



REQUEST FOR DECISION

To: Alberni Valley and Bamfield Services Committee

From: Andrew McGifford, CPA, CGA Manager of Environmental Services

Meeting Date: May 17, 2017

Subject: Alberni Valley Landfill (AVLF) – Rate changes

Recommendation:

THAT the Alberni Valley and Bamfield Services Committee recommend that the Board of Directors direct staff to amend "Bylaw 1027 - A Bylaw to Provide for the Regulation of Solid Waste Disposal and Tipping Fees at the Alberni Valley Landfill" items as follows:

Schedule A – Charges

Solid Waste, excluding Controlled Waste	Tipping Fee	Other Charges
Loads of 84 kg or greater	\$120.00 per tonne	\$10.00 minimum
Remove: Wrecked auto (each)		
Remove: Wrecked trucks, bus or recreational vehicle		
Add: Recreational vehicle – recyclable metal removed where possible	\$240.00 per tonne	\$300.00 minimum
Surcharge for Solid waste containing Prohibited Recyclable Materials	\$240.00 per tonne	
Surcharge for improperly covered or secured loads	\$240.00 per tonne	
Add: Weighing service		\$10.00 each occurrence
Controlled Waste	Tipping Fee	Other Charges
Construction/Demolition Waste	\$160.00 per tonne	\$15.00 minimum
Divertible (Clean) Wood Waste	\$120.00 per tonne	\$10.00 minimum
Construction/Demolition Waste – Containing Drywall/Gypsum	\$250.00 per tonne	\$20.00 minimum
Drywall/Gypsum– date stamped post 1990 or tested to not contain asbestos	\$250.00 per tonne	\$20.00 minimum
Drywall/Gypsum – not date stamped post 1990 nor tested	\$250.00 per tonne	\$20.00 minimum
Remove: Demolition waste crushed to pieces 7 cubic centimeters or smaller		

<i>Contaminated Soils:</i>		
Provided that the Ministry of Environment has approved of disposal of the contaminated soil, without treatment, at the Alberni Landfill	\$50.00 per tonne	
Provided that the Ministry of Environment has approved of the treatment and disposal of the contaminated soil at the Alberni Landfill	\$100.00 per tonne	Plus estimated out-of-pocket treatment costs
Pumpings from domestic septic tanks	\$160.00 per tonne	
Catch basin and manhole material	\$160.00 per tonne	
Waste asbestos	\$500.00 per tonne	\$150.00 minimum
Fish, shrimp shells, animal carcasses provided that there will be no charge for animal carcasses removed from public roadways by a public body or their contractor	\$200.00 per tonne	\$100.00 minimum

Desired Outcome:

To amend the rates at the AVLFL to a level that maintains a tipping rate that is in line with the current rates charged on Vancouver Island. Maintain a minimal tax requisition for the service and to divert organic materials and finally to enable the capital expenditures required for landfill expansion on current site once tenure is secured.

Summary:

The AVLFL tipping fee has been at the rate of \$95 per tonne for residential waste since 2008 at which time the rate was \$65 per tonne prior to that increase. The rate for disposal is one of the lowest on the island and at \$120 per tonne the ACRD would still have a rate lower than all regional district's besides the Capital Regional District which is at \$110 per tonne currently.

If a strict diversion program is put in place there needs to be improved site supervision at the tipping bins to ensure that the public is following the bylaw, and where that is not the case, there will be increased fees as listed in the Alberni Valley Landfill Tipping Fee and Regulation Bylaw will be applied. The first step is to have an additional transfer station attendant stationed at the bins at all times. Guidance will be the first step to get the public to comply and after a period of time the public will be charged the rates as per the bylaw.

The other classifications of waste were adjusted to bring the Alberni Valley Landfill in line with the other regional districts and are as follows:

- Wrecked automobiles and trucks are not tipped at the AVLFL and would normally go to an auto wrecker to be recycled. ACRD staff are recommending that the automobiles and trucks be removed from the fees listing and be considered metal – a prohibited waste in Schedule “C”. The recreational vehicles (RV's) can still be tipped and an attempt to remove all metal from the RV's be removed to the best of the user's ability should be undertaken. A minimum charge of \$300 is suggested, as the operator must break down unit to landfill effectively.
- Surcharge for Solid waste containing Prohibited Recyclable Materials is part of the bylaw that will double the residential waste rate at \$240 per tonne. Materials mixed that are not permitted in with solid waste include Batteries, Corrugated Cardboard, Fridges and Freezers, Metal, RecycleBC Stewardship Materials, Tires and Yard and Garden Waste (branches 2" & under).

- Improperly covered loads tipping fee premium has not been enforced as stated in the bylaw. ACRD staff have asked the AVLFL contractor to begin enforcing this part of the bylaw. Staff are preparing cards for the public advising if not in compliance and all loads must be covered.
- If the public wishes to use the weigh scale ACRD, staff are suggesting that there be a charge of \$10.00 per occurrence. Other Regional District's charge fees for this service.
- Clean wood waste can be diverted from the landfill and by diverting the material, the landfill gas creation will be reduced. It is estimated that there was approximately 750 tonnes of wood waste tipped in 2016 at the AVLFL. These materials can find alternative uses such as hog fuel or chipped to be used in the composting processes.
- The removal of Drywall/Gypsum from the landfill has occurred at other regional districts and shipped to the lower mainland to be recycled. Materials that are from pre 1990 can contain asbestos and will not be accepted for recycling unless tested. The rate to process Drywall/Gypsum will be set at \$250 per tonne to cover the cost of handling and shipping to the lower mainland. Berry and Vale undertook Drywall/Gypsum diversion at the Campbell River landfill and understand the challenges in starting the Drywall/Gypsum diversion program; we will use this knowledge to enable a smoother process at the AVLFL.
- The ACRD rate for asbestos is \$250 per tonne is the lowest rate on the island. Our neighbors the at Regional District of Nanaimo charge \$500 per tonne and Comox Valley Regional District do not accept the material and consider it as prohibited waste. Staff propose to charge \$500 per tonne and be in line with the RDN and still provide an option to those within the ACRD to dispose of the waste.

Time Requirements – Staff & Elected Officials:

Staff and elected official time to prepare and approve the changes to Alberni Valley Landfill Tipping Fee and Regulation Bylaw No. R1027, 2015. Staff will invite the commercial waste haulers to a public session to discuss the tipping fee increase for the AVLFL in 2017 and how the diversion process will be undertaken. Advertisement on the radio and the newspaper will also occur and work with the public through these changes.

Financial:

The 2017-2021 Financial Plan reflects an increase in the tipping fees for the 2017 year and the plan to move to \$120 is reflected in the budgeted amount for 2017. Fees need to increase in order to cover additional costs that will be incurred by diverting materials. Each \$100,000 in cost associated with diversion and increased supervision at the landfill will require an increase of \$5 per tonne of waste.

Policy or Legislation:

Alberni Valley Landfill Tipping Fee and Regulation Bylaw, staff aim to make the changes take effect on July 1, 2017. Current bylaw is attached for reference.

Options Considered:

- 1) Increasing the tax requisition instead of increasing the tipping fees.
- 2) Increasing both the tax requisition and the tipping fees in smaller increments.
- 3) Make no changes to program and prepare for the Landfill Gas Management infrastructure installation.

Submitted by: _____
Andrew McGifford, CPA, CGA, Manager of Environmental Services

Approved by: _____
Wendy Thomson, Acting Chief Administrative Officer

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. R1027

A Bylaw to Provide for
the Regulation of Solid Waste Disposal and Tipping Fees
at the Alberni Valley Landfill

WHEREAS by Supplementary Letters Patent, dated August 10, 1973 as amended, the Regional District of Alberni-Clayoquot was granted the function of Garbage Disposal under Division XIV of its Letters Patent;

AND WHEREAS the Regional District of Alberni-Clayoquot is empowered to establish a scale of charges payable for depositing Municipal Solid Waste at the Alberni Valley Landfill;

AND WHEREAS the Board of Directors of the Regional District of Alberni-Clayoquot deems it advisable to enact regulations pertaining to solid waste disposal and to establish a charge for depositing Municipal Solid Waste;

NOW THEREFORE, the Board of Directors of the Regional District of Alberni-Clayoquot in open meeting assembled enacts as follows:

1. DEFINITIONS

In this bylaw, unless the context otherwise requires:

- 1.1 **“Biomedical Waste”** means solid waste such as soiled sheets, garments and other similar solid waste. Excluded is waste material from pathology, operating rooms, laboratories and other hospital operations, which produce potentially infectious waste considered to be special waste;
- 1.2 **“Controlled Waste”** means certain hazardous waste, liquid waste and Municipal Solid Waste which is approved for disposal at the Alberni Valley Landfill site but which, because of its inherent nature and quantity, may require special handling and disposal techniques to avoid creating health hazards, nuisances, or environmental pollution. Controlled Waste includes, but is not limited to:
- a. Demolition wastes including:
 - i. roofing materials
 - ii. stumps, land clearing debris;
 - b. Waste oils (commercial)
 - c. Material containing the following:
 - i. traces of petroleum products;
 - ii. pumping from domestic septic tanks;
 - iii. catch basin and manhole material;
 - d. Waste asbestos;
 - e. Fish shrimp shells, animal carcasses;
 - f. Steel cable;
 - g. Biomedical waste
- 1.3 **“Corrugated Cardboard”** means recyclable waste from residential, industrial, commercial, institutional sources which includes, but is not limited to containers or materials used in containers consisting of 3 or more layers of Kraft paper material and having smooth exterior

- liners and a corrugated or rippled core, but excluding containers which are impregnated with blood, grease, oil, chemicals, food residue, was; or have polyethylene, foil or other non-paper liners; or are contaminated with a material which will render the corrugated cardboard not marketable;
- 1.4 **“Construction/Demolition Waste”** means waste produced from the construction, renovation, and demolition of buildings, bridges, wharfs, rail lines and other structures, but does not include waste containing or contaminated with asbestos, creosote, PCB treatments, paints or chemicals of any kind;
- 1.5 **“Environmental Management Act”** means the Environmental Management Act (British Columbia), as amended or replaced and any successor legislation and any regulations thereunder;
- 1.6 **“Disposal Site”** means the Alberni Valley Landfill;
- 1.7 **“Gypsum”** includes, but is not necessarily limited to new construction off-cuts or scraps and old wallboard that has been painted, covered in wallpaper, vinyl or ceramic tiles and is removed during renovation, but excluding wallboard from demolition sites or wallboard associated with asbestos;
- 1.8 **“Hazardous Waste”** means gaseous, liquid and solid waste which, because of its inherent nature and quantity, requires special disposal techniques to avoid creating health hazards, nuisances, or environmental pollution. Hazardous Wastes are toxins or poisons, corrosives, irritants, strong sensitizers, flammables, explosives, infectious waste, condemned food, etc. Flammable wastes excluding plastics, paper products and the like;
- 1.9 **“Ignitable”** means having the properties of:
- a. flammable gas,
 - b. flammable liquid, or
 - c. flammable solids, or substances susceptible to spontaneous combustion or substances that on contact with water emit flammable gases as defined in the Special Waste Regulations of the Environmental Management Act;
- 1.10 **“Metal”** means recyclable ferrous and non-ferrous metallic materials which include, but are not limited to: sheet metal, siding, roofing, rebar, flashings, pipes, window frames, doors, furnaces, duct work, wire, cable, bathtubs, fencing, bicycle frames, automotive parts, machinery, appliances, garbage cans, metal furniture, tire rims and metal cans. It does not include metal that is incorporated into a product or packaging, such as a couch, that does not compose more than 50% of produce weight and that cannot be readily separated from the non-metallic components.
- 1.11 **“Municipal Solid Waste” (MSW)** means refuse that originates from residential, commercial or institutional, demolition, land clearing or construction sources within the Regional District of Alberni-Clayoquot;
- 1.12 **“Person”** means an individual, a body corporate, a firm, a partnership, association or any other legal entity or an employee or agent thereof.
- 1.13 **“Prohibited Waste”** means a waste prohibited from disposal under Schedule ‘C’ attached to and forming part of this bylaw;

- 1.14 **“Radioactive Waste”** means waste containing a prescribed substance as defined in the Atomic Energy Control Act in sufficient quantity or concentration to require a licence for possession or use under the Act and regulations made under that Act;
- 1.15 **“Reactive Waste”** means waste 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; and
 - c. polymerizes in whole or in part by chemical action and causes damage by generating heat or increasing volume; as defined in the Special Waste Regulations of the Environmental Management Act;
- 1.16 **“Refuse”** means discarded or abandoned materials, substances or objects; but does not include Controlled Waste and Prohibited Waste;
- 1.17 **“Regional Board”** means the Board of Directors of the Regional District of Alberni-Clayoquot;
- 1.18 **“Regional District”** means the Regional District of Alberni-Clayoquot;
- 1.19 **“Special Waste”** means any chemical, compound, mixture, substance or article which is defined as such in the Special Waste Regulation of the BC Environmental Management Act.
- 1.20 **“Stewardship Materials”** means any waste or recyclable materials in an approved stewardship plan as defined in the Recycling Regulation of the BC Environmental Management Act;
- 1.21 **“Tires”** means the outer pneumatic rubber covering of wheels of passenger’s vehicles, light service trucks and motorcycles with an inner diameter of less than 43 centimetres.
- 1.22 **“Waste Asbestos”** means a waste containing friable asbestos fibres or asbestos dust in a concentration greater than 1% by weight either at the time of manufacture, or as determined using a method specified in section 40 (1); of the BC Hazardous Waste Regulation;
- 1.23 **“Waste Oil”** means automotive lubricating oil, cutting oil, fuel oil, gear oil, hydraulic oil or any other refined petroleum based oil or synthetic oil where the oils are in the waste in a total concentration greater than 3% by weight and the oils through use, storage or handling have become unsuitable for their original purpose due to the presence of impurities or loss of original properties;
- 1.24 **“Yard and Garden Material”** means uncontaminated 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 tree branches less than 2” in diameter, but excluding Scotch Broom.

2. CONDITIONS

- 2.1 No person shall, in depositing Municipal Solid Waste (MSW) at the Disposal Site;
- a. deposit a Prohibited Waste;
 - b. deposit MSW except as directed by regulations for the use of the Disposal Site;
 - c. unless permitted by the Regional District, deposit MSW without first having it weighted on the scales at the Disposal Site;

- d. drive a vehicle anywhere on the Disposal Site except on roads provided by the Regional District for that purpose unless otherwise instructed;
 - e. act in a manner contrary to the posted site regulations.
- 2.2 Controlled Waste will not be accepted for disposal at the Disposal Site without written approval of the Regional District. This requirement may be waived, if the Regional District or its agent determines that special handling and disposal techniques are not required to dispose of the Controlled Waste. Controlled Waste for which special handling and disposal techniques are required are subject to fees as outlined in Schedule "A" attached to and forming part of this bylaw.
- 2.3 No person shall salvage or remove material deposited at the Disposal Site without prior written approval of the Regional District.
- 2.4 No person shall loiter or leave their vehicle unattended at the Disposal Site.
- 2.5 Persons entering the Disposal Site do so at their own risk. The Regional District accepts no liability whatsoever for damage and/or injury to persons or property at the Disposal Site.
- 2.6 Children under 13, and pets shall not be permitted at the Disposal Site except inside a vehicle.
- 2.7 No person shall deposit Municipal Solid Waste at the Disposal Site, that does not originate from within the Regional District. Any person doing so will be in contravention of this bylaw.

3.0 CHARGES

- 3.1 Every person depositing Municipal Solid Waste at the Disposal Site shall pay to the Regional District the applicable charges set out in Schedule "A" hereto.
- 3.2 Where a charge is not paid within the time specified in Schedule "B" , attached to and forming part of this bylaw, for its payment the person liable to pay such a charge shall:
- a. In addition to such a charge pay interest thereon at a rate set out in Schedule "A" from the date the charge was due to the date of payment;
 - b. Not deposit any Municipal Solid Waste on or at the Disposal Site until such a charge and interest owing thereon has been paid in full.

4. VIOLATIONS AND PENALTIES

- 4.1 No persons shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 4.2 Every person who contravenes this bylaw, by doing any act which the bylaw forbids, or omits to do any act which the bylaw requires:
- a. is guilty of an offence and is liable, on summary conviction, to a fine of not less than TWO HUNDRED (\$200.00) DOLLARS and not more than TEN THOUSAND (\$10,000.00) dollars for a first offence and for each subsequent offence to a fine of not less than FIVE HUNDRED (\$500.00) and not more than TEN THOUSAND (\$10,000.00) DOLLARS. A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues;
 - b. may be prohibited from depositing Municipal Solid Waste at the Disposal Site.

5. TITLE

This bylaw may be cited as the “Alberni Valley Landfill Tipping Fee and Regulation Bylaw No. R1027, 2015”

6. EFFECTIVE DATE

Bylaw No. R1027 “Alberni Valley Landfill Tipping Fee and Regulation” comes into effect on July 1, 2015.

7. REPEAL

Bylaw No. R1006, cited as the “Alberni Valley Landfill Tipping Fee and Regulation Bylaw No. R1006, 1999” is hereby rescinded as of July 1, 2015.

Read a first time this 10th day of June, 2015

Read a second time this 10th day of June, 2015

Read a third time this 10th day of June, 2015

ADOPTED this 10th day of June, 2015

Certified true and correct copy of **“Alberni Valley Landfill Tipping Fee and Regulation Bylaw No. R1027, 2015”**

The Corporate seal of the Regional District of Alberni-Clayoquot was hereto affixed in the presence of:

Russell Dyson
Chief Administrative Officer

Josie Osborne
Chair

**Schedule A
Charges**

	Solid Waste, excluding Controlled Waste	Tipping Fee	Other Charges
	Loads of 84 kg or greater	\$95.00 per tonne	\$8.00 minimum
	Loads under 84 kg (each garbage bag or can)	\$2.00 each	\$8.00 maximum
	Wrecked auto (each)	\$100.00 each	
	Wrecked trucks, bus or recreational vehicle	\$200.00 each	
	Surcharge for Solid waste containing Prohibited Recyclable Materials	\$190 per tonne	
	Surcharge for improperly covered or secured loads	\$190 per tonne	

	Recyclable Materials	Tipping Fee	Other Charges
	Batteries	No Charge	
	Corrugated Cardboard	No Charge	
	Fridges and Freezers	\$20 each	
	Metal	No Charge	
	Stewardship Materials	No Charge	
	Tires	\$2.00 each or \$170 per tonne whichever is greater	
	Yard and Garden Waste (branches 2" & under)	No charge	

	Controlled Waste	Tipping Fee	Other Charges
	Construction/Demolition Waste	\$120 per tonne	
	Demolition waste crushed to pieces 7 cubic centimeters or smaller	\$95.00 per tonne	
	Stumps, land clearing debris	\$120.00 per tonne	
	Waste oil (commercial)	\$0.50 per litre	
	Contaminated Soils:		
	Provided that the Ministry of Environment has approved of disposal of the contaminated soil, without treatment, at the Alberni Landfill	\$10.00 per tonne	
	Provided that the Ministry of Environment has approved of the treatment and disposal of the contaminated soil at the Alberni landfill	\$70.00 per tonne	Plus estimated out-of-pocket treatment costs
	Pumpings from domestic septic tanks	\$120.00 per tonne	
	Catch basin and manhole material	\$120.00 per tonne	
	Waste asbestos	\$250.00 per tonne	\$120.00 minimum
	Fish, shrimp shells, animal carcasses provided that there will be no charge for animal carcasses removed from public roadways by a public body or their contractor	\$170.00 per tonne	\$95.00 minimum
	Steel Cable	\$500.00 per tonne	
	Biomedical waste	\$132.00 per tonne	
	Loads containing Gypsum	\$120.00 per tonne	
	Loads containing fish feed totes	\$400.00 per tonne	\$120.00 minimum

Schedule B
Policies and Procedures

1. In the event that the scales provided are not operational, weight shall be estimated by the Scale Clerk employed by the Regional District of Alberni- Clayoquot.
2. All charges payable under this Bylaw shall be paid prior to the deposit of the solid waste for which the charge is made unless it is necessary to weigh the vehicle depositing solid waste loaded and empty to determine the weight of solid waste, in which case the charge shall be paid immediately after weighing the vehicle empty.
3. The person paying a charge shall obtain a receipt for such payment and shall produce such receipt for inspection on request of a person employed for that purpose at a disposal site as a condition of depositing solid waste at a disposal site.
4. Notwithstanding anything to the contrary in this Bylaw, persons depositing solid waste at a disposal site on a regular basis may apply to the Regional District for credit and if credit is granted to that person, then payment of the charge imposed under Schedule A shall be made and the credit extended on condition that:
 - a. Payment in full shall be received by the Regional District within thirty (30) days of the last day of the month for which an invoice has been submitted. The Regional District will invoice monthly for material delivered during the preceding month. The invoice amount will be based on the total quantity of the Municipal Solid Waste delivered during the month, and the posted disposal rates in effect at the time of delivery.
 - b. In order to reflect the additional administration costs associated with accounts in arrears, an overdue charge will be calculated monthly as the greater of:
 - i. \$2.00; or
 - ii. Interest of 2% per month (effective interest rate of 26.824%) on the unpaid balance.
 - c. The Regional District reserves the right to cancel the credit offered herein for late payment, non-payment or other justified cause.

Schedule C Prohibited Waste

The following gaseous liquids and municipal solid wastes are not acceptable for disposal at the Disposal Site and include, but are not limited to:

- i. Liquids, except as permitted herein;
- ii. Ignitable wastes;
- iii. Reactive wastes;
- iv. Radioactive wastes;
- v. Hazardous waste;
- vi. Special Waste, as defined in the *Special Waste Regulation* (British Columbia) except asbestos;
- vii. Medical waste
- viii. Solid Waste that is on fire or smouldering
- ix. Corrugated Cardboard
- x. Metal
- xi. Municipal Solid Waste that does not originate from within the Regional District;
- xii. Stewardship Materials
- xiii. Tires
- xiv. Yard and Garden Waste