



Central Vermont Solid Waste Management District  
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[www.cvswwmd.org](http://www.cvswwmd.org)

November 5, 2020

Dennis Fekert, Certification Section Chief  
Department of Environmental Conservation  
Vermont Agency of Natural Resources  
Solid Waste Management Program  
Davis Building – 1<sup>st</sup> Floor  
One National Life Drive  
Montpelier, VT 05620-3704

RE: CH920-2020-11 & CH940-2020-3 Amendments

Dear Mr. Fekert:

Last evening, the Central Vermont Solid Waste Management District Board of Supervisors discussed the draft certification amendments being considered by ANR for two Chittenden Solid Waste District (CSWD) facilities, namely the closed landfill and the compost facility – applications CH920-2020-11 & CH940-2020-3. These proposed amendments involve “after the fact” authorization of the disposal of thousands of tons of off-specification glass generated at the CSWD Materials Recycling Facility, glass that was intended by its generators to be managed for recycling and not disposal. Nearly all of the glass collected for recycling within the CVSWMD is shipped to the CSWD MRF and until relatively recently, we were led to believe by CSWD and ANR that our glass was being recycled. Members of our Board were very upset to find that our glass, as well as glass from many other Vermont towns, delivered for processing at the MRF, was in fact not recycled, but disposed of in a number of locations on CSWD property in Williston. We have been informed that this glass failed to meet the ANR’s specifications for reuse as a clean, appropriately sized, glass aggregate, rendering it ineligible for unpermitted reuse. It has also been brought to our attention that CSWD had represented in its quarterly reporting to ANR, that this glass had been recycled and (having met the standards for a clean processed glass aggregate (PGA)), had also been utilized in road and other construction projects, as allowed under ANR’s PGA policy.

The CVSWMD Board unanimously passed a motion to request by letter to ANR that an extension of the public comment period for applications CH920-2020-11 and CH940-2020-3 be granted for a period of 30 days or until the Vermont Attorney General’s office completes its investigation of the CSWD violations and reaches appropriate closure on the related matter of the illegal disposal of glass processed at the MRF, whichever is longer. The CVSWMD Board furthermore requests that ANR delay further action on issuing these or other related “after the fact” certification amendments or other authorizations until the Attorney General’s office completes its investigation and reaches enforcement case closure, either through appropriate settlement or through a judgement rendered by a Vermont court.

Thank you for your consideration of our requests.

Sincerely,



Fred Thumm  
Chair, CVSWMD Board of Supervisors

cc: Robert McDougall, Assistant Attorney General  
Melanie Kehne, Assistant Attorney General  
Julie Moore, Secretary ANR  
CVSWMD Board of Supervisors