



**House Natural Resources  
Solid Waste/ Universal Recycling  
February 19, 2016**

Thank you for the opportunity to testify on waste management issues, H. 602 and 608.

**Franchise Tax**

Act 78 established the franchise tax and the Waste Management Assistance Fund in 1987. Very little of the revenues derived from the franchise tax go to municipal, alliance or district projects in any year. This year the amount for grants to districts and towns is \$601,000 of total revenues of \$2,975,945. At the same time the agency is shifting responsibility for enforcement of parallel collection and pay as you throw to the local level. We believe this amount is out of balance and could be recalibrated by your committee. We could not support any increase in the franchise tax if any portion of the increase went to further support of agency oversight of implementation at the district, alliance or municipal level.

10 V.S.A § 6618 Waste management Assistance Fund.

... The Solid Waste Management Assistance Account shall consist of the franchise tax on waste facilities assessed under the provisions of 32 V.S.A. chapter 151, subchapter 13, and appropriations of the General Assembly. The Electronic Waste Collection and Recycling Account shall consist of the program and implementation fees required under section 7553 of this title. All balances in the Fund accounts at the end of any fiscal year shall be carried forward and remain a part of the Fund accounts, except as provided in subsection (e) of this section. Interest earned by the Fund shall be deposited into the appropriate Fund account. Disbursements from the Fund accounts shall be made by the State Treasurer on warrants drawn by the Commissioner of Finance and Management.

Disbursements from the waste management assistance fund could go toward planning, design, permits, construction and operation of facilities, closure of facilities, developing markets, ANR administration; tire disposal, plan implementation

The full section is at <http://legislature.vermont.gov/statutes/fullchapter/10/159>.

**Changes to Universal Recycling Law**

*Sections to Amend Based on Issues Raised by Local Officials.* Initially offered in October 2015.

We continue to receive complaints from municipal governments that flexibility is not a hallmark of the Solid Waste program or law. We support the proposal in H. 608 as far as it goes but we would urge you to consider additional recommendations for amendment.

10 VSA section 6605k Food Residuals; Management Hierarchy

(c ) The following persons shall be subject to the requirements of subsection (b) of this section:

~~(5) Beginning July 1, 2020~~

~~, any person who generates any amount of food residuals. (Added by Act 148, 2011)~~

10 V.S.A. 6605l Public Collection Containers for Solid Waste

(b) Beginning July 1, 2015, when a container or containers in a public building or on public land are provided to the public for use for solid waste destined for disposal, ~~an equal~~ a reasonable number of containers shall be provided for the collection of mandated recyclables. The containers shall be labeled to clearly show the containers are for recyclables and ~~shall be placed as close to each other as possible in order to~~ shall provide equally convenient access to users. Bathrooms in public buildings and on public land shall be exempt from the requirement of this section to provide an equal number of containers for the collection of mandated recyclables. (Added by Act 148, 2011)

We urge you to amend statute to simply provide for landfill bans of leaf and yard waste residuals and food residuals at dates when it is likely to be feasible to implement and leave the detailed method of collection and management to the districts, alliances and towns.

Additional amendments that would be very helpful are:

24 VSA 2202a Municipalities-Responsibility for Solid Waste.

...  
(d) By no later than July 1, 2015, a municipality shall implement a variable rate pricing system that charges for the collection of municipal solid waste from a residential customer for disposal based at least in part on volume or weight of the waste collected. A municipality may offset waste management facility administration, and recycling program operations with alternative revenue sources including stickers or property taxes.

In statute, limit the number of household hazardous waste days that the Agency of Natural Resources may impose on districts and municipalities . (This is a requirement of the state solid waste plan).

Require enforcement of variable rate pricing through ANR hauler permits and not through municipally adopted ordinances.

Thank you for the opportunity to comment.

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