021	Announced removal of compostable products from accepted materials list
Spring, 2021	CSWD Outreach increases contamination education amongst generators
November, 2021	Hired a FT contamination and quality control lead
December, 2022	Purchased a trommel screener to remove contamination early in the process
Proposed, July 2024	Purchase an air classifier for trommel screen pre-screening stage

CSWD’s Organics Recycling Facility (ORF) has made significant strides towards reducing contaminants affecting the final compost. The next step in reducing overall contamination is a reduction in contaminants *arriving* to the facility. Contamination avoidance is always an important part of the communication the District provides to current and prospective waste generators. Feedback received from haulers is that even with repeated communications to haulers or generators, without an enforceable policy in place, contamination reduction is difficult to achieve.

ORF staff has spent over a year developing the draft policy currently being proposed. The framework was borrowed from the MRF Quality Control Policy adopted by the Board in 2019 and was modified to meet the needs of the unique inputs of the compost facility. Staff received valuable input from multiple compost facilities across the country, organics haulers, and generators, and also worked extensively with members of the District's Outreach, Communications, and Compliance departments in the many iterations that led to this final product. Quantifying contaminants within loads of freshly tipped food scraps is a challenge, even on a good day. After over 125 load checks undertaken across loads from all haulers during the past year and a half, staff have honed the process and have created an efficient and thorough procedure to identify and hopefully rectify the worst of incoming contamination.

Beginning this past year, and moving forward, the VT Agency of Natural Resources Solid Waste Division is requiring all permitted compost facilities in the state to develop more robust contamination screening and implementation of contamination plans. These will be required to include feedback mechanisms and enforcement. This requirement will affect any permit modifications requested by the ORF in 2024 and will also be required for the full permit adoption which is up for renewal at the end of this year. Fortunately, the efforts undertaken by CSWD over the past few years have been recognized by the ANR's Solid Waste Division as critical steps in the right direction and it is expected that this policy as presented will satisfy outstanding requirements for the program.

Facilities who have implemented similar programs elsewhere have indicated that the behavior change and training required for long-term decreases in organics contamination requires enforcement and financial penalties. This proposed policy seeks to set a balance between fines that are large enough to cause corrective behavior but not so high that they are overly punitive. It is the goal of the program to identify problem areas and offer support for correcting them, not to simply add a new source of revenue. The ideal outcome of this policy is that no fines are ever issued and incoming materials are free of contaminants.

To this end, the intended timeline for full implementation of the policy provides a multiple month lead-in period during which ongoing load checks will continue. Haulers will be provided load reports detailing type and quantities of contaminants along with enumerated amounts of potential fines once the enforcement aspects of the policy are implemented. The proposed start date for implementation of fines associated with future loads is July 1, 2024. In the interim, CSWD staff will be offering assistance to haulers, businesses, schools and other generators to identify and lessen or eliminate recurring sources of contamination.

After years of contamination-reduction efforts and refining of methods, staff is eager to implement this policy, lessen the burden of contamination on the composting process, and improve the quality of compost and soil products produced at the ORF.

BE IT RESOLVED that the Board of Commissioners approves the Organics Recycling Facility Contamination Policy as written, with implementation of any financial policies associated with contamination to begin July 1, 2024.

ORGANICS RECYCLING FACILITY CONTAMINATION POLICY

Adopted by CSWD Board of Commissioners on (DATE)

Purpose:

This policy is to provide a procedure for inspecting incoming loads delivered to the CSWD Organics Recycling Facility (ORF) for contamination and the corrective actions to be taken with the intent to:

- 1) Remediate contamination of incoming loads;
- 2) Improve communications between organics haulers, their customers, state programs/personnel, ORF personnel, and CSWD staff regarding material specification requirements,
- 3) Maximize ORF operational efficiency, and
- 4) Minimize worker exposure to potentially harmful materials and ensure the safe and optimal operation of the ORF processing equipment.

Definitions:

Acceptable Organics –

- **Food Waste:**
 - All food scraps of any kind
 - Certified, clearly labeled compostable bags used for lining food scrap containers
 - Coffee filters & tea bags (paper only—no plastic tea bags)
 - Newspaper and untreated paper bags used to line food scrap containers
 - Paper towels and napkins – only if they DO NOT contain body fluids or chemicals of any kind
 - Wooden or bamboo stirrers, toothpicks (no plastic frills), chopsticks
 - Uncoated paper leaf bags
- **Yard Waste**
 - Leaves
 - Grass clippings
 - Weeds
 - Garden trimmings
 - House plants
 - Natural wood (tree trimmings, limbs, clean stumps, brush)

Contamination – Any material received in loads at the ORF other than Acceptable Organics.

Contaminated Load – A load of material received at the ORF that contains more than 5% contamination by volume resulting in a fine.

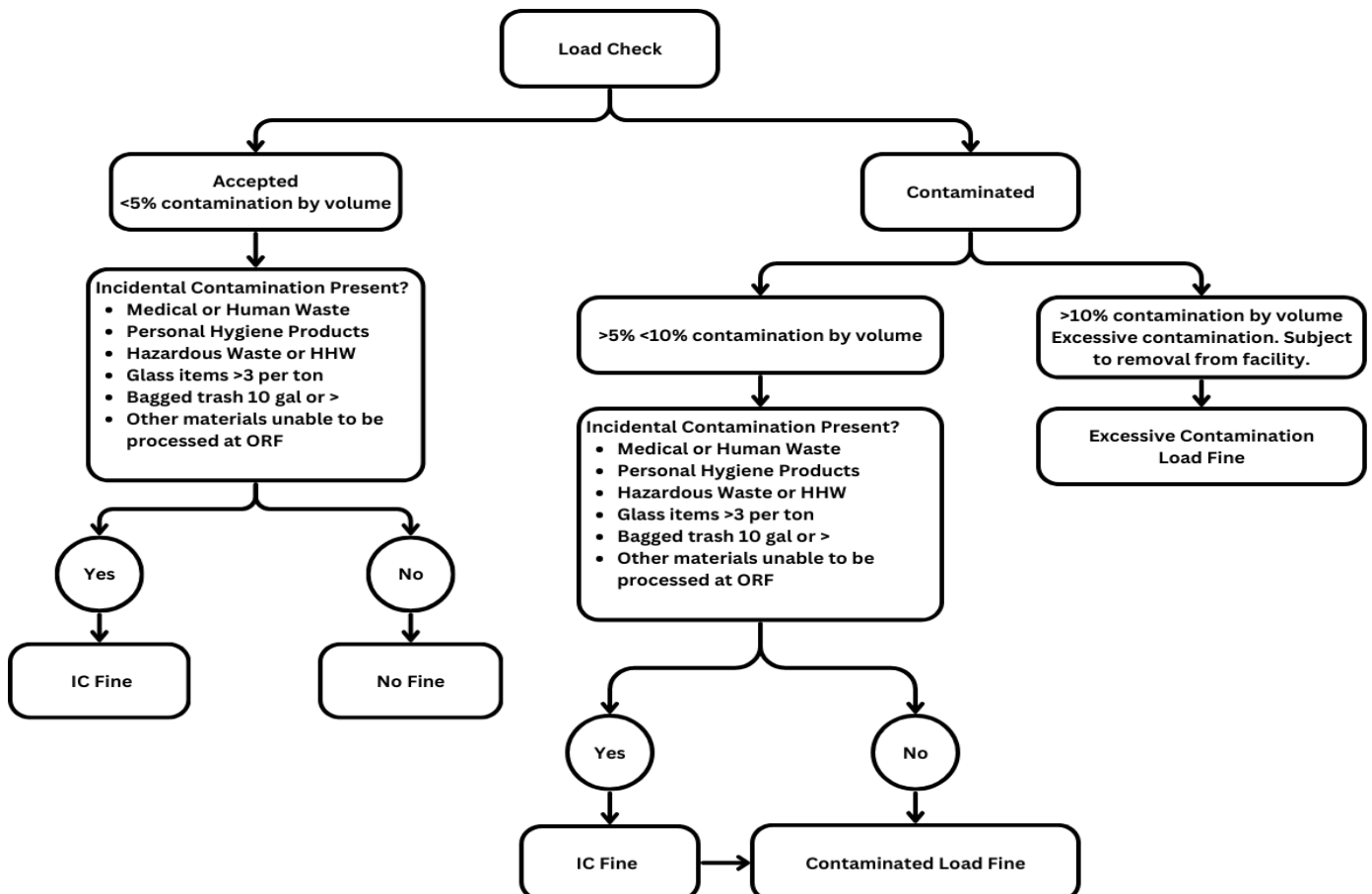
Excessively Contaminated load – A load of material received at the ORF that contains more than 10% contamination by volume resulting in a fine. These loads may be removed from the site and diverted to a transfer station for landfill disposal.

Incidental Contamination – A load of material received at the ORF that contains particularly problematic materials. Receipt of any of these materials as listed below will result in a fine. The fine for incidental contamination can be issued if the load is below the 5% Contaminated Load threshold or in addition to a Contaminated Load fine but not in addition to Excessively Contaminated loads.

- 1 or more 10 gal or greater plastic bags containing trash.
- Glass Items exceeding 3 items per Ton.
- Hazardous waste or Household Hazardous Waste.
- Medical Waste or Human Waste.
- Personal Hygiene products including diapers and feminine hygiene products.
- Other materials unable to be processed at the ORF.

Cumulative Non-Response (CNR) Fine—An additional per load fine assessed following documentation of greater than five contaminated load reports involving incidental contamination within a twelve-month period. Instances of CNR will be tracked for all loads hauled by individual haulers except in the instances where hauled loads are from known, documented single source points of generation.

Procedures:



1. ORF personnel will inspect incoming loads once they are dumped in the food residual receiving bays. When necessary, a bucket loader operator will back-drag loads to make visualizing contamination easier.
2. If the load is deemed to be contaminated, CSWD staff will complete a contaminated load report and send the hauler a digital copy within 36 hours. All load reports will include CSWD Outreach Staff contact information and encourage the use of CSWD staff support to lessen the likelihood of future contaminated loads.
3. Any fine outlined on the contaminated load report will be billed to the hauler. The hauler shall pay the penalty for contaminated loads, and late fees and penalties for non-payment of fines in accordance with the CSWD Solid Waste Management Ordinance and any policies and procedures set forth by CSWD's finance department.

Rates Table:

Load Status	Contamination Level	Associated Fines
Accepted	<5% contamination by volume	No additional fine
Contaminated	>5% - <10% contamination by volume	\$75/Ton (minimum \$75)
Excessively Contaminated	>10% contamination by volume	\$150/Ton (minimum \$150)
Incidental Contamination	<ul style="list-style-type: none"> • 1 or more 10 gal or greater plastic bags containing trash • Glass Items exceeding 3 items per Ton • Hazardous waste or Household Hazardous Waste • Medical Waste/Human Waste • Personal Hygiene products including diapers and feminine hygiene products. • Other materials unable to be processed at the ORF 	\$50/load
Cumulative Non-Response	Greater than five contaminated load reports involving incidental contamination within a twelve-month period.	\$50/load until 5 consecutive acceptable loads