



State of Vermont  
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Waste Management Division  
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*AGENCY OF NATURAL RESOURCES*

November 29, 2007

Karl Hammer  
Vermont Compost Company, Inc.  
1996 Main Street  
Montpelier, Vermont 05602

**Re: VCCI's Montpelier Operation**

Dear Mr. Hammer,

As requested by the Central Vermont Solid Waste District and others, Secretary Allbee (Agency of Agriculture) and Secretary Crombie (Agency of Natural Resources) met with you along with others interested in your Montpelier operation on November 19.

During the meeting, one of the operations of the Vermont Compost Company, Inc. (VCCI) was discussed. VCCI has a chicken farm and composting operation located on upper Main Street in Montpelier. Food wastes are brought to this location and used as feed for hundreds of chicken. ANR does not regulate food waste that is fed to animals. With respect to the composting operation, it is our understanding the food wastes are not directly incorporated into the composting piles. Manure that is composted would also not be regulated by ANR provided the manure and finish product are not "disposed" or dumped. It is our understanding the finished product would be used as soil enrichment or similar products.

VCCI's use of food wastes for chicken feed is a resourceful operation, where waste that might normally end up in a landfill is eaten by chickens, which lay eggs that are sold locally. Generally, ANR would refer to the Agency of Agriculture with respect to material used as animal feed.

To further explain the role of the Agency of Natural Resources with respect to composting facilities, the Solid Waste Management Rules currently has a three tier approach to regulatory oversight to such facilities, depending on the type and amount of waste being composted. We believe composting is one of the management tools that will help lead us to a sustainable environment, although there needs to be oversight of certain types and sizes of composting operations. Please see the attached sheet. In summary, the tiered approach includes:

- (1) **Exemptions:** some types and/or quantities of wastes that would be exempted from the need to obtain a Solid Waste Certification, such as the composting of animal manure and absorbent bedding when used for soil enrichment;



(2) **Categorical Certification:** for limited amounts of waste, such as off-site generated food waste (there are 22 of these facilities in VT); and

(3) **Full Certification:** for larger volumes of wastes (there currently is 1 facility in VT, Intervale Compost Project).

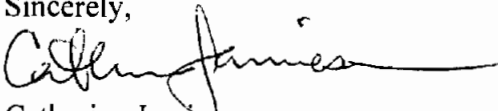
This tiered approach is based on the premise that smaller, more limited composting facilities will have less potential environmental impacts than larger ones. This approach allows for the amount of regulatory oversight to change with the size and scope of the composting operation.

With respect to your operation, in 2006, ANR received a citizen complaint about a discharge from VCCI to a small brook at the Main St. Montpelier location. An environmental enforcement officer responding to the citizen complaint went to the location to investigate. Our investigator saw no evidence of a discharge to state waters at that time. Currently, ANR has no evidence of any environmental violations under our jurisdiction occurring at this operation. Act 250 is not under ANR jurisdiction. As our environmental enforcement officers serve both ANR and Act 250, he requested an Act 250 jurisdictional opinion from the district coordinator.

We appreciate your efforts and look forward to working with you and others to continue to improve how composting operations are managed in Vermont.

If you would like to further discuss this issue, please contact me.

Sincerely,



Catherine Jamison  
Solid Waste Program Manager

C: Edward Stanak, District 5 Coordinator  
Secretary Allbee, Agency of Agriculture  
Donna Barlow Casey, Central Vermont Solid Waste Management District

Currently ANR has a three tier system for the management of wastes that are composted (see Solid Waste Rules for complete details).

**Exemptions** (no Solid Waste certification is required):

- Animal manure and absorbent bedding used for soil enrichment
- Site generated plant, wood and food waste
- Up to 1 ton/year off-site generated plant, wood, and food waste
- Up to 1 ton/year site generated animal offal and carcasses
- On a farm 10 acres or more,
  - <5 tons/week site generated animal offal and carcasses
  - <5 tons/year off-site generated plant or food waste

**Categorical Certification** (22 facilities)

- More than 1 ton/year off-site generated plant and wood waste
- On a farm of more than 10 acres
  - Up to 7 tons/week off-site generated food waste
  - Up to 7 tons/week animal offal and carcasses

**Full Certification** (1 facility)

Amounts greater than Categorical Certification