



TO: VT Senate Natural Resources and Energy Committee
FROM: Thomas Moreau
DATE: April 16, 2015
SUBJECT: H.40 Waste to Energy Facilities

H.40 contains language that is important to the Chittenden Solid Waste District pertaining to facilities that use waste to produce renewable energy. Currently under section 248, Title 30 (b) (9), before a waste-to-energy facility can receive a Certificate of Public Good from the Public Service Board, it must be included in the solid waste plan for the solid waste district or municipality in which it is located. At our request, the HNRE committee added a provision that the facility must also be included in the solid waste plan for a municipality or solid waste district from where a substantial amount of waste would be taken, even if that facility is not located within that solid waste district's jurisdiction. This is the language currently in H.40 and located on page 54 of the posted bill:

(9) with respect to a waste to energy facility,:

(A) is included in a solid waste management plan adopted pursuant to 24 V.S.A. § 2202a, which is consistent with the State Solid Waste Management Plan;

and (B) is included in a solid waste management plan adopted pursuant to 24 V.S.A. § 2202a for the municipality and solid waste district from which a substantial portion of the waste is to originate, if that municipality or district already beneficially uses a portion of the waste;

This provision is very important to CSWD because we have invested over two million dollars in a compost facility that is necessary to manage food and yard waste to meet our and the State's waste diversion goals and mandates of Act 148. CSWD needs a portion of the food waste that is generated by its' members to maintain operation of the facility. Food waste provides a source of nitrogen, which is an important component not only for making compost, but also to process the leaf waste that we manage which anaerobic digesters don't process. If an anaerobic digester is built outside our jurisdiction and takes a substantial portion of the food waste that is generated in our county, it will jeopardize the investment that our members have made. This new provision in H.40 will ensure that CSWD and other solid waste management planning entities will have the option to retain the feedstocks that are generated within their jurisdiction in order to keep facilities like Green Mountain Compost in operation.

Casella recently approached CSWD and requested modification to the language. Proposed new language is as follows:

B) is included in a solid waste management plan adopted pursuant to 24 V.S.A. § 2202a for the municipality and or solid waste district from which a substantial portion 1,000 tons or more per year of the waste is to originate, if that municipality or district owns an active facility that already beneficially uses a portion of the waste; We have checked in with Green Mountain Power and they are fine with this change. CSWD supports the changes as it preserves the intent of the original language.