


Dried Feedstock	
US Std Sieve ASTM E11 Ro-Tap Mesh	Glavel Feedstock sample 06/04/2018
0.375	1.03%
10	91.70%
30	5.57%
50	0.50%
Pan	1.15%
99.95%	

Glavel Feedstock

Free Moisture	3.56%
LOI	2.60%

From: Joe Keating
Sent: Tuesday, 22 May, 2018 4:02 PM
To: John Bengtson
Subject: FW: Glass Pics / Data

You will soon get this sample. Please analyze for LOI and PSD 3/8, 10, 30, 50, pan. It is glass feedstock for a ball mill. Regards, Joe

	<p>Joe Keating Vitro Minerals 678-520-3208 (cell) 678-729-9333 (office) 888-837-5262 (fax) www.vitrominerals.com 1598 Rivermist Dr. Lilburn, Ga., 30047</p>
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From: Rob [<mailto:rob@glavel.com>]
Sent: Tuesday, May 22, 2018 4:56 PM
To: Joe Keating
Cc: Floris Keverling Buisman; Ray Hemmings
Subject: Glass Pics / Data

Joe –

Good call this afternoon. Attached are the photos and data for the glass we'll be using to start.

Looking forward to nailing down specifics



Rob Conboy

COO

Phone: 802.373.4606

<https://www.glavel.com/>

"We're the first generation to feel the impact of climate change and the last generation that can do something about it." Gov. Jay Inslee of Washington State



From: [John Brabant](#)
To: [Kehne, Melanie](#)
Subject: Re: More CSWD glass disposal information
Date: Tuesday, November 19, 2019 5:53:44 PM
Attachments: [Glass fill - Milton #1 IMG 2417.pdf](#)
[imagejpeg_0.jpg](#)
[IMG 2416.jpg](#)
[IMG 2465.jpeg](#)
[IMG 2466.jpeg](#)

Dear Ms. Kehne:

Please find attachments related to a fill site adjoining the Beaudoin Farmstand located at 260 Middle Rd in Milton, Vermont. Reportedly, the Chittenden Solid Waste District (CSWD) dumped very large amounts over a period of time. It is my understanding that at some point the Town of Milton zoning office investigated and shut the filling operation down for some time period due to the lack of a valid zoning permit for the fill operation. As you will see, a permit was eventually issued to allow for the continued filling of the site, my understanding is the Beaudoins are filling to provide possible additional parking and a level area to install a solar array.

I have attached a photo of the fill site, a photo of the Beaudoin Farmstead label containing its street address, a picture of the Beaudoin fill site zoning permit just issued this past June 2019, and copies of a post on Facebook by a person named Jake Maddocks that was posted on the VPR Facebook page on or about June 18, 2019 related to a story VPR did about the Newport Mayor's questioning of glass Newport sent to CSWD MRF for recycling.

I expect that CSWD's invoice records dating back over the last decade will show how many loads of glass were taken to this site as well as other possible sites in the area. There would also be invoices from the contracted haulers, that would, by the way, have hauled this material without the required solid waste haulers licenses. Aside from the CSWD's potential environmental violations, there may additionally be issues relating to consumer fraud, false advertising, false claim to state officials (Title 13), and the costs to consumers and loss on investment in terms of solid waste management entities investments in promotion of recycling and recycling education that may have been undermined.

Please feel free to contact me with any questions you may have.

Thank you for your attention to this matter.

John Brabant
Regulatory Affairs Director
Vermonters for a Clean Environment
802-498-5661

On Tuesday, November 19, 2019, 4:48:54 PM GMT-5, Kehne, Melanie <melanie.kehne@vermont.gov>

wrote:

Dear Mr. Brabant,

Thanks for your note. Yes, if you have any relevant information, please send it along.

Best,

Melanie

Melanie Kehne

Assistant Attorney General

(802) 828-5531

From: John Brabant <johnbvce@yahoo.com>
Sent: Tuesday, November 19, 2019 4:22 PM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Subject: More CSWD glass disposal information

Hi Ms. Kehne:

I am getting back in touch with you regarding the Chittenden Solid Waste District's waste glass disposal practices and information that has come to my attention. As by now your office is likely aware, I last spring filed a request for a Jurisdictional Opinion with the District 4 250 Commission to which a JO was subsequently issued. In my request, I mistakenly asserted that the glass processed through the CSWD MRF over the last 10 years or more likely was disposed at the closed Williston landfill site. ANR staff investigating the matter subsequently determined that the glass dumped at the landfill site dated back to 2014 or thereabouts; which brought me to think, where then did the glass go that was used in "local projects" prior to this date? I have since located a property where CSWD had reportedly disposed of very large volumes of this glass offsite for a period of time prior to the commencement of the 2014 landfill site dumping event.

Please let me know if your office would be interested in this information and I will forward to you the property owner and location information.

Thank you.

John Brabant
Regulatory Affairs Director
Vermonters for a Clean Environment
802-498-5661

MEDIUM SALSA

TOMATOES, PEPPERS, ONIONS
CILANTRO



Beaudoin's Farmstand
260 Middle Road
Milton, VT, 05468

PERMIT NOTICE

Address: 262 Middle Road

Applicant: SD Ireland / Ted & Irene Beaudoin

Project Description: disposal facility, signage

& associated site work.

Permit/Approval

Type: Zoning Permit # 2019-059

Date Issued: 6/24/19

Appeal By: 6/24/19

For more information, contact:

Town of Milton
Planning & Economic Development
43 Bombardier Road
Milton, VT 05468
(802) 893-1186
www.miltonvt.org

Applicant: This notice shall be displayed on the subject premises and clearly visible from the public right of way. Notice shall be displayed from the time of the application and shall not be removed until after the expiration date.



 Top Fan

Jake Maddocks

**They have been
dumping it for years!**

**There are plenty of
truckers can validate
how many truck
loads.**

**There is a farm in
Milton which also
took the glass.**

2w Like Reply



Ryan Garvey



Write a comm...



9+





VPR.ORG

Newport Mayor Questions If Glass Sent To Chittenden Wa...

Like Comment Share

8

6 shares

Most Relevant



Top Fan

Jake Maddocks
They have been dumping it for years!



Write a comm...



From: Molly Walsh <molly@sevendaysvt.com>
Sent: Tuesday, January 21, 2020 10:15 AM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Subject: Seven Days reporter with question

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Robert: I'm a reporter here at Seven Days writing a story related to glass recycling. I'm checking to see if the AG's office has taken any action in response to possible Act 250/other violations involving improper disposal of glass recycling at the Chittenden Solid Waste District property in Williston.

I understand the matter was referred to the AG's office and wanted a copy of any decision in the matter.

If there has been no decision, could you explain the status and provide the most recent paperwork?

Best,

Molly Walsh

Molly Walsh
Writer
Seven Days
molly@sevendaysvt.com
CELL: 802-338-5939

From: [John Brabant](#)
To: [Kehne, Melanie](#)
Subject: Re: Your message
Date: Friday, September 4, 2020 7:56:23 PM
Attachments: [image001.jpg](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you Melanie.

John Brabant
Regulatory Affairs Director
Vermonters for a Clean Environment
802-498-5661

On Friday, September 4, 2020, 4:11:43 PM EDT, Kehne, Melanie <melanie.kehne@vermont.gov> wrote:

John,

Rob asked me to let you know that we received your voicemail about CSWD and will be in touch next week.

Best,

Melanie

Melanie Kehne

Assistant Attorney General

Office of the Attorney General

109 State Street | Montpelier, VT 05609-1001

(802) 828-5531 | melanie.kehne@vermont.gov



From: [John Brabant](#)
To: [Kehne, Melanie](#)
Subject: Re: Quite the coverup
Date: Wednesday, October 28, 2020 1:45:03 PM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Melanie:

Reading through the records provided last night (records you made a point of not informing me of), it is very clear, despite your numerous assertions to the contrary, that you and the AG's office have been working with ANR to allow CSWD to apply for a certification amendment for the "big pile" dumpsite as well as permits for the other on site dumps of off specification glass. You assured me Melanie, that you were in fact not working with ANR to this end (on the permitting of these illegal actions after the fact), which I told you in our last conversation that I found difficult to believe. Even discussions of issuing variances in further effort to shoehorn this through. Really? This despite former staff making clear that CSWD staff (Brian Wright) lied about the reason for the dumping (slope stability, erosion control), the staff person not coming forward out of fear of losing his job? And these actions are all in the public interest? CSWD got caught doing the same things back in 2009 and had to clean up the mess. No penalties issued from what I can tell. What did they learn? They learned from that experience that they needed to conceal their illegal dumping activities from ANR and the best way to do that is to dump the material on site, while falsely reporting that the material had been recycled, defrauding the VT public that had spent millions contracting for their recycling services and educating the public (wrongly) about where their recyclables were going. At the same time, CSWD and its paid lobbying firm (Necrason) was pressing to eliminate the bottle bill in an effort to redirect all of this material to its MRF. And it is clear that CSWD has been doing this since at least 2009.

All of these actions on the AG's would be undermining to what was a very strong case, were the AG and ANR ever really interested in pursuing one. Would you have done the same for their private sector competitors? I doubt that very much Melanie. These are not only very sad times for the country where the rule of law no longer matters, but clearly very sad times here in Vermont where the same attitude apparently prevails.

John Brabant
Regulatory Affairs Director
Vermonters for a Clean Environment
802-498-5661

On Wednesday, October 28, 2020, 1:01:01 PM EDT, John Brabant <johnbvce@yahoo.com> wrote:

Amazing what a public record request will turn up, all things you would not provide to

me in our long, but very unproductive discussions Melanie. Feeling very misled.

John Brabant
Regulatory Affairs Director
Vermonters for a Clean Environment
802-498-5661

From: [Kehne, Melanie](#)
To: [Paul Burns](#)
Cc: [Kolber, Justin](#)
Subject: RE: Follow up on CSWD and glass
Date: Friday, October 30, 2020 2:07:00 PM

Paul,

Thanks for checking in. No, I did not attend the ANR public hearing.

Best,
Melanie

Melanie Kehne

Assistant Attorney General
(802) 828-5531

From: Paul Burns <pburns@vpirg.org>
Sent: Friday, October 30, 2020 9:17 AM
To: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Cc: Kolber, Justin <justin.kolber@vermont.gov>
Subject: RE: Follow up on CSWD and glass

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Melanie,
Thanks for your email. Were you able to observe the hearing last night?
Best,
Paul

From: Kehne, Melanie <Melanie.Kehne@vermont.gov>
Sent: Friday, October 30, 2020 9:08 AM
To: Paul Burns <pburns@vpirg.org>
Cc: Kolber, Justin <justin.kolber@vermont.gov>
Subject: FW: Follow up on CSWD and glass

Dear Paul,

Thank you for your email to the Environmental Protection Division. I am the assigned AAG on this matter, with AAG Justin Kolber as co-counsel, so please feel free to follow up with me directly anytime.

Best,
Melanie

Melanie Kehne

Assistant Attorney General
(802) 828-5531

From: Paul Burns <pburns@vpirg.org>
Sent: Thursday, October 29, 2020 4:42 PM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Cc: Paul Burns <pburns@vpirg.org>
Subject: RE: Follow up on CSWD and glass

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Rob,

I hope you're staying healthy these days.

I want to give you a heads up that at the ANR hearing later this evening re: the CSWD glass dumping situation, I will be expressing VPIRG's great disappointment over the fact that there has been no enforcement action initiated against CSWD.

When I sent you the memo (see below) over one year ago, the letter attached didn't exist yet. But it is devastating to CSWD's position.

The hearing tonight is not about enforcement, but it relates to it. An after the fact permit smacks of sweeping this under the rug. That can't happen. And it is time now for us to ask more forcefully for appropriate action from the Attorney General in this matter.

Again, I wanted to give you a heads up. I'd be happy to discuss it if that's useful. Thanks for your consideration.

Best,
Paul

From: Paul Burns
Sent: Thursday, October 3, 2019 4:09 PM
To: McDougall, Robert <robert.mcdougall@vermont.gov>
Cc: 'paul@vpirg.org' <pburns@vpirg.org>
Subject: Follow up on CSWD and glass

Hi Rob,

I must apologize. I had intended to forward the attached memo to you as a follow up to the meeting you organized for us back in August. But I don't think I ever pulled the trigger on it and that's entirely my fault and not the fault of our excellent legal intern, Kayley Olsen.

So, the memo is attached. It covers much of the ground we laid in the meeting related to CSWD's

dumping of glass in Williston. It focuses more on the possible violation of VT's consumer fraud law, but we're equally concerned about the environmental violation.

Since we met, the District Environmental Commission #4 issued a final Act 250 opinion related to this same matter. (See attached.) In pertinent part, the opinion reads:

In the reconsideration request, CSWD also asserts that the placement of glass material on an embankment of the Landfill is covered under the solid waste certification as post-closure care and was completed as a preventative and protective measure used to, "...control erosion and prevent failure or breach of the roadway adjacent to the landfill." The Coordinator takes issues with this analysis. First, the 2013 and 2014 annual engineering inspection reports provided by CSWD in support of this assertion include descriptions of "minor ponding" or "tire rutting" along the access road on the southwestern side of the Landfill and the mitigation recommended for this area is described as "typical housekeeping" measures. The engineering reports do not include observations of large-scale erosion issues on the southwestern side of the access road that would warrant mitigation in CSWD's opinion to, "...control erosion and prevent failure or breach of the roadway adjacent to the landfill." Second, after a review of the records on file for Phase III of the Landfill, it was determined that any repair maintenance activities are required to be completed in accordance with the application materials. **There is no convincing evidence in the Facility Management Plan, Post-closure Care Plan or other exhibits in the Act 250 record that the use of glass material is allowable or was even contemplated for repair maintenance activities.** Therefore, the Coordinator finds that the quantity, extent and type of material placed at the Landfill was not authorized by prior Act 250 permits.

This Act 250 opinion is simply further evidence of CSWD's wrongdoing in this case. VPIRG believes it's critically important that CSWD be held accountable. Not merely in recognition of the environmental damage done in this case, but in order to restore public faith in our recycling programs. I appreciate your office's consideration of this material. Would you mind forwarding this memo from us (and the Act 250 opinion) to your colleagues who joined us for the meeting?

I look forward to seeing you soon. In fact, I think a small group of us (led by Joey Miller) will be seeing you and the AG tomorrow morning.

Best,
Paul

Paul Burns
Executive Director
VPIRG
802-223-5221 ext. 12

From: [John Dillon](#)
To: [McDougall, Robert](#)
Subject: CSWD update
Date: Thursday, November 5, 2020 10:54:56 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Rob,

I think I just reached your voicemail at 793-6633. I am working on an update on the CSWD story we talked about many months ago. I'm trying to learn the status of the enforcement action, and how that relates -- or not -- to the solid waste permit amendments that ANR has proposed.

Could you give me a call at either of the numbers below? I will be at the 223-4685 number this afternoon but will also have my cell.

Thanks,

John

John Dillon | Reporter | Vermont Public Radio, New England News Collaborative | jdillon@vpr.org | Direct 802.223.4685 | Mobile 802.373.6615 | [@VPRDillon](#)

Kehne, Melanie

From: John Brabant <johnbvce@yahoo.com>
Sent: Saturday, November 7, 2020 9:22 AM
To: Kehne, Melanie
Subject: Re: CSWD

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Melanie:

I feel the need to respond to your email, given the current state of affairs as regards the massive CSWD glass dumping case. There is no reason at this point for me to meet with you, T.J. Donovan, Rob McDougall or Josh Diamond. Frankly, I have lost trust in office as it has not been above board in its dealings with me and frankly the concerned public. This has been a very one-sided situation, my providing to you in good faith information to build your case upon, with your office then using that information toward informing strategies toward assisting CSWD circumvent enforcement of Vermont environmental law. My investigating is continuing while you, Rob McDougall and T.J. Donovan look for means, any means, to shut this case down, unresolved as it might be, as soon as possible. This behavior calls into question what is motivating your office to behave in this way; is it acting in the fuller public interest and maintaining public trust in our system of government (which is your charge)? This does not appear to be the case. Is it helping CSWD get away with all they can while limiting the public's understanding of the true gravity of the entire situation? The latter very much seems to be the case and we can only conjecture as to Mr. Donovan's motivations. This is a major criminal and civil case that Attorney General Donovan and his assistants are dumbing down to the equivalent of a traffic infraction. And who ultimately pays for the decision of your office to let CSWD slide? Hmm...?

The CSWD management and high ranking staff that directed their employees to dump tens of thousands of tons of glass for a decade or more around Chittenden County and all over CSWD property, and to cover it up from the regulators, will continue to be employed at CSWD in their same capacities. They will pay no price for their egregious behavior but will instead continue to be relied upon by ANR regulators and Act 250 to provide to them truthful and accurate information in their reporting as well as to be conducting CSWD business in accordance with law. The very long track record of deceit by the CSWD leadership makes clear that these individuals cannot, and should not, be trusted to manage in any capacity at the CSWD. Their lies of omission continue to this day, not telling you the entire story, but how would you know as your office hasn't done the investigating it needs to do to find out? If I were their attorney, I wouldn't tell you either. He sees that you are working to assist his client come out of this in the least costly way possible with the Vermont public kept in the dark. I find all of this incredibly discouraging as does the public as they learn more about what has transpired at the A.G.'s negotiating table.

In sum, there is no reason for me to meet with you as it is very clear that any information I provide to your office will only will used to to inform your efforts to undermine your case in the best manner possible. The impending settlement agreement that appears to have been already **arranged** (not agreed to in legitimate compromise, but arranged) undermines the public's interest, the public's trust in your office, and undermines the integrity of ANR as well as Vermont's environmental and consumer protection laws. The only recourse for the Vermont public now appears to be legislative action to impose checks on your office and ANR's abilities to operate with such impunity, something that is clearly long overdue.

-John

John Brabant
Regulatory Affairs Director
Vermonters for a Clean Environment
802-498-5661

On Wednesday, September 16, 2020, 12:37:10 PM EDT, Kehne, Melanie <melanie.kehne@vermont.gov> wrote:

John,

Thank you for your interest and for asking to meet. Are you available to meet with Rob McDougall, Josh Diamond, and me on 9/29 at 2 p.m. or 9/30 at 11:30 a.m.?

Once we get a time that works for everyone, I will send out a Teams link.

Regards,

Melanie

Melanie Kehne

Assistant Attorney General

Office of the Attorney General

109 State Street | Montpelier, VT 05609-1001

(802) 828-5531 | melanie.kehne@vermont.gov

