



Notice of Meeting and Meeting Agenda Environmental Services Committee

Wednesday, May 15, 2024

1:30 PM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

B. Desjardins (Chair), S. Tobias (Vice Chair), J. Brownoff, J. Caradonna, G. Holman,
D. Kobayashi, D. Murdock, M. Tait, D. Thompson, A. Wickheim, C. Plant (Board Chair, ex-officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. Territorial Acknowledgement

2. Approval of Agenda

3. Adoption of Minutes

3.1. [24-483](#) Minutes of the April 17, 2024 Environmental Services Committee Meeting

Recommendation: That the minutes of the April 17, 2024 Environmental Services Committee meeting of April 17, 2024 be adopted as circulated.

Attachments: [Minutes - April 17, 2024](#)

4. Chair's Remarks

5. Presentations/Delegations

The public are welcome to attend CRD Board meetings in-person.

Delegations will have the option to participate electronically. Please complete the online application at www.crd.bc.ca/address no later than 4:30 pm two days before the meeting and staff will respond with details.

Alternatively, you may email your comments on an agenda item to the CRD Board at crdboard@crd.bc.ca.

6. Committee Business

6.1. [24-449](#) Hartland Public Drop-off Depot - Expanded Hours Pilot

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: Hartland Public Drop-off Depot - Expanded Hours Project](#)

6.2. [24-468](#) Increasing Direct-Current Fast-Charge/Level 3 Chargers in the Region

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: Increasing Direct-Current Fast-Charge/Level 3 Chargers in CRD](#)

6.3. [24-486](#) Bylaw No. 4607 - Electric Vehicles Charging and Fees Bylaw No. 1, 2024

Recommendation: The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4607, "Electric Vehicles Charging and Fees Bylaw No. 1, 2024", be introduced and read a first, second and third time; and
2. That Bylaw No. 4607 be adopted.
3. That Bylaw No. 4611, "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 79, 2024", be introduced and read a first, second and third time; and
4. That Bylaw No. 4611 be adopted.

Attachments: [Staff Report: Bylaw 4607 - Electric Vehicle Charging and Fees Bylaw](#)

[Appendix A: Bylaw No. 4607 - EV Charging & Fees](#)

[Appendix B: Bylaw No. 4611 - Ticket Information Amendment](#)

6.4. [24-484](#) Bylaw No. 4610 - Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 5, 2024

Recommendation: The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4610, "Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 5, 2023", be read a first, second and third time; and
2. That Bylaw No. 4610 be adopted.

Attachments: [Staff Report: Hartland Tipping Fee & Reg Bylaw Amendment Bylaw 4610](#)

[Appendix A: Material Stream Diversion Staff Report \(March ESC/April Board\)](#)

[Appendix B: Bylaw No. 4610](#)

[Appendix C: Redlined Consolidated Bylaw No. 3881](#)

6.5. [24-406](#) Biosolids Literature Review - Update

Recommendation: [At the April 17, 2024 Environmental Services Committee, the staff recommendation was not moved. Instead, an alternative committee member motion (#1) was moved followed by a motion arising (#2) and carried as follows:
The Environmental Services Committee recommends to the Capital Regional District Board:

1. Direct staff to continue the process of identifying suitable academic researchers to undertake an independent biosolids literature review, and report back to the Environmental Services Committee.
2. That staff be directed to proceed with an independent unbiased legal review of the risks associated with the land application of biosolids.

At the May 8, 2024 CRD Board meeting, the committee recommendation was amended by adding to the end of part 2 the words "and the risks associated if noncompliant with the provincial regulatory framework for biosolids" as follows:

1. Direct staff to continue the process of identifying suitable academic researchers to undertake an independent biosolids literature review, and report back to the Environmental Services Committee.
2. That staff be directed to proceed with an independent unbiased legal review of the risks associated with the land application of biosolids and the risks associated if noncompliant with the provincial regulatory framework for biosolids.

Prior to voting on the amendment, the following motion to refer back to committee was carried:

That recommendations 1 and 2 and the amendment be referred to the Environmental Services Committee.

Attached as SUPPLEMENTAL to this report is a historical timeline of the Committee's recommendations and Board resolutions on the biosolids literature and legal review. Previous Staff Reports have been attached as Supplemental Appendix A (March 13, 2024) and Supplemental Appendix B (October 13, 2023)]

Attachments: [Staff Report: Biosolids Literature Review - Update](#)
[Appendix A: Biosolids Literature Review - Terms of Reference](#)
[Supplemental: Timeline of Biosolids Literature and Legal Review - Updated](#)
[Supplemental Appendix A: Previous Staff Report March 13, 2024](#)
[Supplemental Appendix B: Previous Staff Report October 18, 2023](#)

6.6. [24-487](#) Previous Minutes of Other CRD Committees and Commissions for Information

Recommendation: There is no recommendation. The following minutes are for information only.
a) Solid Waste Advisory Committee - May 3, 2024

Attachments: [Minutes: SWAC - May 3, 2024](#)

7. Notice(s) of Motion**8. New Business****9. Adjournment**

The next meeting is June 19, 2024.

To ensure quorum, please advise Jessica Dorman (jdorman@crd.bc.ca) if you or your alternate cannot attend.

Meeting Minutes

Environmental Services Committee

Wednesday, April 17, 2024

1:30 PM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

PRESENT

Directors: B. Desjardins (Chair), S. Tobias (Vice Chair), J. Bateman (for M. Tait) (1:50 pm) (EP), J. Caradonna, G. Holman (1:59 pm) (EP), D. Kobayashi (1:53 pm) (EP), D. Murdock, D. Thompson, A. Wickheim

Staff: T. Robbins, Chief Administrative Officer; L. Hutcheson, Acting General Manager, Parks and Environmental Services; G. Harris, Senior Manager, Environmental Protection; R. Smith, Senior Manager, Environmental Resource Management; N. Elliott, Manager, Climate Action Programs; M. Lagoa, Deputy Corporate Officer; J. Dorman, Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Director(s) J. Brownoff, M. Tait, C. Plant

The meeting was called to order at 1:33 pm.

1. Territorial Acknowledgement

Vice Chair Tobias provided a Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Caradonna, **SECONDED** by Director Wickheim,
That the agenda for the April 17, 2024 Environmental Services Committee meeting be approved.
CARRIED

3. Adoption of Minutes

3.1. [24-227](#) Minutes of the March 20, 2024 Environmental Services Committee Meeting

MOVED by Director Wickheim, **SECONDED** by Director Caradonna,
That the minutes of the Environmental Services Committee meeting of March 20, 2024 be adopted as circulated.
CARRIED

4. Chair's Remarks

Chair Desjardins spoke about the CRD's Environmental Services upcoming regional events, city nature challenges, Environmental Resource Management (ERM) campaigns and May's Invasive Species month.

5. Presentations/Delegations

5.1. Presentations

There were no presentations.

5.2. Delegations

**MOVED by Director Tobias, SECONDED by Director Wickheim,
That a late delegation, Francois Brassard, be permitted to speak.
CARRIED**

5.2.1 [24-421](#)

Delegation - Philippe Lucas; Representing Biosolids Free BC: Re: Agenda Item 6.3. Biosolids Literature Review - Update

P. Lucas spoke to Item 6.3.

5.2.2. [24-422](#)

Delegation - Jonathan O'Riordan; Representing Creatively United for the Planet Society: Re: Agenda Item 6.3. Biosolids Literature Review - Update

J. O'Riordan spoke to Item 6.3.

5.2.3. **24-428**

Delegation - Francois Brassard; Representing Esquimalt Climate Organizers: Re: Agenda Item 6.1. Solid Waste Management Plan and 6.3. Biosolids Literature Review - Update

F. Brassard spoke to Items 6.1. and 6.3.

6. Committee Business

6.1. [24-398](#) Solid Waste Management Plan - 2023 Progress Report

R. Smith presented Item 6.1. for information.

Discussion ensued on the following:

- electoral area depot statistics
- statistics and upcoming studies
- waste to energy
- co-processing and dirty versus clean wood waste
- multi-family dwelling recyclable diversion

Alternate Director Bateman joined the meeting electronically at 1:50 pm.

Director Kobayashi joined the meeting electronically at 1:53 pm.

Director Holman joined the meeting electronically at 1:59 pm.

6.2. [24-382](#) Climate Action Strategy - 2023 Progress Report

N. Elliott presented Item 6.2. for information.

Discussion ensued on the following:

- waste diversion
- quantifying regional and corporate GHG emissions
- electric vehicles and corporate climate goals
- storm water management
- impacts of growth on GHG emissions
- climate adaptation

Motion Arising:

MOVED by Director Caradonna, SECONDED by Director Holman,

That the Environmental Services Committee recommends to the Capital Regional District Board:

That staff be directed to report back on options for reducing corporate transportation and building emissions including Capital Region Housing Corporation buildings, and advise on options for advancing an adaptation strategy.

MOVED by Director Holman, SECONDED by Director Caradonna,

That the motion arising be amended to add the words "a corporate and regional" before the words "adaptation strategy".

CARRIED

The question was called on the motion arising.

That the Environmental Services Committee recommends to the Capital Regional District Board:

That staff be directed to report back on options for reducing corporate transportation and building emissions including Capital Region Housing Corporation buildings, and advise on options for advancing a corporate and regional adaptation strategy.

CARRIED

6.3. [24-406](#) Biosolids Literature Review - Update

G. Harris spoke to Item 6.3.

Discussion ensued on the impartiality of the literature and legal reviews.

Alternative Committee Member Motion:

MOVED by Director Caradonna, **SECONDED** by Director Tobias,

That the Environmental Services Committee recommends to the Capital Regional District Board:

Direct staff to continue the process of identifying suitable academic researchers to undertake an independent biosolids literature review, and report back to the Environmental Services Committee.

CARRIED

Motion Arising:

MOVED by Director Caradonna, **SECONDED** by Director Wickheim,

That the Environmental Services Committee recommends to the Capital Regional District Board:

That staff be directed to proceed with a legal review of the risks associated with the land application of biosolids.

MOVED by Director Wickheim, **SECONDED** by Director Caradonna,

That the motion arising be amended to add the words "an independent unbiased" before the words "legal review".

CARRIED

The question was called on the motion arising as amended.

That the Environmental Services Committee recommends to the Capital Regional District Board:

That staff be directed to proceed with an independent unbiased legal review of the risks associated with the land application of biosolids.

CARRIED

6.4. [24-396](#) Amendment to Environmental Resource Management Capital Plan

L. Hutcheson spoke to Item 6.4.

Discussion ensued on the following:

- capital reserve fund
- food scrap and organics processing versus transfer station
- capital plan overview for solid waste

MOVED by Director Thompson, **SECONDED** by Director Caradonna,

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That an advancement of \$500K from the 2025 Aggregate capital budget to the 2024 capital budget be approved; and

2. That the budget for the 2024 capital project Kitchen Scraps Transfer Station Relocation be increased by \$800K to ensure a contract can be awarded at the completion of the procurement process.

CARRIED

6.5. [24-400](#) Previous Minutes of Other CRD Committees and Commissions for Information

The following minutes were received for information:

- a) Climate Action Inter-municipal Task Force Meeting - March 15, 2024
- b) Technical and Community Advisory Committee Meeting - March 14, 2024

7. Notice(s) of Motion

There were no notice(s) of motion.

8. New Business

There was no new business.

9. Adjournment

MOVED by Director Murdock, **SECONDED** by Director Thompson,
That the April 17, 2024 Environmental Services Committee meeting be adjourned
at 3:46 pm.
CARRIED

CHAIR

RECORDER



**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, MAY 15, 2024**

SUBJECT Hartland Public Drop-off Depot – Expanded Hours Pilot

ISSUE SUMMARY

To provide an update on a pilot to expand the hours at the Hartland public drop-off depot to increase access and divert recyclable materials from Hartland Landfill.

BACKGROUND

The Hartland public drop-off depot has seen an increase in customers using the pay-by-weight bin area and the recycling/household hazardous waste area. This can lead to long line-ups on Hartland Avenue, particularly at peak times (Mondays and Fridays from 9 a.m. to 12 p.m., Saturdays from 11 a.m. to 2 p.m., and any morning following a holiday). New material bans on clean and treated wood waste and asphalt shingles, coming into effect at Hartland Landfill in 2024, may further increase the demand at the public drop-off depot.

The 2022 Solid Waste Stream Composition Study identified that 47% of garbage sent to Hartland Landfill could have been diverted through existing reuse, recycling or energy recovery programs in the community, including through the Hartland public drop-off depot.

To address levels of service, staff developed an Internal Business Case, and through the 2024 financial plan process, the Capital Regional District (CRD) Board approved a pilot project to trial increasing access to the public drop-off depot at Hartland. The objectives of the pilot project include:

- increasing diversion rates for materials accepted at Hartland’s public drop-off depot, which will help decrease the amount of recyclable material ending up in the garbage and assist the region in reducing waste by one-third
- decreasing the amount of traffic at the Hartland public drop-off depot during peak depot hours
- receiving feedback from the public to inform whether the pilot will be a permanent service

Starting Saturday, June 15, 2024, the hours at the Hartland public drop-off depot will be extending on Saturdays for three additional hours for a one-year pilot period. Below is a table showing the changes to the Hartland hours.

Current Hartland Public Drop-Off Depot Hours	New (Pilot) Hartland Public Drop-Off Depot Hours beginning June 15
Weekdays: 9 a.m. to 5 p.m.	unchanged
Saturdays: 7 a.m. to 2 p.m.	Saturdays: 7 a.m. to 5 p.m.
Sundays and statutory holidays: closed	unchanged

Only residents and small commercial vehicles under 5,500 GVW are eligible to access the public drop-off depot at Hartland Landfill. The hours for commercial customers accessing the auto scales

and active face will also extend to 5 p.m. on Saturdays. The site will remain closed for all customers on Sundays and statutory holidays.

Hartland customers and neighbours will be notified of the expanded hours pilot through an information bulletin, along with paid media, social media, printed materials, the Rethink Waste newsletter and online content. Staff will also provide an update to members of the Local Government Waste Reduction Working Group and to the Solid Waste Advisory Committee.

Staff will seek public input on the pilot project from Hartland customers and neighbours via a Checkbox Survey and the CRD's Infoline at infoline@crd.bc.ca. Scale data will be evaluated to determine if customers are utilizing the depot during the expanded hours. Scale data will also be used to determine if there is an increase in the quantity of materials being dropped off. Results of the pilot will inform whether staff recommend extending the pilot hours to become a permanent service. Pending customer uptake and survey results on the increased Saturday hours, staff may pilot additional opening hours during the one-year pilot.

CONCLUSION

Beginning June 15, 2024, the Capital Regional District will be piloting expanded hours at the Hartland public drop-off depot. The pilot is being conducted in response to increased demand at the public drop-off depot and new material bans coming into effect in 2024. During the one-year pilot, the Hartland public drop-off depot will extend the opening hours to 5 p.m. on Saturdays. The hours for commercial customers accessing the auto scales and active face will also be extended to 5 p.m. on Saturdays. Results of the pilot will inform whether staff recommend extending the pilot period hours to become a permanent service.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
Concurrence:	Luisa Jones, MBA, General Manager, Parks, Recreation & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, MAY 15, 2024**

SUBJECT Increasing Direct-Current Fast-Charge/Level 3 Chargers in the Region

ISSUE SUMMARY

To report back on the potential to increase the number of direct-current fast-charge (DCFC)/ Level 3 Electric Vehicle (EV) charging ports as part of the Capital Regional District (CRD) Public Electric Charging Network Project funded by Investing in Canada Infrastructure Program – Clean BC Communities Fund (ICIP-CCF).

BACKGROUND

The CRD EV Infrastructure Roadmap (2021) identifies key roles for the CRD in supporting the electrification of transportation, including to:

- pursue regional infrastructure funding
- support planning and coordination onsite selection
- engage with BC Hydro on infrastructure planning

On February 14, 2024, staff were directed by the Board to enter into a shared-cost agreement and begin implementing the CRD Public Electric Charging Network Project, funded by ICIP-CCF. This project has now been publicly announced and will support the installation of approximately 576 Level 2 and 20 DCFC EV charging ports in approximately 80 public locations across the capital region. The CRD is undertaking regional coordination and close partnerships with local governments in the region, including the City of Victoria, which will manage up to 424 of the Level 2 and all 20 of the DCFCs planned under this project.

Upon signing of the funding agreement, staff were also to explore the potential to increase the number of DCFC ports as part of this program funding and report back. While it has been confirmed that there is no opportunity to increase the number of DCFC ports as part of the CRD Public Electric Charging Network Project due to significant capital and operational cost requirements to support DCFC ports, staff are actively working with BC Hydro to identify and facilitate site selections for public DCFC installations across the region.

In August 2023, the CRD Climate Action service entered into a memorandum of understanding agreement (MOU) with the EV Charging Infrastructure team at BC Hydro. This MOU commits the CRD and BC Hydro to build on our existing working relationship and to explore and undertake a variety of transportation electrification initiatives. BC Hydro has a provincial mandate to install over three thousand DCFC ports across the province by 2030 to support electrification of transportation.

To date, the primary initiative under this MOU has been to advance BC Hydro built, branded, owned and operated public DCFC EV charging hubs on CRD property, and on public and/or private property. Staff have been leveraging regional coordination and partnerships with local governments and property owners in the region to identify sites, coordinate introductions and to support feasibility analysis to increase the number of DCFC chargers in the region.

Sites that are eligible for consideration must have appropriate parking space to support a minimum of four DCFC ports in rural areas and a minimum of eight DCFC ports in urban areas. Level 2 chargers may be included in the site design as well. These sites should be appropriately lighted, have clear lines of sight from the road, be publicly accessible, and be located near amenities for public use. The property can be publicly or privately owned, so long as the owner is willing to enter into a 10-year license of occupation agreement with BC Hydro to host the charging infrastructure. To prevent monopoly, BC Hydro is limited to a certain number of charging hub sites in each municipality, calculated by population. These limits are set by the Province.

To date, seven potential DCFC charging sites in the Core, Saanich Peninsula, Salt Spring Island and West Shore sub-regions have been identified. Notably, the City of Colwood has entered into an agreement with BC Hydro to install 12 DCFC ports and eight Level 2 ports at the Colwood Park and Ride. This site is currently in the detailed design stage and it is anticipated for the first phase to be built by the end of 2024. Two other sites in Sooke and on Salt Spring Island for four DCFC ports each have also reached the signed agreement stage and are entering into detailed design. All other sites are at varying stages of feasibility and design work to determine eligibility by BC Hydro and site hosts. Capital and operational costs of charging infrastructure installed under this program will be fully funded by BC Hydro. Charging infrastructure will be the property of BC Hydro, including any associated operating revenue and costs.

CONCLUSION

The CRD has entered into a shared-cost agreement with Investing in Canada Infrastructure Program – Clean BC Communities Fund for the CRD Public Electric Charging Network Project to fund the installation of 576 Level 2 charging ports and 20 direct-current fast-charge (DCFC) ports across the region. CRD staff are actively working with BC Hydro Electric Vehicle Charging Infrastructure staff to identify potential sites for additional DCFC infrastructure, with seven sites at various stages of feasibility and design work.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Nikki Elliott, BES, MPA, Manager, Climate Action Programs
Concurrence:	Luisa Jones, MBA, General Manager, Parks, Recreation & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, MAY 15, 2024**

SUBJECT **Bylaw No. 4607 – Electric Vehicles Charging and Fees Bylaw No. 1, 2024**

ISSUE SUMMARY

To approve Bylaw No. 4607, Electric Vehicles Charging and Fees Bylaw No. 1, 2024, and Bylaw No. 4611, Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 79, 2024, to set a user fee on all Capital Regional District (CRD) owned and operated public Electric Vehicle (EV) charges.

BACKGROUND

As of May 2024, the CRD owns and operates eight public electric vehicle (EV) chargers located at Panorama Recreation Centre, SEAPARC Recreation Centre and Rainbow Recreation Centre. In 2024, four additional public chargers are scheduled for installation at Beaver Lake Regional Park and Mount Work Hartland Regional Park. The CRD plans to install over 150 public chargers across the region and will likely manage and operate the majority of these as part of the CRD Public Electric Charging Network project from 2024-2028. To date, the CRD has not charged a fee on use of public EV chargers.

The CRD's Local Government EV and E-Bike Infrastructure Planning Guide (2018) recommends setting a fee for charging, as free charging can send an incorrect price signal about the cost of public infrastructure and the cost of using an EV. Free charging also limits access for EV drivers without access to charging at home and can inadvertently encourage behaviour such as overuse of public infrastructure without consideration for the cost of service. Until recently, the federal regulatory body, Measurement Canada, restricted energy-based billing model for non-utilities. As such, the guide recommends a \$1 per hour time-based fee structure. The \$1 fee would recover a portion of operational costs. This fee is currently implemented by municipalities and other EV charger owners in the region, such as the District of Saanich, Township of Esquimalt and City of Victoria.

Proposed Fees and Charges

The proposed Bylaw No. 4607, Electric Vehicles Charging and Fees Bylaw No. 1, 2024 (Appendix A) sets a time-based user fee on all CRD owned and operated public EV charges. The proposed Bylaw No. 4611, Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 79, 2024 (Appendix B) sets fees and charges for contraventions against Bylaw No. 4607.

The Bylaw establishes the user fees at \$1 per hour while charging for public EV chargers that do not load-share electricity, \$0.50 per hour for two-way load share chargers, and \$0.25 per hour for four-way load share chargers. This is a time-based billing model, which is currently allowed by Measurement Canada and is in alignment with fees already in place among local governments in the region. CRD public EV chargers are networked and equipped to process transactions to collect user fees at the charger. Revenue from user fees will be attributed to the owning CRD service area to recover costs associated with operating public EV chargers. Contraventions of

Bylaw No. 4607 are set out in Section 3 of the Bylaw and ticketing fees are set out in the accompanying amending Bylaw No. 4611.

Implementation Plan

Bylaw No. 4607 will be implemented with a phased approach.

Phase 1a – Education and User Fee Activation of Existing Chargers: For CRD public EV chargers that have already been installed, enforcement of the user fee is targeted to begin after a 30-day education campaign period from the adoption of this Bylaw, with an anticipated user fee activation date of August 1. Targeted communications, including affixing a notice sign to EV chargers at impacted sites, specific media for site users (i.e., recreation newsletters, one-pager at front desk) will be distributed to inform site users of the forthcoming change.

Phase 1b – User Fee Activation for Future Chargers: EV chargers that are planned for installation after August 1 will not have a 30-day education period prior to user fee activation. All new CRD-owned public chargers will have the user fee activated as soon as they are successfully installed and operational to ensure efficient and consistent operation of the public EV network.

Phase 2 – Parking Contravention Enforcement: In addition to user fee activation, Bylaw No. 4607 includes contraventions related to parking a non-electric vehicle in an EV parking space and overstaying a posted time limit in an EV parking space. To familiarize the public with the new regulation regarding these parking contraventions, a communication and notice campaign is targeted to begin in August after all appropriate signage is installed, with a duration of six months. After the six-month period, active enforcement of parking contraventions will begin on a per-complaint basis.

Future Considerations

As of 2023, Measurement Canada began to change the regulations to allow EV charger owners to begin switching to an energy-based billing model (\$/kW). Staff are monitoring the changes to regulation and are currently participating with a cohort of local governments to develop an adequate and consistent energy-based billing model (\$/kW) for public EV chargers. This will also consider current operational costs. This will inform future updates to Bylaw No. 4607.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the CRD Board:

1. That Bylaw No. 4607, “Electric Vehicles Charging and Fees Bylaw No. 1, 2024”, be introduced and read a first, second and third time; and
2. That Bylaw No. 4607 be adopted.
3. That Bylaw No. 4611, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 79, 2024”, be introduced and read a first, second and third time; and
4. That Bylaw No. 4611 be adopted.

Alternative 2

That Bylaw No. 4607, “Electric Vehicles Charging and Fees Bylaw No. 1, 2024” be referred to staff for changes.

IMPLICATIONS

Climate Implications

The CRD's Climate Action Strategy includes a commitment to support a public electric vehicle charging network and to encourage uptake of zero-emission vehicles (3-10). In support of this, the proposed fees and charges will support EV charging infrastructure to align with best practices and recover operational costs.

Financial Implications

Staff will undertake procurement to facilitate the network expansion in 2025 through 2028, leveraging planned Climate Action service and grant funds. In 2024, operational expenses and revenue from charging will be nominal. User fees are subject to a transaction fee by network providers (currently 15% per transaction). Operational costs and revenues will be embedded in future service budgets accordingly. All revenue received from user fees on public EV chargers will be allocated to the owning CRD service.

Service Delivery Implications

There is no immediate impact to bylaw enforcement services while the initial implementation steps of Bylaw No. 4607 take place. As more EV chargers are installed and active enforcement begins on a per-complaint basis, Bylaw will advise if additional resources are required to meet the needs of this program.

CONCLUSION

Bylaw No. 4607 “Electric Vehicles Charging and Fees Bylaw No. 1, 2024” is an important step in the implementation of the CRD Public Electric Charging (EV) Network. Introducing this Bylaw will start to recover operating costs of providing public EV charging infrastructure in the region by collecting user fees of \$1 per hour, which is considered appropriate best practice for introducing charging fees. Staff are currently undertaking work to develop a consistent energy-based billing model for EV charging and anticipate future updates to this Bylaw to switch the fee structure in 2025.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4607, “Electric Vehicles Charging and Fees Bylaw No. 1, 2024”, be introduced and read a first, second and third time; and
2. That Bylaw No. 4607 be adopted.
3. That Bylaw No. 4611, “Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 79, 2024”, be introduced and read a first, second and third time; and
4. That Bylaw No. 4611 be adopted.

Submitted by:	Nikki Elliott, MPA, Manager, Climate Action Programs
Concurrence:	Luisa Jones, MBA, General Manager, Parks, Recreation & Environmental Services
Concurrence:	Nelson Chan, MBA, FCPA, FCMA, Chief Financial Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENTS

- Appendix A: Bylaw No. 4607, A Bylaw to Provide for Fees and Charges Payable for the Use of Electric Vehicle Chargers
- Appendix B: Bylaw No. 4611, A Bylaw to Amend Bylaw No. 1857, CRD Ticket Information Bylaw, 1990

CAPITAL REGIONAL DISTRICT
BYLAW NO. 4607

A BYLAW TO PROVIDE FOR FEES AND CHARGES PAYABLE FOR THE USE OF ELECTRIC
VEHICLE CHARGERS

WHEREAS:

- A. Pursuant to section 397(b) of the *Local Government Act*, the Board of the Capital Regional District may, by bylaw, impose a fee or charge payable in respect of the use of Capital Regional District property;
- B. The Capital Regional District operates public electric vehicle charging infrastructure throughout the region; and
- C. The Board wishes to authorize and impose the fees and charges payable for the use of Capital Regional District operated public electric vehicle charging infrastructure.

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

1. **DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

“**Electric Vehicle**” means a vehicle that uses electricity for propulsion and that can use an external source of electricity to charge the vehicle’s batteries but does not include vehicles that cannot be licenced by the Insurance Corporation of British Columbia or vehicles that are not compatible with an Electric Vehicle Charging Station.

“**Electric Vehicle Charging Station**” means an electric vehicle charging station operated by the Capital Regional District and made publicly available for use by members of the public driving Electric Vehicles.

“**Electric Vehicle Charging Zone**” means a parking space providing access to an Electric Vehicle Charging Station.

“**Sign**” means a sign, signal, posted notice, digital notice, or other marking placed by, or on behalf of, the Capital Regional District within, or near to, an Electric Vehicle Charging Station or Electric Vehicle Charging Zone.

2. **PROHIBITION**

Subject to section 3, no person in charge, control, or possession of any vehicle shall stop the vehicle in an Electric Vehicle Charging Zone unless:

- (a) the vehicle is an Electric Vehicle, and the said Electric Vehicle is being actively charged;
- (b) the Electric Vehicle is stopped in an Electric Vehicle Charging Zone for a period not exceeding the time limit posted upon a Sign; and
- (c) the fee prescribed in Schedule “A” is paid.

3. EXEMPTIONS

- (1) Section 2 does not apply to a vehicle that is stopped in an Electric Vehicle Charging Zone during times in which a Sign indicates that parking by non-Electric Vehicles is permitted.
- (2) Sections 2 and 4 do not apply to officers, employees, and agents of the Capital Regional District operating a Capital Regional District-owned vehicle while they are acting in the course of their duties.

4. FEES

A person in charge, control, or possession of any Electric Vehicle who connects an Electric Vehicle to an Electric Vehicle Charging Station shall pay the applicable fees set out in Schedule "A" to this Bylaw.

5. SEVERABILITY

If any section or lesser portion of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid section or portion is severed, and the remainder continues to be valid.

6. OFFENCE AND PENALTIES

- (1) Any person who contravenes any provision of this Bylaw commits an offence and is liable upon conviction to the penalties prescribed by the *Offence Act*.
- (2) Each day that a contravention of this Bylaw occurs or continues shall constitute a separate offence.
- (3) Nothing in this bylaw shall limit the Capital Regional District from pursuing any other remedy that would otherwise be available to the Capital Regional District at law.

7. TITLE

This bylaw may be cited for all purposes as "Electric Vehicles Charging and Fees Bylaw No. 1, 2024".

READ A FIRST TIME THIS	th	day of	20__
READ A SECOND TIME THIS	th	day of	20__
READ A THIRD TIME THIS	th	day of	20__
ADOPTED THIS	th	day of	20__

CHAIR

CORPORATE OFFICER

Schedule "A"

CRD PUBLIC EV CHARGING STATION FEES AND CHARGES			
Row	Type of Charging Station	Charging Station Specifications	Fee
1	Level 2	Without power sharing	\$1.00 per hour
2	Level 2	2-way power sharing	\$0.50 per hour
3	Level 2	4-way With power sharing	\$0.25 per hour

CAPITAL REGIONAL DISTRICT
BYLAW NO. 4611

A BYLAW TO AMEND BYLAW NO. 1857, CAPITAL REGIONAL DISTRICT TICKET INFORMATION
AUTHORIZATION BYLAW, 1990

WHEREAS:

- A. Under Bylaw No. 4607, "Electric Vehicles Charging and Fees Bylaw No. 1, 2024", the Regional Board prohibited the use of Electric Vehicle Charging Stations and Zones in certain circumstances;
- B. The Board wishes to amend Bylaw No. 1857, "Capital Regional District Ticket Information Authorization Bylaw, 1990", to establish fine rates for contravening Bylaw No. 4607;

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

1. Bylaw No. 1857, "Capital Regional District Ticket Information Authorization Bylaw, 1990", is hereby amended as follows:
 - (a) Sections 3 and 4 are amended by deleting the words "Schedule 2 to 39" wherever they appear and substituting "Schedules 2 to 40".
 - (b) Schedule 1 to Bylaw No. 1857 is amended by inserting section 39 as follows:

"39. Electric Vehicles Charging and Fees Bylaw No. 1, 2024	Bylaw Enforcement Officer Park Officer"
---	--
 - (c) By adding Schedule 40, attached as Appendix 1 to this bylaw.
2. This bylaw may be cited for all purposes as "Capital Regional District Ticket Information Authorization Bylaw, 1990, Amendment Bylaw No. 79, 2024".

READ A FIRST TIME THIS	DAY OF	,	2024
READ A SECOND TIME THIS	DAY OF	,	2024
READ A THIRD TIME THIS	DAY OF	,	2024
ADOPTED THIS	DAY OF	,	2024

CHAIR

CORPORATE OFFICER

APPENDIX 1 TO BYLAW NO. 4611

SCHEDULE 40 TO BYLAW NO. 1857

Electric Vehicle Charging and Fees Bylaw No. 1, 2024

<u>WORDS OR EXPRESSIONS DESIGNATING OFFENCE</u>	<u>SECTION</u>	<u>FINE</u> if paid after the 30 th day from the date on which the ticket is served	<u>FINE</u> if paid on or before the 30 th day from the date on which the ticket is served
1. Non-Electric Vehicle	2(a)	\$100.00	\$50.00
2. Not Actively Charging	2(a)	\$100.00	\$50.00
3. Disobey Sign	2(b)	\$100.00	\$50.00
4. Fail to Pay Charging Fee	2(c)	\$100.00	\$50.00



**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, MAY 15, 2024**

SUBJECT **Bylaw No. 4610 - Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 5, 2024**

ISSUE SUMMARY

To amend the Hartland Landfill Tipping Fee and Regulation Bylaw to shift the ban on carpet, underlay and salvageable wood waste, and the implementation of the \$300/tonne unsorted renovation and demolition waste rate to Phase 3 of the material stream diversion strategy.

BACKGROUND

At its April 10, 2024 meeting, the Capital Regional District (CRD) Board directed staff to finalize negotiations and enter into a contract with DL's Bins for the construction and operation of a material stream diversion transfer station to process clean wood, treated wood and asphalt roofing shingles for the purpose of recycling, reuse or resource recovery, effective July 1, 2024; and to return to committee with proposed bylaw amendments to shift the ban on carpet, underlay and salvageable wood, and implementation of the \$300/tonne unsorted load rate to Phase 3 of the CRD's material stream diversion strategy.

Based on this direction, staff have prepared an amending bylaw, Bylaw No. 4610, to amend Bylaw No. 3881, Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013 (Appendix B). A red-lined, consolidated version of the bylaw for convenience is included as Appendix C.

Further, while preparing the amendment bylaw, staff discovered a clerical error with the previous amendment to Bylaw No. 3881 (Bylaw No. 4497). Certain revisions made to the red-lined version of the consolidated Bylaw presented to the Board on December 13, 2023 were not included in the amendment Bylaw adopted by the Board. The proposed Bylaw No. 4610 corrects this clerical error.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4610, "Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 5, 2023", be read a first, second and third time; and
2. That Bylaw No. 4610 be adopted.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Service Delivery Implications

The proposed bylaw amendments to the Hartland Landfill Tipping Fee and Regulation Bylaw remove reference to the ban on carpet, underlay and salvageable wood, and unsorted renovation and demolition waste (\$300/tonne), currently scheduled to come into effect July 1, 2024.

Loads of clean renovation and demolition waste will be accepted at Hartland Landfill for a tipping fee rate of \$150/tonne and must not include mandatory recyclables such as clean wood, treated wood or asphalt shingles. A \$500 fine will be in effect for loads found to be containing mandatory recyclables, including wood waste or asphalt shingles. Effective July 1, 2024, source-separated loads of treated wood and asphalt shingles will be accepted for recycling or energy recovery at a tipping fee rate of \$110/tonne. Source-separated loads of clean wood are accepted for recycling or energy recovery at a tipping fee rate of \$80/tonne.

The phasing in of material bans came about as a result of feedback from Hartland customers, and feedback gathered through procurement for the material diversion transfer station construction and operation. Further background can be found in Appendix A.

Pending future direction, the material bans on carpet, underlay and salvageable wood will be added back into the bylaw when Phase 3 of the CRD’s material stream diversion strategy is implemented in 2026.

CONCLUSION

On April 10, 2024, the Capital Regional District (CRD) Board directed staff to return to committee with proposed bylaw amendments to shift the ban on carpet, underlay and salvageable wood, and implementation of the \$300/tonne unsorted load rate to Phase 3 of the CRD’s material stream diversion strategy. Staff have prepared an amending bylaw that will amend the Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4610, “Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 5, 2023”, be read a first, second and third time; and
2. That Bylaw No. 4610 be adopted.

Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
Concurrence:	Luisa Jones, MBA, General Manager, Parks, Recreation & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENTS

Appendix A: Environmental Services Committee Staff Report (March 20, 2024): Material Stream Diversion – Award of Contract – Presented to CRD Board on April 10, 2024

Appendix B: Bylaw No. 4610, Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013, Amendment Bylaw No. 5, 2023

Appendix C: Bylaw No. 3881 Hartland Tipping Fee and Regulation Bylaw No. 6, 2013 (Red-lined)

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, MARCH 20, 2024**

SUBJECT **Material Stream Diversion – Award of Contract ERM2022-010**

ISSUE SUMMARY

To provide an update on implementation of Hartland Landfill policy changes approved by the Capital Regional District (CRD) Board in December 2023, and to seek direction on next steps, including award of contract for construction and operation of a material diversion transfer station (MDTS).

BACKGROUND

In December 2023, the CRD Board passed a motion to adopt bylaw amendments, to come into effect in 2024, to divert materials from Hartland Landfill in alignment with the CRD's Solid Waste Management Plan.

Phase 1 of the Hartland policy changes were successfully implemented beginning January 1, 2024, including a ban on clean wood waste, changes to the tipping fee structure, introduction of a hauler waste stream collector incentive program, increases in fine rates, reductions for early payment of fines, and introduction of an education and warning program. To date, 22 Hartland commercial customers representing approximately 70% of Hartland's total general refuse tonnages have registered for the waste stream collector incentive. In the month of January, staff issued 30 warning tickets/MTIs to provide education around the clean wood ban, and 104.7 tonnes of clean wood was diverted from landfilling for recycling/energy recovery. Staff will continue to provide regular updates on implementation.

Phase 2 of the Hartland policy changes is planned to come into effect July 1, 2024, and includes further policy bans and tipping fee modifications. To support the execution of Phase 2 of the material diversion strategy, a Request for Proposals (RFP) for proponent to construct and operate a MDTS at Hartland to manage the processing, utilization, on-site operations and transportation of source-separated materials from Hartland Landfill was issued in September 2023, and closed January 2024.

Learnings through January's Phase 1 implementation have provided staff with valuable information about market response and participation. Phase 2 currently includes introduction of a new \$300/tonne tipping fee for loads of unsorted renovation and demolition materials that contain banned items including wood waste. Market response to date suggests that under current market conditions, the \$300/tonne rate will incent Hartland customers to seek lower cost landfill disposal options out of region, rather than divert banned materials, including wood waste. This is counter to the Solid Waste Management Plan objectives, and presents financial risk to the solid waste service, as these tipping fees would be paid out of region. To address this risk, staff recommend adding a Phase 3 of implementation in 2026 and shifting the implementation of \$300/tonne rate to Phase 3, to allow the market time to develop processes to ensure removal of banned materials from refuse loads. To eliminate the risk of general refuse waste exiting the region during Phase 3, staff also recommend that the CRD immediately begin consultation on policies to restrict the

flow of general refuse waste outside the capital region. These policies could be implemented as part of Phase 3 and would be subject to future consideration by the CRD Board. Additional material bans including rigid plastics could also be considered as part of Phase 3.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That staff be directed to finalize negotiations, and the Chief Administrative Officer be authorized to enter into a two-year operating and construction contract, for a combined value not to exceed \$12,500,000 (excluding GST) with DL's Bins, for the construction and operation of a material diversion transfer station to begin processing of clean wood, treated wood and asphalt shingles on July 1, 2024;
2. That staff be directed to return to the Environmental Services Committee with proposed bylaw amendments to shift the ban on carpet and underlay and salvageable wood to Phase 3;
3. That staff be directed to return to the Environmental Services Committee with proposed bylaw amendments to shift the implementation of the \$300/tonne unsorted load rate to Phase 3; and
4. That staff immediately begin consultation on policies to restrict the flow of general refuse waste outside of the capital region.

Alternative 2

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That staff be directed to finalize negotiations, and the Chief Administrative Officer be authorized to enter into a two-year operating and construction contract, for a combined value not to exceed \$12,500,000 (excluding GST) with DL's Bins, for the construction and operation of a material diversion transfer station to begin processing of clean wood, treated wood and asphalt shingles on July 1, 2024;
2. That staff be directed to return to the Environmental Services Committee with proposed bylaw amendments to shift the ban on carpet and underlay and salvageable wood to Phase 3.

Alternative 3

That this report be referred back to staff for additional information.

IMPLICATIONS

Alignment with Board & Corporate Priorities

The proposed two-year contract under Alternative 1 aligns with the Board's desire to optimize the diversion of solid waste and maximize resource recovery from waste materials by executing new policies for diverting waste.

Service Delivery Implications

To support the execution of Phase 2 of the material diversion strategy, a RFP for proponent to construct and operate a MDTS at Hartland Landfill was issued in September 2023, and closed in January 2024. The RFP Package is included as Appendix A. Two submissions were received from Emterra Environmental and DL's Bins.

Staff have evaluated the MDTS proposals on technical and financial merit and conducted negotiations with the preferred proponent. Market feedback obtained through the procurement process identified that the costs to process and transport materials diverted from the landfill are higher than identified through the 2021 Market Sounding that was completed. A full financial evaluation is included in the financial implications section of this report.

Both proposals included options for processing clean and treated wood waste, asphalt shingles, and carpet and underlay. Neither proponent provided an option for salvageable wood, however negotiations with the preferred proponent have indicated that this could be considered as part of a Phase 3 alternative. Various options for staging were presented to allow for control of costs.

Staff recommend award of contract for the construction and operation of the MDTS to DL's Bins, enabling the start of Phase 2 policies July 1, 2024.

On the basis feedback obtained through procurement, staff recommend entering into a two-year 'pilot project' contract for the diversion and recycling/recovery of clean wood, treated wood and asphalt shingles. This two-year pilot will enable vendor learning on operational process and end-markets, allow the CRD to fully understand costs of material diversion, and minimize over all costs to the solid waste service.

At the end of the two-year pilot, and pending Board direction at that time, a new Phase 3 of implementation of the material diversion strategy would be implemented. Phase 3 could include a follow-on contract, terms of which are to be negotiated during the pilot period. This contract would extend the operation of the transfer station for a further 5 years, and expand accepted materials to include carpet and underlay, salvageable wood, books and rigid plastic. Additional capital investments at that time would be required to enable additional material streams, and a full financial evaluation would be brought forward at that time. Implementation of the ban on salvageable wood and carpet and underlay would be moved to Phase 3. Additional material bans on books and rigid plastics could also be considered at that time.

Alignment with Existing Plans & Strategies

Implementation of the proposed contract has the potential to divert up to 36,500 tonnes of waste per year from Hartland Landfill's active face, which would align with the Solid Waste Management Plan goal to target an annual disposal rate of 250kg per capita by 2031. Phase 3 could result in additional diverted tonnages.

Financial Implications

Alternative 1 (2-year contract) capital and operating expenditures over the 2-year contract are estimated to be \$12.5 million (\$3.5 million capital and \$9 million operating), to be partially offset by diversion tipping fee revenue of \$750,000 (20,000 tonnes). The shortfall will be funded within the 2024/25 Environmental Resource Management budget approvals and reserves.

Alternative 2 (2-year contract) capital and operating expenditures over the 2-year contract are estimated to be \$12.5 million (\$3.5 million capital and \$9 million operating), to be partially offset by diversion tipping fee revenue of \$750,000 (20,000 tonnes). The shortfall will be funded within the 2024/25 Environmental Resource Management budget approvals and reserves.

CRD Financial Services assisted in evaluating the long-term financial implications of the alternatives. The reserve balances have been projected to provide an indication of financial health and the need for tax requisition. Neither alternative is projected to require requisition support within the current 5-year planning horizon. Below is a summary of the proposed changes to tipping fees, and the implementation date:

Mandatory Recyclables		
Material Type	Tipping Fee (per tonne)	Landfill Ban Implementation Date
Clean Wood	segregated diversion \$80	Phase 1
Treated Wood	segregated diversion \$110	Phase 2
Asphalt Shingles	segregated diversion \$110	Phase 2
Salvageable Wood	segregated diversion \$0	Phase 3
Carpet and Underlay	segregated diversion \$110	Phase 3
Renovation and Demolition Waste		
Clean	segregated diversion \$150	Phase 2
Mixed	segregated diversion \$150, with \$500 fine in effect	Phase 2
Mixed	segregated diversion \$300, with \$500 fine in effect, potential flow control policies	Phase 3

Phase 1: January 1, 2024
Phase 2: July 1, 2024
Phase 3: 2026

CONCLUSION

The Capital Regional District (CRD) Board passed a motion to adopt the Hartland Landfill Tipping Fee and Regulation Bylaw and CRD Ticket Authorization Bylaw on December 13, 2023. The approval of these bylaws supports the goals and strategies of the CRD’s Solid Waste Management Plan. Two proposals were received from the Request for Proposals issued in September 2023, one from Emterra Environmental and the other from DL’s Bins. Upon review of the two proposals, staff recommend commencing a contract with DL’s Bins for the processing, utilization, on-site operations and transportation of source-separated materials from Hartland Landfill.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That staff be directed to finalize negotiations, and the Chief Administrative Officer be authorized to enter into a two-year operating and construction contract, for a combined value not to exceed \$12,500,000 (excluding GST) with DL’s Bins, for the construction and operation of a material diversion transfer station to begin processing of clean wood, treated wood and asphalt shingles on July 1, 2024;

2. That staff be directed to return to the Environmental Services Committee with proposed bylaw amendments to shift the ban on carpet and underlay and salvageable wood to Phase 3;
3. That staff be directed to return to the Environmental Services Committee with proposed bylaw amendments to shift the implementation of the \$300/tonne unsorted load rate to Phase 3; and
4. That staff immediately begin consultation on policies to restrict the flow of general refuse waste outside of the capital region.

Submitted by:	Russ Smith, Senior Manager, Environmental Resource Management
Concurrence	Larisa Hutcheson, P.Eng., Acting General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Material Stream Diversion Request for Proposals Package

CAPITAL REGIONAL DISTRICT
BYLAW NO. 4610

A BYLAW TO AMEND HARTLAND LANDFILL TIPPING FEE
AND REGULATION BYLAW NO. 6, 2013 (BYLAW NO. 3881)

WHEREAS:

- A. Under Bylaw No. 3881, “Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013”, the Regional Board established fees and regulations for the operations of the Hartland Landfill; and
- B. The Board wishes to amend Bylaw No. 3881 to update schedules, fees, and bans to align with Phase 2 implementation of the material stream diversion strategy.

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

- 1. Bylaw No. 3881, “Hartland Landfill Tipping Fee and Regulation Bylaw No. 6, 2013”, is hereby amended as follows:
 - (a) by deleting the defined term “Unsorted Renovation and Demolition Waste” in section 1;
 - (b) in Schedule “B”, by deleting the words “salvageable wood, carpet and underlay” from section 3.11;
 - (c) in Schedule “C”, by deleting the following rows from the table in section 1:

Carpet and Underlay (effective July 1, 2024)	Public Drop off Area	\$110	\$10 bin fee	
Carpet and Underlay (effective July 1, 2024)	As directed by CRD staff	\$110		\$10
Unsorted Renovation and Demolition Waste (effective July 1, 2024)	Public Drop Off Area	\$300	\$10 bin fee	
Unsorted Renovation and Demolition Waste (effective July 1, 2024)	Active Face	\$300		\$20

- (d) in Schedule “C”, by deleting the following rows from the table in section 1:

Refuse	Active Face	\$110		\$10
Refuse	Public Drop Off Area	\$110	\$10 bin fee	
Treated Wood and Wood Products	As directed by CRD staff	\$110	\$10 bin fee	
Weeds (not Source –separated in Refuse)	Active Face	\$110		\$10
Weeds (not Source –separated in Refuse)	Public Drop Off Area	\$110	\$10 bin fee	

and replacing them with the following rows:



Making a difference...together

BYLAW NO. 3881

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

Consolidated for Public Convenience
(This bylaw is for reference purposes only)

ORIGINALLY ADOPTED APRIL 10, 2013
(Consolidated with Amending Bylaws 3917, 4100, 4420, 4497, 4610)

For reference to original bylaws or further details, please contact the Capital Regional District,
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6
T: (250) 360-3127, F: (250) 360-3130, Email: legserv@crd.bc.ca, Web: www.crd.bc.ca

Amending Bylaws Consolidated

Bylaw No.	Adopted	Purpose
4610		To amend the bans on carpet and underlay and salvaged wood and to amend the tipping fee rate on refuse, weeds (not source-separated), and commercial load of uncontaminated demolition waste.
4497	December 13, 2023	To amend the tipping fee rates; to update the definitions; to enact bans on asphalt roofing shingles, carpet and underlay, and wood waste; to make bylaw housekeeping edits; and, to update bylaw enforcement language.
4420	June 9, 2021	To address the Kitchen Scraps tipping fee by replacing Schedule C.
4100	May 8, 2016	To address tipping fees for asbestos containing material, kitchen scraps and to make bylaw housekeeping changes.
3917	Jan. 14, 2015	To enact a kitchen scraps ban, the stewardship program for packaging and printed paper (PPP) and to amend the tipping fee rate.

Table of Contents

SECTION 1 – DEFINITIONS 4

SECTION 2 - CONDITIONS 11

SECTION 3 - FEES 14

SECTION 4 - VIOLATIONS & PENALTIES 14

SECTION 5 - SEVERANCE 15

SECTION 6 - REPEAL 15

SECTION 7 - TITLE 15

SCHEDULE "A" 16

SCHEDULE "B" 17

SCHEDULE "C" 20

SCHEDULE "D" 24

SCHEDULE "E" 25

SCHEDULE "F" 26

SCHEDULE "G" 27

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 Containing Material**” means waste containing any amount of asbestos including waste asbestos as defined in the bylaw.

(Bylaw 4100)

“**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.

“**Asphalt Roofing Shingles**” means roofing shingles composed of a felt mat saturated with asphalt, with small rock granules added, but does not include tar and gravel roofing.

(Bylaw 4497)

“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.

“Carpet and underlay” means flooring material made of woven wool, silk, cotton or synthetic fibers and foam padding underlayment where tack stripping material has been removed.

(Bylaw 4497)

“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 Renovation and Demolition Waste” means material that results from the construction, renovation or demolition of all or part of a building or structure that does not contain Surface Coating Waste, Asbestos Containing Material, Hazardous Waste, Prohibited Waste, Mandatory Recyclable Materials, or an Extended Producer Responsibility product.

(Bylaw 4497)

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

“Clean Wood Waste” means wood products such as dimensional lumber, pallets, crating, and salvaged wood waste:

- 1) that is untreated, unstained, unpainted, and
- 2) that does not include any antisapstain, coating, glues, or resins.

(Bylaw 4497)

“Commercial Hauler” means a person whose business collects and receives for a fee Refuse, Voluntary Recyclable Material, Mandatory Recyclable Material, Extended Producer Responsibility Products, or Weeds for Disposal, or a person whose business generates Voluntary Recyclable Material, Mandatory Recyclable Material, Extended Producer Responsibility Products, and who delivers those materials for Disposal at the Disposal Site.

(Bylaw 4497)

“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 E, 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.

“Hauler Incentive Rate” means a reduced tipping rate available for private and municipal haulers who conform to the requirements of the hauler incentive program. (Bylaw 4497)

“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.

"Industrial Commercial Institutional" includes any industrial or commercial operations of any size including manufacturing, processing and packing and small businesses with one or more employees such as retail stores, offices, strip malls, vacation facilities, hotels, motels and resorts and institutional operations such as schools, student residences, correctional facilities, churches, community buildings, hospitals, licensed care facilities and hospices, but does not include residential premises.

(Bylaw 3917)

"International High Risk Cruise Ship Waste" means any item, material, or load originating from a Cruise Ship that is identified as High Risk Material by Canadian Border Services Agency and/or the Canadian Food Inspection Agency.

(Bylaw 4497)

"International Waste" means any item, material, or load that is defined as International Waste under the International Waste Directive or as identified by the Canadian Food Inspection Agency and/or the Canadian Border Services Agency.

(Bylaw 4497)

"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.

"Kitchen Scraps" means compostable waste generated by residential, business, institutional and commercial sources such as fruits, vegetables, meat, meat by-products, dairy products, baked goods, cereal, grains, pasta, bones, egg shells, coffee grounds and filters, tea bags, nuts and shells, houseplants and cut and dried flowers, and soiled paper products such as paper towels, tissues, food packaging, plates and cups but does not include Controlled Waste.

(Bylaw 3917)

"Kitchen Scraps Transfer Station" means a facility at Hartland landfill designated for receipt and the transfer of **Kitchen Scraps** to another location.

(Bylaw 3917)

"Knotweed" means Japanese knotweed (*follopia japonica*), himalayan knotweed (*persicaria wallichii*), 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 (NCR) 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; cardboard storage boxes; cardboard storage; cardboard moving boxes; paper gift boxes; paper bags; paper lunch bags; paper pinata; paper gift bags; paper part hat; paper party décor; but excluding paperback and hardcover books; 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.
(Bylaw 4497)

“Non-EPR” means a material that is not in the specific form or category set out in the Extended Producer Responsibility Product list in Schedule “G”.

(Bylaw 3917)

“Non-EPR Rigid Plastics” means rigid plastic items, such as children’s toys, lawn chairs, and car seats that are not an Extended Producer Responsibility Product.

(Bylaw 4497)

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

“Out-of-Region Waste” means municipal solid waste that is originating from outside the boundaries of the Capital Regional District but is not International Waste.

(Bylaw 4497)

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

“Printed Paper and Packaging” means the materials listed in Schedule “G” of this Bylaw under the heading **Printed Paper and Packaging originating from residential premises.**

(Bylaw 3917)

“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, Kitchen Scraps, Hazardous Waste, Mandatory Recyclable Materials and Extended Producer Responsibility Products.

(Bylaw 3917)

“Regional Board” means the Board of the Capital Regional District.

“Residential Premises” includes houses, apartments, condominiums, townhomes, and other premises in which persons reside but does not include institutional or commercial accommodations.

(Bylaw 3917)

“Rubble” means gravel, brick, Concrete block, refractory material, road asphalt or rock, or a combination of any or all of these.

(Bylaw 3917)

“Salvaged Wood Waste” means Clean Wood Waste:

- 1) that is dimensional lumber greater than 4 feet in length; and
- 2) that may or may not contain nails.

(Bylaw 4497)

“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, Kitchen Scraps, Hazardous Waste as permitted in this bylaw and Controlled Waste, but excludes Prohibited Waste. *(Bylaw 3917)*

“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 stucco, plaster, brick, or other unconsolidated or similar material coated with lead based paint that may present a respiratory hazard due to the presence of lead particulate and also includes 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. *(Bylaw 4100)*

“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.

“Treated Wood and Wood Products” means engineered wood products or pressure treated, stained, or painted wood and wooden furniture that may or may not contain nails or other metal fasteners. *(Bylaw 4497)*

“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 or a structure that does not contain Surface Coating Waste, Hazardous Waste, Prohibited Waste,

Mandatory Recyclable Materials, or an Extended Producer Responsibility Product. (Bylaw 4497)

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

~~**“Unsorted Renovation and Demolition Waste”** means material that results from the construction, renovation or demolition of all or part of a building or structure that does not contain Surface Coating Waste, Asbestos-Containing Material, Hazardous Waste, Prohibited Waste but may contain Wood Waste, Asphalt Shingles, and Carpet and Underlay.~~

~~(Bylaw 4497)~~

“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.

“Vermiculite Insulation” means a mineral which expands greatly when heated and creates pockets of air that was used as an insulation material. (Bylaw 4100)

“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 and 2.8, a person may dispose of Asbestos Containing Material in accordance with Section 2.11, and Contaminated Gypsum Board or Wallboard, liquids, Sharps, or Vermiculite Insulation as Controlled Waste in accordance with section 2.12.
(Bylaw 4100)
- 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 Asbestos Containing Material at a Designated Location provided that:
- (a) The disposal of Waste Asbestos is manifested as required by the 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;
 - (c) the Disposal of Waste Asbestos is in accordance with the Hazardous Waste Regulation.
 - (d) the Disposal of Waste Asbestos is in accordance with the Transportation of Dangerous Goods Regulation.
 - (e) documentation has been submitted upon request of the Manager to confirm the presence of Asbestos Containing Material in the load.
 - (f) an appointment for Disposal is made with Capital Regional District staff a minimum of twenty-four (24) hours prior to Disposal, regular appointment hours for Asbestos Containing Material are Monday to Friday 9 a.m. to 2:30 p.m. excluding statutory holidays.
(Bylaw 4100)
- 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 Active Face as Refuse or 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.
- (Bylaw 3917)*
- 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 other than those listed

in Schedule "G" and other than at a Designated Location in the Public Drop Off Area provided that it: *(Bylaw 3917)*

- (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.
- 2.27 Effective January 1, 2015, no person shall deposit Kitchen Scraps at the Disposal Site except at the Kitchen Scraps Transfer Station and provided that they are Source-separated. *(Bylaw 3917)*
- 2.28 No person shall deposit Solid Waste at the Disposal Site that is not Source- separated when this Bylaw requires that it be Source-separated. *(Bylaw 3917)*
- 2.29 No person shall Deposit Vermiculite Insulation at the Disposal Site other than as a Controlled Waste in accordance with Section 2.12. *(Bylaw 4100)*

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	13 th	DAY OF	March	2013
READ A SECOND TIME THIS	13 th	DAY OF	March	2013
READ A THIRD TIME THIS	13 th	DAY OF	March	2013
ADOPTED THIS	10 th	DAY OF	April	2013

Original signed by Alastair Bryson
CHAIR

Original signed by Sonia Santarossa
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.
- (e) the Vehicle is owned, leased, operated, licensed, utilized, or otherwise associated with a person that is restricted from accessing, has been refused entry to, or has been prohibited re-entry to, the Disposal Site, whether under this bylaw or the *Trespass Act*, RSBC 2018 c 3.

(Bylaw 4497)

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.

2.3 A person must ensure that all Loads are ready for Disposal, including being Source-separated, before the Disposal Site closes for the day; otherwise they will not be permitted to Dispose of the Load.

(Bylaw 3917)

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 exceed 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*.
- 3.10 No person shall obstruct, intimidate, interfere, or harass Capital Regional District staff or officers who are performing their duties.
(Bylaw 4497)
- 3.11 Clean wood, treated wood, ~~salvageable wood, carpet and underlay~~ and asphalt shingles must be source separated prior to arriving to Hartland landfill.
(Bylaw 4497, 4610)
- 3.12 No person shall record audio and/or video or take photographs at the Disposal Site without the permission of the manager.
(Bylaw 4497)

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.
- 5.2 Where a person has unpaid fines or amounts owing to the Capital Regional District resulting from violation of this bylaw, and any such amounts are outstanding for more than 45 days from the date of conviction or deemed conviction, Capital Regional District staff may refuse access or prohibit re-entry to the Disposal Site until such amounts are paid. Where the person operates a waste disposal, hauling, or other commercial waste generating business or is associated with such a business, this refusal may be extended to those entities or vehicles owned, leased, or operated by those entities, which in the opinion of Capital Regional District staff, are affiliated, associated, controlled, owned-by in part or in whole, conducting business on behalf of, or otherwise related to that person, corporately or by degree of co-sanguinity or family relationship, despite those persons not having unpaid fine amounts, amounts owing, or separate legal personality.
(Bylaw 4497)
- 5.3 The Manager is authorized to enforce all site rules, regulations, and bylaws at Hartland Landfill. They may also prohibit or restrict a person(s) who contravenes this Bylaw from attending the Hartland Landfill.
(Bylaw 4497)
- 5.4 A person is entitled to a 25% reduction in monetary penalty resulting from violation of this bylaw if fines or fees are paid within 30 days from issue.
(Bylaw 4497)

SCHEDULE "C"

TIPPING FEES

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3881**

(Bylaw 4497, 4610)

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
Asbestos Containing Material	As directed by CRD staff	\$157		\$20
Asphalt Roofing Shingles (effective July 1, 2024)	Public Drop Off Area	\$110	\$10 bin fee	
Asphalt Roofing Shingles (effective July 1, 2024)	As directed by CRD staff	\$110		\$10
Bicycle tires and tubes	Public Drop Off Area	No fee	\$6 recycling area entry fee	No fee
Bulky Waste	Active Face	\$254		\$10
Carpet and Underlay (effective July 1, 2024)	Public Drop off Area	\$110	\$10 bin fee	
Carpet and Underlay (effective July 1, 2024)	As directed by CRD staff	\$110		\$10
Clean Renovation and Demolition Waste (effective January 1, 2024)	Public Drop Off Area	\$150	\$10 bin fee	
Clean Renovation and Demolition Waste (effective January 1, 2024)	As directed by CRD staff	\$150		\$10
Clean Wood Waste (effective January 1, 2024)	Public Drop off Area	\$80	\$10 bin fee	
Clean Wood Waste (effective January 1, 2024)	As directed by CRD staff	\$80		\$10
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 listed in Schedule "G" (excluding tires on rims)	Public Drop Off Area	No fee		No fee

Extended Producer Responsibility Product listed in Schedule "G" tires on rims	Public Drop Off Area	No fee	\$6 recycling area entry fee	No fee
Hauler Incentive Rates (effective January 1, 2024)		\$125		
Hauler Incentive Rates (effective January 1, 2025)		\$135		
Household Hazardous Waste	Public Drop Off Area	No fee		No fee
International Low Risk Waste	As directed by CRD staff	\$135		
Kitchen Scraps until December 31, 2021	Kitchen Scraps Transfer Station	\$120		
Kitchen Scraps effective January 1, 2022	Kitchen Scraps Transfer Station	\$140		
Unsorted Renovation and Demolition Waste (effective July 1, 2024)	Public Drop Off Area	\$300	\$10 bin fee	
Unsorted Renovation and Demolition Waste (effective July 1, 2024)	Active Face	\$300		\$20

Waste Type	Disposal Site Designated Location	Tipping Fee (per tonne)	Other Fees	Minimum Tipping Fee
Mattresses and boxsprings	Public Drop Off Area	\$110	\$10 bin fee	
Propane tanks and fire extinguishers	Public Drop Off Area	No fee		No fee
Recyclable Material excluding Scrap Metal, 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	No fee
Recyclable Material excluding Scrap Metal, mattresses and boxsprings, Yard and Garden Material and Clean Wood Waste (by Commercial Hauler)	Public Drop Off Area	No fee	\$26 recycling area entry fee	No fee
Refuse	Active Face	\$110		\$10
Refuse	Public Drop Off Area	\$110	\$10 bin fee	
Refuse	Active Face	\$150		\$10
Refuse	Public Drop Off Area	\$150	\$10 bin fee	
Scrap Metal	Public Drop Off Area	No fee	No fee	
Stumps and Branches	As directed by CRD staff	\$110		\$10
Treated Wood and Wood Products	As directed by CRD staff	\$110	\$10 bin fee	
Treated Wood and Wood Products (effective July 1, 2024)	As directed by CRD staff	\$110	\$10 bin fee	
Waste Asbestos which originates outside the CRD	As directed by CRD staff	\$500		\$20
Weeds (Source separated)	Active Face	\$59		\$10
Weeds (not Source –separated in Refuse)	Active Face	\$110		\$10
Weeds (not Source –separated in Refuse)	Public Drop Off Area	\$110	\$10 bin fee	
Weeds (not Source –separated in Refuse)	Active Face	\$150		\$10
Weeds (not Source –separated in Refuse)	Public Drop Off Area	\$150	\$10 bin fee	

Weeds (Source separated)	Public Drop Off Area	\$59		\$10
Yard and Garden Materials	As directed by CRD staff	\$59		\$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 Manger, 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 the 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**

(Bylaw 4497, 4610)

Prohibited Waste
Aggregate
Asphalt Roofing Shingles, except as permitted in this Bylaw
Asbestos Containing Material, except as permitted in this bylaw
Asphalt and Rubble
Biomedical Waste
Carpet and Underlay, except as permitted in this Bylaw
Clean Soil
Concrete
Contaminated Demolition Waste
Gypsum Board or Wallboard, except as permitted in this bylaw
Ignitable Waste
Kitchen Scraps, except as permitted in this Bylaw
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
Vermiculite Insulation, except as permitted in this Bylaw
Waste that is on fire or smouldering
Waste containing PCBs, except as permitted in this bylaw
Wood Waste, except as permitted in this Bylaw

SCHEDULE “E”

CONTROLLED WASTE

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3881**

(Bylaw 4497, 4610)

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

Controlled Waste	Disposal Fee
Animal Fecal Waste	\$157 per tonne
Catch Basin Waste	\$157 per tonne
Commercial Load of Uncontaminated Demolition Waste	\$110 per tonne
Commercial Load of Uncontaminated Demolition Waste	\$150 per tonne
Condemned or Spoiled Foods	\$157 per tonne
Contaminated Gypsum Board or Wallboard	\$311 per tonne
Contaminated Gypsum Board or Wallboard originating outside the CRD effective January 1, 2017	\$500 per tonne
Contaminated Soil	\$157 per tonne
Dead Animal	\$254 per tonne
Fibre Optic Cable	\$157 per tonne
Food Processing Wastes	\$157 per tonne
Health Hazard Waste	\$157 per tonne
International High Risk Cruise Ship Waste	\$500 per tonne
Knotweed	\$59 per tonne
Miscellaneous Controlled Waste	\$157 per tonne
Pumpings from septage treatment facilities containing residual sludge	\$157 per tonne
Pumpings from sewage treatment plants, pump stations and sewer lines	\$157 per tonne
Screenings from sewage treatment plants, septage treatment facilities and pump stations	\$157 per tonne
Sharps	\$254 per tonne
Slurries which may contain non-hazardous solids, soil, sand, gravel, fibres, fats, oils and grease or mineral oil and grease	\$157 per tonne
Soot and Ash	\$157 per tonne
Spent charcoal from water purification plants and odour filters	\$157 per tonne
Surface Coating Waste	\$157 per tonne
Vehicle Washing Facility Waste	\$157 per tonne
Vermiculite Insulation	\$157 per tonne
Waste Sludge from sewage treatment plants containing no more than 80% total moisture	\$121 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

(Bylaw 4497, 4610)

Mandatory Recyclable Material
EPR Products
Clean Wood Waste (Effective January 1, 2024)
Asphalt Roofing Shingles (Effective July 1, 2024)
Carpet and Underlay (Effective July 1, 2024)
Treated Wood and Wood Products (Effective July 1, 2024)
Salvaged Wood Waste (Effective July 1, 2024)
Non-EPR Corrugated Cardboard
Propane Tanks and fire extinguishers
White Goods
Non-EPR Mixed Paper
Scrap Metal
Yard and Garden Material
Voluntary Recyclable Material
Books (textbooks, novels, soft and hardcover books)
Non-EPR Film plastic
Non-EPR Glass containers
Large rigid plastics
Mattresses and boxsprings
Rigid plastic containers
Non-EPR Polystyrene
Non-EPR Polycoated containers
Bicycle tubes and tires

SCHEDULE "G"

(Bylaw 4497)

**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) residential lights (fluorescent tubes and bulbs (CFLs), halogen and

	<p>incandescent lamps, light emitting diode (LED) lamps, light ballasts (that may contain PCB), High Intensity Discharge (HID) and other mercury containing lamps)</p> <ul style="list-style-type: none"> 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)
<p>Printed Paper and Packaging from Residential Premises but not from Industrial Commercial Institutional operations</p>	<ul style="list-style-type: none"> Cardboard storage box Cardboard storage Cardboard moving boxes Paper gift boxes Paper bag Paper lunch bag Paper pinata Paper gift bag Paper party hat Paper party décor Newspapers Newspaper Inserts Magazines Catalogues Telephone Directories Other Printed Media Residential Printed Paper Miscellaneous Printed Paper Old Corrugated Cardboard Paper cup (hot) (Polycoated liner) Paper Cup (hot) (biodegradable liner) Paper Cup (cold) (waxed) Paper Cup (cold) (2-sided Polycoated) Polycoated Milk Cartons Aseptic Containers Multi-laminated Paper Packaging Old Boxboard (OBB) Wet Strength Boxboard Moulded Pulp Kraft Papers Polycoated Boxboard High-density polyethylene Films Low-density polyethylene / Linear Low-density polyethylene Films Polystyrene Clamshells Expanded polystyrene Polystyrene Trays/Plates Expanded polystyrene Polystyrene Meat Trays Expanded polystyrene Polystyrene Hot Drink Cups Expanded polystyrene Polystyrene Cushion Packaging Expanded polystyrene Polyethylene terephthalate Bottles (non-beverage) Polyethylene terephthalate Jars

	<ul style="list-style-type: none"> • Polyethylene terephthalate Clamshells • Polyethylene terephthalate Trays • Polyethylene terephthalate Tubs & Lids • Polyethylene terephthalate Cold Drink Cups • High-density polyethylene Bottles (non-beverage) • High-density polyethylene Jars • High-density polyethylene Pails • High-density polyethylene Trays • High-density polyethylene Tubs & Lids • High-density polyethylene Planter Pots • Polyvinyl chloride Bottles • Polyvinyl chloride Jars • Polyvinyl chloride Trays • Polyvinyl chloride Tubs & Lids • Low-density polyethylene Bottles (non-Beverage) • Low-density polyethylene Jars • Low-density polyethylene Tubs & Jars • Polypropylene Bottles (non-beverage) • Polypropylene Jars • Polypropylene Clamshells • Polypropylene Trays • Polypropylene Tubs & Lids • Polypropylene Cold Drink Cups • Polypropylene Planter Pots • Polystyrene Bottles (non-beverage) • Polystyrene Clamshells (rigid) • Polystyrene Trays (rigid) • Polystyrene Tubs & Lids (rigid) • Polystyrene Tubs & Lids (high impact) • Polystyrene Cold Drink Cups (rigid) • Polystyrene Planter Pots • Other¹ Plastic Bottles (non-beverage) • Other Plastic Jars • Other Plastic Clamshells • Other Plastic Trays • Other Plastic Tubs & Lids • Other Plastic Cold Drink • Other Plastic Planter Pots • Steel Cans (non-beverage) • Steel Aerosol Cans • Spiral Wound Cans (steel ends) • Aluminum Cans (non-beverage) • Aluminum Aerosol Cans • Aluminum Foil and Foil Containers • Bimetal Containers/Aerosols
--	--

¹ 'Other' plastic packaging is typically: manufactured from a combination of recycled resins; manufactured with a barrier layer; or, lacking a resin code mark.

	<ul style="list-style-type: none">• Clear Glass Bottles and Jars (non-beverage)• Coloured Glass Bottles and Jars (non-beverage)
--	--

**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, APRIL 17, 2024**

SUBJECT **Biosolids Literature Review – Update**

ISSUE SUMMARY

To provide the Environmental Services Committee with an update on the proposal for an independent academic review of the risks and benefits of biosolids land application.

BACKGROUND

At the August 9, 2023 Capital Regional District (CRD) Board meeting, staff were directed to *report back with a proposal that CRD Environment Service fund University of Victoria or other suitable independent academic institution to prepare a review: a) of available literature, to determine whether there are validated examples and/or peer reviewed papers assessing the risks and benefits of the application of biosolids on environmental and human health, and b) based on this and on The Precautionary Principle, whether CRD may have a legal liability for such application.*

At the October 18, 2023 Environmental Services Committee meeting, staff presented a proposal for an academic institution to conduct a literature review. At that time, the provincial government's Technical Working Group (TWG) was expected to issue a report on its review of the *Organic Matter Recycling Regulation* in late 2023. Given the upcoming report, the committee passed the following motion: *That the committee postpone discussion on this item until the January 2024 committee meeting.* Staff have been receiving semi-regular status updates from the TWG Secretariat and other provincial staff.

The TWG consists of academics, consulting practitioners, and representatives from federal, various provincial and local governments. The TWG is effectively undertaking the same literature review exercise that the CRD Board requested. The final TWG meeting was held at the end of September 2023 and a summary report of its findings and recommendations was initially expected by the end of November 2023 at the earliest. At the February 14, 2024 CRD Board meeting, staff reported that the TWG report was delayed "to the end of Q1 2024."

At the March 13, 2024 Board meeting, staff reported that the report had been delayed again until Q2 2024. Staff were then directed to reinstate the process of authorizing the literature review by the following motion: *Given delays to provincial reporting on Organic Matter Recycling Regulation, and the Board's previous direction to initiate an academic analysis, that the Board direct staff to move forward with a third-party academic review of the scientific literature on the uses and impacts of biosolids.*

Staff have reconfirmed the interest of only one of the three independent academic institutions initially willing to undertake the literature review, which is the Toronto Metropolitan University (TMU) Department of Chemistry and Biology, led by Dr. Lynda McCarthy. The intended lead author from University of Victoria Department of Engineering and Computer Science (civil engineering) has since gone on leave and the author from The University of Washington College of the Environment has not yet responded. The TMU team has a confirmed lead author who will rely on support from various co-authors.

Any literature review is expected to take at least two to three months to organize and complete. The review would be guided by the Terms of Reference (Appendix A).

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the CRD Board:
That staff be directed to proceed with an academic review of the risks and benefits of biosolids land application with the team from Toronto Metropolitan University, with a budget not to exceed \$40,000.

Alternative 2

The Environmental Services Committee recommends to the CRD Board:
That an academic review of the risks and benefits of biosolids land application be reconsidered after the provincial technical working group has completed its review of Organic Matter Recycling Regulation and released its report.

IMPLICATIONS

Financial Implications

Costs for the proposed biosolids literature review will be approximately \$40,000 and can be covered by existing Core Area wastewater and biosolids budgets.

CONCLUSION

The CRD Board directed staff to reinstate consideration of an additional literature review of biosolids land application, given the recent delays in reports supporting the current BC Organic Matter Recycling Regulation review. Staff have reconfirmed that a knowledgeable, independent academic institution is available to complete this review. The review is expected to take at least three months to administer and complete.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board:
That staff be directed to proceed with an academic review of the risks and benefits of biosolids land application with the team from Toronto Metropolitan University, with a budget not to exceed \$40,000.

Submitted by:	Glenn Harris, Ph.D., R.P. Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P. Eng., Acting General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Biosolids Literature Review – Terms of Reference

BIOSOLIDS LITERATURE REVIEW**TERMS OF REFERENCE****April 2024**

BACKGROUND

In 2011, the Capital Regional District (CRD) Board passed a resolution to ban the land application of biosolids from CRD facilities primarily due to concerns about the potential human and environmental risks of contaminants therein. This ban ended a small CRD program that distributed lime-stabilized Class A biosolids (as defined under the BC Organic Matter Recycling Regulations [OMRR]) from a sub-regional wastewater treatment plant to the general public and local landscaping businesses. In 2020, the CRD commissioned a new wastewater treatment plant that substantially increased the volume of Class A biosolids produced annually to approximately 3,600 tonnes. Biosolids management options were subsequently introduced.

As per BC Ministry of Environment and Climate Change Strategy (ENV) expectations, Canadian Council of Ministers of the Environment guidance, and CRD commitments under its Core Area Liquid Waste Management Plan, the CRD is required to beneficially use all biosolids output. In BC, biosolids land application is regulated under OMRR. A long-term biosolids management plan is currently under development and is due to ENV by June 2024.

Currently, CRD Class A biosolids are being managed under a short-term biosolids management plan (2020-2025), with the primary beneficial use options being incineration as an alternative fuel in a cement manufacturing plant in Richmond, BC, and integration with landfill cover systems as contingencies. When neither of these options are available, landfilling biosolids at the regional landfill has been the only alternative. However, in 2023, given significant operational and logistical challenges with the short-term options, the CRD Board amended its position to allow for limited non-agricultural land application of biosolids as a contingency option. The CRD has secured the use of biosolids for industrial land reclamation at a quarry near Cassidy, BC. CRD staff continue to seek additional short-term beneficial use contingency options that meet Board limits, in order to limit or avoid landfilling of biosolids when the other options are not available.

As part of development of the CRD's long-term biosolids management plan, the CRD has external technical advice that recommends that land application be included in a portfolio of options to ensure program redundancy and resiliency. Land application is typically the most reliable and cost-effective beneficial use option. However, there continue to be concerns raised about the potential human health and environmental risks associated with biosolids land application.

In response to these concerns, raised both in the CRD and elsewhere in the province and around the world, ENV convened a technical working group to review the OMRR to ensure it remains protective of human health and the environment. A summary report is expected in Q2 2024. In the meantime, the CRD Board is seeking its own independent literature review on the risks and benefits of biosolids land application.

PURPOSE

The purpose of the literature review is to provide the Board and general public a summary of the human health and environmental risks, and benefits of the land application of CRD Class A biosolids.

AUTHOR(S) QUALIFICATIONS

The author(s) undertaking the literature review must include at least one tenured faculty member from an independent academic institution(s) with expertise and experience in assessing human health and environmental risk, knowledge of biosolids land application practices, and an understanding of contaminant fate and impact. Additional co-authors with relevant expertise can be included if a team approach is taken.

SCOPE

The literature review must:

- Build on previous literature reviews through a comprehensive scan of up-to-date primary scientific literature and other relevant studies.
- Consider environmental conditions typical of BC's south coastal region.
- Assess the human health and environmental risks of legacy contaminants, and those of emerging concern, that are potentially found in biosolids.
- Summarize contaminant concentrations in biosolids relative to levels of exposure in general society.
- Discuss the limitations of extrapolating lab-based toxicity testing to observations in the environment.
- Summarize areas of uncertainty in biosolids land application risk, including a summary of relevant techniques for evaluating and addressing uncertainty.
- Summarize biosolids land application techniques that can reduce risk and/or address uncertainty.
- Briefly summarize risks and concerns that have resulted in land application bans elsewhere.
- Briefly summarize risks and benefits of longstanding land application programs elsewhere.
- Assess the overall risks of biosolids land application considering the intent of the Precautionary Principle (Rio Declaration, 1992 and subsequent derivations).

The CRD will provide the author(s) with a summary of the known contaminant concentrations in CRD Class A biosolids and a list of the potential land application opportunities that have been identified as the long-term biosolids management plan is being developed.

The literature review author(s) are not expected to undertake new scientific experiments as part of this project.

DELIVERABLES

The literature review must provide a comprehensive and up-to-date summary of the human health and environmental risks, and benefits, of biosolids land application. It must include an executive summary and/or conclusions section that is understandable by a non-technical general public.

TIMELINE

The literature review must be completed within three months of project commencement.

BUDGET

The literature review will have a maximum budget of \$40,000.

SUPPLEMENTAL: Timeline of Biosolids Literature and Legal Review

May 8, 2024 – Capital Regional District Board:

8.4. [24-406](#) *Biosolids Literature Review – Update*

MOVED by Director Desjardins, SECONDED by Director Caradonna,

1. Direct staff to continue the process of identifying suitable academic researchers to undertake an independent biosolids literature review, and report back to the Environmental Services Committee.
2. That staff be directed to proceed with an independent unbiased legal review of the risks associated with the land application of biosolids.

MOVED by Director Murdoch, SECONDED by Director McNeil-Smith,

That the motion be amended by adding to the end of part 2 the words **“and the risks associated if noncompliant with the provincial regulatory framework for biosolids”**.

MOVED by Director Desjardins, SECONDED by Director Brent,

That recommendations 1 and 2 and the amendment be referred to the Environmental Services Committee.

CARRIED

Opposed: Caradonna

April 17, 2024 – Environmental Services Committee:

6.3. [24-406](#) *Biosolids Literature Review - Update*

Staff Report Recommendation:

The Environmental Services Committee recommends to the CRD Board: That staff be directed to proceed with an academic review of the risks and benefits of biosolids land application with the team from Toronto Metropolitan University, with a budget not to exceed \$40,000.

At the April 17, 2024 Environmental Services Committee, the staff recommendation was not moved. Instead, an alternative committee member motion (#1) was moved followed by a motion arising (#2) and carried as follows:

The Environmental Services Committee recommends to the Capital Regional District Board:

1. **Direct staff to continue the process of identifying suitable academic researchers to undertake an independent biosolids literature review, and report back to the Environmental Services Committee.**
2. **That staff be directed to proceed with an independent unbiased legal review of the risks associated with the land application of biosolids.**

March 20, 2024 – Environmental Services Committee:

6.5. [24-318](#) *Third-party Academic Review of the Scientific Literature on the Uses and Impacts of Biosolids - Verbal Update*

L. Hutcheson presented Item 6.5. for information. Discussion ensued on the following:

- timeline on analysis, scope and delivery
- UVic environmental interest group

March 13, 2024 – CRD Board:

7.2. [24-242](#) *Biosolids Monthly Update – March (for information)*

Motion Arising #1:

MOVED by Director Caradonna, SECONDED by Director Tobias,

Given delays to provincial reporting on Organic Matter Recycling Regulation of B.C. (OMRR) and the Board’s previous direction to initiate an academic analysis, that the Board direct staff to move forward with a third-party academic review of the scientific literature on the uses and impacts of biosolids.

CARRIED

Opposed: de Vries, Kobayashi, Little

Motion Arising #2:

MOVED by Director Caradonna, SECONDED by Alternate Director Armour,

That the Board direct staff and the Chair to write to request a meeting with the Minister of Environment and Climate Change Strategy to discuss an extension on finalizing the CRD’s long-term biosolids management plan.

CARRIED

see Appendix A

January 17, 2024 – Environmental Services Committee:

There was no biosolids item on January agenda.

October 18, 2023 – Environmental Services Committee:

6.1. [23-707](#) *Proposal For Academic And Legal Reviews Of Biosolids Land Application*

MOVED by Director Holman, SECONDED by Director Kobayashi,

The Environmental Services Committee recommends to the Capital Regional District Board:

That academic and legal reviews of the risks and benefits of biosolids land application be reconsidered after the provincial technical working group has completed its review of the Organic Matter Recycling Regulation and released its report. [\(no vote due to postponement\)](#)

MOVED by Director Tait, SECONDED by Director Caradonna,

That the committee postpone discussion on this item until the January 2024 committee meeting.

CARRIED

see Appendix B

August 9, 2023 – CRD Board:

8.1. [23-456](#) *Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins)*

The question was called on the main motion as amended:

MOVED by Director Desjardins, SECONDED by Director Williams,

That staff report back with a proposal that CRD Environment Service fund University of Victoria or other suitable independent academic institution to prepare a review:

a) of available literature, to determine whether there are validated examples and/or peer reviewed papers assessing the risks and benefits of the application of biosolids on environmental and human health, and

b) based on this and on The Precautionary Principle, whether CRD may have a legal liability for such application.

CARRIED

Opposed: McNeil-Smith, Murdoch

July 12, 2023 – CRD Board:

8.3. [23-456](#) *Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins)*

MOVED by Director de Vries, SECONDED by Director Tait,

That agenda Items 8.3., 8.4., 8.10., and 8.11. be postponed to the next meeting of the CRD Board.

CARRIED

June 21, 2023 – Environmental Services Committee:

7.1. [23-456](#) *Notice of Motion: Academic Review - Land Application of Biosolids (Director Desjardins)*

MOVED by Director Caradonna, SECONDED by Director Tobias,

That same day consideration be applied to the Notice of Motion.

CARRIED

MOVED by Director Desjardins, SECONDED by Director Tobias,

That the Environmental Services Committee recommends to the Capital Regional

District Board:

That staff report back with a proposal that CRD Environment Service fund University of Victoria or other suitable independent academic institution to prepare a review:

a) of available literature, to determine whether there are validated examples and/or peer reviewed papers assessing the risks of the application of biosolids on environmental and human health, and

b) based on this and on The Precautionary Principle, whether CRD may have a legal liability for such application. The institution may receive submissions from the public.

CARRIED

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, MARCH 13, 2024**

SUBJECT **Biosolids Monthly Update – March**

ISSUE SUMMARY

To update the Board on the status of the short-term options for biosolids management, as well as progress on the development of the Long-term Biosolids Management Plan and the advanced thermal pilot project.

BACKGROUND

Since the commissioning of the core area wastewater treatment project in 2020, the Capital Regional District (CRD) has been responsible for the beneficial reuse of Class A biosolids produced at the Residuals Treatment Facility. Currently, the CRD is operating under a five-year Short-term Biosolids Management Plan, with the primary beneficial use options being incineration as an alternative fuel in a cement manufacturing plant in Richmond, BC, industrial land reclamation at a quarry near Cassidy, BC, and integration with landfill cover systems as contingencies. When none of these options are available, landfilling biosolids at Hartland Landfill is the only alternative. In 2011, the Board banned the land application of biosolids; however, in 2023, given the operational and logistical challenges with the short-term plan, the Board amended its position to allow non-agricultural land application of biosolids as a contingency option. Staff continue to seek additional short-term beneficial use contingency options consistent with CRD Board direction (short-term, out-of-region and non-agricultural land application options).

The CRD is also required to develop a Long-term Biosolids Management Plan by June 2024. Plan development will include input from the Technical and Community Advisory Committee (TCAC), First Nations engagement and public consultation.

Short-term Plan Implementation

Cement Kiln: The Lafarge facility experienced a mechanical failure of the receiving silo in November 2023, and has been in a winter maintenance shutdown since February 10. Staff anticipate the first shipment of biosolids in 2024 to be March 12.

Landfilling: Currently, all biosolids are being landfilled, as no other short-term management options are available. In February, 332 tonnes of biosolids were landfilled. Landfilling is not a beneficial use, as per provincial and federal expectations, and continues to consume valuable airspace at the landfill.

Land Reclamation in Cassidy, BC: A blend of biosolids and sand is currently being stored by the land owner under cover on the Cassidy site, pending regulatory approval for mixing with other organics and placement of biosolids growing medium, in accordance with the Organic Matter Recycling Regulation and approvals under the *Mines Act*. Reclamation of the quarry will be carried out in phases, and there is a short-term limit on the quantity of biosolids that can be received at this time. This limit was met in early January; therefore, shipping of biosolids to the quarry has been paused until the material on site is mixed and placed under the facility's reclamation plan.

Second Quarry Site in the Regional District of Nanaimo, BC: As reported last month, the CRD has been approached by a site operator of a second gravel quarry within the Regional District of Nanaimo (RDN) to receive CRD Class A biosolids for site reclamation. The RDN Board Chair has since sent correspondence on behalf of the RDN Board, dated February 29, 2024, that requests *the CRD Board of Directors cease considering land application within the RDN as a viable option for biosolids generated in the Capital Region.* The letter indicates that the RDN is pursuing its Biosolids Beneficial Use Plan that incorporates land application and is concerned that the CRD's activities may limit RDN's options as its population continues to grow.

Unless directed otherwise, staff will continue to explore this opportunity with the site operator and will report back to the Board before any contracts are entered into.

Long-term Planning

Public Engagement: Public engagement on the Long-term Biosolids Management Plan was launched January 11, 2024 and closed March 6, 2024. The consultant will prepare a "What We Heard" report, which will inform a staff report introducing a draft long-term management plan for the April 10 CRD Board meeting. The engagement included background information and multiple opportunities to provide feedback, all of which are available via the CRD's Get Involved engagement platform (<https://getinvolved.crd.bc.ca/biosolids>). The CRD hosted a virtual open house on February 20, 2024, and included presentations from CRD staff and the technical consultant, as well as a moderated question and answer period. There were approximately 55 participants and 175 questions/comments submitted, of which more than 100 questions were answered. A recording of the event is available on the engagement website. The TCAC is also reviewing the available beneficial reuse options and providing input at its meeting this month.

First Nations Engagement: Staff have retained an engagement consultant to conduct First Nations engagement on long-term biosolids management options and planning. The consultant has experience working with Indigenous communities in BC and anticipates completing First Nations engagement parallel to the public engagement process. In-person and virtual open houses are scheduled for late March with 18 First Nations.

Advanced Thermal Technology Demonstration Plant: A Request for Proposals (RFP) for a technical advisor to support CRD staff in developing terms and technical requirements closed on March 11. The subsequent RFP for the demonstration plant is expected to be issued in Q2, with a preferred proponent selected in Q3/Q4 2024.

Organic Matter Recycling Regulation Technical Working Group Review: In 2023, the provincial Ministry of Environment and Climate Change Strategy conducted a review of the Organic Matter Recycling Regulation, including an evaluation of emerging contaminants of concern in the context of land application. The report was anticipated in late 2023, but staff have been advised that the date has been delayed again until Q2 of 2024. The Ministry has not altered its regulatory direction at this time.

CONCLUSION

The Capital Regional District (CRD) continues to implement the Short-term Biosolids Management Plan while also developing the draft long-term plan. The short-term program has experienced operational challenges and has inadequate contingency capacity consistent with CRD Board policy to ensure the beneficial use of biosolids. The CRD has exhausted its contingency options under the Short-term Biosolids Management Plan and is currently landfilling biosolids contrary to provincial regulatory direction.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P. Eng., Acting General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer



**REPORT TO ENVIRONMENTAL SERVICES COMMITTEE
MEETING OF WEDNESDAY, OCTOBER 18, 2023**

SUBJECT **Proposal For Academic And Legal Reviews Of Biosolids Land Application**

ISSUE SUMMARY

To provide the Environmental Services Committee with a proposal for independent academic and legal reviews of the risks and benefits of biosolids land application.

BACKGROUND

At the August 9, 2023 Capital Regional District (CRD) Board meeting, staff were directed to “*report back with a proposal that CRD Environment Service fund University of Victoria or other suitable independent academic institution to prepare a review: a) of available literature, to determine whether there are validated examples and/or peer reviewed papers assessing the risks and benefits of the application of biosolids on environmental and human health, and b) based on this and on The Precautionary Principle, whether CRD may have a legal liability for such application.*”

Staff have confirmed that there are at least three independent academic institutions willing to undertake the literature review: the University of Washington College of the Environment, the Toronto Metropolitan University Department of Chemistry and Biology, and the University of Victoria Department of Engineering and Computer Science (civil engineering).

The terms of reference for the literature review would consider the following:

- Previous literature reviews.
- Risks and concerns that have resulted in land application bans elsewhere.
- Impacts of long-standing land application programs elsewhere.
- Contaminant concentrations in biosolids relative to levels of exposure in general society.
- Extrapolating lab-based toxicity testing to observations in the environment.
- Acknowledgement of uncertainty (e.g., toxicity and environmental fate of emerging substances and microplastics, contaminant mixture effects, etc.).
- Techniques for evaluating and addressing uncertainties.
- Affirming the intent of the Precautionary Principle.

Biosolids land application is regulated under the BC Organic Matter Recycling Regulation (OMRR). The BC Ministry of Environment and Climate Change Strategy convened a Technical Working Group (TWG) in October 2022 to undertake a comprehensive review of OMRR to ensure it remains protective of human health and the environment. The TWG consists of academics, consulting practitioners, and representatives from federal, various provincial and local governments. TWG is effectively undertaking the same literature review exercise that the CRD Board requested. They had their last meeting at the end of September 2023 and expect to release a summary report of their findings and recommendations by the end of November 2023 at the earliest. A similar timeline of a number of months would be expected if CRD staff were to fund an independent academic review.

ALTERNATIVES

Alternative 1

The Environmental Services Committee recommends to the Capital Regional District Board: That academic and legal reviews of the risks and benefits of biosolids land application be reconsidered after the provincial technical working group has completed its review of the Organic Matter Recycling Regulation and released its report.

Alternative 2

The Environmental Services Committee recommends to the Capital Regional District Board:

1. That staff be directed to proceed with an academic review of the risks and benefits of biosolids land application; and
2. That staff be directed to proceed with a legal opinion related to potential liabilities for the regional government.

Alternative 3

That this report be referred back to staff for additional information.

IMPLICATIONS

Financial Implications

Costs for the proposed biosolids literature review and legal opinion will be approximately \$35,000 and can be covered by existing Core Area wastewater and biosolids budgets. However, if staff are directed to proceed with the literature review, it will likely be redundant with the expected findings of the provincially led OMRR TWG. A legal review could be undertaken independently of the literature review and would likely cost approximately \$10,000-\$15,000, depending upon the instruction letter.

Social Implications

The upcoming consultation on biosolids long-term management will help determine the public's perspectives on all options, including any land application risks and benefits that are identified by an independent review or the provincial efforts to re-evaluate OMRR. Public information on these risks and benefits is currently available.

Legal Implications

Any legal opinion would be specific to the CRD and based on biosolids generated in the capital region, not on biosolids generally, as the facts and assumptions would need to be defined and applicable to the region's risk profile.

The legal opinion could wait until after the independent literature review or provincial OMRR findings are released or could be initiated immediately.

CONCLUSION

The Environmental Services Committee (ESC) directed staff to investigate and propose additional scientific and legal reviews in support of the long-term biosolids planning. Staff identified possible

options for ESC to consider but also identified a current provincial process that is addressing the scientific issues. A legal review would be specific to regional concerns; results from the provincial review of the Organic Matter Recycling Regulation and upcoming public consultation may inform any concerns regarding liability.

RECOMMENDATION

The Environmental Services Committee recommends to the Capital Regional District Board: That academic and legal reviews of the risks and benefits of biosolids land application be reconsidered after the provincial technical working group has completed its review of the Organic Matter Recycling Regulation and released its report.

Submitted by:	Glenn Harris, Ph.D., R.P.Bio., Senior Manager, Environmental Protection
Concurrence:	Larisa Hutcheson, P. Eng., General Manager, Parks & Environmental Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

Meeting Minutes

Solid Waste Advisory Committee

Friday, May 3, 2024

CRD Boardroom
625 Fisgard Street
Victoria, BC V8W 2S6

PRESENT: C. Blanchard, M. Coburn, B. Desjardins (Chair), S. Gose, M. Hauzer, E. Latta, R. Pirie, J. Shaw, A. Sibley, W. Stevens, D. Thran, R. Tooke (Vice-Chair)

STAFF: A. Chambers (Recorder), R. Smith, A. Panich, Dominique Moghaddam, B. Moody, A. Richter

REGRETS: R. Anderson, F. Baker, E. Klimke, M. Kurschner, M. McCullough, D. Monsour, J. Oakley, C. Remington, J. Smith, S. Young Jr.

EP - Electronic Participation

The meeting was called to order at 2:38 pm.

1. **Tour of Hartland Landfill**
2. **Territorial Acknowledgement**
3. **Approval of Agenda**

Agenda for the May 3, 2024 Solid Waste Advisory Committee meeting.

MOVED by R. Pirie, SECONDED by R. Tooke
That the agenda be approved as circulated.
CARRIED

4. **Adoption of Minutes**

Minutes from the March 1, 2024, Solid Waste Advisory Committee meeting.

MOVED by E. Latta, SECONDED by R. Tooke
That the minutes of the March 1, 2024, Solid Waste Advisory Committee meeting be adopted as circulated.
CARRIED

5. **Chair's Remarks**

- Welcome to Jared Smith who has replaced Jordan Rintoul as the Waste Management (*private sector industry collection service providers*) representative.
- Larisa Hutcheson, General Manager of Parks & Environmental Services retired and has been replaced by Luisa Jones.

6. **Presentations/Delegations**

There were none.

7. Committee Business

a. Hartland Tour – Feedback and Questions

A. Panich and R. Smith provided the SWAC group with a tour of the landfill by bus.

b. Material Stream Diversion – Award of Contract and Next Steps (for information)

Hartland Landfill Policy Changes – Phase 2 (presentation): A. Panich presented to the group on the upcoming policy changes at Hartland Landfill. The presentation is attached as Appendix A.

c. Actual and Projected Monthly Refuse Tonnages at Hartland Landfill (standing item)

The tonnage graphs are posted via this link: <https://www.crd.bc.ca/about/data/hartland-landfill-tonnage>.

8. Correspondence

There was no correspondence.

9. Other Business

There was no other business.

10. Next Meeting

The next Solid Waste Advisory Committee meeting will be June 7, 2024.

11. Closing Comments

There were no closing comments.

12. Adjournment

The meeting was adjourned at 15:30

**MOVED by R. Tooke, SECONDED by R. Pirie
That the Solid Waste Advisory Committee be adjourned.
CARRIED**

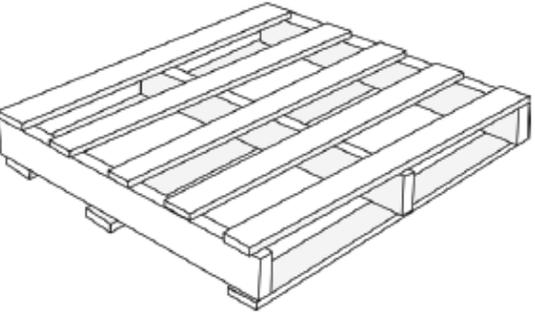
Hartland Policy Changes Phase 2

Solid Waste Advisory Committee

May 3, 2024

Background

Phase 1 - January 1, 2024 (Implemented)

Active Face Material Bans (Banned from General Refuse)	Tipping Fee Changes	Fines and Bylaw Enforcement
 <p>Clean Wood</p>	<ul style="list-style-type: none">• General refuse will increase from \$110/tonne to \$150/tonne• Segregated clean wood will be accepted at \$80/tonne• Hartland account customers can apply for the Waste Stream Collector Incentive Program to receive a \$25/tonne rebate on general refuse• International high-risk cruise ship waste will increase to \$500/tonne	<ul style="list-style-type: none">• Bylaw staff will focus on education and issue warning tickets before issuing fines• Fine rates will increase (up to a max of \$500)• Introduction of a 25% discount on some fines paid within 30 days

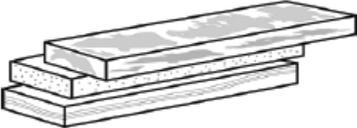
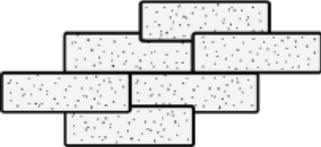
Phase 1 - Insights

- 376.31 tonnes of clean wood have been diverted from landfilling from January-March
- The Waste Stream Collector Incentive Program's 17 participants represent approximately 70% of Hartland's total general refuse tonnages
- Provided staff with valuable information about market response and participation for implementing subsequent phases



Upcoming Phases

Phase 2 - July 2, 2024

Active Face Material Bans (Banned from General Refuse)	Tipping Fee Changes
 <p>Treated Wood</p>	<ul style="list-style-type: none"> The following materials will be accepted at \$110/tonne in segregated loads: <ul style="list-style-type: none"> Treated wood Asphalt shingles
 <p>Asphalt Shingles</p>	<h3>Fines and Bylaw Enforcement</h3> <ul style="list-style-type: none"> Increased enforcement of bylaws Begin consultation on flow control measures to restrict general refuse leaving the capital region

Phase 3 - Future Initiatives

Active Face Material Bans (Banned from General Refuse)	Tipping Fee Changes
 <p>Carpet and Underlay</p>	<ul style="list-style-type: none"> Carpet and underlay will be accepted at \$110/tonne Salvageable wood will be accepted for free
<h3>Fines and Bylaw Enforcement</h3> <ul style="list-style-type: none"> Board consideration of flow control measures to restrict general refuse leaving the capital region 	<ul style="list-style-type: none"> A new tipping fee of \$300/tonne will be introduced for unsorted renovation and demolition materials

Material Diversion Transfer Station



- To support Phase 2, a Request for Proposals was issued from September 2023 to January 2024 to construct and operate a Material Diversion Transfer Station at Hartland Landfill to process wood (clean, treated and salvageable), asphalt shingles and carpet and underlay
- Two submissions were received from Emterra Environmental and DL's Bins
- Neither proponent provided an option for salvageable wood and processing costs for carpet and underlay weren't financially sustainable
- Negotiations with the preferred proponent have indicated both could be considered as part of a Phase 3 alternative

Material Diversion Transfer Station

- Finalize negotiations and enter into a two-year operating and construction contract, for a combined value not to exceed \$12,500,000 (excluding GST) with DL's Bins
- DL's Bins will construct and operate the Material Stream Diversion Transfer Station to begin processing clean wood, treated wood and asphalt shingles on July 2, 2024



Waste Flow Restrictions

- Market response to date suggests the \$300/tonne mixed renovation and demolition rate will incent Hartland customers to seek lower cost landfill disposal options out of region, rather than divert banned materials, including wood waste.
- Staff recommend adding a Phase 3 (2026) to implement the \$300/tonne mixed renovation and demolition rate to allow customers time to adjust to the new policies.
- Staff recommend the CRD begin consultation on policies to restrict the flow of general refuse waste outside the capital region ahead of Phase 3 implementation.

Tipping Fee Schedule

Material Type	Tipping Fee (per tonne)	Landfill Ban Implementation	Date
MANDATORY RECYCLABLES			
Clean Wood	segregated diversion \$80	Phase 1	January 1, 2024
Treated Wood	segregated diversion \$110	Phase 2	July 2, 2024
Asphalt Shingles	segregated diversion \$110	Phase 2	July 2, 2024
Salvageable Wood	segregated diversion \$0	Phase 3*	2026
Carpet and Underlay	segregated diversion \$110	Phase 3*	2026
RENOVATION AND DEMOLITION WASTE			
Clean	segregated diversion \$150	Phase 2	July 2, 2024
Mixed	segregated diversion \$150, with \$500 fine in effect	Phase 2	July 2, 2024
Mixed	segregated diversion \$300, with \$500 fine in effect, potential flow control policies	Phase 3*	2026

* Subject to board direction

Thank you

Russ Smith | 250.360.3080 | rsmith@crd.bc.ca

 @crdvictoria

 Capital Regional District

 CRDVictoria

 crd.bc.ca