

Bennington County Solid Waste Alliance

2025 Solid Waste Implementation Plan

Member Towns:

Arlington, Bennington, Dorset, Glastenbury, Manchester, Pownal, Rupert, Sandgate, Searsburg, Shaftsbury, Stamford, Sunderland, and Woodford

Date Adopted by Board: 4/16/25
Ratified by Member Towns: 6/18/25

Stuart A. Hurd, Chair; BCSWA

[Signature], Signature 6/27/25 Date
For: Stuart Hurd

This Solid Waste Implementation Plan (SWIP) conforms with Vermont's 2024 Materials Management Plan (MMP).



Bennington County Solid Waste Alliance 2025 Solid Waste Implementation Plan

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BCSWA Solid Waste Implementation Plan

Name of SWME	Bennington County Solid Waste Alliance (BCSWA)
Year Chartered (if applicable)	2015
Mission for Sustainable Materials Management	<p>The mission of the Bennington County Solid Waste Alliance is to reduce the amount of waste disposed in landfills, by incineration or similar means by reducing the amount of waste generated, conserving resources, and promoting recycling and reuse. To accomplish this, the Alliance has adopted the following goals: Reduce the generation of all solid waste, both disposed and diverted, by 10% between 2026 and 2030. Decrease the amount of material disposed by 25% by 2026 from 2020 levels. Achieve a diversion rate of 50% by 2030. Increase food diverted to food rescue organizations by 10% by 2030. The Alliance is implementing education, outreach and other programs to assist residents and businesses in complying with the Universal Recycling Law, increasing reuse and recycling and reducing the amount of solid waste disposed in landfills. The Alliance programs will also help residents and businesses find solutions to the disposal of items such as electronic waste, fluorescent bulbs, paint, and others that contain hazardous materials and are banned from landfills.</p>
Names of Member Town(s)	Arlington, Bennington, Dorset, Glastenbury, Manchester, Pownal, Rupert, Sandgate, Searsburg, Shaftsbury, Stamford, Sunderland, and Woodford.

Data and Reporting

<p>S1.1</p>	<p>Disposal and Diversion Reporting.</p> <p>A. DISPOSAL RATE: To track progress with state waste reduction goals, Bennington County Solid Waste Alliance must report their disposal rate in SWIP years one and five. SWMEs may use the method in the <i>ANR Data Guidance</i> to calculate their disposal rate or another method approved by ANR. Disposal rate reports must be based on calendar year data and be submitted to ANR via ReTRAC by April 1st.</p> <p>DOCUMENTATION in Annual SWIP Report:</p> <ol style="list-style-type: none"> 1. First (1st) Year SWIP Report: report year 1 annual per person per year disposal rate. 2. Fifth (5th) Year SWIP Report: report year 5 annual per person per year disposal rate. <p>B. DIVERSION RATE: SWMEs are not required to report diversion rates to ANR; however, it is strongly recommended that SWMEs track their diversion efforts to determine the success of their programs and services.</p>
<p>Describe method to be used for calculating Disposal Rate:</p>	<p>BCSWA will use ReTRAC, reporting from area haulers, and other sources of information to develop and analyze data on MSW, recyclables and other materials disposed and recycled to arrive at estimated disposal and diversion rates. Population estimates used for diversion rates will include seasonal population estimates collected using the Vermont Housing Finance Agency Database.</p>
<p>Sign and date to commit to requirement:</p>	<p>Bennington County Solid Waste Alliance 6/27/25</p>

Outreach

<p>S2.1</p>	<p>Accessible Communications. To ensure that all Vermonters have equal access to information and to minimize barriers to information access, Bennington County Solid Waste Alliance must critically evaluate their communications in light of best practices for accessibility.</p> <p>A. During SWIP Year 1, Bennington County Solid Waste Alliance must attend accessible communications training provided by ANR (or another training approved by ANR) on topics such as web design, plain language, accessible graphic design, public outreach and/or engagement, etc.</p> <p>B. Bennington County Solid Waste Alliance must review accessible communication best practices during SWIP Years 2-5.</p> <p>DOCUMENTATION in Annual SWIP Report:</p> <ol style="list-style-type: none"> 1. Year 1: List training taken by Bennington County Solid Waste Alliance staff. 2. Years 2-5: Confirm review of accessible communications best practices.
<p>Sign and date to commit to requirement:</p>	<p>Bennington County Solid Waste Alliance 6/27/25</p>

S2.2

Bennington County Solid Waste Alliance **Material Management Website.** To ensure community members have access to local waste, recycling, and materials management information including state laws; disposal bans; how to reduce, reuse, recycle, donate, compost, and safely dispose of unwanted materials; and local hauler services; Bennington County Solid Waste Alliance must develop and annually maintain a website with:

- A. **SWIP:** post approved SWIP on website within one month of ANR approval.
- B. **A-Z Waste and Recycling Guide:** maintain an accurate A-Z guide with regional management options for various materials.
 - i. A-Z link must be easily found on website within 2 clicks or fewer from homepage.
 - ii. The A-Z Guide must contain, at a minimum, information on how to manage, recycle, or divert all regional recycling and safe disposal options for all of the categories and key words in the ANR A-Z Waste and Recycling Guide Minimum Requirements document.
 - iii. Each entry must contain contact information, such as address and telephone number for collection location(s) OR a direct link to webpage with contact information.
 - iv. Entries for disposal-banned materials must indicate that the material is banned from disposal in the trash by state law.
 - v. Entries for items that are accepted as a part of an EPR program must link to information on the EPR program.
 - vi. Entries for items that can be recycled only through special collection must clearly explain that the collection of these materials is separate from curbside, or blue bin, recycling.
- C. **Hauler Services List:** establish and maintain an up-to-date hauler Services List with contact information for trash, recycling, and food scrap pick up services offered by all known commercial solid waste haulers operating within the SWME region.
- D. **Waste Reduction for Events Resources:** maintain a web page that encourages waste reduction at events such as bin signs, options for bin rental or loan, haulers for recycling and food scrap collection at events, and tips for successful diversion at events (can link to ANR web page for the tips).

DOCUMENTATION in Annual SWIP Report:

- 1. Year 1, provide links to:
 - a. SWIP;
 - b. Updated A-Z Waste and Recycling guide;
 - c. Hauler Services List;
 - d. Waste Reduction for Event Resources.
- 2. Years 2-5: Describe any significant website updates or changes.

Sign and date to commit to requirement:

Bennington County Solid Waste Alliance 6/27/25

<p>S2.3</p>	<p>Digital Outreach. To build awareness of waste management topics and services provided by SWMEs and those available within their region, Bennington County Solid Waste Alliance must conduct annual outreach on at least two digital platforms such as Front Porch Forum, social media, electronic newsletters, etc. SWMEs may use existing ANR content or create their own. This requirement is separate from maintaining a materials management website.</p> <p>A. Annual digital outreach must include at least two forms of outreach per year on each of the following topics:</p> <ul style="list-style-type: none"> i. The A-Z Guide and disposal bans. ii. Waste reduction and diversion. iii. Household hazardous waste reduction and proper disposal. iv. Extended Producer Responsibility programs (i.e. batteries, E-cycles, mercury-containing products, paint, HHW EPR). <p>DOCUMENTATION in Annual SWIP Report:</p> <ol style="list-style-type: none"> 1. Describe the two digital outreach methods used per SWIP year, including platforms used for each topic covered.
<p>List platforms to be used for Digital Outreach:</p>	<p>Digital outreach will include but not be limited to; periodic digital newspaper advertisements in the Bennington Banner and the Manchester Journal, BCSWA web site www.bcswa.org; BCSWA Facebook page facebook.com/SolidWasteAlliance, BCSWA Instagram Account instagram.com/bcswa_vt, and YouTube @bcswa.org</p>
<p>Sign and date to commit to requirement:</p>	<p style="text-align: center;">Bennington County Solid Waste Alliance 6/27/25</p>

<p>S2.4</p>	<p>Print Outreach. To reach community members who do not use digital modes of communication, Bennington County Solid Waste Alliance must conduct at least one annual outreach in printed documents, such as press releases, newsletters, post cards, letters to editor/articles/ads in local newspapers. Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Year 1: Issue one press release about their SWIP to local newspapers or other media outlets within two months of SWIP approval. B. Years 2-5: Issue one printed outreach per year related to the main MMP goals and/or ANR or Bennington County Solid Waste Alliance initiatives related to materials management. Press releases could also be completed in partnership with ANR. Mailings can count but are not required. HHW event mailings or advertisements and press releases announcing grant receipt do not count toward this requirement. <p>DOCUMENTATION in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Year 1: provide a copy of the SWIP press release along with the date released and list of newspapers where it was sent. 2. Years 2-5: provide copy of press release along with topic, date released, and list of newspapers where it was sent OR copy of print outreach along with topic, date of release, and number of recipients.
<p>Sign and date to commit to requirement:</p>	<p style="text-align: center;">Bennington County Solid Waste Alliance 6/27/25</p>

<p>S2.5</p>	<p>Municipality and Facility Connections. To further develop relationships with their local municipalities and to better understand local challenges and opportunities related to the movement of waste, Bennington County Solid Waste Alliance must conduct outreach to solid waste facilities, town offices, and public libraries. Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Within the SWIP term, Bennington County Solid Waste Alliance must conduct an in-person visit to each solid waste facility included in the SWIP. B. Each year, for each municipality within the SWME region, Bennington County Solid Waste Alliance must reach out to the town office and public library (as applicable). Outreach may be conducted in-person, via phone, or via email and must include: <ul style="list-style-type: none"> i. Introduction of Bennington County Solid Waste Alliance and their role in the community. ii. Updates on any materials management-related laws, events, or initiatives. iii. For town offices: Discussion of collection plan for disaster debris and disaster-related Hazardous materials (see also C7 – Collection of Disaster Debris and Disaster-related HHW). <p>DOCUMENTATION in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Provide a list of solid waste facilities, town offices, and libraries contacted.
<p>Sign and date to commit to requirement.</p>	<p style="text-align: center;">Bennington County Solid Waste Alliance 6/27/25</p>
<p>List the town offices, libraries, and solid waste facilities in Bennington County Solid Waste Alliance region.</p>	<p>Please See: Appendix 1: Town Offices in BCSWA; Appendix 2; Libraries in BCSWA; and Appendix 3: Solid Waste Facilities in BCSWA</p>

<p>S2.6</p>	<p>School Outreach. To ensure all K-12 public and private schools are aware of the Universal Recycling law, state disposal bans; and how to reduce waste, reuse, repurpose, recycle, compost, donate, and safely manage materials responsibly; and that waste reduction and diversion programs are being implemented effectively, Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Conduct in-person outreach and assistance to K-12 public and private school administrators and/or facilities and food service staff at a minimum of 10% or 2 schools (whichever is greater) within their jurisdiction each year. SWMEs should prioritize outreach to schools that have not yet been visited, but SWMEs may need to visit schools annually to meet the requirement. B. The outreach to each school must focus on school-wide waste reduction and diversion programs covering, at minimum: <ul style="list-style-type: none"> i. Disposal ban information. ii. How to recycle correctly. iii. How to separate food scraps for composting or anaerobic digestion. iv. How to reduce wasted food and donate (such as through the use of share table) what is appropriate. v. How to responsibly manage hazardous waste. vi. Collection options available from Vermont’s Extended Producer Responsibility Programs for HHW, electronics, paint, batteries, mercury-containing bulbs and thermostats. C. If Bennington County Solid Waste Alliance is not able to reach school administrators or relevant staff in-person, phone calls, video calls, or emails may be conducted instead, with prior ANR approval. D. To keep track of their school outreach, SWMEs may use the ANR tracking spreadsheet template or another system of their own that meets ANR approval. E. Outreach to teachers and students is encouraged but is not required, although SWMEs may find it useful to talk to science, art, and shop teachers about proper management and disposal of hazardous materials. F. One of the primary roles of a SWME is waste reduction, diversion, and hazardous waste reduction outreach and assistance. If a school is not in compliance with the Universal Recycling law or other waste-related laws, and assistance is not effective, or if a SWME is not able to obtain a response from a school at all, SWMEs are encouraged to request follow-up assistance from ANR. <p>DOCUMENTATION in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Provide a spreadsheet or other document including: <ul style="list-style-type: none"> a. List of schools and person contacted; b. b. Dates visited/contacted; c. c. Status of recycling and food scrap diversion programs. 2. Describe outreach efforts, including notable successes or challenges.
<p>Provide the number and list schools in Bennington County Solid Waste</p>	<p>Please See: Appendix 4: Schools in BCSWA.</p> <p>The Alliance school outreach program is designed to provide outreach to three of our 25 schools annually so as to visit at least 13 or 50% of our schools by the end of this plan. Outreach addresses recycling of all mandated recyclables listed as banned from landfill, management of organics, and management of hazardous materials and those covered by</p>

<p>Alliance region. Describe school outreach plan including the number of schools to receive outreach each year.</p>	<p>Vermont Extended Producer Responsibility legislation. The Alliance will review data collected from previous visits and prioritize schools based on 1) whether or not they have been visited previously and 2) needs as well as interest in materials management programs. The Alliance Outreach Program Manager will provide technical assistance to at least three schools annually meeting with staff and/or teachers and provide programs for students when requested, covering recyclables, organics, hazardous materials, electronics, paint, batteries and mercury-containing bulbs and thermostats. The Alliance will report on these activities in annual SWIP reports.</p> <p>An annual survey of all schools in the Alliance will continue to collect information on collection methods and areas where further improvement is needed.</p>
<p>Sign and date to commit to requirement.</p>	<p>Bennington County Solid Waste Alliance 6/27/25</p>

<p>S2.7</p>	<p>Business Outreach. To ensure businesses and institutions (hospitals, nursing homes, colleges, correctional facilities, and other large waste generators) understand the requirements of the Universal Recycling law, state disposal bans, how to reduce waste, reuse, recycle, compost, donate, and safely manage materials responsibly; and that waste reduction and diversion programs are being implemented effectively, Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Bennington County Solid Waste Alliance must conduct business outreach and education either in person or via phone to at least 2% or 15 businesses/institutions (whichever is greater) within their jurisdiction each year. <ul style="list-style-type: none"> i. The number of businesses in a SWME region may be estimated by the Department of Labor list (instructions provided by ANR in Year 1 of the MMP term), or a SWME may use a different method that meets ANR approval. ii. SWMEs should prioritize outreach to businesses that have not yet been contacted or visited or those whose status is not yet known. B. The business outreach and education to each entity must cover, at minimum: <ul style="list-style-type: none"> i. Disposal ban information. ii. How to recycle correctly. iii. How to separate food scraps for animal feed and/or composting or anaerobic digestion. iv. How to reduce wasted food and donate what is appropriate. v. Single-Use Products law. vi. Resources for safely managing hazardous waste. vii. Collection options available from Vermont’s Extended Producer Responsibility Programs for HHW, electronics, paint, batteries, mercury containing bulbs and thermostats. C. To keep track of their business outreach, SWMEs may use the ANR tracking spreadsheet template or another system of their own that meets ANR approval. D. One of the primary roles of a SWME is outreach and assistance. If a business is not in compliance with the Universal Recycling law or other
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	<p>waste-related laws, and assistance is not effective, SWMEs are encouraged to request follow-up from ANR.</p> <p>DOCUMENTATION in Annual SWIP Report:</p> <ol style="list-style-type: none"> 1. Provide a spreadsheet or other document including: <ol style="list-style-type: none"> a. List of businesses and person contacted; b. Dates visited/contacted; c. Status of recycling and food scrap diversion programs; d. Interaction type (in person or phone). 2. Describe outreach efforts, including notable successes or challenges.
<p>List the number of businesses in Bennington County Solid Waste Alliance region. Describe business outreach plan, including the number to receive outreach each year.</p>	<p>The Alliance business outreach program is designed to provide targeted outreach annually to 2% of the approximately 1,960 businesses (source: Dunn & Bradstreet; 2024) in the BCSWA service area by prioritizing large waste generators and others who have not received outreach within the past five years. A goal of 40 (20 food and 20 non-food) businesses each year will receive outreach totaling 200 (10%) of all businesses by the end of the term of this plan. The Alliance will provide technical assistance and support in person, via email, via phone, or via means such as webinars and workshops about source reduction, recycling, organics, managing hazardous materials, electronics, paint, batteries, and mercury containing lamps and thermostats to 40 businesses. The Alliance will report on these activities in its annual SWIP report.</p>
<p>Sign and date to commit to requirement.</p>	<p style="text-align: center;">Bennington County Solid Waste Alliance 6/27/25</p>

Collection Infrastructure

S3.1	<p>Variable Rate Pricing. To encourage waste reduction, Bennington County Solid Waste Alliance must:</p> <p>A. Implement a variable rate pricing system that charges for the collection of municipal solid waste from a residential customer for disposal based on the volume or weight of the waste collected. SWMEs may elect to establish licensing or registration programs to accomplish this requirement and can refer to the Variable Rate Pricing Guide for more information.</p> <p>Documentation in Annual SWIP Report:</p> <ol style="list-style-type: none">1. Year 1: explain the method used to ensure haulers and facilities are charging residents for trash based on volume or weight.2. Years 2-5: provide any updates and/or instances of hauler or facility non-compliance.
Sign and date to commit to requirement:	Bennington County Solid Waste Alliance 6/27/25

<p>S3.2</p>	<p>HHW Collection Events and Facilities. To ensure community members have convenient access to safely dispose of Household Hazardous Waste (HHW) and Very Small Quantity Generator (VSQG) hazardous waste (previously defined as Conditionally Exempt Generator hazardous waste (CEG)), Bennington County Solid Waste Alliance must provide access to one of the following:</p> <ul style="list-style-type: none"> A. A permanent HHW/VSQG collection facility defined within this MMP as a facility that is open at least one day per week, at minimum from May through October (ANR may consider approving requests for alternative operating days and seasonal openings and closures of permanent facilities when necessary). <ul style="list-style-type: none"> i. Due to increased user convenience, lower costs per participant, and slightly higher participation rates for regional HHW facilities, SWMEs that provide access to a permanent HHW collection facility in their region are exempt from the requirement to offer all towns at least one annual collection event within 20 road-miles. <p>OR</p> <ul style="list-style-type: none"> B. A minimum of two (2) HHW/VSQG hazardous waste collection events per year. SWMEs utilizing collection events must at minimum offer at least one HHW and VSQG collection event scheduled in the spring and one in the fall and events must operate for a minimum of four (4) hours. <ul style="list-style-type: none"> i. SWMEs that only offer collection events or operate HHW facilities with operating hours similar to collection events must annually provide each of its towns with access to at least one collection event (or to a facility) within 20 road-miles; meaning a maximum distance of 20 road-miles from any point in the town. ii. If a SWME provides additional events above the minimum requirement, waivers to the minimum duration for each event may be considered by ANR. iii. To meet this 20 road-mile convenience requirement, certain regions may need to hold more than two collection events each year. <p>Sharing Facilities or Events: SWMEs are encouraged to share access to events and facilities, provided a signed agreement confirming access by the SWME’s community members is obtained; and provided that a facility or event is within 20 road-miles from any point in a town that would be using that facility or event.</p> <p>Documentation in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Provide the HHW facility address and seasonal operating schedule, including days operating and hours of operation, OR the dates of the HHW events. 2. Provide the number of participants, the household participation rate, and the amount of HHW/VSQG hazardous waste collected in HHW ReTRAC report.
<p>Describe how HHW Collection services will be offered to</p>	<p>The Bennington County Solid Waste Alliance operates a Household Hazardous Waste collection and storage facility located at located at the Bennington Transfer Station, 802 Houghton Ln. Bennington VT 05201.</p> <p>The facility will be open seasonally from May through October with a minimum of 18 weeks of operation each season, and operate at least one day per week. The facility will be open to all Alliance member town residents, schools, and Very Small</p>

<p>residents and VSQGs.</p>	<p>Quantity Generators of Hazardous Waste (VSQG). During that time, the facility will be open at least one day each week at a minimum of 4 hours per day. Residents using the facility may be charged a flat user fee (to be applied at the direction of the Board of Directors). Schools and VSQGs will be charged pertinent disposal fees and invoiced by the Alliance accordingly. Appointments will be required for residents to use the facility during open hours; Schools and VSQGs will be required to register materials to be dropped off in advance and schedule a special appointment.</p> <p>A press release and promotional flyers will be distributed prior to opening each year to promote the facility. Social media outreach and newspaper ads will also promote the facility. The Alliance's HHW webpage will be modified to promote the HHW collection season, and explain details related to acceptable materials, charges, etc. A website-based registration form and scheduling tool will be open for residents, schools and VSQGs to complete 30 days in advance of opening each year.</p> <p>The HHW facility is registered with the EPA and the State of Vermont, and meets the Vermont Solid Waste Facility certification requirements and meet the definition of a semi-permanent HHW collection facility as defined within Vermont's Materials Management Plan. All required HHW collection reporting will be completed in ReTRAC</p>
<p>Sign and date to commit to requirement:</p>	<p>Bennington County Solid Waste Alliance 6/27/25</p>

<p>S3.3</p>	<p>Collection of Landfill/Disposal-Banned and Dangerous Materials. To ensure that all Vermonters have year-round collection options for landfill-banned and dangerous materials, Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Demonstrate that year-round collection options exist in their region (within SWME boundary OR within 20 miles of an Independent Town) for the following landfill/disposal banned materials: batteries, mercury containing lamps, mercury thermostats, gas cylinders as defined in Vermont’s HHW EPR law 10 V.S.A. §7181, electronics, paint, tires, used oil, and appliances (including discarded refrigerators, washing machines, clothes dryers, ranges, water heaters, dishwashers, freezers, air conditioners, and dehumidifiers). B. Collection locations can be privately or publicly owned, such as auto parts stores collecting used oil, or hardware stores collecting paint and fluorescent lamps. However, if the only collection location for a required material closes or reaches maximum capacity for collection during the SWIP term, the SWME must provide a collection option for its region. C. All collection locations must be open at least one weekday and one weekend day per week. <p>Documentation in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Confirm that this requirement is met. 2. Describe any changes in collection options from the previous year.
<p>List current collection locations within SWME boundary or 20 miles of independent town) and open hours for each material:</p>	<p>Please See Appendix 5: Landfill/Disposal-Banned and Dangerous Materials in BCSWA</p>
<p>Sign and date to commit to requirement:</p>	<p style="text-align: center;">Bennington County Solid Waste Alliance 6/27/25</p>

S3.4

Disaster Debris Plan. To ensure all Vermont towns are prepared to manage disaster-related debris, like HHW, hazardous waste, trash/MSW, construction and demolition (C&D) debris, and woody debris, during and after a disaster such as a flood, fire, storm, or other emergency, Bennington County Solid Waste Alliance must, by the end of Year 1 of the SWIP term:

- A. **Submit a Disaster Debris Plan:** work with each municipality to create a Disaster Debris Plan (“Plan”) for the management of disaster-related trash, C&D debris, and hazardous debris. The Plan must use the ANR Template, must cover all municipalities in the Bennington County Solid Waste Alliance region, and must include, at minimum:
 - a. **Municipal Disaster Debris Contacts:** Contact each municipality and obtain contact information for the emergency personnel who would be the point-of-contact for coordinating temporary disaster-related hazardous materials storage in that municipality. Referring to your local emergency management director is recommended.
 - b. **Disaster Hazardous Materials Staging Areas:** identify appropriate “Disaster Hazardous Material Staging Areas” (DHMSA) within the SWME region for the temporary storage of disaster-related hazardous materials and dangerous wastes. DHMSAs must be located:
 - i. On publicly owned land.
 - ii. Within either each municipality (which is recommended) or at minimum, one for the whole SWME region.
 - c. **Trash and C&D Disaster Debris Management:** This may include the identity of certified public and/or private solid waste transfer facilities that could be used for disaster trash and C&D debris management.
 - d. **Clean Wood/Vegetative/Inert Debris Management Sites:** list the locations of clean wood/vegetative/inert debris sites as required below in S-3.5.
 - i. S-3.5 is not due until Year four of the SWIP term. Re-submit the Plan after year four, if necessary.
- NOTE: Attending training by ANR and/or Vermont Emergency Management (VEM) is recommended. See ANR Action A-5.2 above for more details.
- NOTE: For communities wishing to pursue FEMA reimbursement: trash/MSW/C&D disaster debris management destination locations (like transfer stations, landfills, categorical disposal/recycling facilities like stump dumps and wood waste management sites must be certified, be out of a flood zone, have controlled access, and follow other debris tracking methods to ensure FEMA reimbursement requirements can be met.
- NOTE: During the historic flooding of July 2023 the State of Vermont Department of Public Safety, Vermont Emergency Management Division, the Department of Buildings and General Services, and the Department of Environmental Conservation, Solid Waste Management Program engaged a statewide debris contractor to assist towns with collection and disposal of disaster related debris when the capacity of local and regional resources were exceeded. Communities with a sound disaster debris plan may respond more quickly from a disaster, getting debris removed and properly managed or disposed of so that impacted residents and businesses have life return to normal in less time.

Documentation in Annual SWIP Report:

	<ol style="list-style-type: none"> 1. Year 1 only: provide Disaster Debris Plan with: <ol style="list-style-type: none"> a. List of emergency personnel in each municipality within SWME region b. Locations of temporary “Disaster Hazardous Materials Staging Areas.” c. Trash and C&D Disaster Management. d. Locations of clean wood/vegetative/inert debris management sites. 2. Year 4 only: Re-submit Plan if there are updates to the clean wood/vegetative/inert debris management sites per S-3.5.
Sign and date to commit to requirement:	Bennington County Solid Waste Alliance 6/27/25

S3.5	<p>Clean Wood and Inert Debris Management. To ensure Vermonters have access to management sites for clean wood (“wood waste”) and other inert debris during normal times and after a disaster, such as a flood, fire, storm, or other emergency, Bennington County Solid Waste Alliance must:</p> <ol style="list-style-type: none"> A. By the end of Year 4, identify at least one location within the Bennington County Solid Waste Alliance region to site and permit a categorical disposal or storage/transfer area (“stump dump”) that can be used to manage both normal clean wood and disaster-related clean wood/vegetative debris and other inert debris including: clean silt, soils, and gravel, brick and concrete, branches, trees, stumps, and wood that is untreated and free from paint, staining, is not odorous or otherwise suspected of contamination. <ol style="list-style-type: none"> i. SWMEs may share access to categorical disposal areas. The municipalities sharing access must provide a signed letter or agreement that documents this shared access. ii. Clean Wood and Inert Debris Management Sites should be adequate in size and operate frequently enough to meet the needs of the municipality(ies) they serve. iii. Having a permitted categorical disposal area for disaster debris management in every municipality within a SWME is recommended, but not required. <p>Documentation in Annual SWIP Report:</p> <ol style="list-style-type: none"> 1. Year 4: list location of the permitted categorical disposal facility or other facility in the Bennington County Solid Waste Alliance region where clean wood and inert debris can be managed.
Sign and date to commit to requirement:	Bennington County Solid Waste Alliance 6/27/25

S3.6	<p>Collection of Textiles. To ensure community members have access to textile reuse and recycling centers where used clothing and textiles can be donated, Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Annually ensure that at least one collection location exists within their region (within SWME boundary OR within 20 miles of an Independent Town). Textile reuse/recycling locations can be either privately or publicly owned. B. If the only collection location closes or ceases collection during the SWIP term, then the Bennington County Solid Waste Alliance is responsible for providing a collection option for its residents. Collection of rag-quality (unwearable) items is encouraged but not required. C. Collection locations can also be shared amongst SWMEs so long as the facility is within the same county or SWME region. SWMEs must list where to donate and reuse/recycle “clothing/textiles” in their A-Z Guides. <p>Documentation in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Confirm that textile collection is available. 2. Describe any changes in collection options from the previous year.
List textile collection location(s):	Please See Appendix 6: Textile Collection Locations in BCSWA
Sign and date to commit to requirement:	Bennington County Solid Waste Alliance 6/27/25

Residuals Management Meeting

S4.2	<p>Residuals Recycling Meetings. To reduce pollutants in wastewater and septic systems that can hinder the reuse and recycling of biosolids and to increase awareness of topics of concern, like PFAS and other emerging contaminants, Bennington County Solid Waste Alliance must:</p> <ul style="list-style-type: none"> A. Attend the annual, virtual ANR meeting on residuals management each year during the SWIP term. ANR Residuals Program staff will organize the meetings and may choose to not hold a meeting in a given year. <p>Documentation in Annual SWIP Report:</p> <ul style="list-style-type: none"> 1. Confirm meeting attendance, as applicable.
Sign and date to commit to requirement:	Bennington County Solid Waste Alliance 6/27/25

Additional SWIP Requirements

Solid Waste facility Siting Criteria	Describe siting criteria that will apply to solid waste facilities which may be proposed by any public or private entity in the Bennington County Solid Waste Alliance region. Siting criteria shall not be less stringent than the criteria in Vermont Solid Waste Management Rules.
Description:	Please See Appendix 7: Solid Waste Facility Siting Criteria

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Specify Facilities Included in SWIP & Describe How Proposed Facilities will be Reviewed for Inclusion	<p>Explain the process and standards to be used to determine if newly proposed solid waste facilities would be included in the SWIP. The process may reference siting criteria and existing zoning ordinances, may require a host town agreement, or may defer to requirements in the Vermont Solid Waste Management Rules for some or all types of solid waste facilities. The standard(s) for being included in the SWIP should be clear. Under State law (10 V.S.A. §6605(c)), the Agency 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 municipal solid waste implementation plan. <i>Note: The plan should also include any known solid waste landfills which have been closed since 1989 so that they can receive post-closure certifications.</i></p>
List current facilities and process for inclusion of new facilities:	<p>Please See Appendix 3: Solid Waste Facilities in BCSWA, and Appendix 7: Solid Waste Facility Siting Criteria</p>

Public Participation in the SWIP Approval Process	<p>Describe the process to be used to ensure public participation in the development and implementation of the SWIP. The local community should be notified of opportunities to participate in the SWIP development and implementation. In accordance with state statute, Bennington County Solid Waste Alliance must hold at least two public meetings on the draft SWIP.</p>
Describe process:	<p>Two warned meetings are to be held for the public to review the Solid Waste Implementation Plan. Public Meeting #1 will take place at the Manchester Community Library from 6pm to 8pm and on April 10, Public Meeting #2 will take place from 6pm to 7pm at the Bennington Free Library. Meetings have been warned in local newspapers and promoted on Social Media.</p>
Sign and date to commit to requirement:	<p style="text-align: center;">Bennington County Solid Waste Alliance 6/27/25</p>

Ordinances	<p>Include copies of any solid waste related ordinances with the SWIP.</p>
List attached ordinances:	<p>Each of the thirteen towns has adopted a pay as you throw ordinance modeled from the VT ANR guidance. Copies of these can be found in Appendix 8: Pay-As-You-Throw Ordinances</p>

Conformance with Other Plans	<p>Demonstrate that the SWIP is in conformance with any regional plan adopted in accordance with 24 V.S.A Chapter 117. Demonstration may be in the form of a letter from the applicable regional planning commission regarding conformance</p>
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	of the solid waste implementation plan with the regional plan(s), copies of pertinent sections of the regional plan(s), or other documentation that proves conformance.
List attached letter or documentation:	Twelve of the 13 Member Towns of BCSWA are located in the Bennington County Regional Commission, The Town of Readsboro is located in Windham Regional Commission. See Appendix 9: Conformance with Regional Plans for copies of letters from each RPC.

Appendix 1: Town Offices in BCSWA

Arlington

Address: 3828 VT Route 7A, Arlington, VT 05250

Phone: 802-375-2332

arlingtonvermont.org

Bennington

Address: 205 South Street, Bennington, VT 05201

Phone: 802-442-1037

benningtonvt.org

Dorset

Address: 112 Mad Tom Road, East Dorset, VT 05253

Phone: 802-362-4571

dorsetvt.org

Glastenbury

Address: 1185 Glastenbury Road, Shaftsbury, VT 05262

Phone: 802-733-1852

Manchester

Address: 40 Jeff Williams Way, Manchester Center, VT 05255

Phone: 802-362-1313

manchester-vt.gov

Pownal

Address: 511 Center Street, Pownal, VT 05261

Phone: 802-823-0116 ext. 101

townofpownal.org

Rupert

Address: 187 East Street, West Rupert, VT 05776

Phone: 802-394-7728

rupert.vt.gov

Sandgate

Address: 3266 Sandgate Road, Sandgate, VT 05250

Phone: 802-375-9075

sandgatevermont.org

Searsburg

Address: 18 Town Garage Road, Searsburg, VT 05363

Phone: 802-464-8081

windhamregional.org

Shaftsbury

Address: 61 Buck Hill Road, Shaftsbury, VT 05262

Phone: 802-442-4038

shaftsburyvt.gov

Stamford

Address: 986 Main Road, Stamford, VT 05352

Phone: 802-694-1361

stamfordvt.net

Sunderland

Address: 104 Mountain View Road, Sunderland, VT 05250

Phone: 802-375-6106

sunderlandvt.org

Woodford

Address: 1391 Vermont Route 9, Woodford, VT 05201

Phone: 802-442-4895

woodfordvt.org

Appendix 2: Libraries in BCSWA

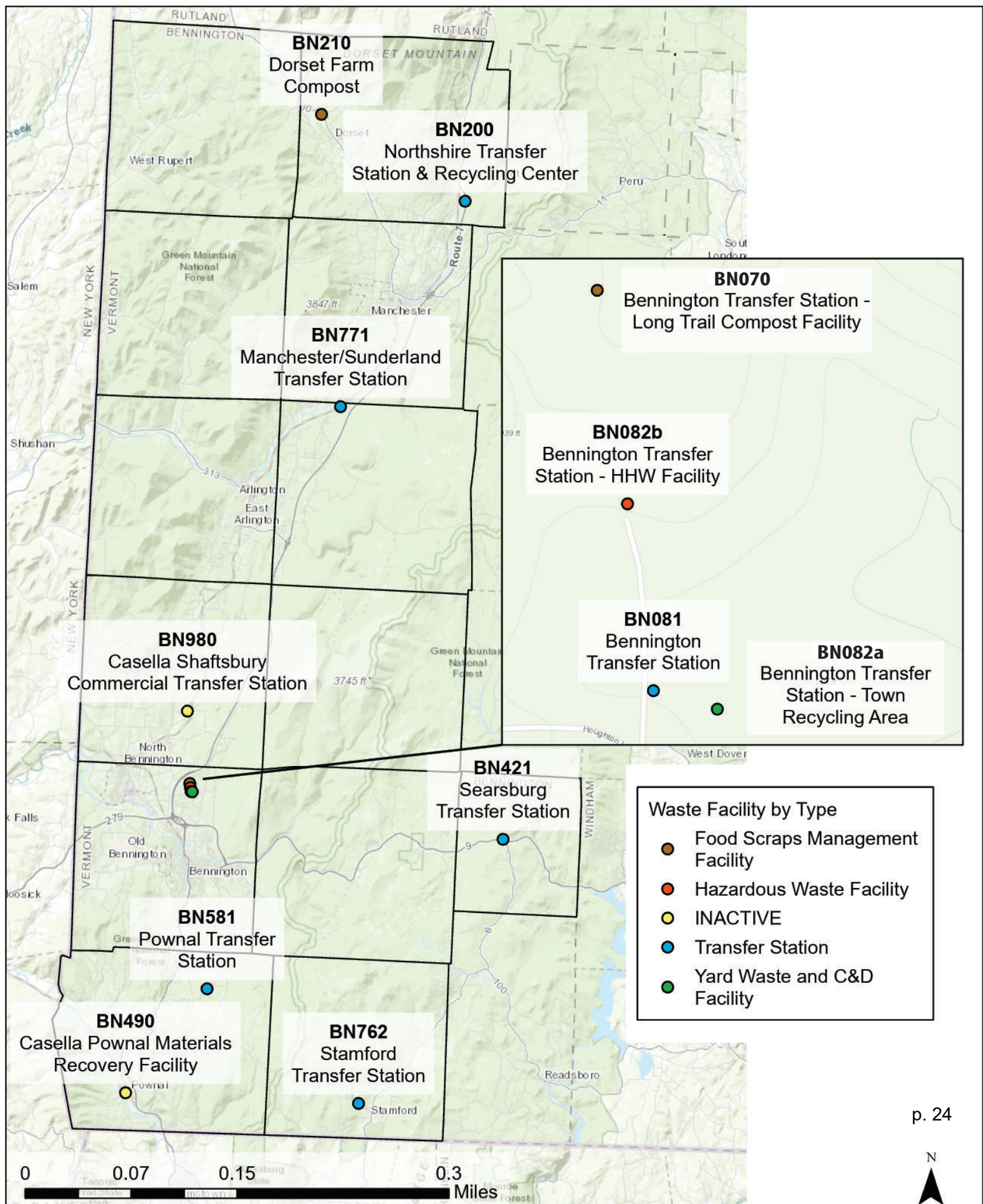
1. **Arlington: Martha Canfield Library**
 - **Address:** 528 East Arlington Road, Arlington, VT 05250
 - **Phone:** 802-375-6153
 - **Website:** marthacanfieldlibrary.org
2. **Bennington: Bennington Free Library**
 - **Address:** 101 Silver Street, Bennington, VT 05201
 - **Phone:** 802-442-9051
 - **Website:** benningtonfreelibrary.org
3. **Dorset: Dorset Village Library**
 - **Address:** 13 Church Street, Dorset, VT 05251
 - **Phone:** 802-867-5774
 - **Website:** dorsetvillagelibrary.org
4. **Manchester: Manchester Community Library**
 - **Address:** 138 Cemetery Avenue, Manchester Center, VT 05255
 - **Phone:** 802-362-2607
 - **Website:** mclvt.org
5. **Pownal: Solomon Wright Public Library**
 - **Address:** 97 Main Street, Pownal, VT 05261
 - **Phone:** 802-823-5400
 - **Website:** solomonwrightpubliclibrary.org
6. **Rupert: R.K. Kittay Public Library**
 - **Address:** 2827 Route 153, Rupert, VT 05768
 - **Phone:** 802-394-2444
 - **Website:** rupertkittaylibrary.org
7. **Shaftsbury: McCullough Free Library**
 - **Address:** 2 Main Street, North Bennington, VT 05257
 - **Phone:** 802-447-7121
 - **Website:** mcculloughlibrary.org
8. **Stamford: Stamford Community Library**
 - **Address:** 986 Main Road, Stamford, VT 05352
 - **Phone:** 802-694-1379
 - Website:** stamfordlibrary.org

The Towns of Glastenbury, Sandgate, Searsburg, Sunderland and Woodford do not have public libraries. Residents may access library services in neighboring towns.

Appendix 3: Solid Waste Facilities in BCSWA

Appendix 3.A Solid Waste Facilities with state certification					
Name	SWID #	Type	Management	Address	Town
Bennington Transfer Station	BN081	Transfer Station	Casella	904 Houghton Lane	Bennington
Bennington Transfer Station - HHW Facility	BN082b	Hazardous Waste Facility	BCSWA	904 Houghton Lane	Bennington
Bennington Transfer Station - Long Trail Compost Facility	BN070	Food Scraps Management Facility	Casella	639 North Road	Shaftsbury
Bennington Transfer Station - Town Recycling Area	BN082a	Yard Waste and C&D Facility	Town	904 Houghton Lane	Bennington
Casella Shaftsbury Commercial Transfer Station	BN980	INACTIVE	Casella	Airport Road	Shaftsbury
Casella Pownal Materials Recovery Facility	BN490	INACTIVE	Casella	39 Church St	Pownal
Dorset Farm Compost	BN210	Food Scraps Management Facility	Dorset Compost	4343 VT-30	Dorset
Manchester/Sunderland Transfer Station	BN771	Transfer Station	Casella	4561 Sunderland Hill Road	Sunderland
Northshire Transfer Station & Recycling Center	BN200	Transfer Station	Casella	310 Tennis Way	East Dorset
Pownal Transfer Station	BN581	Transfer Station	Town	645 Maple Grove Rd	Pownal
Searsburg Transfer Station	BN421	Station	Town	18 Town Garage Rd	Searsburg
Stamford Transfer Station	BN762	Transfer Station	Town	610 Mill Road	Stamford

Solid Waste Facilities in BCSWA



Appendix 3.B. Closed landfills requiring certification every five years.		
Facility	Location	Ownership
Bennington Landfill (BN080)	Bennington	Town of Bennington
Burgess Brothers Construction and Demolition Debris Landfill (BN030)	Woodford	Clyde G. Burgess, Jr.
Pownal Landfill (BN580)	Pownal	Town of Pownal
Pownal Tannery Landfill (BN590)	Pownal	Town of Pownal
Rupert Town Landfill (BN670)	Rupert	Town of Rupert
Searsburg Landfill (BN420)	Searsburg	Town of Searsburg
Shaftsbury Landfill (BN740)	Shaftsbury	Town of Shaftsbury
Sunderland Landfill (BN780)	Sunderland	Casella, Inc.
Wessner Landfill (BN 770)	Sunderland	Casella, Inc.

Appendix 3. C. Wastewater Treatment Facilities		
Arlington School (VT0022934)	Arlington	Arlington School District
Bennington (VT0100021)	Bennington	Town of Bennington
Manchester (VT0100170)	Manchester	Town of Manchester
Pownal (VT0101281)	Pownal	Town of Pownal

Appendix 4: Schools in BCSWA

Public Schools (15)

Southwest Vermont Supervisory Union (11 Schools)

Arlington Memorial

Bennington Elementary School

Catamount Elementary School

Fisher School

Molly Stark School

Monument Elementary School

Mount Anthony Senior UHSD#14

Mount Anthony Union Middle School

Pownal Elementary School

Shaftsbury Elementary School

Woodford Hollow School

Bennington Rutland Supervisory Union (3 Schools)

Dorset School

Manchester Elem/Middle School

Sunderland Elementary School

Windham Southwest Supervisory Union (1 School)

Stamford Elementary School (K-8)

Private Schools (10)

Burr and Burton Academy (Manchester, 9-12)

Grace Christian School (Bennington, PK-12)

Hiland Hall School (Bennington, K-8)

Long Trail School (Dorset, 6-12)

Manchester Village School (Manchester, 1-12)

Maple Street School (Manchester, K-8)

Red Fox Community School (Manchester, K-5)

Sacred Heart School (Bennington, K-8)

Southshire Community School (N. Bennington, K-8)

Village School of North Bennington (K-6)

Appendix 5: Landfill/Disposal-Banned and Dangerous Materials Collection Locations in BCSWA

Location	Materials Accepted										Hours
	Batteries	Mercury containing lamps	Mercury thermostats	Gas cylinders	Electronics	Paint	Tires	Used oil	Appliances	Address	
Advanced Auto Parts	X*						X			13 Northside Dr., Bennington (802) 442-0779	Mon – Sat: 7:30AM – 9:00 PM Sun: 9:00 AM – 8:00 PM
Aubuchon Hardware	X	X			X					1131 Depot St., Manchester (802) 362-7000	Sun: 8:00 AM – 5:00 PM Mon - Fri: 7:30 AM – 7:00 PM Sat: 7:30 AM – 6:00 PM
Bennington Cooling & Heating			X							308 Depot St., Bennington (802)442-3519	Mon – Fri 8:30 AM – 4:30 PM Mon, Tue, Thurs & Fri: 8:00 – 12:00 PM and 1:00 PM – 5:00 PM Wed & Sat: 8:00 AM – 12:00 PM
E-Z Way Rental	X									115 County St. Bennington (802) 442-8393	Mon - Fri: 7:00 AM - 4:30 PM, Sat 8:00 AM - 12 PM
F.W. Webb		X								240 East Rd., Bennington (802) 447-2312	Mon - Sat: 6:00 AM - 9:00 PM, Sun 8:00 AM - 8:00 PM
Home Depot	X**	X*								121 N Bennington Rd., Bennington (802)442-9997	Mon - Sat: 6:00 AM - 9:00 PM, Sun 8:00 AM - 8:00 PM
Manchester Town Offices	X									40 Jeff Williams Way Manchester (802) 362-1313	Mon - Fr: 8:00 AM - 4:30 PM
Miles Lumber	X	X			X					178 Chittenden Dr. Arlington (802) 375-252	Mon - Fri: 7:00 AM - 5:00 PM, Sat: 8:00 AM - 3:00 PM
Napa Auto Parts	X*						X			201 Benmont Ave. Bennington (802) 442-6387	Mon - Fri: 8:00 AM - 5:30 PM, Sat 8:00 AM - 3:00 PM
Napa Auto Parts	X*									5219 Rte. 7A Manchester (802) 362-1708	Mon - Fri: 8:00 AM - 5:30 PM, Sat 8:00 AM - 2:00 PM
O'Reilly Auto Parts	X*						X			211 Northside Dr. Bennington (802) 442-0858	Mon - Sat: 7:30 AM - 9:00 PM, Sun: 8:00 AM - 8:00 PM

Location	Appliances										Hours	
	Batteries	Mercury containing lamps	Mercury thermostats	Gas cylinders	Electronics	Paint	Tires	Used oil	Address			
R.K. Miles	X	X			X						691 Depot St., Manchester (802)362-1952	Mon - Fri: 7:00 AM - 5:00 PM, Sat: 8:00 AM - 3:00 PM
Sherwin Williams					X						215 Northside Dr., Suite 8 Bennington (802) 442-5489	Mon - Fri: 7:00 AM - 6:00 PM, Sat: 8:00 Am - 5:00 PM, Sun: 10:00 AM - 4:00 PM
Sherwin Williams					X						263 Depot St., Manchester (802) 362-2833	Mon - Fri: 7:00 AM - 6:00 PM, Sat: 8:00 Am - 4:00 PM, Sun: 10:00 AM - 4:00 PM
Staples	X			X							5 Kicher Dr., Bennington (802) 442-3919	Mon - Fri: 9:00 AM - 7:00 PM, Sat: 9:00 AM - 6: 00 PM, Sun: 11:00 AM- 5:00 PM
Tractor Supply	X							X			300 Depot St., Bennington (802) 440-9937	Mon - Sat: 8:00 AM - 9:00 PM, Sun: 8:00 AM - 8:00 PM
Warren's Garage								X			5487 Main St., Manchester Center (802) 362-1131	Mon - Fri: 9:00 AM - 12:00 PM & 1:00 PM - 5:00 PM, Closed Sat & Sun
Transfer Stations												
Bennington Transfer Station	X	X		X				X	X		904 Houghton Lane Bennington (800) 499-4370 (Residents, businesses & institutions of Bennington & Woodford)	Mon - Fr: 8:00 AM - 4:00 PM, Sat: 8:00 - 12:00 PM
Northshire Transfer Station	X			X			X				Northshire Transfer Station 310 Tennis Way, East Dorset (800) 499-4370 (Residents, businesses, and institutions of Arlington, Dorset, Manchester, Manchester Village, Sandgate, Sunderland)	Mon - Fri: 8:00 AM - 2:00 PM, Sat: 8:00 AM - 12:00 PM

Location	Appliances										Hours
	Batteries	Mercury containing lamps	Mercury thermostats	Gas cylinders	Electronics	Paint	Tires	Used oil	Appliances	Address	
Pownal Transfer Station	X	X	X	X	X	X	X	X	X	Maple Grove Rd., Pownal (802) 688-3488 (Residents, businesses, and institutions in Pownal)	Wed, Fri, & Sat: 8:00 AM - 4:00 PM
Searsburg Transfer Station	X					X		X		Town Highway Garage 18 Town Garage Rd., Searsburg (802) 688-3488	Wed: 3:00 PM - 7:00 PM Sat: 8:00 AAM - 2:00 PM
Shaftsbury Transfer Station	X					X	X	X	X	510 North Rd., Shaftsbury (802) 442-4038 (Residents, businesses, and institutions of Shaftsbury and Glastenbury)	Tue: 7:00 AM - 12:00 PM, Thurs: 11:00 AM - 4:00 PM, Sat: 7:00 AM - 4:00 PM
Stamford Transfer Station	X		X ^^			X		X		Stamford Town Garage 610 Mill Rd., Stamford (802) 694-1361	Wed: 3:00 PM - 6:00 PM (mid April - mid Oct) Sat: 8:00 AM - 12:00 PM
Sunderland Transfer Station	X			X		X		X		4561 Sunderliad Hill Rd., Sunderland (800) 499-4370 (Residents, businesses, institutions of Arlington, Dorset, Manchester, Sandgate, & Sunderland)	Mon - Tue: 7:30 AM - 2:00 PM, Thurs & Fri: 7:30 AM - 2:00 PM, 7:30 AM - 11:30 AM
HHW Collection Facility (Seasonally)			X		X					Bennington Transfer Station 904 Houghton Ln, Bennington (802) 442-0713 Ext. 2 (Open to residents and VSQGs within the 13-member towns of the Alliance)	By appointment only May through October

*Automotive and marine batteries only

**Rechargeable power tool batteries only

^Compact fluorescent lamps only

^^ One pound canisters only

Appendix 6: Textile Collection Locations in BCSWA

Textile/Clothing Donation Locations

Goodwill Industries of the Berkshires, Inc.

215 North St
Bennington
802-442-4285
Hours: Mon - Sat 9:00 AM - 7:00 PM
Sun 10 AM - 6 PM

Goodwill Drop Off

Berkshire Bank Parking Lot 3450 Richville Rd.
Manchester Center
Hours: Saturday 1:00 PM - 5:00 PM

VNA & Hospice of the Southwest Region

5468 Main St.
Manchester Center
802-362-1255
Hours: Mon - Fri 11:00 AM – 3:00 PM
Every 3rd Sat 10:00 – 2:00 PM

The Free Store Bennington

401 Main St
Bennington, VT 05201
(802) 379-3402
Hours: Thur – Sun 10:00 AM – 4:00 PM

Textile/Clothing Drop Box Locations

Arlington

Arlington Transfer Station*
4561 Sunderland Hill Rd.

Heer, Inc.*
3713 VT – 7A

Chem-Clean Furniture Restoration*
4095 VT – 7A

Wayside Country Store*
3307 VT Route 313 W

Bennington

Bennington Beverage Outlet*
125 Northside Dr.

Bennington Early Childhood Center*
1506 Harwood Hill

Bennington Transfer Station*
904 Houghton Ln.

Vermont Chef*
713 Main St.

Mag's Market*
510 South St.

Textile/Clothing Drop Box Locations

Bennington (continued):

Hannaford
141 Hannaford Sq.

Home Depot
121 N. Bennington Rd.

Price Chopper
214 Northside Drive

Dorset

Dorset School*
130 School Dr.

H.N. Williams*
2732 VT Route 30

East Dorset

Northshire Transfer Station*
310 Tennis Way

Pownal

Winchester Store*
6185 Route 7

Sunderland

Sunderland Transfer Station*
4561 Sunderland Rd.

Manchester

VNA & Hospice*
5468 Main St.

Manchester Laundromat*
366 Depot St.

*Textile drop-off boxes provided by Apparel Impact
<https://www.apparelimpact.com>



Appendix 7: BCSWA Solid Waste Facility Siting Criteria

New Solid Waste facilities, will be required to be added to the SWIP via a plan amendment. That process would need to be completed before a facility can be certified by the Vermont Agency of Natural Resources. Application for certification and for inclusion in this plan may be done concurrently. For facilities seeking categorical certification, the Alliance finds that the proposed facility is acceptable under this plan.

A public or private entity desiring to operate a solid waste facility in the BCSWA area shall submit a letter to the Alliance requesting that its facility be included in this Solid Waste Implementation Plan. For categorical certifications, the public or private entity shall submit a letter requesting a determination of whether the proposed facility is acceptable under this plan. Along with that letter, the applicant shall submit a copy of the entity's completed application for a Vermont Solid Waste Management Facility Certification or Categorical Certification that the applicant is submitting to the State, along with copies of local, state or federal approval applications and any additional information required to sufficiently document satisfaction of the siting criteria specified below. Applicants are advised to begin consultations with the Alliance early in the process.

Solid Waste facilities, such as transfer stations, shall be located to:

1. Conform to all local, regional, state, or federal rules, regulations and permitting requirements.
2. Comply with the siting requirements of the Vermont Solid Waste Management Rules.
3. Are prohibited within:
 - a. Class I and Class II Groundwater Areas;
 - b. Class I and Class II wetlands and their associated buffer zones, as defined in the Vermont Wetlands Rules, unless allowed by a Wetlands Permit or Conditional Use Determination that has been issued by the Agency;
 - c. Class III wetlands as and their associated buffer zones, as defined in the Vermont Wetlands Rules, unless allowed by a Wetlands Permit or Conditional Use Determination that has been issued by the Agency;
 - d. Class III wetlands, as defined by the Vermont Wetlands Rules, unless allowed by a Water Quality Certification that has been issued pursuant to 40 CFR Part 401, or has been waived by the Agency;

- e. A National Wildlife Refuge as designated by the United States Fish and Wildlife Service;
 - f. A wildlife management area as designated by the Agency
 - g. A threatened or endangered species habitat area as designated by the Agency, except for diffuse disposal facilities
 - h. Floodways, Special Flood Hazard Areas; This criterion does not apply to storage, transfer or recycling facilities, certified prior to the date of either this plan or the Vermont Solid Waste Rules where there is no expansion of the facility beyond the previously certified waste management boundary;
 - i. River corridors, except for land application sites as provided in §6-1305; This criterion does not apply to previously certified storage, transfer, or recycling facilities where there is no expansion of the facility beyond the previously certified waste management boundary;
 - j. A watershed for a Class A Waters, as designated by the Agency;
 - k. Within 500-feet of an Outstanding Resource Water; This criterion does not apply to previously certified Subchapter 12 storage, transfer, or recycling facilities where there is no expansion of the facility beyond the previously certified waste management boundary;
 - l. Within Surface Water Protection Areas;
 - m. On slopes greater than 15% grade
4. Have direct access to a state or town road with weight limits sufficient for vehicular traffic that will serve the facility.
 5. Receive support from and/or incorporate any changes recommended by the Bennington County Regional Commission during review for potential substantial regional impact or through Act 250 review.

Wastewater treatment facilities shall be located so as to meet the requirements of the Vermont Agency of Natural Resources. Any such facilities required to have a solid waste certification or a sludge management plan shall be deemed to be included if and when that plan is approved by the Vermont Agency of Natural Resources.

To be included in this plan or to receive a letter of acceptability for categorical certifications, the facility would need to be approved by resolution of a 2/3 majority of the Alliance Board members at a duly warned meeting of the Alliance as specified in the interlocal agreement creating the Alliance. The Alliance Board may hold one or more public hearings on the proposed facility. The Alliance Board will approve, conditionally approve or deny the request for inclusion or for acceptability in the Plan by resolution within sixty (60) days of an application deemed as complete by the Alliance Board Executive Committee at a special or regularly scheduled Board meeting. The applicant may make a presentation or be available to answer questions.

If a town joins BCSWA after adoption of this SWIP, the solid waste facilities of that town are not automatically included in this SWIP but will be approved on a case-by-case basis by the Alliance Board. The Alliance will notify the State in writing, in the manner prescribed by the

State, of any facility or type of facility that is included in the Plan after completion of the process described in this section. A list of facilities included in the Plan will be maintained by the Alliance and is considered part of this Plan. A facility continues to be included in the Plan if it remains in compliance with all local, state, and federal laws, rules, regulations, and ordinances. If an amendment or renewal of the Vermont Solid Waste Management Facility Certification for a facility included in this Plan includes significant changes in the materials accepted, the process used to manage the materials or the annual tonnages allowed to be managed by the facility, the owners/operators of the facility shall follow the procedures specified in this section to be included in this plan.

The Bennington County Solid Waste Alliance will communicate these requirements with town planning commissions and development review boards so that review can be coordinated, as necessary.

Appendix 8: Pay-As-You-Throw Ordinances

All 13 member Towns of BCSWA passed a PAYT ordinance in 2017. Three examples of them are represented in this Appendix. Please see Appendix 1 for information about how to contact other Towns in the alliance and request a copy of their individual ordinance.

TOWN OF SHAFTSBURY

Municipal Solid Waste Variable Rate Pricing and Hauler Registration and Reporting Ordinance

Article I: PURPOSE

This ordinance is enacted to implement a variable rate pricing system to decrease the disposal of solid waste, increase recycling and composting, increase the diversion and reuse of valuable materials in the solid waste stream and otherwise encourage the responsible use of resources and the protection of the environment, and to provide for equitable and fair pricing for solid waste services.

Article II: Statutory Authority

The authority for this ordinance is granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries. 24 V.S.A. § 2202a (d) requires municipalities implement a variable rate pricing system by no later than July 1, 2015.

Article III: DEFINITIONS

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.
- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a one or more treatment, storage, recycling, or disposal operations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within the Town of Shaftsbury.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Mandatory Recyclables" include those listed in the Universal Recycling Law such as paper, cardboard, glass, specified plastics and metal.
- f. "Organic Materials" include food scraps, leaf and yard waste and other materials that can be diverted from landfills through composting, diverted for agricultural use or treated using anaerobic digestion.

- g. "Recycling Methodology" means the method of collection used by the Hauler, i.e., single stream/dual stream, type of containers, truck type, and processing facility.
- h. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

Article IV: VARIABLE RATE PRICING

Haulers and Facilities that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable Rate Pricing.

Each Hauler and Facility shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers. These may be based on a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Hauler or Facility from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Hauler or Facility may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

Article V: FLAT FEE

In addition to the unit-based price charged per unit of MSW, Haulers and Facilities may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Hauler or Facility elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Hauler or Facility from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Hauler or Facility may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Hauler or Facility may incorporate the collection cost of mandated recyclables into the cost of the collection of solid waste and may adjust the charge for the collection of solid waste.

Article VI: FILING OF PRICING SYSTEM

The Hauler or Facility shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the Town of Shaftsbury along with their registration.

Article VII: REGISTRATION AND REPORTING

Each hauler shall register with the Town annually by December 31st and that registration will be valid for the next calendar year. When registering, the hauler may be required to provide contact information, towns served, type of vehicle, vehicle identification number, license plate number for each vehicle, and the types of services offered including their Recycling Methodology and pay a registration fee as specified on the registration form.

Article VIII: PENALTIES AND CIVIL ENFORCMENT

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning – demanding Variable rate pricing)

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

Article IX: DESIGNATION OF ENFORCEMENT PERSONNEL

For the purposes of this ordinance, the Select Board hereby designates the Sheriff Department with law enforcement authority for this ordinance under Vermont law.

Article X: 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 XI: 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 XII: EFFECTIVE DATE

This amended ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 2nd day of October, 2017.

 Select Board Chair	 Select Board
 Select Board	_____ Select Board
 Select Board	

Attest, Town of _____ Town Clerk

TOWN OF STAMFORD
ORDINANCE REGULATING THE
COLLECTION AND DISPOSAL OF SOLID WASTE AND
VARIABLE RATE PRICING AND HAULER REGISTRATION AND REPORTING

This ordinance is designated as a civil ordinance pursuant to 24 V.S.A. 1971(b). A violation of this ordinance shall be a civil matter enforced in accordance with the provision of 24 V.S.A. 1974a et seq. and 1977 et seq.

ARTICLE I
PURPOSE

This ordinance is enacted to protect the health and welfare of the citizens of Stamford, Vermont, to implement a variable rate pricing system to decrease the disposal of solid waste, increase recycling and composting, increase the diversion and reuse of valuable materials in the solid waste stream and otherwise encourage the responsible use of resources and the protection of the environment, and to provide for equitable and fair pricing for solid waste services.

ARTICLE II
STATUTORY AUTHORITY

The authority for this ordinance is granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries. 24 V.S.A. § 2202a (d) requires municipalities implement a variable rate pricing system by no later than July 1, 2015.

ARTICLE III
DEFINITIONS

“Authorization” by the Town of Stamford means authorized pursuant to a legal contract or other written authorization entered into by the Town of Stamford and a private third person as defined herein.

“Collection” shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

“Collection box” shall mean a plastic bin or garbage can issued by the Town for the purpose of collecting mandatory recyclables.

“Designated area” shall mean an area designated for storage of solid waste and mandatory recyclables readily accessible at all times by a conventional solid waste collection truck.

"Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A facility may consist of a one or more treatment, storage, recycling, or disposal operations.

"Fire Warden" shall mean the person appointed to office as defined under Vermont Statute V.S.A. 10, Section 2641.

"Food scraps" shall mean all food and plant waste.

"Hauler" shall mean any person that collects, transports, or delivers solid waste generated within the Town of Stamford, Vermont.

"Leaf and yard debris" shall mean compostable untreated vegetative matter, including grass clippings, leaves and brush.

"Mandatory recyclables" include those listed in the Universal Recycling Law such as but not limited to paper, cardboard, glass, specified plastics and metal.

"Municipal solid waste" also referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.

"Open fire burning" shall mean burning of solid waste in the open where the products of combustion are emitted directly into the atmosphere without passing through a stack, chimney or other enclosure.

"Organic materials" include food scraps, leaf and yard waste and other materials that can be diverted from landfills through composting, diverted for agricultural use or treated using anaerobic digestion.

"Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

"Recycling methodology" means the method of collection used by the hauler, i.e., single stream/dual stream, type of containers, truck type, and processing facility.

"Resident" shall mean any person whose principal place of residence is within the corporate limits of the town, including, but not limited to homeowners, tenants, business, and corporations.

"Solid waste" shall mean any solid waste as identified in Title 10 V.S.A. Section 6602.

"Variable rate pricing" means a fee structure that charges for municipal solid waste collection based on its weight or volume.

"Waste container" shall mean a metal or plastic garbage can or dumpster with a lid that securely fastens, or a securely tied plastic bag.

ARTICLE IV SOLID WASTE REGULATION

The collection, removal, and disposal of all solid waste within the limits of the Town of Stamford shall be regulated by the Board of Selectmen of the Town of Stamford which have the power to establish the time, method, providers of service and such other regulation as said Board shall promulgate for the orderly provision of such service and the general health, safety, and welfare of the town inhabitants.

ARTICLE V COLLECTION

The Board of Selectmen is authorized to employ or make contracts with individual persons for the separation, recovery, collection, removal, storage, or disposition of solid waste, including mandatory recyclables. The registration fee for collection of solid waste will be set by the Board of Selectmen yearly. Contracts which are awarded pursuant to this authority shall be advertised or otherwise put to competitive bid by authority of the Board of Selectmen. Contracts may be awarded or rejected at the sole discretion of the Board of Selectmen for any reasons which they deem appropriate, including but not limited to, the efficiency of scale, past performance of a contractor, stability of operation and need for competition. The Board of Selectmen may adopt regulations regulating the preparation of solid waste and mandatory recyclables for collection and setting appropriate fees.

All collections and haulers of solid waste in the Town of Stamford shall register with the Board of Selectmen and such registration shall constitute authorization to collect solid waste but not mandatory recyclables. Authorization to collect mandatory recyclables shall be a separate authorization. The Board of Selectmen may set a registration fee.

ARTICLE VI PUBLIC SAFETY

No person having the custody or control of residential, industrial or business premises from which solid waste, including mandatory recyclables, is collected for disposal in the Town of Stamford shall permit or cause any solid waste, including mandatory recyclables, within their control to become a hazard to public travel, health, or safety or to become a nuisance of any sort. Solid waste other than yard waste may not be deposited or otherwise left out of doors unless it has been placed in a proper container as defined by regulations promulgated pursuant to this ordinance. Household hazardous waste may only be disposed of in accordance with state and federal regulations for proper management and disposal.

ARTICLE VII
ILLEGAL DUMPING

Section 1.

Every person within the Town of Stamford limits shall be responsible for proper disposal of his/her own solid waste. A person shall not throw, dump, deposit or cause to be thrown, dumped or deposited: bottles, crockery, cans, plastic, solid waste, junk, paper, garbage, tires, furniture, mattresses, box springs, unregistered and/or uninspected automobiles or parts hereof, organic and inorganic refuse of whatever nature, or any noxious thing on lands of others, public or private, or into the waters of this state, or on the shores or banks thereof, or on a public body of water or public highway. If the throwing, placing or depositing was done from a motor vehicle, except a motorbus, it shall be prima facie evidence that the throwing, placing or depositing was done by the driver of the motor vehicle.

The disposal of waste material, including solid waste and hazardous waste, is prohibited in the Town of Stamford except at a facility approved for such disposal under the provisions of 10 VSA Chapter 159 (Waste Management) or 24 VSA Chapter 61, Subchapter 10 (Junkyards). This provision shall not prohibit the temporary storage of waste material in a container designed to prevent release of such material pending collection of such waste for disposal at an approved facility.

Nothing in Section 1 above shall apply to normal snow removal operations by the municipality.

Section 2.

It shall be unlawful for any person, business, or corporation to enter any solid waste facility of the Town of Stamford when said facility is not open; nor shall they deposit, dump, or leave solid waste or mandatory recyclables of any kind in any such facility or adjacent thereto, whenever said facility is not open.

Section 3.

It shall be unlawful for any person to deposit, dump, or leave solid waste or mandatory recyclables in any privately owned or maintained disposal container other than their own, nor any other private property, without the consent of the owner.

Section 4.

It shall be unlawful to deposit in a municipally owned or maintained disposal container any solid waste or mandatory recyclables other than that created or originated in any public buildings, grounds, or highways in the Town of Stamford or on the person of anyone using said public buildings, grounds, or highways.

ARTICLE VIII
OPEN FIRES

For regulations on open fires, please see contact the Town Fire Warden for guidance.

ARTICLE IX
LEAF AND YARD DEBRIS

No leaf and yard debris shall be disposed of with municipal solid waste, but shall be disposed of in one of the following alternative disposal mechanisms:

- a. Residents are encouraged to compost yard waste in a pile, windrow, or designated container in their backyards.
- b. Leaf and yard debris may be disposed of at the Stamford transfer station after July 1, 2015 in accordance with the instructions and schedule established by the Board of Selectmen.

ARTICLE X
FOOD SCRAPS

The town is offering the following alternative disposal mechanism for the disposal of food scraps:

- a. Residents are encouraged to compost food scraps in a pile, windrow, or designated container in their backyards.
- b. Food scraps may be disposed of at the Stamford transfer station beginning July 1, 2017 in accordance with the instructions and schedule established by the Board of Selectmen. As of July 1, 2020 food scraps will be banned from the landfill.

ARTICLE XI
FILING OF PRICING SYSTEM

The hauler or facility shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the Town of Stamford along with their registration.

ARTICLE XII
SEPARATION OF MANDATORY RECYCLABLES

Section 1.

Except as hereinafter provided, mandatory recyclables as defined herein, from all residences shall be kept separate from other solid waste, either delivered to a private or

town collection facility or designated area, as defined in regulations adopted pursuant to this ordinance.

Section 2.

Apartments, condominiums, businesses, institutions, and industries located within the Town of Stamford shall separate mandatory recyclables from all other solid waste in accordance with regulations adopted pursuant to this ordinance and have an area designated for mandatory recyclables as defined herein. The area so designated shall be clearly marked.

Section 3.

In accordance with regulations adopted pursuant to this ordinance, any person within the Town of Stamford may properly dispose of mandatory recyclables at private collection facilities or at areas maintained by the Town of Stamford or its designated agent for that purpose. Mandatory recyclables as defined herein, shall be separated according to the standards that shall be promulgated as regulated pursuant to this ordinance by the Board of Selectmen.

Section 4.

Placement requirements may be waived for reasons of age, infirmity or handicap.

ARTICLE XIII
COLLECTION BY UNAUTHORIZED PERSON

It shall be a violation of this ordinance for any person not authorized by the Town of Stamford to collect or pick up or cause to be collected or picked up any solid waste, including mandatory recyclables. Any and each such collection shall constitute a separate and distinct offense punishable as hereinafter provided.

ARTICLE XIV
PLACEMENT OF MUNICIPAL SOLID WASTE
AND MANDATORY RECYCLABLES FOR COLLECTION

Section 1.

Municipal solid waste shall be placed for collection in the proper waste containers at the town transfer station.

Section 2.

All mandatory recyclables shall be prepared and separated into the designated containers at the transfer station in accordance with instructions provided to the residents and posted at the transfer station by the Board of Selectmen. Said instructions or changes thereto shall be based on existing material market conditions.

ARTICLE XV
REQUIREMENT OF AUTHORIZED HAULERS AND FACILITIES

Section 1.

No person shall collect municipal solid waste or mandatory recyclables placed at the designated area unless they are authorized by the town. Licenses shall be obtained from the Board of Selectmen. Authorization and licenses to collect solid waste and mandatory recyclables may be suspended or revoked by the Board of Selectmen for failure to abide by these regulations.

Section 2.

Each hauler shall register with the Town of Stamford annually by December 31st and that registration will be valid for the next calendar year. When registering, the hauler may be required to provide contact information, towns served, type of vehicle, vehicle identification number, license plate number for each vehicle, and the types of services offered including their recycling methodology and pay a registration fee as specified on the registration form.

Section 3.

Haulers and facilities that provide collection and/or drop-off disposal services for municipal solid waste to residential customers shall charge these customers for this service on the basis of the volume or weight of the municipal solid waste they produce, which is a pricing system commonly referred to as variable rate pricing.

Each hauler and facility shall establish a unit-based price to be charged for the collection/drop-off disposal of each unit of municipal solid waste from residential customers. These may be based on a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of municipal solid waste, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any hauler or facility from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A hauler or facility may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a municipal solid waste greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the collection of such excess municipal solid waste.

Section 4.

No hauler or facility shall knowingly collect municipal solid waste which does not have mandatory recyclables and leaf and yard debris separated from it after July 1, 2015. No hauler or facility shall knowingly collect municipal solid waste which does not have food scraps separated from it after July 1, 2020.

Section 5.

In addition to the unit-based price charged per unit of municipal solid waste, haulers and facilities may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of municipal solid waste.

In the event that a hauler or facility elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a hauler or facility from charging additional fees for the collection of materials such as food and yard residuals or bulky items; except however, that no hauler or facility may charge a separate line item fee on a bill to a residential customer for the collection of mandatory recyclables after July 1, 2015, in accordance with state statutes. A hauler or facility may incorporate the collection cost of mandatory recyclables into the cost of the collection of solid waste and may adjust the charge for the collection of solid waste.

Section 6.

Haulers shall report to the Town of Stamford's Board of Selectmen any obvious violations of these regulations by a resident, hauler, or any other person.

Section 7.

Any rejected municipal solid waste and/or mandatory recyclables not properly separated or placed in accordance with these regulations shall be the sole responsibility of that resident and shall be retrieved by the resident within 24 hours and properly separated for disposal.

Section 8.

Failure to abide by these regulations may cause suspension or revocation of any authorization or license or enforcement of any other penalties provided by law.

ARTICLE XVI
PENALTIES AND ENFORCEMENT

Section 1.

The Traffic and Municipal Ordinance Bureau – Any individual, commercial, resident, non-resident, collector/hauler who violates any provisions of this ordinance shall be subject to a civil penalty of up to \$500.00 per day for each day that such violation continues. The Board of Selectmen, Administrative Officer, Health Officer or any law enforcement officer may act as an issuing Municipal Officer and issue and pursue before the Traffic and Municipal Ordinance Bureau a municipal complaint for a violation of this ordinance.

Right to Civil Enforcement – In addition to the enforcement procedures available before the Traffic and Municipal Ordinance Bureau, the town is authorized to utilize the

procedures set forth in 24 VSA Chapter 61, subchapter 12 (2297 et seq.) (Appendix C), commence a civil action to obtain injunctive and other appropriate relief or to pursue any other remedy authorized by law.

Section 2.

The Town of Stamford, or its designated agent, reserves the right to refuse to collect solid waste or to refuse to allow disposal at any facility operated by the town or for the benefit of the town where this ordinance or the regulations promulgated hereunder are ignored or violated. The town further reserves the right to terminate the authorization of any hauler who violates this ordinance or the regulation promulgated hereunder.

Section 3.

Unless otherwise provided for herein, each day that a violation shall continue or exist shall constitute a separate offense.

Section 4.

The Town of Stamford may, upon the violation of any provision of this ordinance, maintain an action to enjoin the violation of these ordinances, or any regulations adopted to implement the same, but the election of the town to proceed with an application or petition for an injunction shall not prevent a criminal prosecution for the violation of this ordinance. Expenses incurred by such action shall be recovered by the person whose legal duty it was to comply with these ordinances.

Section 5.

Civil Penalty of Ordinance Violation – An issuing Municipal Officer is authorized to recover civil penalties in the following amounts, in addition to the cost of cleanup, for each violation of this ordinance. The amount and the date for acceptance of the civil penalty shall be affixed to the complaint or notice.

First Offense	\$100.00
Second Offense	\$200.00
Third Offense	\$300.00
Fourth Offense	\$400.00
Fifth and Subsequent Offenses	\$500.00

Waiver fees for Municipal Complaint – A waiver fee of one-half the civil penalty to which a violator is subject shall be assessed for those who admit or do not contest the ordinance violation. The amount and the date for acceptance of the waiver fee shall be affixed to the complaint or notice.

First Offense	\$ 50.00
Second Offense	\$100.00
Third Offense	\$150.00
Fourth Offense	\$200.00
Fifth and Subsequent Offenses	\$250.00

Offenses shall be counted on a calendar year basis.

In determining whether to affirm, modify or reverse an order for a civil penalty, the environmental court shall consider the factors set forth in subsection 2297a(a) of this title.

If the respondent does not request a hearing on a final order within ten days of receipt of the order, the final order shall stand.

ARTICLE XVII
INCONSISTENT REPEAL

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 XVIII
SEVERABILITY

This ordinance and the various parts, sentences, sections and clauses thereof, 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.

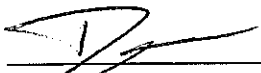
ARTICLE XIX
EFFECTIVE DATE

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

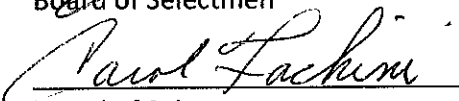
Adopted this 5th day of October, 2017.


Board of Selectmen, Chair


Board of Selectmen


Board of Selectmen

Board of Selectmen


Board of Selectmen


Attest, Town Clerk

TOWN OF SUNDERLAND VT.

Municipal Solid Waste Variable Rate Pricing and Hauler Registration and Reporting Ordinance

Article I: PURPOSE

This ordinance is enacted to implement a variable pricing system to decrease the disposal of solid waste, increase recycling and composting rates, increase the diversion and reuse of valuable materials in the solid waste stream and otherwise encourage the responsible use of resources and the protection of the environment, and to provide for equitable and fair pricing for solid waste services.

Article II: Statutory Authority

The authority for this ordinance is granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Sub chapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries. 24 V.S.A. § 2202a (d) requires municipalities implement a variable rate pricing system by no later than July 1, 2015.

Article III: DEFINITIONS

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.
- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a one or more treatment, storage, recycling, or disposal operations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within the Town of Sunderland Vt.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Mandatory Recyclables" include those listed in the Universal Recycling Law such as paper, cardboard, glass, specified plastics and metal.
- f. "Organic Materials" include food scraps, leaf and yard waste and other materials that can be diverted from landfills through composting, diverted for agricultural use or treated using anaerobic digestion.

- g. "Recycling Methodology" means the method of collection used by the Hauler, i.e., single stream/dual stream, type of containers, truck type, and processing facility.
- h. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

Article IV: VARIABLE RATE PRICING

Haulers and Facilities that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable Rate Pricing.

Each Hauler and Facility shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers. These may be based on a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Hauler or Facility from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Hauler or Facility may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

Article V: FLAT FEE

In addition to the unit-based price charged per unit of MSW, Haulers and Facilities may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Hauler or Facility elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Hauler or Facility from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Hauler or Facility may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Hauler or Facility may incorporate the collection cost of mandated recyclables into the cost of the collection of solid waste and may adjust the charge for the collection of solid waste.

Article VI: FILING OF PRICING SYSTEM

The Hauler or Facility shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the Town of Sunderland Vt. along with their registration.

Article VII: REGISTRATION AND REPORTING

Each hauler shall register with the Town Sunderland Vt. annually by December 31st and that registration will be valid for the next calendar year. When registering, the hauler may be required to provide contact information, towns served, type of vehicle, vehicle identification number, license plate number for each vehicle, and the types of services offered including their Recycling Methodology and pay a registration fee as specified on the registration form.

Article VIII: PENALTIES AND CIVIL ENFORCMENT

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning – demanding Variable rate pricing)

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

Article IX: DESIGNATION OF ENFORCEMENT PERSONNEL

For the purposes of this ordinance, the Select Board hereby designates with law enforcement authority for this ordinance under Vermont law. The town attorney, Bennington County Solid Waste Alliance attorney, or any duly authorized law enforcement officer may act as an issuing municipal official and pursue a municipal complaint for violation of this ordinance before the Judicial Bureau in accordance with 24 V.S.A Chapter 59

Article X: 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.

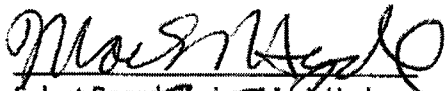
Article XI: SEVERABILITY

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 XII: EFFECTIVE DATE

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


Adopted this 2nd day of October 2017.



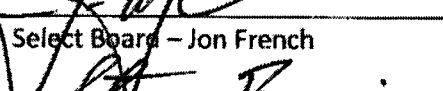
Select Board Chair – Mark Hyde



Select Board – Rick Timmerman



Select Board – Jon French



Select Board – Steven Bendix

Select Board - Vacant



Attest, Town of Sunderland Vt. Town Clerk

Appendix 9: Conformance with Regional Plans



Bennington County Regional Commission

210 SOUTH STREET • SUITE 6 • BENNINGTON, VERMONT 05201 • (802) 442-0713

April 24, 2025

Mr. Scott Grimm-Lyon
Bennington County Solid Waste Alliance/BCRC
210 South Street, Suite 6,
Bennington, VT 05201

RE: Bennington County SWIP

Dear Scott:

Please accept this letter in support of the Bennington County Solid Waste Alliance's Solid Waste Implementation Plan (SWIP) approved by the Bennington County Solid Waste Alliance on April 16, 2025. The BCRC finds the SWIP to be in compliance with the *Bennington Regional Plan*, which was adopted on November 21, 2024.

The SWIP complies with the *Bennington Regional Plan* policy 12.10.5 under Utilities, Facilities and Services. Specifically, *Bennington Regional Plan* policy 12.10.5 states, "*The BCRC will work with towns in the region to develop a comprehensive solid waste plan that will implement the goals of the Vermont Materials Management Plan in a manner that is deemed most appropriate for local communities. Long-term facilities and management structures that promote responsible and cost-effective resource use must be identified and implemented.*"

Thank you for the opportunity to review and comment on the Bennington County SWIP and for your efforts on behalf of the region.

Sincerely,

William Colvin
Director



April 18, 2025

Scott Grimm-Lyons
Bennington County Solid Waste Alliance/BCRC
210 South Street #6,
Bennington VT 05201

RE: Bennington County SWIP

Dear Scott:

I write this letter in support of the Bennington County Solid Waste Alliance's Solid Waste Implementation Plan (SWIP) and its compliance with the Windham Regional Plan 2014, readopted June 29, 2021. The SWIP complies with the Windham Regional Plan policy 17 under Utilities, Facilities and Technology.

Windham Regional Plan Policy #17.

Work with solid waste management entities and town to plan for waste disposal needs, including regulations under Act 148, through the establishment of recycling, composting, waste reduction and reuse, and general waste management programs, while addressing public health, environmental quality, and impacts on adjacent and nearby land uses.

WRC supports the efforts of the Bennington County Solid Waste Alliance and the Bennington County Regional Commission and thanks you for all you do for the region.

Respectfully submitted,

A handwritten signature in blue ink that reads "Susan Westa". The signature is fluid and cursive, written in a professional style.

Susan Westa, AICP
Associate Director