

## **Bristol, Agency of Natural Resources at odds over future of landfill**

By ZACH DESPART of the Addison County Independent Article appeared in 11/3/14 paper.

BRISTOL — Officials in Bristol are at odds with the state over when to close the town's landfill and how to pay for it.

In August, the Agency of Natural Resources sent the town four notices of alleged violations for the landfill, which is located off Pine Street. The town was able to address three of them, but one, that alleges that Bristol has failed to save enough money every year to pay for the closure of the landfill, has left the selectboard in a bind.

“What’s happening is we have a shortfall,” Town Administrator Therese Kirby said. “If we look at the last several years, we aren’t taking in the tonnage we used to take in at the landfill, so our revenue is down.”

For years the town of Bristol has budgeted for the closure of the landfill, which will entail sealing the solid waste with a material such as clay or plastic to prevent rainwater from carrying away contaminants.

To date, the town has saved \$576,000. A recent assessment by the Waterbury firm L.E. Environmental estimated the cost of closing the landfill at \$1.5 million, leaving the town more than \$900,000 away from that goal.

The Department of Environmental Conservation, a branch of ANR, said Bristol should be saving about \$61,000 each year for the landfill closure fund. Kirby said landfill profits last year were just \$16,000.

Barb Schwendtner of the DEC said that’s the primary reason why Bristol is in hot water with the state. She said the DEC wants Bristol to develop a new funding plan for closing its landfill that will be codified in a court order. This will empower the DEC to hold Bristol accountable if it does not hold up its end of the deal.

“We already had a permit, and that didn’t happen, so we need to have something enforceable,” Schwendtner said.

The landfill’s current state certification expires at the end of 2016. The selectboard had been budgeting to close the landfill in 2029, but on Oct. 27 voted to close it when its current certification expires.

Now the town needs to find a way to pay for it. Schwendtner said if Bristol is unable to come up with a funding plan it can stick to, the state may have no choice but to order the town to close the landfill.

“We’re not at that point, but it could come to that,” she said.

In order to close the landfill in two years, the town must find a way to supplement its annual profits, which have dwindled in recent years.

Kirby said the selectboard has looked at ways to cut costs and increase revenue. The town increased the cost of using the landfill to \$3.50 per bag of trash and \$350 per ton, which Kirby said is more expensive than other waste disposal options, such as the Addison County Solid Waste Management District.

“The biggest issue for us is money,” Kirby said. “I feel like current and past landfill managers have tried to reach agreements with folks, but it’s just not happening.”

Kirby attributed some of the decline to residents using private trash haulers and the success of the state’s recycling program, which diverts some products from ending up in landfills.

## LANDFILLS IN VERMONT

Landfills used to exist throughout Vermont. Now, there are only two left, in Bristol and Salisbury. That’s due in large part to Act 78, which the Legislature passed in 1987.

The Legislation created 16 solid waste management districts around Vermont to replace landfills. It prohibited new dumps from being built without plastic liners, which protect adjacent soils from contaminants. Existing landfills that are unlined, like Bristol’s, were exempted by the legislation, so long as they kept a fund to pay for closure costs.

Schwendtner said Salisbury is on track to fund its closure, unlike Bristol.

## POSSIBLE SOLUTION

The selectboard has come up with a possible solution to close the landfill in 2016 that would require the state to kick in some funds. Bristol has precedent on its side — in the last decade, the state gave Shaftsbury \$350,000 to help close its landfill.

Kirby said Reps. Mike Fisher, D-Lincoln, and Dave Sharpe, D-Bristol, said they will call Gov. Peter Shumlin to ask him to send Bristol aid as well.

Fisher said the Legislature used to keep a fund to help towns close their landfills. When the Shaftsbury landfill closed, the state emptied the account to help the Bennington County town.

“We have a pattern of the state helping towns close dumps, and I want to help continue that pattern,” Fisher said.

Fisher said if the Agency of Natural Resources wants the landfill closed within the next two years, it should shell out some cash to aid that process.

“Bristol runs a good dump, and if the state is really putting a lot of pressure on the town to close, I think they should be part of funding the closure,” he said.

Fisher said that residents in the five-town area, as well as around Vermont, are straining under the burden of property taxes. He vowed to do what he could to help Bristol avoid raising taxes or levying a bond.

Sharpe echoed his colleague's comments on the importance of securing state aid.

"Considering the past support from the state for closure of landfills throughout the state it is important that the state step forward and support the closure of the Bristol landfill," Sharpe said.

Kirby said if the state gave Bristol the same amount as Shaftsbury received, the town may be able close its landfill in 2016. This would require the town to kick in payments of \$61,000 to the closure fund over the next two years. The town, in conjunction with the Agency of Natural Resources, would need to find a cheaper way to seal the landfill.

"If you take \$350,000 and add that to the amount we already have set aside plus the amount we will set aside each of the next two years, we are hoping that may cover our closure costs," Kirby said. "The state and LE Environmental said they would work with us to find an alternative capping material instead of clay."

Kirby said the sooner the town closes the landfill, the cheaper it will be. That's because with a smaller mound of garbage, the town will need less material to cover it.

"If we have less trash, we're also hoping that this closure number drops," she said.

The math is tight, but Kirby is confident if all these pieces fall into place, Bristol could have a manageable solution.

"If we can do those things, it could significantly drop the cost to close," Kirby said.

## THE LAST RESORT

If the town cannot raise enough money from the landfill or secure some financial help from Montpelier, it could be forced to ask Bristol residents to approve a bond of roughly \$1 million to close the landfill.

With a vote Tuesday on a \$32.6 million bond to renovate Mount Abraham Union High School and a bond to build a new firehouse expected to come before Bristol voters next year, selectboard Chair Joel Bouvier said the board sees a landfill closure bond as a last resort.

Kirby agrees.

"The last thing the selectboard wants is to bond," Kirby said. "We're trying to do this any other way."