

1 S.39

2 Introduced by Senator Rodgers

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; solid waste; recycling

6 Statement of purpose of bill as introduced: This bill proposes to exempt a
7 solid waste transporter from the requirements for solid waste recycling in a
8 municipality if the municipality is achieving the per capita disposal rate in the
9 State Solid Waste Plan or the municipality demonstrates that its progress
10 toward meeting the diversion goal in the State Solid Waste Plan is substantially
11 equivalent to that of municipalities complying with the recycling requirements.

12 An act relating to solid waste management

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 10 V.S.A. § 6607a(g) is amended to read:

15 (g)(1) Except as set forth in subdivisions (2) and (3) of this subsection, a
16 transporter certified under this section that offers the collection of municipal
17 solid waste shall:

18 (A) ~~Beginning~~ beginning on July 1, 2015, offer to collect mandated
19 recyclables separated from other solid waste and deliver mandated recyclables

1 to a facility maintained and operated for the management and recycling of
2 mandated recyclables;

3 (B) ~~Beginning~~ beginning on July 1, 2016, offer to collect leaf and
4 yard residuals separate from other solid waste and deliver leaf and yard
5 residuals to a location that manages leaf and yard residuals in a manner
6 consistent with the priority uses established under subdivisions 6605k(a)(3)-(5)
7 of this title;

8 (C) ~~Beginning~~ beginning on July 1, 2017, offer collection of food
9 residuals separate from other solid waste and deliver to a location that manages
10 food residuals in a manner consistent with the priority uses established under
11 subdivisions 6605k(a)(2)-(5) of this title.

12 (2) In a municipality that has adopted a solid waste management
13 ordinance addressing the collection of mandated recyclables, leaf and yard
14 residuals, or food residuals, a transporter in that municipality is not required to
15 comply with the requirements of subdivision (1) of this subsection and
16 subsection (h) of this section for the material addressed by the ordinance if the
17 ordinance:

18 (A) is applicable to all residents of the municipality;

19 (B) prohibits a resident from opting out of municipally provided solid
20 waste services; and

1 (C) does not apply a variable rate for the collection for the material
2 addressed by the ordinance.

3 (3) A transporter is not required to comply with the requirements of
4 subdivision (1)(A), (B), or (C) of this subsection in a specified area within a
5 municipality if:

6 (A) the Secretary has approved a solid waste implementation plan for
7 the municipality;

8 (B) for purposes of waiver of the requirements of subdivision (1)(A)
9 of this subsection (g), the Secretary determines that under the approved plan:

10 (i) the municipality is achieving the per capita disposal rate in the
11 State Solid Waste Plan; ~~and~~ or

12 (ii) the municipality demonstrates that its progress toward meeting
13 the diversion goal in the State Solid Waste Plan is substantially equivalent to
14 that of municipalities complying with the requirements of subdivision (1)(A)
15 of this subsection (g);

16 (C) the approved plan delineates an area where solid waste
17 management services required by subdivision (1)(A), (B), or (C) of this
18 subsection (g) are not required; and

19 (D) in the delineated area, alternatives to the services, including on-
20 site management, required under subdivision (1)(A), (B), or (C) of this
21 subsection (g) are offered, the alternative services have capacity to serve the

1 needs of all residents in the delineated area, and the alternative services are
2 convenient to residents of the delineated area.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.