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CSWD TO PAY \$400K TO SETTLE GLASS DISPOSAL ENFORCEMENT CASE

Settlement includes payment of \$178,393 to the State of Vermont and \$222,000 for environmental project to benefit Vermonters

MONTPELIER – Attorney General T.J. Donovan today announced that Chittenden Solid Waste District (CSWD) has agreed to pay over \$400,000 for its disposal of recyclable processed glass at three locations on its Williston, Vermont property. CSWD will also post information on its website and publications to ensure that it is being transparent with the public about what happens to glass sent to CSWD for recycling. The settlement agreement, filed with the court today, resolves the enforcement action brought by the State of Vermont against CSWD for disposing of processed glass. Under the agreement, CSWD admits that it received the glass for recycling and processed it, then used some of the processed glass in a landfill cap and to level off a compost area. The remaining processed glass – over 15,000 tons – was deposited over a bank at the end of Redmond Road, but CSWD reported to the State that the glass had been “transferred off-site” for use in “local projects.” The State alleges that these activities violated Vermont’s Solid Waste Management Rules and Act 250. The Agency of Natural Resources and Vermont Natural Resources Board investigated the allegations against CSWD and worked closely with the Attorney General’s Office in support of the settlement.

“Vermonters care about our environment and recognize the value of recycling,” said Attorney General Donovan. “Vermonters deserve to know—and should be able to trust—what happens to the glass they put in the recycling bin. No one expects it to end up in a pile over the bank.”

Although the Agency of Natural Resources believes that processed glass itself is nontoxic and that it does not cause significant environmental harm, the State's concern is that public confidence in recycling could be undermined by these alleged violations.

"The Department of Environmental Conservation, through Solid Waste Program, has worked in partnership with the Solid Waste Districts, Alliances and independent towns over the years to promote and encourage the recycling of our valued natural resources," said Peter Walke, Commissioner of the Department of Environmental Conservation. "The actions in this case shake Vermonters' trust in our recycling system. We are glad to see our environmental laws upheld and will continue the important work of advancing our recycling programs."

"It's good that CSWD has agreed to withdraw its Act 250 appeal, which will leave jurisdiction in place," said Diane Snelling, Chair of the Natural Resources Board. "This settlement agreement also imposes a substantial penalty and makes sure that no economic benefit resulted from these activities."

CSWD stopped disposing of the processed glass in these locations in March 2018, and instead made it available for use in construction projects as an aggregate material, consistent with Vermont law, and has since reported the destination of its processed glass more accurately. The State believes that CSWD avoided significant costs of having the glass processed and recycled properly over previous years.

The settlement agreement requires CSWD to pay \$78,000 in penalties, \$393.24 in enforcement costs, and \$322,000 to account for the economic benefit that accrued to CSWD from avoiding costs of properly recycling the glass. Of the \$400,393.24 settlement, CSWD will pay \$178,393.24 directly to the State of Vermont and will pay the remaining \$222,000 in economic benefit over six months to fund one or more supplemental environmental projects that will more directly benefit the public. CSWD will work with the State to find appropriate projects. In the event that the supplemental environmental projects are not funded within the six-

month timeframe as provided in the settlement, the supplemental environmental project money is converted to civil penalties and immediately payable to the State. CSWD will also post information on its website and publications to ensure that it is being transparent with the public going forward about what happens to glass sent to CSWD for recycling.

Under the terms of the settlement, CSWD has agreed to withdraw its appeal of a decision finding Act 250 jurisdiction, leaving Act 250 jurisdiction in place, and agreed to withdraw its applications to the Agency of Natural Resources for after-the-fact permits for the three disposal sites. The settlement agreement will be held for 21 days before the court enters it as a final order to permit any public participation as allowed by the Vermont Rules of Civil Procedure.

Copies of the settlement documents are available below:

[Pleadings by Agreement](#)

[Stipulation for the Entry of Consent Order and Final Judgment Order](#)

[Proposed Consent Order and Final Judgment Order](#)

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