



State of Vermont
 Agency of Natural Resources
PERMIT AND LICENSE INFORMATION

SALVAGE YARDS

SUMMARY DESCRIPTION OF PERMIT

Salvage yards, formerly known as “junkyards”, are licensed under V.S.A. Title 24, Chapter 61. An Agency of Natural Resources (ANR) Certificate of Registration is required to for the operation of salvage yards in Vermont. ANR Certificates of Registration are issued for a term of 1 year and are renewed annually. In order for an ANR Certificate of Registration to be issued the salvage yards must have a current municipal “Certificate of Approved Location” and must meet ANR regulatory standards. Regulation of salvage yards is necessary to assure protection of the natural environment and protection of the public health. Salvage yard licensing at the state and municipal levels involves the consideration of public health and environmental factors, siting, setbacks to property boundaries, roads and waters of the state, as well as consideration of the appropriateness of its location in the municipality in terms of its proximity to schools, places of worship, neighbors, drinking water supplies and the potential to cause a nuisance. All salvage yards are required to provide full year-round screening from view from public roads. Screening may be achieved by a fence, berm, vegetation or a combination of the three.

EXAMPLE OF REGULATED ACTIVITY

The outdoor storage of junk, including motor vehicles, metal scrap, appliances, scrap crushing, shredding and processing operations.

CRITERIA FOR JURISDICTION

- Any place of outdoor storage or deposit of junk/junk motor vehicles, whether or not in connection with a business,
- Any place of outdoor storage or deposit of four (4) or more junk vehicles that are visible to any portion of a public highway

INFORMATION REQUIRED

Prior to applying for an ANR Certificate of Registration, a Certificate of Approved Location must be obtained from the local municipality. This approval will require at least one public hearing. Application forms are available from the ANR Salvage Yard Program and the municipal office. The ANR application should only be submitted after a municipal certificate of approved location is issued. Existing salvage yards failing to receive a Certificate of Approved Location **OR** ANR Certificate of Registration must cease operations and remove all junk and end of life motor vehicles to a licensed facility or risk civil prosecution for uncertified operation of a salvage yard and substantial monetary penalties.

FEES

The municipal fee for application for a Certificate of Approved Location is \$25.00. The local legislative body may also assess fees for the costs of administration associated with the hearing including the costs of advertising the application hearing. The ANR fee for application for an ANR Certificate of Registration ranges from \$300.00 to \$1250.00 annually,.

APPLICATION TIME FRAME

Varies on a case by case basis. Factors include time required to obtain municipal approval, implementation of screening and operational requirements.

Typically a few months to a year.

ADMINISTERING STATE AGENCY

<p>Agency of Natural Resources Department of Environmental Conservation Salvage Yard Program</p> <p>CONTACT: John Brabant Phone: 802-241-3390 Fax: 802-244-5141 Email: john.brabant@state.vt.us</p> <p>ADDRESS: 103 South Main Street, One South, Montpelier, VT 05671-0401</p>
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STATUTORY AUTHORITY

24 V.S.A. § 2241 – 2283

APPLICABLE RULES

Statutory standards applicable to both municipal & state level salvage yard certification. Additional municipal standards may apply as established by zoning bylaw, salvage yard ordinance or as determined by the municipality’s legislative body as part of the application hearing process. Additional state level requirements for certification of salvage yard facility location and operation are under development and are slated to be implemented no later than March 31, 2011.

APPEAL PROCESS

Appeals of decisions made at by the legislative body of the municipality wherein the salvage yard is located are to the State Environmental Court in the county wherein the municipality is located. Appeals of decisions of the Vermont ANR are to the State Environmental court in the county wherein the municipality is located, per 24 V.S.A. § 2281 and all proceedings shall be heard de novo. Any person or interested party, including ANR, may appeal to the Vermont Supreme Court from a judgment or ruling of the Superior Court.

OTHER PERMITS AND LICENSING

Municipalities may impose more stringent salvage yard requirements.

A newly certified or substantially altered legally existing salvage yard may also need a Land Use Permit ([Act 250](#)) from the District Environmental Commission holding jurisdiction. If vehicle parts or other salvage are to be sold on a regular basis, applicant should contact the Vermont Department of Taxes. If sale of vehicles is contemplated, applicant should contact the Vermont Department of Motor Vehicles.

ENVIRONMENTAL REGULATIONS

Salvage yards, like many other businesses, must comply with all applicable environmental regulations which may apply in addition to the salvage yard regulations. These regulations most commonly include storm water management regulations, hazardous waste management regulations, solid waste regulations, wastewater and drinking water regulations, water quality and wetland regulations, and air pollution control regulations. Federal EPA laws and regulation may also apply.

One place to find environmental regulations related to salvage yards is on the VT Department of Environmental Conservation’s Small Business Compliance Assistance Program home page:
<http://www.anr.state.vt.us/dec/ead/sbcap/index.htm>