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Vermont House Committee on Environment and Energy  
Jen Holliday, Director of Public Policy and Communications, Chittenden Solid Waste District (CSWD)  
H.67  
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Madam Chair and Committee Members,

Thank you for your interest in Extended Producer Responsibility (EPR) for Household Hazardous Waste (HHW) and for inviting me to speak about H.67. For the record my name is Jen Holliday, I am the Director of Public Policy and Communications for the Chittenden Solid Waste District (CSWD).

As I testified last week, I also serve as a founding member and the Chair of the Vermont Product Stewardship Council (VTPSC) which includes most of the Vermont Solid Waste Management Entities (SWMEs) as members. The VTPSC formed in 2008 to work on Extended Producer Responsibility (EPR) initiatives in collaboration with the Product Stewardship Institute (PSI). PSI is a national organization that specializes in EPR policy. EPR for HHW has been a priority for the VTPSC for the past nine years with a bill introduced every biennium for the past three biennia. Two of these bills passed the House. H.67 is the fourth EPR bill for HHW.

The reason this initiative is so important for CSWD and other SWMEs is because HHW is the most toxic part of our waste stream and is therefore critical to keep out of the landfill and wastewater to protect Vermont's surface and groundwater. The problem is that hazardous waste is extremely expensive to collect and properly manage.

SWMEs recognize the need and would like to provide more frequent and convenient collection but they can't afford it. The minimal requirements to provide two one-day collection events for HHW per year is not enough to keep consumers from disposing of hazardous products in their trash. According to the 2018 State of Vermont Waste Characterization Study, 855 tons of household hazardous waste goes to the landfill every year. Additionally, HHW is improperly disposed down toilets and sinks but we don't have the data on how much.

EPR for HHW would help in a number of ways:

- Put the end of their life cost of managing these products on the producers who profit from them instead of on local government and taxpayers.
- Provide an incentive to manufacturers to reduce the toxicity of their products or not produce hazardous products that require special management.
- Protect solid waste workers by keeping HHW out of the trash.

- Protect our ground and surface waters by keeping HHW out of the trash and from being disposed down the drain.

H.67 is modeled after VT's successful and very effective EPR laws for other products--electronics, primary batteries, paint, mercury lamps and mercury thermostats. Like the programs for electronics, batteries, and mercury-containing products, this bill will not increase the cost of household hazardous products for Vermont consumers. There is no fee at the point of retail. The basic structure of the proposed program is not complicated, and I have submitted a summary of how the program would work under H.67 that includes a diagram showing responsibilities of program stakeholders.

### **CSWD Program**

CSWD has been providing collection services for HHW since 1991. Our Board has always been committed to keeping HHW out of the environment and extremely supportive of CSWD's efforts to achieve that. Our level of service is well above the state's requirements and is considered the gold standard nationally by those in the HHW collection industry. CSWD provides a permanent, year-round collection facility in South Burlington called the Environmental Depot offering drop-off appointments 5 days a week, plus a seasonal, county-wide mobile collection service known as the Rover that provides one-day collection events throughout our community during the warmer months of the year.

CSWD employees have collected and responsibly managed more than 16 million pounds of hazardous waste since we started our program over 30 years ago. They accomplish this while maintaining strict compliance with complex rules and regulations that protect worker safety and the environment.

Most of the hazardous waste that we collect is ultimately shipped out of state for recycling, incineration, or other treatment as far away as Texas. There are no disposal or treatment facilities for hazardous waste in Vermont.

Chittenden County residents do a great job of properly managing their HHW as proven by their high participation rates in our program. In recent years we have been serving between 8,000 and 11,000 households every year. This is approximately 13% of Chittenden County households, which is among the highest participation rates achieved in U.S. HHW collection. 100% participation every year is not expected because research shows that on average consumers need to dispose of HHW once every 7.4 years. Therefore, if a program serves 13% of the households every year for 7.4 years, it maintains about a 96% household participation rate at the end of the 7.4 years.

Several factors contribute to this high participation rate. In addition to the convenient collection services, we have a robust outreach and education program and we provide all these services for no fee to residents. Convenient, low or no-cost access are well documented as being key to high participation and successful collection of any material. Unfortunately, the high costs of collection mean that many Vermont residents in other parts of the state have access to only the minimum requirement of two one-day collection events each year.

H.67 would help address this by covering some of the cost of these programs.

## CSWD Costs

At CSWD we are proud of our residents' commitment to keeping HHW out of the environment through their high use of the Environmental Depot and the Rover. But it comes with a high price tag. CSWD's total HHW management costs in FY22 were \$784,000. This was partially offset by revenue generated from the previously mentioned EPR programs for batteries, mercury devices, and paint, and by a grant from the Agency of Natural Resources, leaving us with a net cost of \$545,000.

We collected 614,000 pounds of HHW in FY22, which equates to \$1,775 per ton to manage this waste stream. FY22 disposal costs alone were \$220,000. We expect this expense to be over \$350,000 in FY24 as our HHW disposal service provider, U.S. Ecology, is increasing their disposal pricing by 35%. We anticipate disposal costs will continue to rise due to consolidation of hazardous waste service providers and limited competition in Vermont.

Our HHW program is paid for by CSWD's Solid Waste Management Fee, a \$27 per ton fee that we levy on trash generated in Chittenden County. If H.67 were to pass, CSWD would be able to apply anticipated savings to waste reduction and prevention efforts.

H.67 will provide funding that could enable other SWMEs to provide more convenient and frequent HHW collection, which could be more effective at keeping HHW out of the trash and the environment, as previously noted. For those SWMEs that are providing more than the minimum services required by ANR, revenues from H.67 could prevent them from having to reduce HHW services due to rising costs.

Vermont's EPR programs enjoy some of the highest collection rates in the country. These laws are accomplishing their purpose: Keeping difficult to manage and high-impact materials out of the landfill and environment while reducing costs for those with the greatest burden and least ability to effect change. H.67 is constructed in the same tested model. It requires the producers of these products—those most responsible for their impacts—to fund a program that will provide free convenient collection of their products and educate the public on waste reduction and proper disposal. H.67 is a bill that will result in greater recovery of these waste streams and keep them from harming human health and the environment.