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## MEMORANDUM

To: House Committee on Environment  
From: Matt Chapman, Director, Waste Management and Prevention Division  
Date: April 2, 2025  
Re: DR 25-0991; Program enhancement to 10 V.S.A. Chapter 53

The Department of Environmental Conservation generally supports the approach being taken by the House Committee on Environment with respect to the referenced draft above, with the following recommended changes:

1. On page 9, line 4, amending 10 V.S.A. § 1531(a) insert the following... “without registering and participating in a” ...

This would allow the PRO to have a brand registration process in place prior to the initiation of the program and may provide more certainty and require beverage manufacturers not currently in comingling to participate in the setup of the PRO.

2. On page 12, lines 1 – 15 adding 1532(a) make the following change:

### § 1532. STEWARDSHIP PLAN; MINIMUM REQUIREMENTS

(a) Plan elements. On or before October 1, 2026, an approved producer responsibility organization shall submit a stewardship plan to the Secretary. A stewardship plan shall, at a minimum, meet all of the following requirements of this section:

(1)(A) of redemption equitably across all regions of the State to allow for convenient and reasonable access of all Vermonters to redemption opportunities. A plan shall document how redemption services will be available to consumers as follows:

(i)(A) at least three points of redemption per county that provide an immediate return of a deposit to a consumer unless a waiver is granted by the Secretary;

(ii)(B) at least one point of redemption per municipality with a population of 7,000 or more persons that provides an immediate return of a deposit to a consumer unless a waiver is granted by the Secretary; and

(B)(C) how sites of redemption are or will be sited in areas with high population density or located in centers designated under 24 V.S.A. chapter 76A.

In this section, I believe that the intent is that facilities, when possible, should be in designated centers. This change more accurately reflects that intent.

3. On page 17 In 1, Strike subdivision (4). We believe that we should remove the 90% redemption rate goal for 2042. As we progress through the implementation of the PRO and achieve the 85% redemption rate in 2037 we can reassess an appropriate performance goal going forward. It may be very difficult to achieve a 90% redemption goal.
4. On p. 17, In. 2 make the following change;

(b)(1) Beginning on July 1, 2027 and ~~biennially annually~~ thereafter, the Secretary of Natural Resources shall include in the report required by 10 V.S.A. 6604(b) ~~submit to the Senate Committees on Natural Resources and Energy and on Finance and the House Committees on Environment and on Ways and Means~~ a written report containing the current beverage container redemption rate in the State for the following two categories of beverage containers ~~for the prior two years:~~

(A) liquor bottles; and

(B) all other beverage containers.

(2) Each ~~biennial annual~~ report submitted under subdivision (1) of this subsection shall include a recommendation of whether the beverage container deposit for either of the beverage categories should be increased to improve redemption of that category of beverage container.

This proposed change would include the prior two years redemption rates in the solid waste biennial report.

5. On p. 20 strike Sec. 3 in its entirety.

The Agency has almost completed the recycling systems analysis contemplated by this section and it should be available prior to the end of this session.

6. On p, 4 amend Sec. 4 as follows:

Sec. 4. REPEAL

10 V.S.A. § 1522(b) (handling fee), 10 V.S.A. § 1528 (beverage registration with ANR) and 10 V.S.A. § 1529 (redemption center certification by ANR) are repealed on March 1, 2025.

The collection plan requires a minimum number of collection locations per county and per municipality greater than 7000 persons. It also requires that collection facilities receive fair compensation. The cost of collecting beverage containers in areas where there are high volumes (Chittenden and Franklin Counties) is less than areas where there low volumes (Essex County). A supermarket that dedicates four parking spaces to a bag drop technology should not be provided a per container fee that is equivalent to that of a facility that hand sorts beverage containers. There are numerous other nuances to how to fairly and appropriately compensate redemption centers and other points of redemption for their

services in the system This is an area where the PRO should be given the flexibility to meet its covenance obligations in a cost-effective manner.

