

State of Vermont  
Department of Environmental Conservation  
Waste Management and Protection Division  
1 National Life Drive – Davis 1  
Montpelier, VT 05620-3704  
(802) 828-1138

April 11, 2018

Re: Organic Solid Waste Acceptance at Vermont Farms

Dear Farmer;

We are reaching out to you to clarify the requirements regarding the management of organic solid wastes, such as food scraps, on Vermont farms. As you know, the Agency of Natural Resources (ANR) oversees management of all solid waste in the state and the Agency of Agriculture, Food & Markets (AAFM) oversees farming. The activity of accepting unprocessed food residuals on a farm for the purpose of animal feeding prior to composting has come under increasing scrutiny lately, and in a memorandum dated March 15, 2018 (attached), AAFM explained in detail how the practice, especially for unprocessed food scraps, falls short of their definition of farming and does not meet their requirements for a registered commercial feed.

### **What does this mean for you?**

The short answer is that any farm accepting organic solid wastes, including food residuals that do not meet the [VT Commercial Feed Law](#), will need to comply with the composting requirements of Subchapter 11 of the Solid Waste Management Rules (SWMR) and obtain a registration or solid waste facility certification. We understand that many farms were not designed or constructed to meet the composting requirements of the SWMR, so immediate compliance with the construction standards is not expected. Rather, we plan to work with you to immediately optimize your composting operation (prompt incorporation of imports, proper recipe mix, achievement of temperatures, pile management, vector/nuisance prevention etc.) and then guide you through any physical improvements needed to obtain either a composting registration or certification as appropriate. However, if the composting operation poses an immediate public safety/health risk, an environmental pollution risk or uncontrollable nuisance conditions, cessation of the solid waste importation may be required. We recognize that not all farms will want to pursue a solid waste management facility designation so alternatively, those farms can choose to stop accepting organic solid wastes by notifying the program in writing by May 31, 2018. You may also choose to limit operations to exempt volumes of combined feedstocks (100 cubic yards/year) or of food processing residuals (1,000 cubic yards/year).

### **Where can I get more information or help?**

If you have questions regarding the attached AAFM memorandum or anything relating to animal feeding you can contact Cary Giguere of AAFM at (802)828-6531 to ask those questions, place comments or voice those concerns.

ANR is planning to hold an informational meeting with farmers to discuss the present state, explain our Rules, and answer any questions about a farm obtaining compliance with our composting requirements. If time

allows, we anticipate that there will be opportunity to ask site specific questions about your farm and how the requirements apply to you. Additionally, ANR staff will be doing educational outreach in the form of site visits to discuss the proper management of organics in a way that prevents nuisances, protects public health and protects the environment, so there will be an opportunity for you to ask any specific questions then as well. The meeting will be held on May 7<sup>th</sup> at 1pm at the ANR Annex building at [200 Junction Rd in Berlin, VT](#). For those that cannot make the meeting in person, but wish to participate, you can call in via our conference call line by dialing 1(866)642-1665 and entering the passcode “543221” when prompted.

Additionally, the ANR has a number of online composting resources, we host an annual compost operator training and we offer composting technical assistance to existing facilities or potential facilities in need. Please go to the following link to review the various helpful composting guidance documents: <http://dec.vermont.gov/waste-management/solid/materials-mgmt/organic-materials#CompostingResources>. If you want to pursue a Solid Waste compost facility registration/certification and think that you would benefit from some free technical assistance from our contractor, contact Ben Gauthier at (802)522-5080 or [Benjamin.gauthier@vermont.gov](mailto:Benjamin.gauthier@vermont.gov) to get on the list.

### **What are the next steps?**

One of the goals of the informational meeting is to discuss a reasonable deadline for all farms accepting solid waste to complete any necessary renovations and obtain a Solid Waste Management registration/certification. In the meantime, farms that are currently accepting any amount of organic solid wastes should contact the Solid Waste Management Program and notify the Program that they either intend to pursue a registration/certification or that they have ceased acceptance of regulated quantities of solid wastes and have cleaned the site. At that time, ANR will begin the education and outreach process of getting you up to speed with the information needed to gain compliance.

The ANR understands that this may represent a significant change for some farm operations. We hope that with cooperation and communication we can work together on a reasonable strategy and solution for you to comply with SWMR and be able to continue to manage food scraps. We look forward to working with you! Feel free to contact Ben Gauthier if you have any questions regarding the compliance process or the physical and operational improvements discussed in this letter.

Sincerely,



Cathy Jamieson  
Solid Waste Program Manager  
Waste Management and Prevention Division

Enc: “Regulation of Food Residuals” memorandum from Diane Bothfeld, AAFM dated March 15, 2018.

cc: