

1 H.641

2 Introduced by Representative Klein of East Montpelier

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; solid waste; recycling; beverage

6 cartons

7 Statement of purpose of bill as introduced: This bill proposes to require food  
8 and beverage cartons, such as milk cartons and juice boxes, to be recycled and  
9 not disposed of in landfills.

10 An act relating to the recycling of beverage cartons

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. FINDINGS

13 The General Assembly finds and declares that:

14 (1) Each year, Vermont citizens generate approximately 600,000 tons of  
15 waste—one ton per person per year.

16 (2) For over 35 years, Vermont has encouraged the recycling of waste  
17 products, and currently Vermont recycles or diverts from disposal over  
18 one-third of waste generated each year.

1           (3) However, a recent Agency of Natural Resources study indicated that  
2           approximately one-third of the waste disposed of annually in municipal solid  
3           waste could be recycled.

4           (4) Food and beverage carton recycling is a standard practice in other  
5           regions of the world. In the United States, food and beverage carton recycling  
6           is increasing due to better access and improved recycling infrastructure.

7           (5) A collaborative of food and beverage carton manufacturers, known  
8           as the Carton Council, formed in 2009 to expand availability of recycling  
9           infrastructure for carton recycling and, thereby, increase recycling rates in the  
10          United States of food and beverage cartons.

11          (6) In Vermont, the Carton Council worked with solid waste districts,  
12          municipalities, private companies, universities, and schools to develop the  
13          infrastructure for carton recycling in the State and to educate Vermonters  
14          regarding the opportunity and benefits of food and beverage carton recycling.

15          (7) In 2012, the Vermont General Assembly enacted 2012 Acts and  
16          Resolves No. 148, known as Act 148, relating to establishing universal  
17          recycling of solid waste.

18          (8) Act 148 mandated that containers, such as aluminum cans and  
19          plastic bottles, be banned from landfill disposal and instead recycled, but  
20          Act 148 did not define food and beverage cartons as a mandated recyclable.





1           (38) “Food and beverage cartons” means gable-top cartons and aseptic  
2 cartons.

3           (39) “Gable-top carton” means a container for drinks or food in liquid  
4 form that is:

5                   (A) constructed of approximately 80 percent paper or cardboard and  
6 20 percent polyethylene; and

7                   (B) not wax coated.

8           Sec. 3. 10 V.S.A. § 6604(e) is added to read:

9                   (e) Any education or outreach program of the Secretary under the solid  
10 waste management plan or other requirements of this chapter regarding the  
11 recycling of mandated recyclables shall specifically reference or denote that  
12 beverage cartons are recyclable under State law and shall not be disposed of in  
13 a landfill.

14           Sec. 4. 10 V.S.A. § 6622 is amended to read:

15           § 6622. SOURCE SEPARATION INCENTIVES

16                   (a) Any municipality or solid waste management district that meets the  
17 requirements of subsection (d) of this section has met the requirements of  
18 ~~subsection~~ subdivision 6604(a)(1)(B) of this title for those materials identified  
19 in the source separation requirements under subsection (d) of this section.

20                   (b) A municipality or a solid waste management district that wishes to be  
21 eligible, on a priority basis, for implementation grants under subdivision

1 6603c(c)(2)(C)(ii) of this title shall include a source separation plan in its solid  
2 waste management plan. At a minimum, that source separation plan shall  
3 include the following components:

4 (1) a recycling awareness component ~~which~~ that includes education and  
5 public outreach; and

6 (2) a strategy to require source separation, including enforcement  
7 provisions; and

8 (3) a list of those materials subject to any source separation program,  
9 including at least five of the following materials:

10 (A) cardboard, including corrugated and boxboard;

11 (B) glass containers;

12 (C) yard waste, food waste, and other compostables;

13 (D) newsprint;

14 (E) office paper, including white, colored, and mixed office paper;

15 (F) metal food and beverage containers including tin-plated steel

16 bi-metal and aluminum cans; ~~and~~

17 (G) plastic containers made from high density polyethylene (HDPE),  
18 polyethylene terephthalate (PET), and polyvinyl chloride (PVC); and

19 (H) food and beverage cartons.

1           (c) If necessary, the ~~secretary of the agency of natural resources~~ Secretary,  
2           by rule, shall add or delete materials to the ~~above~~ list in subsection (b) of this  
3           section, after considering the following:

4                   (1) adequacy of markets;

5                   (2) availability of process facilities; and

6                   (3) the costs of collecting, processing, and transporting the material to  
7           market.

8           (d) Municipalities or districts that have an ordinance in effect that includes  
9           enforcement provisions and requires source separation of at least five materials  
10          identified in this section shall be eligible to receive priority consideration for  
11          implementation grants according to the provisions of subsection 6603c(c) of  
12          this title.

13          (e) [Repealed.]

14          (f) The deadlines established under subsection (d) of this section may be  
15          modified by the ~~secretary~~ Secretary, depending on the availability of funds in  
16          the capital budget.

17          (g) ~~For purposes of~~ As used in this section, “source separation” means  
18          systems which separate compostable and recyclable materials from  
19          noncompostable, nonrecyclable materials at the point of generation.  
20          Recyclable materials may be commingled.

1           (h) ~~For purposes of As used in~~ this section, “compostable” means that a  
2           product, package or material will safely decompose, in a composting system,  
3           into a humus-rich material, containing no persistent synthetic residues, that can  
4           be safely used as a beneficial soil amendment.

5           Sec. 5. EFFECTIVE DATE

6           This act shall take effect on passage.