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H.48

Introduced by Representatives Sims of Craftsbury, Page of Newport City,  
Beck of St. Johnsbury, Campbell of St. Johnsbury, Farlice-  
Rubio of Barnet, Goldman of Rockingham, Hango of Berkshire,  
Labor of Morgan, Morris of Springfield, Ode of Burlington,  
Smith of Derby, Surprenant of Barnard, Templeman of  
Brownington, and Williams of Granby

Referred to Committee on

Date:

Subject: Conservation and development; solid waste; landfill siting; advisory  
council; taxation; landfill disposal

Statement of purpose of bill as introduced: The bill proposes to establish a  
Landfill Siting Commission to evaluate and identify a new site for the location  
and operation of a landfill in the State. This bill also proposes to establish the  
Vermont Materials Management Council to assist the Secretary of Natural  
Resources in the long-term management of solid waste in the State. In  
addition, the bill proposes to ban from landfill disposal in the State landfill  
leachate, septage, or sludge that is generated by a facility that lacks a  
certification from the Secretary of Natural Resources or lacks approval from  
the Secretary of Natural Resources for disposal at a landfill. The bill also  
proposes to establish a Landfill Closure and Planning Account in the Waste

1 Management Assistance Fund to be used by the Secretary of Natural Resources  
2 to close existing landfills, plan for new landfills, and remediate contamination  
3 caused by landfills in the State. The Landfill Closure and Planning Account  
4 would be funded by increases on the tax on solid waste facilities and an  
5 increase on the tax on hazardous waste.

6 An act relating to solid waste management

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

8 \* \* \* Findings \* \* \*

9 Sec. 1. FINDINGS

10 The General Assembly finds that:

11 (1) Proper management of solid waste protects public health and the  
12 environment and preserves natural resources.

13 (2) The landfill located in Coventry, Vermont, is the only operational  
14 landfill located in Vermont, and the Coventry landfill has a projected life span  
15 of only 22 additional years.

16 (3) With the limited capacity remaining at the landfill in Coventry, the  
17 State should consider how it will meet the need for the long-term capacity of  
18 the disposal of solid waste.

1           (4) Without significant decreases in disposal tonnages in Vermont, there  
2           is a need to both reduce waste and plan for future disposal capacity, such as  
3           researching feasible sites around the State.

4           (5) Consequently, the State should establish a committee to evaluate and  
5           identify disposal alternatives in the State, and the State should establish an  
6           advisory committee to advise the Agency of Natural Resources in the long-  
7           range planning for and the development of creative, effective solutions to the  
8           State's solid waste management challenges.

9                                   \* \* \* Landfill Siting Commission \* \* \*

10           Sec. 2. LANDFILL SITING COMMISSION

11           (a) Creation. There is created the Landfill Siting Commission to evaluate  
12           and identify a new site for the location and operation of a landfill in the State  
13           that is located in a region in proximity to the State's major population centers.

14           (b) Membership. The Landfill Siting Commission shall be composed of  
15           the following members:

16                   (1) the Secretary of Natural Resources or designee;

17                   (2) a member of the House of Representatives, appointed by the Speaker  
18           of the House;

19                   (3) a member of the Senate, appointed by the Committee on  
20           Committees;

1           (4) two civil engineers with experience in landfill siting, appointed by  
2           the Governor;

3           (5) a geologist with knowledge of Vermont geology, appointed by the  
4           Speaker of the House;

5           (6) an expert on the operation of landfills who is not affiliated with  
6           Vermont's solid waste industry, appointed by the Committee on Committees;  
7           and

8           (7) an expert on environmental justice, appointed by the Governor.

9           (c) Powers and duties. The Landfill Siting Commission shall evaluate and  
10          identify physical sites across the State for the location of a new landfill. In  
11          evaluating potential sites for location of a new landfill in the State, the Landfill  
12          Siting Commission shall select sites that:

13           (1) are centrally located in the State in order to reduce costs of the  
14           transport and disposition of waste;

15           (2) will not pose a risk of harm to the environment, natural resources, or  
16           public health due to proximity to a surface water, drinking water sources, or  
17           other exposure;

18           (3) will not pose a threat of contamination to natural resources or the  
19           environment from landfill leachate or other contamination;

1           (4) will be aesthetically appropriate for the location and where the siting  
2           of a landfill will not significantly affect the aesthetics of the municipality or  
3           region in which the site is located; and

4           (5) will not be located in an area disproportionately populated by an  
5           environmental justice focus population, as that term is defined in 3 V.S.A.  
6           § 6002(4).

7           (d) Assistance. The Landfill Siting Commission shall have the  
8           administrative, technical, and legal assistance of the Agency of Natural  
9           Resources.

10          (e) Report; initiation of site. On or before January 15, 2024, the Landfill  
11          Siting Commission shall recommend at least two sites that could serve as the  
12          site for a new landfill in the State or shall recommend whether it is more cost  
13          effective to the economy and natural resources of the State to transport waste  
14          out of the State for disposition. The Landfill Siting Commission shall submit  
15          its recommendations and the basis for those recommendations to the Governor  
16          and the House Committee on Environment and Energy and the Senate  
17          Committee on Natural Resources and Energy. Upon receipt by the Governor  
18          of a recommendation of the Landfill Siting Commission to site a new landfill  
19          in the State, the Secretary of Natural Resources shall initiate site review,  
20          design, and land acquisition in order to construct a new landfill on one of the  
21          sites recommended by the Landfill Siting Commission.

1        (f) Meetings.

2            (1) The Secretary of Natural Resources shall call the first meeting of the  
3 Landfill Siting Commission to occur on or before May 1, 2023.

4            (2) The Commission shall select a chair from among its members at the  
5 first meeting.

6            (3) A majority of the membership of the Commission shall constitute a  
7 quorum.

8            (4) The Landfill Siting Commission shall cease to exist on February 1,  
9 2024.

10        (g) Compensation and reimbursement.

11            (1) For attendance at meetings during adjournment of the General  
12 Assembly, a legislative member of the Landfill Siting Commission shall be  
13 entitled to per diem compensation and reimbursement of expenses pursuant to  
14 2 V.S.A. § 23 for not more than 10 meetings.

15            (2) Other members of the Landfill Siting Commission shall be entitled  
16 to per diem compensation and reimbursement of expenses as permitted under  
17 32 V.S.A. § 1010 for not more than 10 meetings.

18            (3) Notwithstanding the requirements under 10 V.S.A. § 6618 that the  
19 Landfill Closure and Planning Account of the Waste Management Assistance  
20 Fund shall be used only for the purposes of that account, in fiscal year 2024,  
21 funds in the Landfill Closure and Planning Account shall be used by the

1 Landfill Siting Commission to fulfill the requirements of this section and to  
2 pay compensation and reimbursement of expenses under this subsection.

3 \* \* \* Vermont Materials Management Council \* \* \*

4 Sec. 3. 10 V.S.A. § 6603a is added to read:

5 § 6603a. VERMONT MATERIALS MANAGEMENT COUNCIL

6 (a) Creation. There is created the Vermont Materials Management Council  
7 to assist the Secretary of Natural Resources in the long-range planning for and  
8 the development of creative, effective solutions to the State's solid waste  
9 management challenges.

10 (b) Membership. The Vermont Materials Management Council shall be  
11 composed of the following members:

12 (1) the Secretary of Natural Resources or designee;

13 (2) one member of the Vermont Solid Waste District Managers  
14 Association, appointed by the Chair of the Association;

15 (3) one member representing owners of landfills in the State, appointed  
16 by the Committee on Committees;

17 (4) one member representing solid waste haulers in Vermont that do not  
18 operate a landfill, appointed by the Speaker of the House;

19 (5) one member representing companies that reprocess postconsumer  
20 waste into products for sale or for reuse, appointed by the Committee on  
21 Committees;

1           (6) one member representing a municipality, to be appointed by the  
2           Vermont League of Cities and Towns;

3           (7) one member representing the Vermont health care industry,  
4           appointed by the Vermont Association of Hospitals and Health Systems;

5           (8) one member representing the Northeast Recycling Council,  
6           appointed by that Council;

7           (9) one member with expertise in solid waste–related sustainability  
8           issues, appointed the Speaker of the House;

9           (10) the Secretary of Commerce and Community Development or  
10          designee;

11          (11) one member representing a statewide environmental organization,  
12          appointed by the Committee on Committees;

13          (12) the Executive Director of Racial Equity or designee; and

14          (13) one member who resides in a census block group that is designated  
15          as an environmental justice focus population, appointed by the Speaker of the  
16          House.

17          (c) Powers and duties. The Vermont Materials Management Council shall:

18               (1) establish goals, strategies, and actions necessary to maintain and  
19               ensure adequate disposal capacity for management of waste generated in  
20               Vermont, including assessing estimated landfill capacity, remaining landfill  
21               life, and related landfill closure and post-closure costs;



1           (2) review and make recommendations to the General Assembly and the  
2           Secretary of Natural Resources for changes to the State’s existing solid waste  
3           reduction, recycling, and management policies, programs, goals, and  
4           initiatives;

5           (3) review and make recommendations to the General Assembly and the  
6           Secretary of Natural Resources regarding the impact of regional solid waste  
7           management initiatives, including landfill waste disposal bans, on Vermont  
8           and the solid waste disposal landfill capacity in Vermont;

9           (4) advise the Secretary of Natural Resources in the development of the  
10          State solid waste management plan and solid waste reduction goals;

11          (5) review and recommend methods to the General Assembly and the  
12          Secretary of Natural Resources on how to better provide technical assistance  
13          and educational outreach to municipalities, schools, businesses, and the public  
14          regarding solid waste reduction, recycling, and management policies;

15          (6) review other matters as the Vermont Materials Management Council  
16          deems necessary and recommend any related legislation, policy, or rule  
17          changes; and

18          (7) evaluate whether a segment of the population of the State is bearing  
19          a disproportionate share of the environmental burdens of solid waste  
20          management in the State or is being denied an equitable share of the  
21          environmental benefit of solid waste management in the State and recommend

1 to the General Assembly and the Secretary of Natural Resources how to  
2 identify, reduce, and eliminate environmental health disparities caused by solid  
3 waste management in the State.

4 (d) Assistance. The Vermont Materials Management Council shall be  
5 staffed by the Agency of Natural Resources for all administrative, technical,  
6 and legal needs.

7 (e) Terms. The members of the Vermont Materials Management Council  
8 shall serve for terms of three years, provided that the members first appointed  
9 by the Committee on Committees shall serve a term of two years. All  
10 appointees shall serve until their successors are appointed.

11 (f) Report. Beginning on January 15, 2024 and annually thereafter, the  
12 Vermont Materials Management Council shall report to the House Committee  
13 on Environment and Energy and the Senate Committee on Natural Resources  
14 and Energy in writing or through testimony with a summary of the activities of  
15 the Council in the previous year and any recommendations for legislative or  
16 policy changes regarding the management of solid waste in the State.

17 (g) Meetings.

18 (1) The Secretary of Natural Resources shall call the first meeting of the  
19 Vermont Materials Management Council. The Council shall meet at least four  
20 times annually.

21 (2) The Secretary of Natural Resources or designee shall be the Chair.

1           (3) A majority of the membership shall constitute a quorum.

2           (h) Compensation and reimbursement; expenses.

3           (1) For attendance at meetings during adjournment of the General  
4           Assembly, a legislative member of the Vermont Materials Management  
5           Council shall be entitled to per diem compensation and reimbursement of  
6           expenses pursuant to 2 V.S.A. § 23. These payments shall be made from  
7           monies appropriated to the General Assembly.

8           (2) Other members of the Vermont Materials Management Council shall  
9           be entitled to per diem compensation and reimbursement of expenses as  
10          permitted under 32 V.S.A. § 1010.

11          (3) Payments to nonlegislative members of the Vermont Materials  
12          Management Council and any expenses incurred by the Council shall be paid  
13          from those funds allocated to the Agency of Natural Resources under  
14          subdivision 6618(b)(6) of this title for the costs of administering solid waste  
15          management functions in the State.

16           \* \* \* Landfill Disposal; Landfill Leachate, Septage, or Sludge \* \* \*

17          Sec. 4. 10 V.S.A. § 6621a is amended to read:

18          § 6621a. LANDFILL DISPOSAL REQUIREMENTS

19           (a) In accordance with the following schedule, no person shall knowingly  
20          dispose of the following materials in solid waste or in landfills:

1 (1) Lead-acid batteries, after July 1, 1990.

2 (2) Waste oil, after July 1, 1990.

3 (3) White goods, after January 1, 1991. “White goods” include  
4 discarded refrigerators, washing machines, clothes dryers, ranges, water  
5 heaters, dishwashers, and freezers. Other similar domestic and commercial  
6 large appliances may be added, as identified by rule of the Secretary.

7 (4) Tires, after January 1, 1992.

8 (5) Paint (whether water based or oil based), paint thinner, paint  
9 remover, stains, and varnishes. This prohibition shall not apply to solidified  
10 ~~water based~~ water-based paint in quantities of less than one gallon, nor shall  
11 this prohibition apply to solidified ~~water based~~ water-based paint in quantities  
12 greater than one gallon if those larger quantities are from a waste stream that  
13 has been subject to an effective paint reuse program, as determined by the  
14 Secretary.

15 (6) Nickel-cadmium batteries, small sealed lead acid batteries,  
16 nonconsumer mercuric oxide batteries, and any other battery added by the  
17 Secretary by rule.

18 (7)(A) Labeled mercury-added products on or before July 1, 2007.

19 (B) Mercury-added products, as defined in chapter 164 of this title,  
20 after July 1, 2007, except as other effective dates are established in that  
21 chapter.

1           (8) Banned electronic devices. After January 1, 2011, computers;  
2 peripherals; computer monitors; cathode ray tubes; televisions; printers;  
3 personal electronics such as personal digital assistants and personal music  
4 players; electronic game consoles; printers; fax machines; wireless telephones;  
5 telephones; answering machines; videocassette recorders; digital versatile disc  
6 players; digital converter boxes; stereo equipment; and power supply cords (as  
7 used to charge electronic devices).

8           (9) Mandated recyclable materials after July 1, 2015.

9           (10) Leaf and yard residuals and wood waste after July 1, 2016.

10          (11) Food residuals after July 1, 2020.

11          (12) Landfill leachate, septage, or sludge that is generated by a facility  
12 that lacks a certification from the Secretary under this chapter or lacks  
13 approval from the Secretary for disposal at a landfill.

14          (b) This section shall not prohibit the designation and use of separate areas  
15 at landfills for the storage or processing, or both, of material specified in this  
16 section.

17          (c) Insofar as it applies to the operator of a solid waste management  
18 facility, the Secretary may suspend the application of this section to material  
19 specified in subdivision (a)(2), (3), (4), (5), or (6) of this section, or any  
20 combination of these, upon finding that insufficient markets exist and adequate  
21 uses are not reasonably available to serve as an alternative to disposal.

1 (d) The landfill disposal ban under subdivisions (a)(9)–(11) of this section  
2 shall not apply to mandated recyclables, leaf and yard residuals, or food  
3 residuals collected as part of a litter collection event operated or administered  
4 by a nonprofit organization or municipality.

5 \* \* \* Solid Waste Franchise Tax; Hazardous Waste Tax \* \* \*

6 Sec. 5. 32 V.S.A. § 5952 is amended to read:

7 § 5952. IMPOSITION OF TAX

8 (a)(1) A tax is imposed for each calendar quarter or part thereof upon the  
9 franchise or privilege of doing business of every person required by 10 V.S.A.  
10 chapter 159 to obtain certification for a facility. The tax shall be imposed in  
11 the amount of ~~\$6.00~~ \$7.00 per ton of waste delivered for disposal or  
12 incineration at the facility, regardless of the amount charged by the operator to  
13 recoup its expenses of operation, including the expense of this tax.

14 (2) The tax shall be similarly imposed on waste delivered to a transfer  
15 facility for shipment to an incinerator or other treatment facility or disposal  
16 facility that is located outside the State. However, if the transfer station is  
17 located within a district that is authorized by an interstate compact to enter into  
18 cooperative agreements with a district in another state, the tax shall only be  
19 imposed if the treatment or disposal facility is located outside the State and  
20 also outside the cooperating district in another state. For purposes of this

1 determination, a treatment or disposal facility may be considered to be located  
2 within a district only if that district existed before July 1, 1987.

3 (3) The tax shall be similarly imposed on waste shipped to an  
4 incinerator or other treatment facility or disposal facility that is located outside  
5 the State, without having been delivered to a transfer station located in this  
6 State. In this situation, the tax is imposed for each calendar quarter or part  
7 thereof upon the franchise or privilege of doing business of every person  
8 regulated under 10 V.S.A. § 6607a as a commercial hauler of solid waste. This  
9 tax shall not be imposed on waste exempt under subdivision (2) of this  
10 subsection.

11 (b) The tax imposed by this section shall be in addition to any other taxes  
12 imposed on the taxpayer.

13 (c) If a return required by this chapter is not filed or if a return, when filed,  
14 is incorrect or insufficient, the Commissioner shall determine the amount of  
15 tax due from any information available. If adequate information is not  
16 available to determine the tax otherwise due under this section, the  
17 Commissioner may assess a tax at the rate of ~~\$3.50~~ \$4.50 per year per person  
18 served by the facility. The number of persons served by a facility shall be  
19 determined by the Commissioner based upon any available information and  
20 with regard given to seasonal and recreational use.

1 (d) Every person required to pay the tax imposed by this subchapter shall  
2 use a weight scale that accurately gauges the weight of the waste and shall  
3 keep accurate contemporaneous records of the volume or weight of all waste  
4 delivered for disposal; provided, however, that a landfill receiving less than  
5 1,000 tons of municipal solid waste per year that does not have scales that  
6 accurately gauge the weight of the waste may compute weight indirectly from  
7 volume using accurate records of the volume of waste delivered for disposal  
8 and a conversion rate approved by the Commissioner. The taxpayer's records  
9 relating to imposition of the tax imposed by this subchapter shall be available  
10 for inspection or examination at any time upon demand by the Commissioner  
11 of Taxes or the Secretary of Natural Resources, their duly authorized agents, or  
12 employees and shall be preserved for a period of three years.

13 (e) In addition to the taxes assessed under this section, waste delivered for  
14 disposal or incineration at a facility in the State shall be assessed a \$1.00 per  
15 ton additional surcharge if the waste originated from a municipality or facility  
16 without a Secretary-approved solid waste management plan. The surcharge  
17 shall be deposited into the Waste Management Assistance Fund for use in  
18 meeting additional monitoring and review costs for waste that lacks an  
19 approved solid waste management plan.

20 (f) Each tax or surcharge assessed under this section shall be increased  
21 every January 1 by the percentage increase of the Northeast Region Consumer



1 Price Index for all urban consumers for the 12-month period ending the  
2 previous October 1.

3 Sec. 6. 32 V.S.A. § 10103 is amended to read:

4 § 10103. TAX IMPOSED; EXEMPTIONS

5 (a) Any person initiating a shipment of hazardous waste in Vermont, who  
6 is required to file a manifest, or other similar report, pursuant to the Resource  
7 Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.), as  
8 amended from time to time, or under 10 V.S.A. chapter 159 and the rules  
9 adopted under that chapter, shall pay a tax based on the quantity of hazardous  
10 waste required to be reported on such manifest or other report, as follows:

11 (1) Hazardous waste destined to be recycled for a beneficial purpose as  
12 defined by the Secretary, except as specified in subdivision (3) of this  
13 subsection, shall be taxed at the rate of ~~14 cents~~ 13 cents per gallon of liquid or  
14 ~~1.4 cents~~ 1.6 cents per pound of solid.

15 (2) Hazardous waste destined for any form of management other than  
16 recycling, except as specified in subdivision (3) of this subsection, shall be  
17 taxed at the rate of ~~23.6 cents~~ 27.4 cents per gallon of liquid or ~~3.0 cents~~ 3.5  
18 cents per pound of solid.

19 (3) Hazardous waste destined for any form of management shall be  
20 taxed at the rate of ~~1.0 cent~~ 1.2 cents per pound, if all of the following apply:

1           (A) it is shipped from a storage or collection facility for which  
2 financial responsibility is required and maintained under 10 V.S.A. § 6605 or  
3 6606 or the rules adopted under those sections;

4           (B) it is not generated by the owner or operator of the storage or  
5 collection facility;

6           (C) it has not been previously taxed in Vermont; and

7           (D) it has not been held ~~onsite~~ on-site for more than 180 days.

8           (b) The following hazardous wastes are exempt from the tax imposed by  
9 subsections (a) and (e) of this section, provided that the exemption is noted on  
10 a manifest or other report in the manner prescribed by the Secretary:

11           (1) hazardous waste that is generated as a result of any action taken  
12 under 10 V.S.A. § 1283 for which disbursements from the Environmental  
13 Contingency Fund have been or will be made by the Secretary;

14           (2) [Repealed.]

15           (3) hazardous waste that is destined for treatment in an ~~onsite~~ on-site  
16 wastewater treatment unit to produce a material that is not hazardous before  
17 entering a public sewer system or waters of the State, but the tax does apply to  
18 any residue of treatment that is a hazardous waste;

19           (4) for any calendar quarter, hazardous waste generated by a person who  
20 generated an average of less than 220 pounds of hazardous waste per month

1 per site or 2.2 pounds of acutely hazardous waste per month per site during that  
2 calendar quarter;

3 (5) hazardous waste generated by a facility ~~onsite~~ on-site that is recycled  
4 ~~onsite~~ on-site;

5 (6) hazardous waste that has been previously taxed in Vermont,  
6 provided:

7 (A) the person shipping the previously taxed waste has not held the  
8 waste for more than 180 days; and

9 (B) if the waste has been mixed, the resulting mixture does not  
10 change the applicable U.S. Department of Transportation shipping description  
11 from that which applied before the waste was mixed; and

12 (7) hazardous waste shipped in implementing a corrective action plan  
13 approved by the Secretary of Natural Resources under 10 V.S.A. § 6615a, the  
14 redevelopment of contaminated properties program, provided that the  
15 Secretary issues a certificate of completion, as provided under that section.

16 (c) The following persons are exempt from the tax imposed by subsections  
17 (a) and (e) of this section, provided they meet the conditions of the exemption:

18 (1) A person who pays a tax on hazardous waste pursuant to this section  
19 shall not be further taxed for such hazardous waste, provided that such  
20 hazardous waste is stored or reshipped by the same person without change in  
21 the applicable U.S. Department of Transportation shipping description. The

1 person shall note the previously taxed hazardous waste on a manifest in the  
2 manner prescribed by the Secretary.

3 (2) Any person who initiates a manifest to import hazardous waste into  
4 Vermont from a foreign country shall not be required to pay a tax under  
5 subsection (a) of this section, provided that this exemption is noted on the  
6 manifest in the manner prescribed by the Secretary.

7 (d) The tax imposed by this chapter shall be deposited in the Environmental  
8 Contingency Fund established under 10 V.S.A. § 1283 and the Hazardous  
9 Waste Management Assistance Account of the Waste Management Assistance  
10 Fund established under 10 V.S.A. § 6618, as required by the Secretary of  
11 Natural Resources under that section.

12 (e) Any facility required to obtain certification under 10 V.S.A. § 6606 and  
13 the rules adopted under that section that recycles, treats, or disposes of  
14 hazardous waste shall pay a tax based on the quantity of hazardous waste  
15 recycled, treated, or disposed of at the facility in a calendar quarter. Each  
16 facility shall report the quantity of hazardous waste recycled, treated, or  
17 disposed of in a calendar quarter ~~no~~ not later than 30 days after the end of the  
18 quarter. The following tax rates shall apply:

19 (1) hazardous waste that is recycled shall be taxed at the rate of ~~11 cents~~  
20 13 cents per gallon of liquid or ~~1.4 cents~~ 1.6 cents per pound of solid;

1           (2) hazardous waste that is treated shall be taxed at the rate of ~~15.7 cents~~  
2           18.2 cents per gallon of liquid or ~~2.0 cents~~ 2.3 cents per pound of solid; and

3           (3) hazardous waste that is land disposed or land treated shall be taxed at  
4           the rate of ~~23.6 cents~~ 27.4 cents per gallon of liquid or ~~3.0 cents~~ 3.5 cents per  
5           pound of solid.

6           (f) Each tax assessed under this section shall be increased every January 1  
7           by the percentage increase of the Northeast Region Consumer Price Index for  
8           all urban consumers for the 12-month period ending the previous October 1.

9                                   \* \* \* Waste Management Assistance Fund \* \* \*

10          Sec. 7. 10 V.S.A. § 6618 is amended to read:

11          § 6618. WASTE MANAGEMENT ASSISTANCE FUND

12           (a) There is hereby created in the State Treasury a fund to be known as the  
13          Waste Management Assistance Fund to be expended by the Secretary of  
14          Natural Resources. The Fund shall have ~~three~~ four accounts: one for Solid  
15          Waste Management Assistance, one for Hazardous Waste Management  
16          Assistance, ~~and~~ one for Electronic Waste Collection and Recycling Assistance,  
17          and one for Landfill Closure and Planning. The Hazardous Waste  
18          Management Assistance Account shall consist of a percentage of the tax on  
19          hazardous waste under the provisions of 32 V.S.A. chapter 237, as established  
20          by the Secretary, provided that 15 percent of the tax on hazardous waste shall  
21          be deposited into the Landfill Closure and Planning Account; the toxics use

1 reduction fees under subsection 6628(j) of this title; and appropriations of the  
2 General Assembly. In no event shall the amount of the hazardous waste tax  
3 that is deposited to the Hazardous Waste Management Assistance Account  
4 exceed 40 percent of the annual tax receipts. The Solid Waste Management  
5 Assistance Account shall consist of 85 percent of the franchise tax on waste  
6 facilities assessed under the provisions of 32 V.S.A. chapter 151, subchapter  
7 13; 100 percent of the surcharge on solid waste facilities under 32 V.S.A.  
8 § 5952(f); and appropriations of the General Assembly. The Electronic Waste  
9 Collection and Recycling Account shall consist of the program and  
10 implementation fees required under section 7553 of this title. The Landfill  
11 Closure and Planning Account shall consist of 15 percent of the tax on  
12 hazardous waste under 32 V.S.A. chapter 237; 15 percent of the tax on waste  
13 facilities under 32 V.S.A. chapter 151, subchapter 13; and appropriations of the  
14 General Assembly. All balances in the Fund accounts at the end of any fiscal  
15 year shall be carried forward and remain a part of the Fund accounts, except as  
16 provided in subsection (e) of this section. Interest earned by the Fund shall be  
17 deposited into the appropriate Fund account. Disbursements from the Fund  
18 accounts shall be made by the State Treasurer on warrants drawn by the  
19 Commissioner of Finance and Management.

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