

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred  
3 House Bill No. 67 entitled “An act relating to household products containing  
4 hazardous substances” respectfully reports that it has considered the same and  
5 recommends that the Senate propose to the House that the bill be amended by  
6 striking out all after the enacting clause and inserting in lieu thereof the  
7 following:

8 Sec. 1. FINDINGS

9 The General Assembly finds that:

10 (1) Thousands of household products sold in the State contain  
11 substances designated as hazardous under State or federal law.

12 (2) Vermont’s hazardous waste rules establish specific requirements for  
13 the management of hazardous waste, including a prohibition on disposal in  
14 landfills.

15 (3) Leftover household products, known as household hazardous waste  
16 (HHW), are regulated through a requirement that municipal solid waste  
17 management entities (SWMEs) include provisions in solid waste  
18 implementation plans for the management and diversion of unregulated  
19 hazardous waste. The State solid waste management plan also requires the  
20 SWMEs to each hold a minimum of two HHW collection events every year.

1           (4) Many SWMEs already offer more than two HHW collection events,  
2           and seven of the SWMEs have established permanent facilities for the regular  
3           collection of HHW.

4           (5) HHW collection events and permanent facilities are expensive to  
5           operate, and SWMEs spend approximately \$2.2 million a year to manage  
6           HHW, costs that are subsequently passed on to the residents of Vermont  
7           through taxes, fees, or disposal charges.

8           (6) As a result of the failure to divert HHW, it is estimated that 855 tons  
9           or more per year of HHW are being disposed of in landfills.

10           (7) There is general agreement among the SWMEs and the Agency of  
11           Natural Resources that additional collection sites and educational and  
12           informational activities are necessary to capture more of the HHW being  
13           disposed of in landfills.

14           (8) Funding constraints are a current barrier to new collection sites and  
15           educational and informational activities.

16           (9) HHW released into the environment can contaminate air,  
17           groundwater, and surface waters, thereby posing a significant threat to the  
18           environment and public health.

19           (10) To improve diversion of HHW from landfills, reduce the financial  
20           burden on SWMEs and taxpayers, reduce the cost of the overall system of  
21           managing HHW, and lessen the environmental and public health risk posed by

1 improperly disposed of HHW, the State shall implement a program to require  
2 the manufacturers of household products containing a hazardous substance to  
3 implement a stewardship organization to collect household products containing  
4 a hazardous substance free of charge to the public.

5 Sec. 2. 10 V.S.A. chapter 164B is added to read:

6 CHAPTER 164B. COLLECTION AND MANAGEMENT OF  
7 HOUSEHOLD HAZARDOUS PRODUCTS

8 § 7181. DEFINITIONS

9 As used in this chapter:

10 (1) “Agency” means the Agency of Natural Resources.

11 (2) “Consumer product” means any product that is regularly used or  
12 purchased to be used for personal, family, or household purposes.

13 (3) “Covered entity” means any person who presents to a collection  
14 facility or event that is included in an approved collection plan any number of  
15 covered household hazardous products, with the exception of large quantity  
16 generators or small quantity generators as those terms are defined in the  
17 Agency of Natural Resources’ Vermont Hazardous Waste Regulations.

18 (4)(A) “Covered household hazardous product” means a consumer  
19 product offered for retail sale that is contained in the receptacle in which the  
20 product is offered for retail sale, if the product has any of the following  
21 characteristics:

1                    (i) the product or a component of the product is a hazardous waste  
2                    under subchapter 2 of the Vermont Hazardous Waste Management  
3                    Regulations, regardless of the status of the generator of the hazardous waste; or

4                    (ii) the product is a gas cylinder.

5                    (B) “Covered household hazardous product” does not mean any of  
6                    the following:

7                    (i) a primary or rechargeable battery;

8                    (ii) a lamp that contains mercury;

9                    (iii) a thermostat that contains mercury;

10                    (iv) architectural paint as that term is defined in section 6672 of  
11                    this title;

12                    (v) a covered electronic device as that term is defined in section  
13                    7551 of this title;

14                    (vi) a pharmaceutical drug;

15                    (vii) citronella candles;

16                    (viii) flea and tick collars;

17                    (ix) pesticides required to be registered with the Agency of  
18                    Agriculture, Food and Markets;

19                    (x) products that are intended to be rubbed, poured, sprinkled on,  
20                    sprayed on, introduced into, or otherwise applied to the human body or any  
21                    part of a human for cleansing, moisturizing, sun protection, beautifying,

1 promoting attractiveness, or altering appearance, unless designated as a  
2 hazardous material or a hazardous waste by the Secretary of Natural  
3 Resources; or

4 (xi) products determined by the Secretary by rule not to pose an  
5 unacceptable risk to human health, solid waste facility operation, or the  
6 environment, and which are not hazardous waste.

7 (5)(A) “Gas cylinder” means:

8 (i) any nonrefillable cylinder and its contents supplied to a  
9 consumer for personal, family, or household use and shall include those  
10 containing flammable pressurized gas, spray foam insulating products, single-  
11 use and rechargeable handheld fire extinguishers, helium, or carbon dioxide, of  
12 any size not exceeding any cylinder with a water capacity of 50 pounds,  
13 including seamless cylinders and tubes, welded cylinders, and insulated  
14 cylinders intended to contain helium, carbon dioxide, or flammable materials  
15 such as propane, butane, or other flammable compressed gasses; or

16 (ii) refillable cylinders containing propane for personal, family, or  
17 household use not exceeding a water capacity of one pound.

18 (B) “Gas cylinder” does not include any medical or industrial-grade  
19 cylinder.

20 (6)(A) “Manufacturer” means a person who:

1                   (i) manufactures or manufactured a covered household hazardous  
2                   product under its own brand or label for sale in the State;

3                   (ii) sells in the State under its own brand or label a covered  
4                   household hazardous product produced by another supplier;

5                   (iii) owns a brand that it licenses or licensed to another person for  
6                   use on a covered household hazardous product sold in the State;

7                   (iv) imports into the United States for sale in the State a covered  
8                   household hazardous product manufactured by a person without a presence in  
9                   the United States;

10                  (v) manufactures a covered household hazardous product for sale  
11                  in the State without affixing a brand name; or

12                  (vi) assumes the responsibilities, obligations, and liabilities of a  
13                  manufacturer as defined under subdivisions (i) through (v) of this subdivision  
14                  (6)(A), provided that the Secretary may enforce the requirements of this  
15                  chapter against a manufacturer defined under subdivisions (i) through (v) of  
16                  this subdivision (6)(A) if a person who assumes the manufacturer’s  
17                  responsibilities fails to comply with the requirements of this chapter.

18                  (B) “Manufacturer” does not mean a person set forth under  
19                  subdivisions (A)(i)–(vi) of this subdivision (6) if the person manufacturers,  
20                  sells, licenses, or imports less than \$5,000.00 of covered household hazardous

1 products in the United States in a program year and is registered with the  
2 Secretary.

3 (7) “Orphan covered product” means a covered household hazardous  
4 product for which no manufacturer is participating in a stewardship  
5 organization pursuant to section 7182 of this title.

6 (8) “Program year” means the period from January 1 through  
7 December 31.

8 (9) “Retailer” means a person who sells a covered household hazardous  
9 product in the State through any means, including a sales outlet, a catalogue,  
10 the telephone, the Internet, or any electronic means.

11 (10) “Secretary” means the Secretary of Natural Resources.

12 (11) “Sell” or “sale” means any transfer for consideration of title or of  
13 the right to use by lease or sales contract a covered household hazardous  
14 product to a person in the State of Vermont. “Sell” or “sale” does not include  
15 the sale, resale, lease, or transfer of a used covered household hazardous  
16 product or a manufacturer’s wholesale transaction with a distributor or a  
17 retailer.

18 (12) “Stewardship organization” means a legal entity such as an  
19 organization, association, or entity that has developed a system, method, or  
20 other mechanism that assumes the responsibilities, obligations, and liabilities

1 under this chapter of multiple manufacturers of covered household hazardous  
2 products and that is:

3 (A) exempt from taxation under 26 U.S.C. §501(c)(3) of the Internal  
4 Revenue Code; and

5 (B) created by a group of producers to implement a collection plan in  
6 accordance with section 7183 of this title.

7 § 7182. SALE OF COVERED HOUSEHOLD HAZARDOUS PRODUCTS;  
8 STEWARDSHIP ORGANIZATION REGISTRATION

9 (a) Sale prohibited. Beginning six months after approval of a collection  
10 plan by the Secretary, a manufacturer of a covered household hazardous  
11 product shall not sell, offer for sale, or deliver to a retailer for subsequent sale a  
12 covered household hazardous product unless all the following have been met:

13 (1) The manufacturer is participating in a stewardship organization  
14 implementing an approved collection plan.

15 (2) The name of the manufacturer, the manufacturer's brand, and the  
16 name of the covered household hazardous product are submitted to the Agency  
17 of Natural Resources by a stewardship organization and listed on the  
18 stewardship organization's website as covered by an approved collection plan.

19 (3) The stewardship organization in which the manufacturer participates  
20 has submitted an annual report consistent with the requirements of section  
21 7185 of this title.



1           (4) The stewardship organization in which the manufacturer participates  
2           has conducted a plan audit consistent with the requirements of subsection  
3           7185(b) of this title.

4           (b) Stewardship organization registration requirements.

5           (1) Beginning on January 1, 2025 and annually thereafter, a stewardship  
6           organization shall file a registration form with the Secretary. The Secretary  
7           shall provide the registration form to the stewardship organization. The  
8           registration form shall include:

9                   (A) a list of the manufacturers participating in the stewardship  
10                  organization;

11                  (B) a list of the brands of each manufacturer participating in the  
12                  stewardship organization;

13                  (C) a list of the covered household hazardous products of each  
14                  manufacturer participating in the stewardship organization;

15                  (D) the name, address, and contact information of a person  
16                  responsible for ensuring compliance with this chapter;

17                  (E) a description of how the stewardship organization meets the  
18                  requirements of subsection 7184(b) of this title, including any reasonable  
19                  requirements for participation in the stewardship organization; and

1           (F) the name, address, and contact information of a person for a  
2           nonmember manufacturer to contact regarding how to participate in the  
3           stewardship organization to satisfy the requirements of this chapter.

4           (2) A renewal of a registration without changes may be accomplished  
5           through notifying the Agency of Natural Resources on a form provided by the  
6           Agency.

7           § 7183. COLLECTION PLANS

8           (a) Collection plan required. Prior to July 1, 2025, any stewardship  
9           organization registered with the Secretary as representing manufacturers of  
10           covered household hazardous products shall coordinate and submit to the  
11           Secretary for review one collection plan for all manufacturers.

12           (b) Collection plan; minimum requirements. Each collection plan shall  
13           include, at a minimum, all of the following requirements:

14           (1) List of participants. A list of the manufacturers, brands, and  
15           products participating in the collection plan and a methodology for adding and  
16           removing manufacturers and notifying the Agency of new participants.

17           (2) Free statewide collection of covered household hazardous products.  
18           The collection program shall provide for free, convenient, and accessible  
19           statewide opportunities for the collection from covered entities of covered  
20           household hazardous products, including orphan covered products. A  
21           stewardship organization shall accept all covered household hazardous

1 products collected from a covered entity and shall not refuse the collection of a  
2 covered household hazardous product, including orphan covered household  
3 products, based on the brand or manufacturer of the covered household  
4 hazardous product unless specifically exempt from this requirement. The  
5 collection program shall also provide for the payment of collection, processing,  
6 and end-of-life management of the covered household hazardous products.  
7 Collection costs include facility costs, equipment costs, labor, supplies,  
8 maintenance, events costs, and event contractor costs, including collection  
9 event set-up fees, environmental service fees, insurance fees, and shipping  
10 containers and materials.

11 (3) Convenient collection location. The stewardship organization shall  
12 develop a collection program that allows all municipal household hazardous  
13 waste collection programs to opt to be a part of the collection plan, including  
14 collection events and facilities offered by solid waste planning entities. The  
15 plan shall make efforts to site points of collection equitably across all regions  
16 of the State to allow for convenient and reasonable access of all Vermonters to  
17 collection facilities or collection events.

18 (4) Public education and outreach. The collection plan shall include an  
19 education and outreach program that shall include a website and may include  
20 media advertising, retail displays, articles and publications, and other public  
21 educational efforts. Outreach and education shall be suitable for the State's

1 diverse ethnic populations, through translated and culturally appropriate  
2 materials, including in-language and targeted outreach. **Public education and**  
3 **outreach should include content to increase meaningful participation by**  
4 **environmental justice focus populations as required by 3 V.S.A. chapter 72.**  
5 During the first year of program implementation **and two years after adoption**  
6 **of the collection plan,** each stewardship organization shall carry out a survey of  
7 public awareness regarding the requirements of the program established under  
8 this chapter that can identify communities that have disparities in awareness  
9 and need more outreach. Each stewardship organization shall share the results  
10 of the public awareness surveys with the Secretary. If multiple stewardship  
11 organizations are implementing plans approved by the Secretary, the  
12 stewardship organizations shall coordinate in carrying out their education and  
13 outreach responsibilities under this subdivision and shall include in their  
14 annual reports to the Secretary a summary of their coordinated education and  
15 outreach efforts. The education and outreach program and website shall notify  
16 the public of the following:  
17 (A) that there is a free collection program for covered household  
18 hazardous products;  
19 (B) the location and hours of operation of collection points and how a  
20 covered entity can access this collection program;

1           (C) the special handling considerations associated with covered  
2           household hazardous products; and

3           (D) source reduction information for consumers to reduce leftover  
4           covered household products.

5           (5) Compliance with appropriate environmental standards. In  
6           implementing a collection plan, a stewardship organization shall comply with  
7           all applicable laws related to the collection, transportation, and disposal of  
8           hazardous waste. A stewardship organization shall comply with any special  
9           handling or disposal standards established by the Secretary for covered  
10          household hazardous products or for the collection plan of the manufacturer.

11          (6) Method of disposition. The collection plan shall describe how  
12          covered household hazardous products will be managed in the most  
13          environmentally and economically sound manner, including following the  
14          waste-management hierarchy. The management of covered household  
15          hazardous products under the collection plan shall use management activities  
16          in the following priority order: source reduction, reuse, recycling, energy  
17          recovery, and disposal. Collected covered household hazardous products shall  
18          be recycled when technically and economically feasible.

19          (7) Performance goals. A collection plan shall include:

20                 (A) A performance goal for covered household hazardous products  
21                 determined by the number of total participants at collection events and

1 facilities listed in the collection plan during a program year divided by the total  
2 number of households. The number of households shall include seasonal  
3 households. The calculation methodology for the number of households shall  
4 be included in the plan.

5 (B) At a minimum, the collection performance goal for each program  
6 year of the first plan shall be a participation rate of five percent of the  
7 households for every collection program based on the number of households  
8 the collection program serves. After the initial approved program plan, the  
9 stewardship organization shall propose performance goals for subsequent  
10 program plans. The Secretary shall approve the performance goals for the plan  
11 at least every five years. The stewardship organization shall use the results of  
12 the most recent waste composition study required under 6604 of this title and  
13 other relevant factors to propose the performance goals of the collection plan.  
14 If a stewardship organization does not meet its performance goals, the  
15 Secretary may require the stewardship organization to revise the collection  
16 plan to provide for one or more of the following: additional public education  
17 and outreach, additional collection events, or additional hours of operation for  
18 collection sites. A stewardship organization is not authorized to reduce or  
19 cease collection, education and outreach, or other activities implemented under  
20 an approved plan on the basis of achievement of program performance goals.

1           (8) Collection plan funding. The collection plan shall describe how the  
2           stewardship organization will fund the implementation of the collection plan  
3           and collection activities under the plan, including the costs for education and  
4           outreach, collection, processing, and end-of-life management of the covered  
5           household hazardous product. Collection costs include facility costs,  
6           equipment costs, labor, supplies, maintenance, events costs, and event  
7           contractor costs, including collection event set-up fees, environmental service  
8           fees, insurance fees, and shipping containers and materials. The collection  
9           plan shall include how municipalities will be compensated for all costs  
10           attributed to collection of covered household hazardous products. The  
11           Secretary shall resolve disputes relating to compensation.

12           (c) Term of collection plan. A collection plan approved by the Secretary  
13           under section 7187 of this title shall have a term not to exceed five years,  
14           provided that the stewardship organization remains in compliance with the  
15           requirements of this chapter and the terms of the approved collection plan.

16           (d) Collection plan implementation. Stewardship organizations shall  
17           implement the collection plan on or before six months after the date of  
18           approval of the collection plan by the Secretary.

19           § 7184. STEWARDSHIP ORGANIZATIONS

20           (a) Participation in a stewardship organization. A manufacturer shall meet  
21           the requirements of this chapter by participating in a stewardship organization

1 that undertakes the responsibilities under sections 7182, 7183, and 7185 of this  
2 title.

3 (b) Qualifications for a stewardship organization. To qualify as a  
4 stewardship organization under this chapter, an organization shall:

5 (1) commit to assume the responsibilities, obligations, and liabilities of  
6 all manufacturers participating in the stewardship organization;

7 (2) not create unreasonable barriers for participation in the stewardship  
8 organization; and

9 (3) maintain a public website that lists all manufacturers and  
10 manufacturers' brands and products covered by the stewardship organization's  
11 approved collection plan.

12 § 7185. ANNUAL REPORT; COLLECTION PLAN AUDIT

13 (a) Annual report. Not later than 18 months after the date a collection plan  
14 has been implemented, and annually thereafter, a stewardship organization of  
15 manufacturers of covered household hazardous products shall submit a report  
16 to the Secretary that contains all of the following:

17 (1) A description of the collection program.

18 (2) The volume or weight by hazard category, as defined by the  
19 Secretary, of covered household hazardous products collected, the volume or  
20 weight of covered household hazardous products collected at each collection  
21 facility or collection event, the disposition of the collected covered household



1 hazardous products, and the number of covered entities participating at each  
2 collection facility or collection event from which the covered household  
3 hazardous products were collected.

4 (3) The name and address of all the recycling and disposal facilities  
5 where the covered household hazardous products are collected and delivered  
6 and deposited.

7 (4) The weight or volume by hazard category of covered household  
8 hazardous products sold in the State in the previous calendar year by a  
9 manufacturer participating in a stewardship organization’s collection plan.

10 Sales data provided under this section shall be exempt from public inspection  
11 and copying under the Public Records Act and shall be kept confidential.

12 Confidential information shall be redacted from any final public report. If  
13 manufacturers can demonstrate that they do not have Vermont specific data,  
14 the stewardship organization may use national data prorated to Vermont based  
15 upon Vermont’s population.

16 (5) A comparison of the collection plan’s performance goals, including  
17 participation rate, compared to the actual performance and how the program  
18 will be improved if the performance goals are not met.

19 (6) A description of the methods used to reduce, reuse, collect, transport,  
20 recycle, and process the covered household hazardous products.

1           (7) The cost of implementing the collection plan, including the costs of  
2           administration, collection, transportation, recycling, disposal, and education  
3           and outreach.

4           (8) A description and evaluation of the success of the education and  
5           outreach materials. If multiple stewardship organizations are implementing the  
6           collection plan approved by the Secretary, the stewardship organizations shall  
7           include a summary of their coordinated education and outreach efforts.

8           (9) Recommendations for any changes to the program.

9           (b) Collection plan audit. On or before September 1, 2030 and every five  
10           years thereafter, a stewardship organization of manufacturers of covered  
11           household hazardous products shall hire an independent third party to audit the  
12           collection plan and the plan's operation. The auditor shall examine the  
13           effectiveness of the program in collecting and disposing of covered household  
14           hazardous products. The auditor shall examine the cost-effectiveness of the  
15           program and compare it to that of collection programs for covered household  
16           hazardous products in other jurisdictions. The auditor shall examine the  
17           effectiveness of the plan in satisfying the requirement of this chapter that all  
18           Vermonters have convenient and reasonable access to collection facilities or  
19           collection events. The auditor shall make recommendations to the Secretary  
20           on ways to increase the program's efficacy and cost-effectiveness.

1        (c) Public posting. A stewardship organization shall post a report or audit  
2        required under this section to the website of the stewardship organization.

3        § 7186. ANTITRUST; CONDUCT AUTHORIZED

4        (a) Activity authorized. A manufacturer, group of manufacturers, or  
5        stewardship organization implementing or participating in an approved  
6        collection plan under this chapter for the collection, transport, processing, and  
7        end-of-life management of covered household hazardous products is  
8        individually or jointly immune from liability for conduct under State laws  
9        relating to antitrust, restraint of trade, unfair trade practices, and other  
10       regulation of trade or commerce under 9 V.S.A. chapter 63, subchapter 1 to the  
11       extent that the conduct is reasonably necessary to plan, implement, and comply  
12       with the stewardship organization’s chosen system for managing discarded  
13       covered household hazardous products.

14       (b) Limitations on antitrust activity. Subsection (a) of this section shall not  
15       apply to an agreement among producers, groups of manufacturers, retailers,  
16       wholesalers, or stewardship organizations affecting the price of covered  
17       household hazardous products or any agreement restricting the geographic area  
18       in which or customers to whom covered household hazardous products shall  
19       be sold.

20       § 7187. AGENCY RESPONSIBILITIES

1       (a) Review and approve collection plans. The Secretary shall review and  
2       approve or deny collection plans submitted under section 7183 of this title  
3       according to the public notice and comment requirements of section 7714 of  
4       this title.

5       (b) Criteria for plan approval.

6       (1) The Secretary shall approve a collection plan if the Secretary finds  
7       that the collection plan:

8               (A) complies with the requirements of subsection 7183(b) of this  
9       title;

10              (B) provides adequate notice to the public of the collection  
11       opportunities available for covered household hazardous products;

12              (C) ensures that collection of covered household hazardous products  
13       will occur in an environmentally sound fashion that is consistent with the law  
14       or with any special handling requirements adopted by the Secretary;

15              (D) promotes the collection and disposal of covered household  
16       hazardous products; and

17              (E) is reasonably expected to meet performance goals and  
18       convenience standards.

19       (2) If a manufacturer or a stewardship organization fails to submit a plan  
20       that is acceptable to the Secretary because it does not meet the requirements of  
21       this chapter, the Secretary shall modify the submitted plan to make it conform

1 to the requirements of this chapter and place the modified draft plan on notice  
2 pursuant to section 7714 of this title.

3 (c) Collection plan amendment. The Secretary, in the Secretary’s  
4 discretion or at the request of a manufacturer or a stewardship organization,  
5 may require a stewardship organization to amend an approved collection plan.  
6 Collection plan amendments shall be subject to the public input provisions of  
7 section 7717 of this title.

8 (d) Registrations. The Secretary shall accept, review, and approve or deny  
9 registrations required by this chapter. The Secretary may revoke a registration  
10 of a stewardship organization when the actions of the stewardship organization  
11 are unreasonable, unnecessary, or contrary to the requirements or the policy of  
12 this chapter. The Secretary shall only approve one stewardship organization  
13 for the first collection plan.

14 (e) Supervisory capacity. The Secretary shall act in a supervisory capacity  
15 over the actions of a stewardship organization registered under this section. In  
16 acting in this capacity, the Secretary shall review the actions of the stewardship  
17 organization to ensure that they are reasonable, necessary, and limited to  
18 carrying out requirements of and policy established by this chapter.

19 (f) Special handling requirements. The Secretary may adopt by rule special  
20 handling requirements for the collection, transport, and disposal of covered  
21 household hazardous products.

1     § 7188. OTHER DISPOSAL PROGRAMS

2             A municipality or other public agency shall not require covered entities to  
3     use public facilities to dispose of covered household hazardous products to the  
4     exclusion of other lawful programs available. A municipality and other public  
5     agencies are encouraged to work with manufacturers to assist them in meeting  
6     their collection and disposal obligations under this chapter. Nothing in this  
7     chapter prohibits or restricts the operation of any program collecting and  
8     disposing of covered household hazardous products in addition to those  
9     provided by manufacturers or prohibits or restricts any persons from receiving,  
10    collecting, transporting, or disposing of covered household hazardous products,  
11    provided that all other applicable laws are met.

12    § 7189. RULEMAKING

13             The Secretary of Natural Resources may adopt rules to implement the  
14    requirements of this chapter.

15    Sec. 3. AGENCY OF NATURAL RESOURCES RECOMMENDATION OF  
16             REGISTRATION FEE FOR COVERED HOUSEHOLD  
17             HAZARDOUS PRODUCTS

18             On or before January 15, 2024, the Secretary of Natural Resources shall  
19    submit to the House Committees on Ways and Means and on Environment and  
20    Energy and the Senate Committees on Finance and on Natural Resources and  
21    Energy a recommended fee for the registration of stewardship organizations

1 under the covered household hazardous product program under 10 V.S.A.  
2 chapter 164B.

3 Sec. 4. 10 V.S.A. § 6621a(a) is amended to read:

4 (a) In accordance with the following schedule, no person shall knowingly  
5 dispose of the following materials in solid waste or in landfills:

6 \* \* \*

7 (12) Covered household hazardous products after July 1, 2025.

8 Sec. 5. 10 V.S.A. § 7714 is amended to read:

9 § 7714. TYPE 3 PROCEDURES

10 (a) Purpose; scope.

11 (1) The purpose of this section is to establish the public notice and  
12 comment requirements that the Department must follow when adopting general  
13 permits, except for general permits governed by section 7712 of this chapter,  
14 and when considering other permits listed in this section.

15 (2) The procedures under this section shall be known as Type 3  
16 Procedures. This section governs each of the following:

17 (A) Each general permit issued pursuant to the Secretary's authority  
18 under this title other than a general permit subject to section 7712 of this  
19 chapter. However, this section does not apply to a notice of intent under a  
20 general permit.

1 (B) Issuance of a dam safety order under chapter 43 of this title,  
2 except for an unsafe dam order under section 1095 of this title.

3 (C) An application or request for approval of:

4 (i) an aquatic nuisance control permit under chapter 50 of this  
5 title;

6 (ii) a change in treatment for a public water supply under chapter  
7 56 of this title;

8 (iii) a collection plan for mercury-containing lamps under section  
9 7156 of this title;

10 (iv) an individual plan for the collection and recycling of  
11 electronic waste under section 7554 of this title; ~~and~~

12 (v) a primary or rechargeable battery stewardship plan under  
13 section 7586 of this title; and

14 (vi) a covered household hazardous waste collection plan under  
15 section 7183 of this title.

16 \* \* \*

17 Sec. 6. 10 V.S.A. § 8003 is amended to read:

18 § 8003. APPLICABILITY

19 (a) The Secretary may take action under this chapter to enforce the  
20 following statutes and rules, permits, assurances, or orders implementing the



1 following statutes, and the Board may take such action with respect to  
2 subdivision (10) of this subsection:

3 \* \* \*

4 (30) 3 V.S.A. § 2810, relating to interim environmental media  
5 standards; ~~and~~

6 (31) 10 V.S.A. chapter 124, relating to the trade in covered animal parts  
7 or products; and

8 (32) 10 V.S.A. chapter 164B, relating to collection and management of  
9 covered household hazardous products.

10 \* \* \*

11 Sec. 7. 10 V.S.A. § 8503 is amended to read:

12 § 8503. APPLICABILITY

13 (a) This chapter shall govern all appeals of an act or decision of the  
14 Secretary, excluding enforcement actions under chapters 201 and 211 of this  
15 title and rulemaking, under the following authorities and under the rules  
16 adopted under those authorities:

17 (1) The following provisions of this title:

18 \* \* \*

19 (V) chapter 124 (trade in covered animal parts or products); and

20 (W) chapter 164B (collection and management of covered household  
21 hazardous products).

