

Vermont Agency of Natural Resources
Department of Environmental Conservation
Solid Waste Management Program
National Life Drive – Davis 1
Montpelier VT 05620-3704
(802)828-1138

DRAFT SOLID WASTE MANAGEMENT FACILITY DRAFT CERTIFICATION

FACILITY NAME: All Cycle Transfer Station

FACILITY OWNER (PERMITTEE): All Cycle Waste, Inc.
220 Avenue B
Williston, VT 05495-0976

FACILITY OPERATOR (PERMITTEE): All Cycle Waste, Inc.
220 Avenue B
Williston, VT 05495-0976

LANDOWNER(PERMITTEE): All Cycle Waste, Inc.
220 Avenue B
Williston, VT 05495-0976

PROPERTY SPAN #: 759-241-10065
759-241-13465

SOLID WASTE FACILITY ID NUMBER: CH045

FACILITY LOCATION: Located on Avenue B in
Williston, Vermont

FACILITY PURPOSE/DESCRIPTION:
Continued operation of a solid waste transfer station for the management of municipal solid waste ("MSW"), construction & demolition debris ("C&D"), food residuals, bulky wastes, tires and recyclable materials ("Facility").

APPLICATION REVIEW:

The application for Certification was received by the Solid Waste Management Program ("Program") on January 31, 2022. It was reviewed in accordance with the Waste Management Act, 10 V.S.A. §§6601 et seq., and the Solid Waste Management Rules, (eff. 10/31/2020) ("Rules"). The Application is on file in the office of the Program in Montpelier, Vermont.

CERTIFICATION PERIOD: Date of issuance to September 30, 2033

FINDINGS

- a) On January 31, 2022, the Permittee(s) submitted an application to the Program for re-certification pursuant to 10 V.S.A. §6605, and the Rules for continue operation of the All Cycle Transfer Station Facility
- b) The Facility is located at 220 Avenue B, Williston, VT 44°27'53" North Latitude and -73°07'38" West Longitude. The Facility includes four buildings for transfer, treatment, storage and support operations.
- c) The operational units at the Facility include:
 - MSW, C&D, and bulky waste collection, processing, storage and transfer
 - Tire collection, storage and transfer
 - Recyclable materials recovery and collection
 - Organics collection
 - Depackaging of consumer product for organic processing
- d) The Facility accepts a variety of solids wastes, including MSW, C&D, Tires, Organics, Recyclables, Shingles, and food products for depackaging.
- e) The Facility will accept materials from commercial haulers, contractors, commercial businesses and large loads from residences. The facility is open Monday-Friday 6:00 AM -5:00 PM Saturdays 6:00 AM – 4:00 PM. Operational hours are 5:00 AM to 12:00 AM Monday- Friday and Saturdays 5:00 AM to 4:00 PM.
- f) Access control is provided by perimeter chain-link fencing and locking gates. The gates are closed when the facility is not operating, and the buildings are locked.
- g) Based on the information in the application, the Program has determined that the Facility is capable of operating at a maximum operating capacity of 175,000 total tons of solid waste per year and 750 total tons of solid waste per day. The Operator submitted an application fee of \$63,900 which corresponds to an operating capacity of 85,200 total tons of solid waste per year and 750 total tons of solid waste per day. The facility will be certified at the maximum operating capacity 175,000 tons per year and 750 tons per day. However, the operating capacity at the time this certification is issued is limited to 85,200 tons per year and 750 tons per day until the additional application fees are submitted. The operating capacity is set forth in Appendix A, Material Acceptance and Storage Limitations.
- h) The Program will administratively increase the tonnage of solid waste to be managed by the facility up to the maximum operating capacity of 175,000 total tons of solid

2023 Certification

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 \$52,222. The Secretary approved the closure plan on June 9, 2022.
- j) The Permittee(s) provided financial responsibility in the form of Surety Bond in the amount of \$52,222.
- k) The renewal of this facility certification includes the variance from the food residuals parallel collection requirements of 10 V.S.A. 6605(j)(3) and the variance concerning double walled tanks with interstitial space, Rule 6-904(f)(1)
- l) The site has been determined a Temporary Debris Storage and Reduction Site (TDSRS), in the event of a debris-producing natural disaster that overwhelms the local, existing solid waste management infrastructure. If such an event occurs, and after notification by the Secretary, this authorizes the use of the All-Cycle Transfer Station as a TDSRS.
- m) Pursuant to 10 V.S.A. §6605(c), the Secretary finds that the Facility is included in the Chittenden Solid Waste District Solid Waste Implementation Plan, which was approved by the Secretary of the Agency of Natural Resources on November 10, 2020.
- n) Based on an evaluation of the information submitted by the Permittee(s), the Secretary has not found that:
 - 1) All Cycle Waste Inc. 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
 - 2) All Cycle Waste Inc. 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.
- o) 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 January 27, 2022.

2023 Certification

- p) On February 9, 2022, the Program determined the Application to be administratively complete and that determination was noticed on the Electronic Notice Bulletin.
- q) On September 28, 2023, the Program determined that Application to be technically complete and that it conforms with the Rules and other applicable statutory and regulatory requirements.
- r) On **(Date)**, the Program provided notice of the draft certification pursuant to 10 V.S.A. §7713(c). The public comment period ends on **(Date)**.

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 the State laws, including the Solid Waste Management Rules. Compliance with this Certification does not relieve the Permittee(s) from complying with all applicable Local, State or Federal Laws.
- 2. The following documents, submitted as part of the Application, are hereby incorporated by reference in this certification:
 - Application for Re-certification of the All Cycle Waste, Inc. Transfer Station, Williston Vermont dated January 27, 2022, prepared by All Cycle Waste, Inc.

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

Compliance Schedule

- 3. On or before **April 1, 2025, 2027, 2029, 2031** the Permittee(s) shall review the approved closure plan and closure cost estimates and shall submit documentation that provides that information required by §6-806(b) 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.

Re-Certification

4. On or before April 1, 2033 the Permittee(s) shall either apply for re-certification of the Facility or submit a schedule for implementation of the closure plan.

Application Fees

5. The Operator shall submit to the Program the annual certification application fee equal to the operating capacity of 85,200 tons per year \$63,900 in accordance with 3 V.S.A. §2822. Subsequent annual application fees shall be submitted on or before October 1 each certification year. If the operator does not remit the required annual application fee, this certification will subject to revocation or suspension under §6-307 of the Rules.

Facility Operation

6. The Permittee(s) shall ensure that the amounts of materials accepted and stored at the facility do not exceed the amounts listed in the Material Acceptance and Storage Limitations in Appendix A. The yearly tonnage acceptance calculations shall begin on October 1, and end on September 30 of each certification year.
7. The Permittee(s) shall comply with all the facility operation standards, requirements and conditions specified in Subchapters 7 and 9 of the Rules, including but not limited to:
 - a. Practices and/or engineering controls pursuant to the Rules with respect to preventing/controlling spills, nuisance dust, vectors, odors §6-705, and wind-blown debris; and
 - b. Practices that prevent the inclusion of hazardous wastes with the solid waste accepted by the facility, pursuant to §6-705 and §6-905 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.
8. 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.

2023 Certification

9. The Permittee(s) shall implement any or all of the approved contingency plan to ensure proper management of wastes or recyclable materials during planned and unplanned events when the facility is and is not in operation.
10. The Permittee has the ability to accept at the facility Architectural Waste as defined by 10 V.S.A. §6605m (discarded drywall, metal, asphalt shingles, clean wood, and plywood, and oriented strand board) . The Permittee shall recycle accepted Architectural Waste, or transfer the Architectural Waste to a Vermont certified recycling facility or to a facility(s) that recycles all six of the above listed materials. No Architectural Waste shall be disposed of at a landfill or incinerator.

Materials Management

Solid Waste

11. All solid waste shall be transported to a certified treatment or disposal facility on a schedule adjusted to minimize odors from the waste.
12. All solid waste not processed on the tip floor, 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.
13. All solid waste shall be removed from the tip floor by the end of the operating day except during unforeseen circumstances listed in Section 4 (Emergency Operations) in the Facility Management Plan.
14. The Permittee(s) shall empty the leachate collection tank when the level of leachate reaches 2/3 of the tank's capacity. Disposal of leachate in Vermont shall only take place at a permitted wastewater treatment facility and only under the authority of a Pretreatment Discharge Permit issued by the Agency's Wastewater Management Division.

Construction and Demolition Waste ("C&D waste")

15. C&D waste may be stored uncovered on the ground for a period not to exceed one hundred twenty (120) days from the date of receipt. The maximum on-site volume shall not exceed 800 cubic yards of ground and un-ground C&D waste at any time.

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.

2023 Certification

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

Tires

18. No more than 1,500 tires may be stored at the facility at any time.

Other Wastes

19. Untreated wood, concrete, bricks, mortar, asphalt, scrap metal, appliances may be stored uncovered on the ground for no longer than two years from the date of receipt).
20. A qualified person, prior to further treatment of the appliances, shall drain all refrigerants from appliances.

Depackaging Facility

Feedstocks:

21. The Facility shall not accept from a hauler or generator source separated food residuals that are co-mingled with packaged food. Co-mingled loads shall be refused, the generator shall be provided information explaining why the load was refused and the Program shall be notified of the hauler and/or generator information and reason for refusal within 36 hours.
22. The depackaging facility shall not accept source separated food residuals in bags for processing.
23. Compostable plastics and compostable products shall not be accepted by the facility in source separated food residuals being processed by the depackaging equipment. Compostable plastics and products are acceptable in source separated food that is being transferred to a composting site (i.e not being treated through the depackager) provided the composting facility accepts compostable plastics and products.
24. Glass products shall not be processed by the depackaging facility.
25. The depackaging facility shall not process individually packaged food items smaller than 2 ounces.

Feedstock Load Auditing:

26. Source separated food residuals shall be inspected upon delivery to the facility and inorganic materials shall be manually removed (i.e. manual methods do not include mechanical removal via depackaging). If the source separated food residuals contain

2023 Certification

contaminants that exceed the Operator's ability to manually separate, the Facility shall notify the hauler and/or generator of the issue, and how to prevent contamination going forward. The Permittee(s) shall notify the Program of any hauler and/or generator who exceeds the above described contamination levels in three or more loads during a rolling 6 month period.

27. The Permittee(s) shall notify the Program of the details, hauler and generator(s) of contamination rejected feedstock loads as soon as practicable but within 36 hours of the event.

Operations:

28. The Permittee shall remove all source separated food residuals from the depackager facility tipping floor by the end of the operating day. If unforeseen circumstances require material be left on the tipping floor overnight, the Permittee shall notify the Program immediately and follow the contingency plan procedures in the approved facility management plan.
29. The Facility shall pre-process packaged food so that only food in primary packaging (i.e. packaging that is in contact with the food or packaging that separates the food from the consumer) is processed in the depackager. All secondary, tertiary and transportation packaging shall be removed prior to processing in the depackager and be recycled or disposed of as appropriate.
30. The Facility operator shall conduct any additional pre-processing of packaged food products prior to depackaging necessary to best protect the purity of the resultant slurry. Packaging that is problematic for the depackaging machine or deleterious to the resultant slurry shall be removed prior to depackaging.
31. The Permittee(s) shall provide sufficient staffing to ensure necessary pre-processing.
32. The operator shall ensure that the turboseparator screens, paddles and operational settings are compatible with each batch and that the equipment is optimized to recover organics and prevent contamination for the materials being processed.
33. Tanker trucks storing slurried food waste shall be inspected daily and shall be transported off-site within 24 hours of being filled.
34. Leachate collected from the depackaging facility tipping floor shall be sent to a certified wastewater treatment facility, unless sampling results are provided to the Program and an alternate destination or use is pre-approved in writing.
35. The Permittee shall collect 2 samples per month of depackaged food slurry (not source separated food that has been processed through the depackager) and have them analyzed for inert, human-made contaminants greater than 1mm. The report to the

2023 Certification

facility and the state by the lab shall describe the inert content by type and in a % weight-to-weight format.

Record Keeping and Reporting

36. The Permittee(s) shall maintain all records pursuant to the requirements of §6-707 of the Rules.
37. The Permittee(s) shall record the date, the amount of leachate removed from the leachate collection tank and the wastewater treatment facility where leachate is taken. The data shall be reported to the Program with the quarterly reports required by Condition 37.
38. The Permittee(s) shall submit quarterly reports to the Program on or before **January 31, April 30, July 30 and October 31** electronically on forms provided for this purpose by the Program.
39. In addition to the standard reporting for the transfer station, the depackager quarterly reports shall separately list incoming tonnages for source separated food residuals, food processing residuals and packaged organics. Quarterly reports shall also separately list outgoing tonnages for depackaged organic slurries, slurried food scraps/food processing residuals, reclaimed recyclables from the depackager operation (by type) and depackager residual. If it is preferable to the Facility a separate Re-TRAC report can be created to keep the depackager materials separate from the transfer station materials (contact the Program to pursue this option).
40. Pursuant to 32 V.S.A. 5954(b), the Permittee shall file a copy of the quarterly tax return required under 32 V.S.A. Chapter 151, Subchapter 13 (solid waste franchise tax) with the ANR Secretary (attention: Solid Waste Management Program) by **January 31, April 30, July 30 and October 31** of each year.

Closure Requirements

41. 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 8 of the Rules.
42. 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.
43. The Permittee(s) shall close the Facility in accordance with the approved Facility Closure Plan.
44. 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

45. 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.
46. This Certification is not alienable, transferable or assignable.
47. The Permittee(s) agree to allow Agency personnel access to the Facility during normal Facility operating hours and during standard Agency business hours (Monday-Friday 8am to 5pm) when the Facility may not be open to the public. The Permittee(s) shall cooperate with Agency personnel or their designees to perform such inspections, waste sorts 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.
48. This Certification supersedes any and all previous authorizations issued to the Permittee(s) concerning the operation of the Facility.
49. If at any time during the term of this Certification the Secretary finds there is no approved Solid Waste Implementation Plan (SWIP) for the area in which this Facility is located, or that the SWIP 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

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 herein.

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

Dated this _____ day of October, 2023 at Montpelier, Vermont.

AGENCY OF NATURAL RESOURCES

Jason Batchelder, Commissioner
Department of Environmental Conservation

By:

Josh Kelly, Program Manager
Solid Waste Management Program
Department of Environmental Conservation

Appendix A - Material Acceptance and Storage Limitations

Material Type	Amount Stored On-site (tons)	Maximum Amount Accepted per Day (tons)	Annual Amounts Accepted (tons)
Wastes Transferred for Incineration, Other Treatment or Disposal			
Solid Waste & C&D	200	175	85,200 (operational) 175,000 (growth)
Tires	(1) 100 cubic yard trailer	---	---
Materials Accepted For Recycling			
Cardboard	100 tons	---	---
Recycling	100 tons	---	---
Scrap Metal	12	---	---
Shingles	50 tons	---	---
Organic Materials Accepted			
Organic Slurry	75,000 Gallons	---	---
Unprocessed Food Waste	1,000 tons	---	---
Leachate			
1 UST	4,002 gallons		