Vermont Agency of Natural Resources
Department of Environmental Conservation
Solid Waste Management Program

# SOLID WASTE MANAGEMENT FACILITY CERTIFICATION

| | |
|---|---|
| FACILITY NAME: | Montpelier MRF and Residential Drop-Off |
| FACILITY OWNER (PERMITTEE): | Casella Associates, Inc.<br>PO Box 866<br>Rutland, Vermont 05702 |
| FACILITY OPERATOR (PERMITTEE): | Casella Waste Management, Inc.<br>PO Box 548<br>Montpelier, Vermont 05601 |
| LANDOWNER (PERMITTEE): | Casella Associates, Inc.<br>PO Box 866<br>Rutland, Vermont 05601 |
| PROJECT IDENTIFICATION NUMBER: | BR95-0084 |
| S. W. FACILITY IDENTIFICATION NUMBER: | WA444 |
| FACILITY LOCATION: | 378 East Montpelier Road<br>Montpelier, Vermont 05601 |
| FACILITY PURPOSE/DESCRIPTION: | Transfer Station for the proper management of various solid wastes and recyclable materials. |

APPLICATION REVIEW:

The application for re-certification was received by the Solid Waste Management Program ("Program") on June 24, 2021. It was reviewed by accordance with the Waste Management Act 10 V.S.A. §§6601 et seq., and the Solid Waste Management Rules (eff 10/31/20) ("Rules"). The Application is on file in the offices of the Program in Montpelier, Vermont.

CERTIFICATION PERIOD: Date of signature to June 30, 2031

## FINDINGS

a) On June 23, 2011, the Permittee(s) submitted an application to the Program for re-certification pursuant to 10 V.S.A. §6605, and the Rules for continued operation of the facility.

b) The Facility is located at 378 East Montpelier Road in Montpelier, Vermont at 44˚14'31" North Latitude and 72˚32'48" West Longitude.

c) The operational units at the Facility include:

Transfer station
Recycling Drop-Off
Universal Waste Collection

d) The Facility accepts a variety of solid wastes, including MSW, Bulky Furniture, Scrap Metals and Recyclable materials, Food Waste, Yard Waste, and E-waste.

e) The Facility will accept materials from local residents. The facility is open to the public on Monday through Saturday from 7:30 am to 5:00 pm.

f) Access control is provided by a gate at the entrance.

g) Based on the information in the application, the Program has determined that the Facility is capable of operating at a **maximum** operating capacity or growth capacity of 2,500 total tons of solid waste per year, and no more than 15 tons of solid waste stored on site. The Operator will submit an application fee of $750.00 which corresponds to an operating capacity of 1,000 total tons of solid waste per year. The operating capacity is set forth in Appendix A, Material Acceptance and Storage Limitations.

h) The Program may administratively increase the Operational tonnage of solid waste to be managed by the facility up to the maximum operating capacity of 2,500 total tons of solid waste per year upon written request and submittal of additional application fees. No formal amendment or public process will be required. A request to increase the tonnage of solid waste beyond the maximum operating capacity will require an amendment of this certification in accordance with §6-604 of the Rules.

i) The Closure Plan for the Facility is based on the removal of all solid wastes and recyclable materials. The estimated closure cost is $8,048.00 The Secretary approved the closure plan on July 16, 2021.

j) The Permittee(s) provided financial responsibility in the form of Performance bond in the amount of $8,048.00.

k) Pursuant to 10 V.S.A. §6605 (c), the Secretary finds that the Facility is included in the Central Vermont Solid Waste District's Solid Waste Implementation Plan, which was approved by the Secretary and also finds that the Facility is in conformance with the City of Montpelier Municipal Plan and the Central Vermont Regional Planning Commission Plan, adopted pursuant to the requirements of 24 V.S.A. Chapter 117.

l) Based on an evaluation of the information submitted by the Permittee(s), the Secretary has not found that:

a. **Casella Waste Management**, or any person required to be listed on the disclosure statement pursuant to 10 V.S.A. §6605f(b)(1), have been convicted of any of the disqualifying offenses set forth in that subdivision within the ten (10) years preceding the date of application; nor that

b. **Casella Waste Management**, or any person required to be listed on the disclosure statement pursuant to 10 V.S.A. §6605f(b)(1) have committed more than one (1) violation of environmental statutes, rules, orders, certifications or permits issued by any jurisdiction, which have the potential to significantly harm the public health, public safety or the environment, giving due consideration to the size and scope of the applicant's business operations.

m) The Permittee(s) notified abutting landowners of the application submittal and how to subscribe to the Electronic Notice Bulletin in accordance with the requirements of 10 V.S.A. §6605(f) on June 9, 2021.

n) A copy of the Application has been provided to the City of Montpelier, in accordance with the requirements of 10 V.S.A. §6605(f).

o) On July 16, 2021, the Program determined that Application to be administratively complete.

p) On July 16, 2021, the Program provided notice of the draft certification pursuant to 10 V.S.A. §7713(c). The comment period closed on August 16, 2021. No comments were received.

**CONDITIONS & REQUIREMENTS FOR CONSTRUCTION & OPERATION**

1. The Permittee(s) shall construct, develop, and operate the Facility in accordance with the terms of this Certification and with the applicable provisions of State law, including the Solid Waste Management Rules. Compliance with this Certification does not relieve the Permittee(s) from complying with all applicable Local, State and Federal laws.

2. The following documents, submitted as part of the Application, are hereby incorporated by reference in this certification:

   *Storage, Transfer and Recycling facility Recertification Application form,* Submitted electronically June 24, 2021

   *Revised Facility Management Plan,* Submitted electronically July 13, 2021

   *Closure cost Estimate*, Submitted electronically July 13, 2021

   Additions or alterations to the documents referenced above must be approved by the Agency prior to implementation. Materials or substantial additions or alterations which justify the application of condition different or absent from the Certification will be cause for modification or amendment of this certification.

**Compliance Schedule**

3. On or before **January 1, 2023,** and **January 1, 2025,** and **January 1, 2027,** and **January 1, 2029** the Permittee(s) shall review the approved closure plan and closure cost estimates and shall submit documentation that provides the information required by §6-803 of the Rules, consisting of either:

   a. a report that certifies that the closure plan is consistent with current operations and regulations and either provides revised closure cost estimates or indicates that there have been no changes to the closure cost estimates; or
   b. an application for modification or amendment to this Certification due to substantive changes to the Closure Plan.

4. On or before December 31, each year under the term of this certification, the Permittee shall remit to the Program the application fee of $750.00

5. If the Permittee does not remit the required annual application fee, this certification will be subject to revocation or suspension under §6-606 of the rules.

**Re-Certification**

6. On or before **January 1, 2031,** the Permittee(s) shall either apply for re-certification of the Facility or submit a schedule for implementation of the closure plan.

**Facility Operations**

7. This Facility is certified for a maximum operational capacity of 2,500 total tons of solid waste per operating year and 30 total tons of solid waste per operating day.

8. The operating capacity at the time of issuance of this certification is defined in Appendix A - Materials Acceptance and Storage Limitations and is set at 1,000 total tons of solid waste per operating year and 15 total tons of solid waste per operating day. The Permittee(s) shall ensure that the amounts of materials accepted and stored at the facility do not exceed the amounts listed in Appendix A. The yearly tonnage acceptance calculation shall begin on January 1 and end on December 31 of the following year for each year of certification

9. Upon written request and submission of the appropriate additional application fees, the Program may authorize increases in the total annual tonnage of solid waste transferred by the Facility in an amount not to exceed 1,500 total additional tons of solid waste. Any request to increase the annual tonnage in an amount which exceeds 2,500 total tons of solid waste per year will require the Permittee(s) to apply for an amendment.

10. The Permittee(s) shall comply with all the facility operation standards, requirements and conditions specified in Sub-Chapter 7 of the Rules, including but not limited to:

    a. Practices and/or engineering controls pursuant to §6-705(b)(5) of the Rules with respect to preventing/controlling spills, nuisance dust, vectors, windblown debris, and odors; and

    b. Practices that prevent the inclusion of hazardous wastes with the solid waste accepted by the facility pursuant to §6-705(b)(6) of the Rules. Regulated hazardous wastes, include, but are not limited to, mercury containing bulbs and mercury added products that may be determined to be hazardous wastes from commercial sources, regardless of quantity. Hazardous waste produced by conditionally exempt and small quantity generators shall not be accepted as part of incoming solid waste at the facility. Hazardous wastes are identified or described by Chapter 2 of Vermont's Hazardous Waste Management Regulations. It is the responsibility of the Permittee(s) to ensure that all wastes disposed of as solid waste are non-hazardous.

11. The Permittee(s) shall maintain an up-to-date copy of this Certification and the Facility Management Plan, including all revisions, at the Facility in a location readily accessible to Facility personnel.

12. The Permittee shall follow the contingency plan for the management of wastes or recyclable materials during planned and unplanned events when the facility is and is not in operation.

## Materials Management

### Solid Waste

13. All solid waste shall be transported to a certified treatment or disposal facility on a schedule adjusted to minimize odors from waste.

14. All solid waste shall be stored in containers, except as otherwise specified herein for specific wastes. The Permittee(s) shall ensure that the facility is managed to minimize the possibility of an emission or discharge of contaminants from the containers.

### Construction and Demolition Wastes ("C&D Waste")

15. All C&D waste shall be stored either in containers or in an enclosed or covered area.

### Recyclable Materials

16. In accordance with §10 V.S.A 6605(j)(1), the Permittee(s) shall offer parallel collection of mandated recyclables at the Facility.

17. Materials to be recycled, contaminated recyclable materials and process residuals which may be dispersed by wind shall be stored inside buildings or other roofed structures, in box trailers, or other closed container.

### Other Wastes

18. Scrap metal, appliances may be stored uncovered on the ground for up to one year from the date of receipt. All materials shall be taken off-site or shall be stored undercover in no event more than one year from the date of receipt. The maximum on-site volume shall not exceed 80 cubic yards at any time.

19. Prior to any further treatment of the appliance a qualified person shall drain all refrigerants from appliances.

20. This facility is authorized to manage Universal Waste. All such materials shall be managed pursuant to the requirements in Subchapter 9 of the VHWMR.

### Leaf and Yard Waste

21. In accordance with §10 V.S.A 6605(j)(2), the Permittee(s) shall offer parallel collection of leaf and yard waste at the Facility.

**Food Residuals**

22. In accordance with §10 V.S.A 6605(j)(3), the Permittee(s) shall offer parallel collection of food residuals at the Facility.

23. All food residuals and putrescible organics shall be transported to a certified or registered treatment facility on a schedule adjusted to control odors and vectors from the waste.

24. The Permittee(s) shall store all food residuals in watertight, lidded containers. An adequate supply of wood shavings or saw dust shall be on hand to cover the food residuals to control vectors and odors.

**Electronic Wastes**

25. This facility is authorized to manage banned electronic devices. Computers, computer monitors, computer peripherals, printers, and televisions shall be managed pursuant to the requirements of the Procedure for the Environmentally Sound Management of Electronic Waste for Collectors, Transporters, and Recycling Facilities. Specifically, 4. Standards for collectors.

    Please become familiar with this procedure which can be found at:
    http://www.anr.state.vt.us/dec/e-waste/pdfs/Procedure_MgmtOfElecDevices.pdf

**Record Keeping and Reporting**

26. The Permittee(s) shall maintain all records pursuant to the requirements of §6-707 of the Rules.

27. The Permitee(s) shall submit quarterly reports to the Program on or before **January 31, April 30, July 31,** and **October 31** on forms provided for this purpose by the Program.

28. Pursuant to 32 V.S.A. §5954(b), the Permittee(s) shall submit a copy of any tax return required to be filed with the Vermont Department of Taxes.

**Closure Requirements**

29. The Permittee(s) shall maintain financial responsibility equal to or greater than the closure cost estimates for the facility at all times pursuant to Subchapter 9 of the Rules.

30. The Permittee(s) shall notify the Program within thirty (30) days after the date the final volume of waste is received at the Facility, pursuant to §6-907 of the Rules.

31. The Permittee(s) shall close the Facility in accordance with the approved Facility Closure Plan.

32. The Permittee(s) shall provide certification of closure as part of the final closure of the Facility, pursuant to §6-907(g)(1) and (2) of the Rules.

**General Conditions**

33. This Certification does not convey any property rights of any sort or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights.

34. This Certification is not alienable, transferable or assignable

35. The Permittee(s) agree to allow Agency personnel access to the Facility during normal business hours to perform such inspections or other activities pursuant to 10 V.S.A. §6609 as may be required to ensure compliance with this Certification, with all applicable statutes and the Rules. With respect to waste sorts, the Agency shall provide notice and consult with the Permittee(s) prior to conducting the sort. The Agency shall consider reasonable steps proposed by the Permittee(s) to minimize any disruption that a waste sort may cause.

36. This Certification supersedes any and all pervious authorizations issued to the Permittee(s) concerning the operation of the Facility.

37. If at any time during the term of this certification the Secretary finds there is no approved solid waste implementation plan for the area in which this facility is located, or that the solid waste implementation plan for the area in which this facility is located no longer includes this facility, this certification will be subject to revocation or suspension under §6-606 of the rules.

**Appeals**
*** Notice ***

**Any person aggrieved by this certification or permit may appeal to the Superior Court – Environmental Division within 30 days of the issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules Environmental Court Proceedings. If this certification or permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal must be filed within 30 days of the issuance with the Vermont Public Service Board in accordance with Board rules.**

The Secretary's issuance of this Certification for the operation of this facility relies upon the data, judgment and other information supplied by the Permittee(s), the hired professional consultants and other experts who have participated in the preparation of the Application.

The Secretary makes no assurances that the facility certified herein will meet the performance objectives of the Permittee(s) and no warranties or guarantees are given or implied.

The Program staff has reviewed the Application and has found that it conforms to current technical standards. It is recommended that the foregoing findings be made and this Certification be issued for the operation of the facility described here in.

I do affirmatively make the findings as recommend by the staff of the Program and approve the issuance of this Certification.

Dated this 20th day of August, 2021 at Waterbury, Vermont.

**AGENCY OF NATURAL RESOURCES**

Peter Walke, Commissioner
Department of Environmental Conservation



By: _____
Catherine Jamieson, Program Manager
Solid Waste Management Program
Department of Environmental Conservation

Appendix A - Operating Capacity, Material Acceptance and Storage Limitations

| **Material Type** | **Amount Stored On-site (tons)** | **Amount Accepted per Day (tons)** | **Annual Amounts Accepted (tons)** |
|---|---|---|---|
| Wastes Transferred for Incineration, Other Treatment or Disposal | | | |
| Solid Waste & C&D | 15 | _____ | 1000 |
| Materials Accepted For Recycling | | | |
| Fibers and Containers | 75 | _____ | _____ |
| Universal Waste | 1- 55 gallon drum | _____ | _____ |
| Appliances, Scrap Metals | 20 | _____ | _____ |
| Electronic Waste | 20 | _____ | _____ |