



**REPORT TO THE ENVIRONMENTAL SUSTAINABILITY COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 27, 2013**

SUBJECT **HARTLAND LANDFILL TIPPING FEE AND REGULATION BYLAW NO. 3881**

ISSUE

To consolidate the Hartland Landfill Tipping Fee and Regulation Bylaw No. 3117 and its subsequent amendments into a new single Bylaw No. 3881.

BACKGROUND

Bylaw No. 3117 was adopted by the Board in 2003 and has subsequently been amended nine times, the last time in December 2010. Since then, there have been changes to procedural legislation and operational procedures at Hartland landfill in addition to new recycling programs that will require an additional amendment to Bylaw No. 3117. Rather than developing another amendment, staff propose consolidating all previous amendments and new changes into a single new Bylaw No. 3881.

Appendix A provides a summary of proposed bylaw changes. The new bylaw will:

- incorporate drywall as a prohibited waste
- list prohibited waste and recyclable materials in schedules instead of the body of the bylaw
- use differential fines for the public drop-off area and the active face
- update bylaw terminology to match provincial regulations and terminology used on the Capital Regional District (CRD) website
- revise site regulations to address safety issues
- add a regulatory scheme for demolition waste
- clarify rules for acceptance of invasive plants
- include general housekeeping changes

The proposed Bylaw No. 3881 is attached as Appendix B.

ALTERNATIVES

That the Environmental Sustainability Committee recommend to the Board:

1. that Bylaw No. 3881, Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, be introduced and read a first and second time, be read a third time and be advertised.
2. that Bylaw No. 3881 not go forward pending further edits directed by the committee.

SOCIAL IMPLICATIONS

The new bylaw will clarify the waste and materials accepted at the Hartland facility and align terminology with provincial regulations and CRD education language. It reflects current practices at the Hartland facility. The bylaw format, using schedules, is designed to allow easier amendment of the bylaw as diversion programs are developed for additional commodities.

Improved management of demolition waste is proposed to ensure that disposal does not compromise public or worker health and safety. Revisions to the site regulation will enhance customer and staff safety. The new bylaw will also make it easier for residents and landfill users to interpret.

ENVIRONMENTAL IMPLICATIONS

The new bylaw addresses invasive plants by accepting most species for landfilling with special handling proposed for knotweed species. Tipping fees are harmonized for yard and garden waste, invasive plants and knotweed to encourage appropriate segregation.

ECONOMIC IMPLICATIONS

The majority of tipping fees under the bylaw remain unchanged.

Minor changes are proposed for the following:

- reduce invasive species tipping fee to \$57 per tonne, the same as yard and garden waste
- increase tipping fee for contaminated gypsum board or wallboard to \$302 per tonne from \$202 per tonne
- add demolition waste as a controlled waste

The proposed changes are not anticipated to have a material financial impact on the Hartland budget.

CONCLUSION

Bylaw No. 3881 will consolidate Bylaw No. 3117 and nine subsequent amendments into a single new bylaw. The proposed bylaw also reflects changes to procedural legislation and operational procedures at Hartland in addition to new recycling programs.

RECOMMENDATION

That the Environmental Sustainability Committee recommend to the Board:

That Bylaw No. 3881, Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, be introduced and read a first and second time, be read a third time and be advertised.

Russ Smith, Senior Manager
Environmental Resource Management

Larisa Hutcheson, P.Eng.
General Manager, Environmental Sustainability
Concurrence

Robert Lapham, MCIP
Chief Administrative Officer
Concurrence

SUMMARY OF KEY BYLAW CHANGES

| BYLAW DEFINITIONS | |
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| Change | Rationale |
| The current bylaw refers to Bin Area; this has been replaced with Public Drop Off Area (PDOA). | Use of the term Bin Area was confusing to the public due to the use of bins for both recyclable materials and for refuse. Public Drop Off Area is used on the CRD website. |
| A definition for Clean Wood Waste has been added | The bylaw previously used the term wood waste for branches but also used it for charges for disposal of lumber. The term is now used for clean wood waste (lumber), which is recyclable. |
| Contaminated and Uncontaminated Demolition Waste has been added | Improved management of demolition waste is required for site health and safety reasons. Hazardous, prohibited and recyclable materials need to be removed prior to demolition for the waste to be accepted at Hartland. This will be a controlled waste in order to check documentation and analytical data to ensure waste is acceptable. |
| Designated Location has been added | Designated Location gives the site operational flexibility to specify the location on the site where various waste and recyclable materials can be disposed or dropped off. |
| Extended Producer Responsibility (EPR) Product has been added | Replaces the term Product Stewardship Product Material to harmonize terminology with the Provincial Recycling Regulation |
| Household Hazardous Waste has been added | Refers to a class of waste accepted for drop off at the PDOA |
| Invasive Species Plants has been added | Defines plants that are considered invasive |
| Knotweed has been added | Lists knotweed species, seeds, stems and rhizomes; these are controlled waste |
| Mandatory Recyclable Material has been added | Replaces Recyclable Waste. This is a change in structure to the bylaw to clarify that specific recyclable materials (listed in a schedule) are banned from landfilling but are accepted at the drop off area. |
| Prohibited Waste has been amended | A schedule has been included in the bylaw that lists prohibited wastes. |
| Soot and Ash has been amended | Has been edited adding ash and including duct cleaning waste. Ash can be hazardous waste and may contain leachable metals. Duct cleaning waste has the potential to contain asbestos from drywall dust. This is a controlled waste. |
| Specified Risk Material has been added | Added, defines specified risk material from cattle which is a prohibited waste. |
| Voluntary Recyclable Material has been added | These are recyclable materials collected at Hartland but not banned from landfilling. |
| Weeds has been added | Defines types of weeds acceptable at Hartland. Supports regulatory scheme for yard and garden, weeds and knotweed. |

| BYLAW SECTIONS | |
|-----------------------|--|
| Section | Key Changes in Requirements |
| 2.2 | New requirement for all persons on site to follow bylaw requirements and site regulations |
| 2.5 | Specifies no prohibited waste disposal at the disposal site except as permitted in 2.6 and 2.7 |
| 2.6 | New requirement allows specific prohibited wastes to be managed as controlled wastes |
| 2.7 | New requirement allows light ballasts, which may contain PCB, to be accepted as EPR |
| 2.8 | New requirement prohibits hazardous waste disposal except as permitted in 2.9, 2.10 and 2.11 |
| 2.9 | Allows proper deposit of Household Hazardous Waste (HHW) at the PDOA |
| 2.10 | Allows deposit of EPR material for items that might otherwise be classified as hazardous wastes |
| 2.11 | Covers waste asbestos disposal which is a hazardous waste that Hartland is authorized by the Ministry of Environment (MOE) to accept. Section requires disposal to meet WorkSafe BC and MOE requirements |
| 2.14 | Change in terminology to prohibit disposal of mandatory recyclable materials (formerly recyclable waste) at the active face |
| 2.15 | New requirement allows deposit of small loads of source-separated mandatory recyclable materials at the PDOA, allows a lower fine for offences by residential customers |
| 2.16 | Allows disposal of Voluntary Recyclable Material at the PDOA in Source-Separated Small Loads |
| 2.17 | New requirement covers disposal of weeds in source-separated loads at the active face; will be at \$57 per tonne |
| 2.18 | New requirement covers disposal of weeds in source-separated loads at the PDOA rate will be at \$57 per tonne |
| 2.19 | New, prohibits disposal of EPR products at the active face |
| 2.20 | New, allows deposit of EPR products at the PDOA, allows application of smaller fines for residents |
| 2.21 | New, prohibits commercial haulers from bringing household hazardous waste to the PDOA |
| 2.22 | New, prohibits household hazardous waste at active face |
| 2.23 | New, allows small loads of source-separated household hazardous waste drop off at the PDOA |
| 2.24 | Edit, reflects new terminology for refuse disposal |
| 2.25 | Prohibits contaminated demolition waste disposal |
| 2.26 | Specifies how uncontaminated demolition waste will be accepted |
| 4.1 and 4.2 | New wording on violation and penalties from our legal counsel |

| SCHEDULES | |
|------------------|---|
| Schedule | Key Requirements or Edits |
| Schedule B | Site regulation edits include requirement to obey posted signs, prohibits unsafe vehicles, prohibits disorderly conduct, enhances rules on wheel wash use, allows children on-site to leave a vehicle if supervised by CRD staff so that they can attend the education events and the open house. Prohibits pets from leaving vehicles, prohibits use of electronic devices while driving on site and requires use of personal protective equipment at the active face. |
| Schedule C | The fee schedule has been changed to a table format for clarity. Fees for various wastes and recyclable materials are listed. |
| Schedule D | New, prohibited waste is listed by a schedule. Schedule adds Gypsum Board or Wallboard, Specified Risk Waste and waste containing PCB. (Definition section was used before to list prohibited waste but list also included recyclable waste.) |
| Schedule E | New, controlled waste schedule was previously schedule D. Renamed some items for clarity and added knotweed at \$57 per tonne and demolition waste as controlled waste at \$107 per tonne. Contaminated gypsum board or wall board increased to \$302 per tonne. Asbestos has been removed from the controlled waste schedule and is managed via clauses in the main body of the bylaw. |
| Schedule F | New schedule, lists recyclable materials both mandatory and voluntary |
| Schedule G | New schedule, lists current EPR products received at Hartland. |

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3881**

**HARTLAND LANDFILL TIPPING FEE AND
REGULATION BYLAW NO. 6, 2013**

*A bylaw to establish tipping fees and regulations
for the deposit of solid waste and recyclable materials at Hartland Landfill*

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

**A BYLAW FOR THE PURPOSE OF ESTABLISHING A TIPPING FEE
AND REGULATIONS FOR SOLID WASTE DISPOSAL AT HARTLAND LANDFILL**

WHEREAS:

- A. By Supplementary Letters Patent, dated 04 October 1973, the Capital Regional District was granted the function of Refuse Disposal under Division X of its Letters Patent;
- B. The Capital Regional District has by bylaw, converted the function of Solid Waste Disposal to a local service for all of the Regional District;
- C. The Capital Regional District is empowered to establish a scale of fees payable for depositing Solid Waste and Recyclable Materials at a Disposal Site;
- D. The Regional Board of the Capital Regional District deems it advisable to enact regulations pertaining to Solid Waste and Recyclable Materials and to establish fees for depositing Solid Waste and Recyclable Materials.

NOW THEREFORE the Regional Board of the Capital Regional District in open meeting assembled enacts as follows:

SECTION 1 – DEFINITIONS

Note: Defined terms are capitalized in this bylaw.

In this Bylaw, unless the context otherwise requires:

“Active Face” means that area of the Disposal Site where active landfilling of Solid Waste takes place.

“Aggregate” means inert granular fill material.

“Animal Fecal Waste” means animal feces collected by a commercial business or generated at a site where animals are kept for commercial purposes, including, but not limited to, boarding kennels, animal shelters, stables and similar operations.

“Asbestos Cement” means shingles, tiles, siding, board or pipe containing asbestos material tightly bound within a solid matrix not easily crumbled by hand but which is easily crumbled and friable by equipment during landfill Disposal.

“Asphalt” means recyclable asphaltic concrete originating from roadways, driveways, parking areas and other paved surfaces.

“Biomedical Waste” means waste as defined in the Hazardous Waste Regulation as Biomedical Waste.

“Bulky Waste” means individual articles of Refuse with a volume greater than one-and-a-half (1.5) cubic metres or greater than two and a half (2.5) metres in length.

“CRD” means Capital Regional District.

“Catch Basin Waste” means the contents of catch basins or similar devices that detain and pre-treat stormwater to allow solids to settle and oily materials to float to the surface and be retained in the device while treated stormwater is discharged.

“Clean Soil” means soil, sediment or fill material which contains the substances specified in Schedule 7, Column IV of the Contaminated Sites Regulation but in quantities less than those specified.

“Clean Wood Waste” means wood products such as dimensional lumber, plywood, particle board, fibre board, oriented strand board, pallets, crating, wood fencing, wood shingles, wooden doors, demolition Wood Waste, painted wood and wooden furniture that may or may not contain nails or other metal fasteners.

“Commercial Hauler” means a person whose business includes the collection or receiving of Refuse, Voluntary Recyclable Material, Mandatory Recyclable Material, Extended Producer Responsibility Products, Weeds, from its residential customers for Disposal of Small Loads at the Public Drop Off Area.

“Commercial Load” means Uncontaminated Demolition Waste to be Disposed of at the Disposal Site brought into the Disposal Site in a Vehicle which with the Uncontaminated Demolition Waste has a gross vehicle weight greater than 5,500 kg.

“Concrete” means a hardened mixture of cement with sand and gravel.

“Condemned or Spoiled Foods” means food confiscated or quarantined, or designated as international high risk waste, by the Canadian Food Inspection Agency or the Canadian Border Service Agency and spoiled food from a commercial operation or spoiled food greater than 50 kilograms from a domestic residence.

“Contaminated Demolition Waste” means material that results from the demolition of all or part of a building that contains Hazardous Waste, Prohibited Waste, Mandatory Recyclable Materials or an Extended Producer Responsibility Product.

“Contaminated Gypsum Board or Wallboard” means Gypsum Board or Wallboard that is contaminated by oil, tar, fungus, mould, has been burned, or had other materials affixed to it.

“Contaminated Sites Regulation” means the Contaminated Sites Regulation, B.C. Regulation 395/96, enacted under the *Environmental Management Act*.

“Contaminated Soil” means soil or sediment or fill material containing substances in quantities or concentrations equal to or greater than those specified in Schedule 7, Column IV of the Contaminated Sites Regulation but which is not a Hazardous Waste under the Hazardous Waste Regulation.

“Contaminated Wood Waste” means wood products such as wood contaminated with asphalt shingles, wood painted with lead based paint, creosote wood products, pressure treated wood, or laminate flooring that is not Hazardous Waste due to the proportion of surface coatings or preservatives.

“Controlled Waste” means a material, substance or object listed in Schedule “E” which may be Disposed of if special handling and Disposal techniques are used to avoid creating health hazards, nuisances or environmental pollution excluding Hazardous Waste under the Hazardous Waste Regulation.

“Corrugated Cardboard” means recyclable paper that consists of a fluted corrugated sheet and one or more flat linerboards including pizza boxes free of food residue, but excluding materials which are impregnated with blood, grease, oil, chemicals, food residue, wax; or have polyethylene, polystyrene, foil or other non-paper liners; or are contaminated with a material which will render the Corrugated Cardboard Unmarketable.

“Dead Animal” means the carcass or part of the carcass of an animal excluding Hazardous Waste under the Hazardous Waste Regulation and Specified Risk Material.

“Designated Location” means the location at the Disposal Site designated by the Manager and identified as the location for Disposal of specific types of Solid Waste.

“Dispose”; **“Disposal”** means leaving Solid Waste at the Disposal Site for the purpose of landfilling, composting or recycling.

“Disposal Site” means the Hartland Landfill site, more particularly described in Schedule “A”.

“Environmental Management Act” means the *Environmental Management Act* SBC 2003 c.53.

“Extended Producer Responsibility Product” means any material defined as a product in a “product category” listed in the Recycling Regulation for which a “product plan” as defined in the regulation has been “approved” and is operating.

“Fibre Optic Cable” means a cable consisting of a bundle of glass or plastic threadlike fibres used for the transmission of information by light impulses wrapped in layers of treated paper and plastic or metal cladding.

“Food Processing Waste” means waste, residues, byproducts or waste treatment residuals from commercial food manufacturing or packaging operations.

“Glass” means clear or coloured food and beverage containers made of glass but does not include plate glass, window glass, laminated glass or safety glass.

“Gypsum Board or Wallboard” means a panel used for interior walls and ceilings made up of a liner typically made of paper with a core of gypsum plaster and additives.

“Hazardous Waste” means any chemical compound, mixture, substance or article defined as a Hazardous Waste in the Hazardous Waste Regulation.

"Hazardous Waste Regulation" means Hazardous Waste Regulation, BC Reg. 63/88 enacted under the *Environmental Management Act*.

"Health Hazard Waste" means a gaseous, liquid or solid material, substance or object which, because of its inherent nature and quantity, may be a health hazard and includes, but is not limited to: infectious wastes that originate from foreign countries, including, without limiting the generality of the foregoing, waste confiscated at customs stations or received from ships or planes and which is not a Biomedical Waste.

"Household Hazardous Waste" means a class of Hazardous Waste that results from any of the following involving anything in a "product category" as defined in the Recycling Regulation:

- (a) a domestic activity at a residence;
- (b) personal use; or
- (c) a person's use in relation to his or her own residence.

"Ignitable" means substances liable to spontaneous combustion or substances that on contact with water emit flammable gases having the properties of:

- (a) flammable gas;
- (b) flammable liquid; or
- (c) flammable solids,

and as defined in the Hazardous Waste Regulation.

"Invasive Species Plants" means plants set out in the Schedule to the Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation, B.C. Reg. 144/2004.

"Knotweed" means japanese knotweed (*follopia japonica*), himalayan knotweed (*persicaria wallichi*), giant knotweed (*fallopian sachalinensis*), bohemian knotweed (*fallopian x bohémica*) plants including stems, seeds and rhizome fragments.

"Lead Acid Battery" means an electro-chemical cell contained in a plastic case consisting of lead and lead oxide plates and containing a mixture of acids which is used to supply an electric power source.

"Load" means Solid Waste which arrives at the Disposal Site in a Vehicle.

"Manager" means the General Manager of the Environmental Sustainability department of the Capital Regional District or his or her authorized agent.

"Mandatory Recyclable Material" means a Recyclable Material listed in Schedule "F".

"Marketable" means Recyclable Material which can be disposed of through an existing Capital Regional District program or a commercial market for recycling.

"Miscellaneous Controlled Waste" means a material, substance or object that the Manager considers to be an environmental or health and safety hazard and should be Disposed of as Controlled Waste but excludes Hazardous Waste under the Hazardous Waste Regulation.

“Mixed Paper” includes, but is not limited to, newspaper and inserts; office paper, including white and coloured ledger paper, computer paper, photocopy paper, writing pads, business forms, phone message notes, file folders, reports, envelopes, non-thermal fax paper, no carbon required (NRC) paper, calculator tape, ‘post-it’ type notes, business cards, paper index cards; boxboard, including paper egg cartons, laundry and cereal boxes; junk mail; gift wrapping and packing paper; magazines; catalogues; directories; calendars; postcards; shredded paper; paperback and hardcover books; but excluding waxed paper; carbon paper; and other paper which are impregnated with blood, grease, oil, chemicals, food residue or have polyethylene, polystyrene, foil or other non-paper liners or attachments or are contaminated with a material which will render the paper fibres Unmarketable.

“Noxious Weeds” means weeds designated within the Provincial and Regional Noxious Weeds Lists of the Weed Control Regulation.

“PCB” means any monochlorinated, dichlorinated or polychlorinated biphenyl or any mixture that contains one or more of these.

“Prohibited Waste” means a gaseous, liquid or solid material, substance or object as listed in Schedule “D”.

“Propane Tank” means a refillable or non-refillable metal container rated at a capacity of less than 46 kg (100 lbs.) which is used to contain flammable hydrocarbon gases used as fuel.

“Public Drop Off Area” means that area of the Disposal Site containing Designated Locations for the Disposal of Small Loads of Refuse, Voluntary Recyclable Material, Mandatory Recyclable Material, Extended Producer Responsibility Products, Weeds, or Household Hazardous Waste.

“Pumpings” means liquid and semi-solid materials collected by a vactor truck or pump and transported by vactor truck, tanker truck or other container to the Disposal Site.

“Radioactive Waste” means waste containing a prescribed substance as defined in the *Atomic Energy Control Act* (Canada) in sufficient quantity or concentration to require a licence for possession or use under that Act and regulations made under that Act.

“Reactive” means a gaseous, liquid or solid material, substance or object which is:

- (a) explosive, oxidizing or so unstable that it readily undergoes violent change in the presence of air or water;
- (b) generates toxic gases, vapours or fumes by itself or when mixed with water; or
- (c) polymerized in whole or in part by chemical action and causes damage by generating heat or increasing in volume,

and as defined in the Hazardous Waste Regulation.

“Recyclable Material” means Solid Waste that has been sorted by material, substance or object and that satisfies at least one of the following criteria:

- (a) is organic material from residential, commercial, or institutional sources and is capable of being composted, at a site;
- (b) is Marketable;

- (c) is being used in the manufacture of a product that has an established market or is being processed as an intermediate stage of an existing manufacturing process; or
- (d) has been identified as a Recyclable Material in the solid waste management plan,

and includes Mandatory Recyclable Material and Voluntary Recyclable Material.

"Recycling Regulation" means the Recycling Waste Regulation BC 449/2004 enacted under the *Environmental Management Act*.

"Refuse" means discarded or abandoned materials, substances or objects but does not include Controlled Waste, Prohibited Waste, Hazardous Waste, Mandatory Recyclable Materials and Extended Producer Responsibility Products.

"Regional Board" means the Board of the Capital Regional District.

"Rubble" means a mixture of gravel, brick, Concrete block, road asphalt or rock.

"Scrap Metal" means ferrous and non-ferrous metallic materials, including, but not limited to, sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive body parts, machinery, garbage cans, metal furniture, tire rims.

"Screenings" means the material and debris captured by screens used in the treatment or processing of sewage or septage.

"Sharps" means needles and syringes, from domestic sources.

"Site Regulations" means regulations set out in Schedule "B" that regulate the conduct of a person using the Disposal Site.

"Small Appliances" means small electronic or electrical appliances as defined in the Recycling Regulation.

"Small Load" means Solid Waste to be Disposed of at the Disposal Site brought onto the Disposal Site in a Vehicle which, with the Solid Waste, has a gross vehicle weight of no more than 5,500 kgs.

"Solid Waste" means Refuse, Voluntary Recyclable Materials, Mandatory Recyclable Materials, Extended Producer Responsibility Products, Weeds, Hazardous Waste as permitted in this bylaw and Controlled Waste, but excludes Prohibited Waste.

"Soot and Ash" means black carbonaceous residue of wood, coal, oil and other fossil fuels originating in chimney linings, boilers, furnaces and other burners, residuals from burning fossil fuels, and includes material collected from duct cleaning and chimney cleaning.

"Source-separated" means materials, substances or objects that are separated by means of a barrier or containers into separate distinguishable accumulations of the same kind of materials, substances or objects.

“Specified Risk Material” means any waste containing the Specified Risk Material as defined in the federal Fertilizers Regulations (C.R.C., c. 666), as amended from time to time, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages.

“Stumps and Branches” means wood material, substances or objects which have not been processed or manufactured and includes stumps, tree trunks and branches greater than 75 mm (3 in.) in diameter.

“Surface Coating Waste” means paint chips, hull coatings and spent sandblast media generated from scraping, power washing or sandblasting from, but not limited to, ships, boats, cars, buildings, bridges and storage tanks.

“Tires” means the outer pneumatic rubber covering of wheels of passenger vehicles, light service trucks and motorcycles with an inner diameter of less than 42 centimetres.

“Treasurer” means the Director of Finance of the Capital Regional District or her or his authorized agent.

“Uncontaminated Demolition Waste” means material that results from the demolition of all or part of a building that does not contain Hazardous Waste, Prohibited Waste, Mandatory Recyclable Materials or an Extended Producer Responsibility Product.

“Unmarketable” means Recyclable Materials which cannot be Disposed of through an existing Capital Regional District recycling program or a commercial market due to contamination.

“Used Oil Filter” means a spent cylindrical metal container housing a filter element which is used on a motor vehicle to remove impurities from its engine lubricating oil.

“Vehicle” means a Vehicle, as defined in the *Motor Vehicle Act*, R.S.B.C. 1996, c.318.

“Vehicle Washing Facility Waste” means Pumpings from sumps which collect effluent from vehicle washing facilities, but not from facilities used for maintenance or lubrication or automobile components or where solvents or sand blasting are employed for removal of paint, grease or oil.

“Visitor” means a person who arrives at the Disposal Site for purposes other than to Dispose of Solid Waste.

“Voluntary Recyclable Material” means a Recyclable Material Listed in Schedule “F”.

“Waste Asbestos” means waste containing friable asbestos fibres or asbestos dust and as defined in the Hazardous Waste Regulation and includes Asbestos Cement.

“Waste Sludge” means the residual material resulting from chemical treatment, coagulation, flocculation, sedimentation, floatation or biological treatment of wastewater.

“Weed Control Regulation” means the *Weed Control Regulation* BC Reg 66/85 under the *Weed Control Act*.

“Weeds” means Invasive Species Plants and Noxious Weeds as defined in this bylaw and other plants with similar properties but excludes Knotweed.

“White Goods” means appliances such as refrigerators, stoves, freezers, metal dishwashers, water coolers and air conditioners.

“Yard and Garden Material” means organic materials, substances or objects including, but not necessarily limited to, grass, lawn and hedge clippings, grass sod, flowers, leaves, vegetable stalks, shrubs, and shrub and tree branches less than 75 mm (3 inches) in diameter, but does not include:

- (a) Invasive Species Plants
- (b) Noxious Weeds
- (c) plants or growing media that may have been identified by the Canadian Food Inspection Agency from time to time as infectious or potentially infectious and of which notice has been sent to the Capital Regional District or publicized by the Canadian Food Inspection Agency; or
- (d) plant or tree material in municipal street sweepings.

SECTION 2 - CONDITIONS

- 2.1 No person shall Dispose of Solid Waste at the Disposal Site except in accordance with this Bylaw and the Site Regulations.
- 2.2 All persons attending the Disposal Site shall act in accordance with this Bylaw and Site Regulations.
- 2.3 No person shall Dispose of Solid Waste at the Disposal Site which originated outside the Capital Regional District.
- 2.4 Despite section 2.3, a person may Dispose of Solid Waste at the Disposal Site which originates outside the Capital Regional District if it is Waste Asbestos or Contaminated Gypsum Board or Wallboard.
- 2.5 Subject to 2.6 and 2.7, no person shall dispose of Prohibited Waste at the Disposal Site.
- 2.6 Despite section 2.5, a person may dispose of Contaminated Gypsum Board or Wallboard, liquids or Sharps as Controlled Waste in accordance with section 2.12.
- 2.7 Despite section 2.5, a person may dispose of light ballasts that may contain PCB as an Extended Producer Responsibility Product in accordance with section 2.20.
- 2.8 Subject to sections 2.9, 2.10, and 2.11, no person shall dispose of a Hazardous Waste at the Disposal Site.
- 2.9 Despite section 2.8, a person may Dispose of Household Hazardous Waste at a Designated Location in the Public Drop Off Area if it is:
 - (a) a Small Load; and
 - (b) Source-separated.
- 2.10 Despite section 2.8, a person may Dispose of an Extended Producer Responsibility Product listed in Schedule “G” that is a Hazardous Waste at a Designated Location in the Public Drop Off Area if it is:

- (a) a Small Load; and
 - (b) Source-separated.
- 2.11 Despite section 2.8, a person may Dispose of Waste Asbestos at a Designated Location provided that:
- (a) it is manifested as required by the Capital Regional District, British Columbia Ministry of Environment and Transport Canada;
 - (b) the Disposal is in accordance with the Occupational Health and Safety Regulation BC Reg 296/97 enacted pursuant to the Workers Compensation Act; and
 - (c) the Disposal is in accordance with the Hazardous Waste Regulation.
- 2.12 No person shall Dispose of a Controlled Waste at the Disposal Site other than at a Designated Location and provided that:
- (a) the person who is to Dispose of the Controlled Waste has made an application to the Manager for permission:
 - (i) on a Controlled Waste permit application form provided by the Manager; and
 - (ii) the application is received a minimum of 30 days prior to the requested Disposal date
 - (b) the Manager has issued a Controlled Waste permit for the waste including any terms and conditions of Disposal;
 - (c) the Controlled Waste has been inspected and accepted by designated Capital Regional District staff prior to being Disposed of;
 - (d) the Controlled Waste is one type and from no more than one source unless the Manager gives written permission otherwise in the Controlled Waste permit;
 - (e) an appointment for Disposal is made with Capital Regional District staff a minimum of twenty-four (24) hours prior to Disposal of Controlled Waste, regular controlled waste appointment hours are Monday to Friday 9 a.m. to 2:30 p.m. excluding statutory holidays;
 - (f) the person who is to Dispose of the Controlled Waste has submitted a Declaration By Waste Carrier form provided by the Manager prior to Disposal;
 - (g) if the terms and conditions of the Controlled Waste permit are not met, or the Declaration By Waste Carrier form is not complete, Capital Regional District staff may refuse to allow Disposal;
 - (h) the Controlled Waste is not Marketable;
 - (i) the Disposal is conducted so as to minimize health and safety risks associated with the Disposal of the Controlled Waste; and
 - (j) the amount of Controlled Waste does not exceed the operational capacity of the Disposal Site including, without limitation, the Disposal is consistent with the provisions of the Solid Waste Management Plan or Operating Plan as amended from time to time.
- 2.13 Despite subsection 2.12(a)(ii) and 2.12(e), in cases of an emergency or hardship the Manager may permit the Disposal of Controlled Waste before the 30 day application period expires and without a minimum of twenty-four (24) hours' notice and outside regular appointment hours.
- 2.14 No person shall dispose of Mandatory Recyclable Material at the Active Face.

- 2.15 No person shall Dispose of Mandatory Recyclable Material at the Disposal Site other than at a Designated Location in the Public Drop Off Area provided that it is:
- (a) a Small Load; and
 - (b) Source-separated.
- 2.16 A person may Dispose of Voluntary Recyclable Material at the Disposal Site at a Designated Location in the Public Drop Off Area provided that it is:
- (a) a Small Load; and
 - (b) Source-separated.
- 2.17 A person may Dispose of Weeds at the Active Face provided they are:
- (a) Source-separated; or
 - (b) if not Source-separated, as refuse.
- 2.18 A person may Dispose of Weeds at a Designated Location in the Public Drop Off Area provided they are in:
- (a) a Small Load and Source-separated; or
 - (b) if not Source-separated, as refuse.
- 2.19 No person shall Dispose of an Extended Producer Responsibility Product at the Active Face.
- 2.20 No person shall Dispose of an Extended Producer Responsibility Product listed in Schedule "G" other than at a Designated Location in the Public Drop Off Area provided that it:
- (a) is a Small Load; and
 - (b) is Source-separated.
- 2.21 No Commercial Hauler shall Dispose of Household Hazardous Waste at the Disposal Site.
- 2.22 No person shall dispose of Household Hazardous Waste at the Active Face.
- 2.23 No person shall Dispose of Household Hazardous Waste at the Disposal Site except at a Designated Location in the Public Drop Off Area and provided that it is:
- (a) a Small Load; and
 - (b) Source-separated.
- 2.24 A person may Dispose of Refuse at the Active Face or in Small Loads at a Designated Location in the Public Drop Off Area.
- 2.25 No person shall Deposit Contaminated Demolition Waste at the Disposal Site.

- 2.26 No person shall Deposit Uncontaminated Demolition Waste at the Disposal Site other than:
- (a) as a Controlled Waste in accordance section 2.12 and provided that it is a Commercial Load; or,
 - (b) at the Public Drop Off Area and provided it is a Small Load and Source-separated.

SECTION 3 - FEES

- 3.1 Every person depositing Solid Waste at the Disposal Site shall pay to the Capital Regional District the applicable fees in the amounts, and in accordance with the terms and conditions set out in Schedules "C", and "E".
- 3.2 Where a fee is not paid within the time specified in Schedule "C" for its payment, the person liable to pay such fee shall:
- (a) pay interest on the fee at the rate set out in Schedule "C" from the date the fee was due to the date of payment; and
 - (b) not Dispose of any Solid Waste on or at the Disposal Site until such fee with interest owing has been paid in full.

SECTION 4 - VIOLATIONS & PENALTIES

- 4.1 A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$2,000, the costs of prosecution and any other penalty or order imposed pursuant to the *Local Government Act* or the *Offence Act* (British Columbia). Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate and distinct offence.
- 4.2 The penalties imposed under Section 4.1 shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

SECTION 5 - SEVERANCE

- 5.1 If a section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court in competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.
- 5.2 Schedules "A," "B," "C," "D","E", "F" and "G" are attached to and form part of this Bylaw.

SECTION 6 - REPEAL

- 6.1 Hartland Tipping Fee and Regulation Bylaw No. 5, 2003 is hereby repealed except insofar as it repeals any other bylaw.

SECTION 7 - TITLE

7.1 This Bylaw may be cited as “Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013”.

READ A FIRST TIME THIS DAY OF 2013

READ A SECOND TIME THIS DAY OF 2013

READ A THIRD TIME THIS DAY OF 2013

ADOPTED THIS DAY OF 2013

CHAIR

CORPORATE OFFICER

SCHEDULE "A"

DISPOSAL SITE

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

DISPOSAL SITE means the Hartland Landfill site, more particularly described as:

PID: 023-851-457

Lot 1, Sections 54, 55 and 65, Highland District, Plan VIP64898

SCHEDULE "B"

SITE REGULATIONS

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

PURPOSE:

To ensure a safe and orderly environment for the staff and public at the Disposal Site.

POLICY:

These Site Regulations shall be observed by a person while on the Disposal Site.

REGULATIONS:

1. VEHICLES

1.1 Capital Regional District staff may refuse to allow a Vehicle to enter the Disposal Site or require a Vehicle to leave the Disposal Site if:

- (a) the Vehicle's Load exceeds the permitted weight limits set out in the regulations passed pursuant to the *Motor Vehicle Act*, or the *Commercial Transport Act*, or
- (b) the Vehicle is noisy due to improper or poor muffling and braking systems; or
- (c) the Load is poorly secured so as to be noisy or dangerous.
- (d) the Vehicle is in unsafe conditions due to excessive tire wear, broken mirrors, or inadequate door restraint system.

2. LOADS

2.1 All Loads of Solid Waste entering the Disposal Site shall be covered and secured. A cover shall be a tarpaulin or other overlay that is used to confine the load to the vehicle.

2.2 Despite Section 2.1, the following items are permitted at the disposal site without covers:

- (a) stumps - chained on flat bed or within confines of truck box;
- (b) Bulky Wastes strapped on flat beds or within confines of truck box.

3. DISPOSAL SITE

3.1 No person while driving a Vehicle at the Disposal Site shall drive their Vehicle on any part of the Disposal Site other than on the roads and paved areas designated by the Capital Regional District.

3.2 No person while driving a Vehicle on the Disposal Site shall exceeds the speed limits posted at the Disposal Site; or fail to obey posted signs.

- 3.3 No person delivering Solid Waste to the Disposal Site shall Dispose of Solid Waste except in such a place and in such a manner as directed by the Capital Regional District staff or the landfill contractor.
- 3.4 All Solid Waste Disposed of at the Disposal Site shall become the property of the Capital Regional District.
- 3.5 No person shall remove Solid Waste from the Disposal Site except with written approval of the Manager.
- 3.6 No person shall loiter at the Disposal Site. Vehicles must proceed directly to the Designated Location and then leave the Disposal Site as soon as possible after Disposal.
- 3.7 No person shall use the wheel wash facility unless their Vehicle was used to attend the active face. No person shall wash out the interior of truck boxes or wash the exterior of a Vehicle other than the wheels and wheel wells at the Wheel Wash Facility.
- 3.8 No person shall act with conduct that is disorderly or offensive including but not limited to excessive and loud use of offensive language or drunkenness.
- 3.9 No person shall enter the Disposal Site where the Vehicle Load exceeds the permitted weight limits set out in the regulations passed pursuant to the *Motor Vehicle Act*, or the *Commercial Transport Act*.

4. **SAFETY**

- 4.1 Any person entering the Disposal Site does so at their own risk. The Capital Regional District accepts no responsibility or liability for damage or injury to person or to property.
- 4.2 Children are not permitted at the Disposal Site except when they are either inside a Vehicle or attending an event or education program supervised by CRD staff.
- 4.3 Pets or livestock are not permitted at the Disposal Site except when they are inside a Vehicle.
- 4.4 Smoking is not permitted at the Disposal Site.
- 4.5 All visitors to the Disposal Site must check in at the site office and complete the appropriate waiver forms.
- 4.6 Any person delivering Solid Waste to the Disposal Site shall Dispose of the waste in a manner that conforms with WorkSafe BC Board regulations.
- 4.7 No person shall use electronic devices as defined in the *Motor Vehicle Act* while driving a Vehicle at the Disposal Site except in a manner permitted by the *Motor Vehicle Act*.
- 4.8 No person shall attend the Active Face without personal protective equipment as required by WorkSafe BC Board regulations including but not limited to steel toed boots and a high visibility vest.

5. **GENERAL**

- 5.1 Every person who contravenes these regulations, fails to obey orders or directions given by Capital Regional District staff or fails to comply with the posted notices and signs on the Disposal Site may be refused or prohibited re-entry onto the Disposal Site.

SCHEDULE "C"

TIPPING FEES

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

FEES

1. The fees for depositing solid waste at the Disposal Site are:

| Waste Type | Disposal Site Designated Location | Tipping Fee (per tonne) | Other Fees | Minimum Tipping Fee |
|---|--|--------------------------------|---|----------------------------|
| Bicycle tires and tubes | Public Drop Off Area | No fee | \$6 recycling area entry fee | No fee |
| Bulky Waste | Active Face | \$247 | | \$10 |
| Clean Wood Waste | As directed by CRD staff | \$107 | \$10 bin fee | |
| Controlled Waste | As directed by CRD staff | As listed in Schedule "E" | | \$20 |
| Cooking oil and grease | Public Drop Off Area | No fee | | No fee |
| Extended Producer Responsibility Product (excluding tires on rims) | Public Drop Off Area | No fee | | No fee |
| Extended Producer Responsibility Product tires on rims | Public Drop Off Area | No fee | \$6 recycling area entry fee | No fee |
| Household Hazardous Waste | Public Drop Off Area | No fee | | No fee |
| Mattresses and boxsprings | Public Drop Off Area | \$107 | \$10 bin fee | |
| Propane tanks and fire extinguishers | Public Drop Off Area | No fee | | No fee |
| Recyclable Material excluding mattresses and boxsprings, Yard and Garden Material and Clean Wood Waste (by non-commercial hauler) | Public Drop Off Area | No fee | \$6 recycling area entry fee \$20 per white good which contains or contained refrigerant | No fee |
| Recyclable Material excluding mattresses and boxsprings, Yard and Garden Material and Clean Wood Waste (by | Public Drop Off Area | No fee | \$26 recycling area entry fee \$20 per white good which contains or | No fee |

| Waste Type | Disposal Site Designated Location | Tipping Fee (per tonne) | Other Fees | Minimum Tipping Fee |
|---|---|-------------------------|-----------------------|---------------------|
| Commercial Hauler) | | | contained refrigerant | |
| Refuse | Active Face | \$107 | | \$10 |
| Refuse | Public Drop Off Area | \$107 | \$10 bin fee | |
| Small Load Uncontaminated Demolition Waste | Public Drop Off Area | \$107 | \$10 bin fee | |
| Stumps and Branches | As directed by CRD staff | \$107 | | \$10 |
| Waste Asbestos | As directed by CRD staff | \$152 | | \$20 |
| Waste Asbestos which originates outside the CRD | As directed by CRD staff | \$302 | | \$20 |
| Weeds (Source separated) | Active Face | \$57 | | \$10 |
| Weeds (not Source – separated in Refuse) | Active Face | \$107 | | \$10 |
| Weeds (not Source – separated in Refuse) | Public Drop Off Area | \$107 | \$10 bin fee | |
| Weeds (Source separated) | Public Drop Off Area | \$57 | | \$10 |
| Yard and Garden Materials | Public Drop Off Area | \$57 | | \$10 |
| Uncovered or unsecured loads | All fees applicable to the Load are doubled | | | |

GENERAL

2. Per tonne fees are based on weight as measured on the scale, based on the difference in weight between the loaded weight and the weight of the empty Vehicle.
3. Where a dollar amount per tonne is indicated, it is to be interpreted as allowing a proportionate fee for a portion of a tonne in 10 kg increments.
4. All fees shall be rounded up or down to the nearest quarter of a dollar.
5. In the event that the weigh scales provided at the Disposal Site are not operational, or in the event of traffic congestion, or at the discretion of the Manager, weights shall be as estimated based on volume by the Manager or Capital Regional District staff.
6. If a person disposes a Load containing Source-separated Recyclable Materials, Extended Producer Responsibility Products, Yard and Garden Material, Household Hazardous Waste or other Refuse at the Public Drop Off Area and chooses not to weigh out after disposal of each class of material they are subject to pay a tipping fee for Refuse for the entire Load.

7. All fees payable under this Bylaw shall be paid to the Capital Regional District in cash, by cheque, debit or credit card at the time the disposal is made.
8. Notwithstanding Section 7, any person disposing Solid Waste, except Recyclable Materials, at the Disposal Site on a regular basis may apply to the Capital Regional District for credit and, if the treasurer is satisfied of the credit worthiness of the person, he or she may grant credit to that person, in which case payment of the fee imposed under Section 1 shall be made and the credit extended on the following conditions:
 - (a) the person receiving credit shall pay to the Capital Regional District all fees in full within thirty (30) days of the last day of the month for which an invoice has been submitted. The Capital Regional District will invoice monthly for Solid Waste disposed during the preceding month. The invoice amount will be based on the total quantity of Solid Waste delivered during the month and the posted disposal rates in effect at the time of delivery;
 - (b) late payment(s) will be subject to an interest penalty fee of 1.5% per month;
 - (c) the Capital Regional District reserves the right to cancel, upon five (5) days' notice, the credit offered herein for late payment, non-payment or other justified cause as judged solely by the treasurer;
 - (d) if the person receiving credit fails to pay to the Capital Regional District all fees in full within thirty (30) days of the last day of the month in which an invoice has been issued, the Capital Regional District may withhold monies equivalent to those fees, plus interest, that are owed by the Capital Regional District to the person receiving credit under a separate contract, agreement or offer between the Capital Regional District and the person receiving credit; and
 - (e) the Capital Regional District reserves the right to refuse access to the Disposal Site to a person receiving credit until outstanding fees are paid.

SCHEDULE "D"

PROHIBITED WASTE

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

| Prohibited Waste |
|--|
| Aggregate |
| Asphalt and Rubble |
| Biomedical Waste |
| Clean Soil |
| Concrete |
| Contaminated Demolition Waste |
| Gypsum Board or Wallboard, except as permitted in this bylaw |
| Ignitable Waste |
| Liquids, except as permitted in this Bylaw |
| Motor vehicle bodies and farm implements |
| Radioactive Waste |
| Reactive wastes |
| Sharps, except as permitted in this Bylaw |
| Specified Risk Material |
| Waste that is on fire or smouldering |
| Waste containing PCBs, except as permitted in this bylaw |

SCHEDULE "E"

CONTROLLED WASTE

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

The fees, for disposing of Controlled Waste at the Disposal Site are:

| Controlled Waste | Disposal Fee |
|--|---------------------|
| Animal Fecal waste | \$152 per tonne |
| Catch Basin Waste | \$152 per tonne |
| Commercial Load of Uncontaminated Demolition Waste | \$107 per tonne |
| Condemned or Spoiled Foods | \$152 per tonne |
| Contaminated Gypsum Board or Wallboard | \$302 per tonne |
| Contaminated Gypsum Board or Wallboard originating outside the CRD | \$302 per tonne |
| Contaminated Soil | \$152 per tonne |
| Dead Animal | \$247 per tonne |
| Fibre Optic Cable | \$152 per tonne |
| Food Processing Wastes | \$152 per tonne |
| Health Hazard Waste | \$152 per tonne |
| Knotweed | \$57 per tonne |
| Miscellaneous Controlled Waste | \$152 per tonne |
| Pumpings from septage treatment facilities containing residual sludge | \$152 per tonne |
| Pumpings from sewage treatment plants, pump stations and sewer lines | \$152 per tonne |
| Screenings from sewage treatment plants, septage treatment facilities and pump stations | \$152 per tonne |
| Sharps | \$247 per tonne |
| Slurries which may contain non-hazardous solids, soil, sand, gravel, fibres, fats, oils and grease or mineral oil and grease | \$152 per tonne |
| Soot and Ash | \$152 per tonne |
| Spent charcoal from water purification plants and odour filters | \$152 per tonne |
| Surface Coating Waste | \$152 per tonne |
| Vehicle Washing Facility Waste | \$152 per tonne |
| Waste Sludge from sewage treatment plants containing no more than 80% total moisture | \$117 per tonne |

SCHEDULE "F"

RECYCLABLE MATERIALS
RECEIVED AT HARTLAND LANDFILL AT A DESIGNATED LOCATION
AT THE PUBLIC DROP OFF AREA (SMALL SOURCE SEPARATED LOADS)

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

| |
|--------------------------------------|
| Mandatory Recyclable Material |
| Corrugated Cardboard |
| Propane Tanks and fire extinguishers |
| White Goods |
| Mixed Paper |
| Scrap Metal |
| Yard and Garden Material |
| |
| Voluntary Recyclable Material |
| Clean Wood Waste |
| Film plastic |
| Glass containers (non EPR) |
| Large rigid plastic |
| Mattresses and boxsprings |
| Rigid plastic containers |
| Styrofoam |
| Polycoated containers (non EPR) |
| Bicycle tubes and tires |

SCHEDULE "G"

**EXTENDED PRODUCER RESPONSIBILITY PRODUCTS
RECEIVED AT HARTLAND LANDFILL AT A DESIGNATED LOCATION
AT THE PUBLIC DROP OFF AREA (SMALL SOURCE SEPARATED LOADS)**

CAPITAL REGIONAL DISTRICT

BYLAW NO. 3881

| Product Category | Materials Accepted at Hartland |
|---|---|
| Beverage container | <ul style="list-style-type: none"> • ready-to-serve beverage containers made of aluminium, glass, paper, plastic and/or steel |
| Solvent and flammable liquids, Gasoline, Pesticide, Lubricating oil, oil filter, Paint product, Lead acid battery, antifreeze | <ul style="list-style-type: none"> • flammables, • gasoline and pesticides • lubricating oil and empty oil containers • used oil filters • paint • lead acid batteries • antifreeze |
| Electronic and electrical | <ul style="list-style-type: none"> • display products and accessories (TV, monitor, remote) • desktop computers and accessories (CPU, keyboard, mouse, cable) • portable computers and accessories (laptop, netbook, tablet) • printing, scanning and multifunction devices (printer, fax machine, scanner) • audio products and accessories (radio, record player/stereo, walkie talkie, MP3, earphones) • video products and accessories (camera, video console, VCR/DVD/PVR) • video gaming systems and accessories (game console, controller, joystick, cable) • non-cellular telephones and answering machines • aftermarket vehicle audio and video systems (speaker, vehicle display, GPS) • electronic musical instruments (guitar, drum set, keyboard) • IT and Telecom devices (router, Ethernet switch, telecom bridge, cash register) • medical monitoring and control devices (thermometer, blood pressure device, stethoscope, microscope) • small appliances and power tools (kitchen countertop, personal care, floor cleaning, weight measurement, garment care, air treatment, time measurement, sports and leisure, power tools, sewing and textile, exercise machines) |

| | |
|------|--|
| | <ul style="list-style-type: none"> • residential lights (fluorescent tubes and bulbs (CFLs), halogen and incandescent lamps, light emitting diode (LED) lamps, light ballasts (that may contain PCB), High Intensity Discharge (HID) and other mercury containing lamps) • residential light fixtures and products (bike lights, ceiling fixtures, chandeliers, flashlights, floor lamps, light strings, outdoor fixtures, recessed/pot lights) • batteries for use in electronic and electrical products listed in this section including primary and rechargeable batteries |
| Tire | <ul style="list-style-type: none"> • automotive tires (unrimmed) |