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H.98

Introduced by Representatives Marcotte of Coventry, Higley of Lowell,  
Lefebvre of Newark, Page of Newport City, Smith of Derby,  
Strong of Albany, and Young of Greensboro

Referred to Committee on

Date:

Subject: Conservation and development; solid waste; landfills, wastewater  
treatment

Statement of purpose of bill as introduced: This bill proposes to require the  
Secretary of Natural Resources to conduct an assessment of the feasibility and  
cost of siting a landfill in the State of Vermont. In addition, the bill would  
require the Secretary of Natural Resources to report to the General Assembly  
regarding the management of landfill leachate that contains chemicals of  
emerging concern.

An act relating to landfill operation in the State

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

2 Sec. 1. AGENCY OF NATURAL RESOURCES STUDY OF SITING OF A  
3 NEW LANDFILL IN THE STATE

4 (a) Assessment. The Secretary of Natural Resources shall conduct an  
5 assessment of the feasibility and cost of siting a landfill in the State of  
6 Vermont. The assessment shall include:

7 (1) a summary of the statutory and regulatory requirements for the siting  
8 of a landfill in the State;

9 (2) an estimate of the time frame for siting a landfill in the State;

10 (3) an evaluation of whether the operation of more than one landfill in  
11 the State is necessary or advisable due to the need for solid waste disposal, cost  
12 of solid waste disposal, the planned operational life of the existing landfill in  
13 the State, or other purpose;

14 (4) an estimated cost of siting a new landfill in the State;

15 (5) an analysis of whether a new landfill in the State should be owned  
16 and operated by a municipality or association of municipalities, the State, a  
17 private business, or a partnership between private business and public  
18 government; and

19 (6) an estimate of the cost of building a landfill in the State.

1       (b) Consultant. The Secretary may contract with a qualified environmental  
2       consultant to complete the assessment required under subsection (a) of this  
3       section.

4       (c) Advisory committee. A committee is established to provide  
5       information and advice to the Secretary of Natural Resources regarding the  
6       assessment required under subsection (a) of this section. The Secretary shall  
7       consult with the advisory committee at least four times regarding completion  
8       of the assessment. The advisory committee shall be composed of the following  
9       members appointed by the Secretary of Natural Resources:

10       (1) a representative of a solid waste management entity serving a  
11       population of 50,000 or more persons;

12       (2) a representative of a solid waste management entity serving a  
13       population of 25,000 or more persons but less than 50,000 persons;

14       (3) a representative of a solid waste management entity serving a  
15       population of less than 25,000 persons;

16       (4) a representative of two commercial solid waste haulers who do not  
17       own or operate a landfill in the State, provided that one of the commercial solid  
18       waste haulers shall serve a population of less than 25,000 persons;

19       (5) a representative of a municipality in which a landfill is located;

20       (6) two representatives of environmental or citizens groups with an  
21       interest in the operation or siting of landfills; and

1           (7) a representative of an industry or business that relies on the  
2           operation of a landfill in the State to conduct business.

3           (d) Report. On or before January 15, 2021, the Secretary of Natural  
4           Resources shall submit the assessment required under subsection (a) of this  
5           section to the House Committees on Commerce and Economic Development  
6           and on Natural Resources, Fish, and Wildlife and the Senate Committees on  
7           Economic Development, Housing and General Affairs and on Natural  
8           Resources and Energy.

9           Sec. 2. AGENCY OF NATURAL RESOURCES CONTAMINANTS OF  
10           EMERGING CONCERN PILOT PROJECT

11           (a) Findings. The General Assembly finds that:

12           (1) Contaminants of emerging concern (CECs), including  
13           perfluoroalkyl, polyfluoroalkyl substances (PFAS), and pharmaceuticals and  
14           personal care products (PPCPs), are increasingly being detected in surface  
15           waters, public water supplies, and effluent from wastewater treatment  
16           facilities.

17           (2) Recent studies have shown that some CECs can act as endocrine  
18           disruptors for humans and wildlife, disrupting normal hormone function and  
19           producing effects at the parts per billion or parts per trillion level.

1           (3) Many CECs do not break down and persist in the environment for a  
2           very long time, especially in water, and, consequently, CECs can be found in  
3           many bodies of water and in the blood of humans and wildlife.

4           (4) Most CECs are not regulated under federal or State drinking water or  
5           wastewater treatment standards.

6           (5) Alternative treatment technology or techniques for CECs have been  
7           implemented and studied by the United States and Europe.

8           (6) The operator of the landfill in Vermont is evaluating options for  
9           treating perfluoroalkyl and polyfluoroalkyl substances in landfill leachate prior  
10          to discharge to waters or delivery to a wastewater treatment facility.

11          (b) Report. On or before January 15, 2020, the Agency of Natural  
12          Resources shall submit to the House Committees on Natural Resources, Fish,  
13          and Wildlife and on Commerce and the Senate Committees on Natural  
14          Resources and Energy and on Economic Development, Housing and General  
15          Affairs a report regarding the management of leachate from landfills  
16          containing CECs. The report shall include:

17               (1) the findings of the leachate treatment evaluation conducted at the  
18               landfill in Vermont;

19               (2) the Agency of Natural Resources assessment of the landfill leachate  
20               evaluation; and

1           (3) the Agency of Natural Resources' recommendations for treatment of  
2           CEC in leachate from landfills, including whether the State should establish a  
3           pilot project to test methods for testing or managing CECs in landfill leachate.

4           Sec. 3. EFFECTIVE DATE

5           This act shall take effect on July 1, 2019.