

1 H.806

2 Introduced by Representative McCormack of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; solid waste; construction and  
6 demolition waste facilities

7 Statement of purpose of bill as introduced: This bill proposes to require a  
8 person producing construction and demolition waste to transport the waste to  
9 facility that accepts construction and demolition waste if certain conditions are  
10 met. The bill also bans the landfill disposal of construction and demolition  
11 waste.

12 An act relating to the recycling of construction and demolition waste

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

14 Sec. 1. 10 V.S.A. § 6602 is amended to read:

15 § 6602. DEFINITIONS

16 As used in this chapter:

17 (1) "Secretary" means the Secretary of Natural Resources, or his or her  
18 duly authorized representative.

19 (2) "Solid waste" means any discarded garbage, refuse, septage, sludge  
20 from a waste treatment plant, water supply plant, or pollution control facility

1 and other discarded material, including solid, liquid, semi-solid, or contained  
2 gaseous materials resulting from industrial, commercial, mining, or agricultural  
3 operations and from community activities but does not include animal manure  
4 and absorbent bedding used for soil enrichment; high carbon bulking agents  
5 used in composting; or solid or dissolved materials in industrial discharges  
6 which are point sources subject to permits under the Water Pollution Control  
7 Act, chapter 47 of this title.

8 \* \* \*

9 (10) "Facility" means all contiguous land, structures, other  
10 appurtenances, and improvements on the land, used for treating, storing, or  
11 disposing of waste. A facility may consist of several treatment, storage, or  
12 disposal operational units.

13 \* \* \*

14 (13) "Waste" means a material that is discarded or is being accumulated,  
15 stored, or physically, chemically, or biologically treated prior to being  
16 discarded or has served its original intended use and is normally discarded or is  
17 a manufacturing or mining by-product and is normally discarded.

18 \* \* \*

19 (21) "Municipal plan" means that plan which is prepared and adopted in  
20 accordance with the provisions of 24 V.S.A. § 4385.

21 \* \* \*

1           (37) “Construction and demolition waste” means waste derived from the  
2           construction or demolition of buildings, roadways, or structures, including  
3           clean wood, treated or painted wood, plaster, sheetrock, roofing paper and  
4           shingles, insulation, glass, stone, soil, flooring materials, brick, concrete,  
5           masonry, mortar, incidental metal, furniture, and mattresses. Construction and  
6           demolition waste shall not mean asbestos waste, regulated hazardous waste,  
7           hazardous waste generated by households, hazardous waste from conditionally  
8           exempt generators, or any material banned from landfill disposal under section  
9           6621a of this title.

10          Sec. 2. 10 V.S.A. § 6605m is added to read:

11          § 6605m. CONSTRUCTION AND DEMOLITION WASTE

12           (a) If a person produces more than 30 cubic yards of construction and  
13           demolition waste on a project and the project is located within 30 miles of a  
14           solid waste management facility that accepts construction and demolition  
15           waste, the person shall:

16           (1) separate construction and demolition waste from other solid  
17           waste; and

18           (2) arrange for the transfer of construction and demolition waste to a  
19           facility that manages construction and demolition waste in a manner that  
20           allows for recycling of marketable components of the waste.

1        (b) A solid waste management facility that accepts construction and  
2        demolition waste under this section shall not charge in excess of 110 percent of  
3        the published gate rate for trash disposal at the facility.

4        (c) On or before July 1, 2015, the Secretary of Natural Resources shall  
5        adopt by rule those components of construction and demolition waste that are  
6        marketable as recycled materials.

7        Sec. 3. 10 V.S.A. § 6621a is amended to read:

8        § 6621a. LANDFILL DISPOSAL REQUIREMENTS

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

11       (1) Lead-acid batteries, after July 1, 1990.

12       (2) Waste oil, after July 1, 1990.

13       (3) White goods, after January 1, 1991. “White goods” include  
14       discarded refrigerators, washing machines, clothes dryers, ranges, water  
15       heaters, dishwashers, and freezers. Other similar domestic and commercial  
16       large appliances may be added, as identified by rule of the ~~secretary~~ Secretary.

17       (4) Tires, after January 1, 1992.

18       (5) Paint (whether water based or oil based), paint thinner, paint  
19       remover, stains, and varnishes. This prohibition shall not apply to solidified  
20       water based paint in quantities of less than one gallon, nor shall this prohibition  
21       apply to solidified water based paint in quantities greater than one gallon if

1 those larger quantities are from a waste stream that has been subject to an  
2 effective paint reuse program, as determined by the Secretary.

3 (6) Nickel-cadmium batteries, small sealed lead acid batteries,  
4 nonconsumer mercuric oxide batteries, and any other battery added by the  
5 Secretary by rule.

6 (7)(A) Labeled mercury-added products on or before July 1, 2007.

7 (B) Mercury-added products, as defined in chapter 164 of this title,  
8 after July 1, 2007, except as other effective dates are established in that  
9 chapter.

10 (8) Banned electronic devices. After January 1, 2011, computers;  
11 peripherals; computer monitors; cathode ray tubes; televisions; printers;  
12 personal electronics such as personal digital assistants and personal music  
13 players; electronic game consoles; printers; fax machines; wireless telephones;  
14 telephones; answering machines; videocassette recorders; digital versatile disc  
15 players; digital converter boxes; stereo equipment; and power supply cords (as  
16 used to charge electronic devices).

17 (9) Mandated recyclable materials after July 1, 2015.

18 (10) Leaf and yard residuals and wood waste after July 1, 2016.

19 (11) Food residuals after July 1, 2020.

20 (12) Construction and demolition waste. After July 1, 2016, the  
21 following types of construction and demolition waste: clean wood, treated or

1 painted wood, plaster, sheetrock, roofing paper and shingles, glass, stone, soil,  
2 flooring materials, brick, concrete, masonry, mortar, incidental metal, and  
3 other material marketable for recycling as determined by the Secretary by rule  
4 under section 6605m of this title.

5 \* \* \*

6 Sec. 3. EFFECTIVE DATE

7 This act shall take effect on July 1, 2014.