



ENVIRONMENTAL CONSERVATION

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

SOLID WASTE MANAGEMENT FACILITY CERTIFICATION

FACILITY NAME: Town of Shaftsbury Solid Waste Management Facility

FACILITY OWNER (PERMITEE): Town of Shaftsbury
PO Box 409
Shaftsbury, VT 05262

FACILITY OPERATOR (CO-PERMITEE): TAM, Inc
639 North Road
Shaftsbury, VT 05262

LANDOWNER Town of Shaftsbury

PROJECT IDENTIFICATION NUMBER: RU96-0511

S. W. FACILITY IDENTIFICATION NUMBER: BN741

FACILITY LOCATION: 526 North Road
Shaftsbury, Vermont

FACILITY PURPOSE/DESCRIPTION:

The Facility collects and transfers various solid wastes and recyclable materials from area residents and landowners. The Facility also hosts scheduled HHW and CEG collection events.

APPLICATION REVIEW:

The application for Re-Certification was received by the Solid Waste Management Program ("Program") on October 3, 2006. It was reviewed in accordance with the Waste Management Act 10 V.S.A. §§6601 et seq., and the Solid Waste Management Rules (eff 6/12/06) ("Rules"). The Application is on file in the offices of the Program in Waterbury, Vermont.

CERTIFICATION PERIOD: Date of Signature – September 30, 2013

FINDINGS

- a) On October 03, 2006, the Permittee(s) submitted an application to the Program for Re-Certification pursuant to 10 V.S.A. §6605, and the Rules for the continued operation of the Shaftsbury Transfer Station.
- b) The Facility is located on North Road in Shaftsbury, Vermont at 42°57'52" North Latitude and 73°12'0" West Longitude.
- c) The operational units at the Facility include:
 - MSW/C&D transfer station
 - Recycling drop-off
 - Scrap Metal and appliance collection
 - Tire collection
 - Used oil
 - Leaf and Yard waste
 - Scheduled HHW/CEG collection days
- d) The facility is open to the public on Monday –Saturday 7:00 AM to 7:00 PM.
- e) Access control is provided by a locking gate at the entrance.
- f) The facility is owned by the Town of Shaftsbury. TAM Inc. is the operator. All financial decisions, profits or losses are held by the Town of Shaftsbury.
- g) The Closure Plan for the Facility is based on the removal of all solid wastes, and recyclable materials. The estimated closure cost is \$22,712.50. The Secretary approved the closure plan on February 28, 2008.
- h) Based on an evaluation of the information submitted by the TAM, Inc., the Secretary has not found that:
 - (1) TAM. 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) TAM 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.
- i) The Town of Shaftsbury provided a letter stating the town is financially capable to meet the closure cost estimates approved in the closure plan.
- j) A copy of the Application is at Town of Shaftsbury's public office for public review in accordance with the requirements of 10 V.S.A. §6605(f).

- k) On November 8, 2006, the Program determined that Application to be administratively complete.
- l) On February 28, 2008, the Program determined the application to be technically complete.
- m) On October 31, 2008, the Permittee(s) provided notice for the draft certification pursuant to the requirements of Sections 6-305(a)(7) and (8) of the rules. The comment period ended November 15th 2008. 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:
 - *Town of Shaftsbury Solid waste Management Facility Re-Certification Dated November 2006.*
 - *Storage, Transfer and Recycling Facility Recertification Application Form, Dated October 24, 2007*
 - *Letter from the Town of Shaftsbury to the Program.* The letter includes information on the financial capability to meet the estimated closure cost. Dated October 24, 2007.

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 **December 31, of each year**, the Permittee(s) shall submit a report concerning its financial condition pursuant to §6-902(b)(1) of the Rules.
4. On or before **December 31, 2010** and **December 31, 2012** the Permittee(s) shall review the approved closure plan and closure cost estimates and shall submit documentation that provides the information required by §6-1006(a) – (c) 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.

Re-Certification

5. On or before **April 1, 2013**, the Permittee(s) shall either apply for re-certification of the Facility or submit a schedule for implementation of the Closure Plan.

Facility Operations

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 January 1 and end on December 31st of each year.
7. The Permittee(s) shall comply with all the facility operation standards, requirements and conditions specified in Sub-Chapter 12 of the Rules, including but not limited to:
 - a. Practices and/or engineering controls pursuant to §6-1205(d) of the Rules with respect to preventing/controlling spills, nuisance dust, vectors, wind blown debris and odors; and
 - b. Practices that prevent the inclusion of hazardous wastes with the solid waste accepted by the facility pursuant to §6-1205(e) 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 facility is open to the public on Monday – Saturday 7:00 AM to 7:00 PM.
9. The Permittee(s) shall maintain an up-to-date copy of the Facility Management Plan, including all revisions, at the Facility in a location readily accessible to facility personnel.
10. The Permittee(s) shall implement any or the entire 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.

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 waste.
12. 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”)

13. All C&D waste shall be stored in roll-off containers.

Recyclable Materials

14. 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 containers.

Tires

15. No more than 1,000 tires may be stored at the facility at any time.

Other Wastes

16. Scrap metal, may be stored on the ground in organized piles for up to two years from the date of receipt. The maximum on-site volume shall not exceed 50 tons at any time.
17. Refrigerants from appliances shall be drained and collected by a qualified person prior to any further treatment. Refrigerant containing appliances shall be stored and handled in a manner that prevents the release of refrigerant.

Used Oil

18. The Permittee(s) shall manage used oil in accordance with Subchapter 8 of the Vermont Hazardous Waste Management Regulations.

Fluorescent Light Bulbs

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

Household Hazardous Waste

- 20.. The facility is approved to host scheduled household hazardous waste collection events.

Electronic Waste

21. All Electronic Waste (E-Waste) shall be stored under cover and on an impervious surface. The Permittee shall ensure that the facility is managed to minimize the possibility of an emission or discharge of contaminants from the E-waste.
22. The Permittee shall manage E-Waste in accordance with Subchapter 9 of the Vermont Hazardous Waste Management Regulations.

Record Keeping and Reporting

23. The Permittee(s) shall maintain all records pursuant to the requirements of §6-1209 of the Rules.
24. The Permittee(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.
25. 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

26. 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 §6-1002(g) of the Rules.
27. The Permittee(s) shall close the Facility in accordance with the approved Facility Closure Plan.
28. The Permittee(s) shall provide certification of closure as part of the final closure of the Facility, pursuant to §6-1002(i)(1) and (2) of the Rules.

General Conditions

29. 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.
30. This Certification is not alienable, transferable or assignable
31. 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.
32. This Certification supersedes any and all previous authorizations issued to the Permittee(s) concerning the operation of the Facility.
33. 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 §6-307 of the rules.

Appeals

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of \$225.00 payable to the State of Vermont.

The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal.

The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

For further information, see the Vermont Rules for Environmental Court Proceedings, available on-line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. #802-828-1660).

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 1st day of December 2008 at Waterbury, Vermont.

AGENCY OF NATURAL RESOURCES

Laura Q. Pelosi, Commissioner
Department of Environmental Conservation

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

Appendix A -- Town of Shaftsbury 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			
MSW, C&D & Bulky Waste	50	50	3,000
Tires	1,000 units	200 units	2,000 units
Materials Accepted For Recycling			
Assorted Mixed Recyclables	30 tons	---	---
Electronic Waste	2 tons	---	---
Appliances, Scrap Metals	50 tons	---	100 tons
Universal Wastes (including fluorescent light bulbs)	Included in Recyclables	Included in Recyclables	Included in Recyclables