

REGIONAL DISTRICT OF NANAIMO

**ENVIRONMENTAL SERVICES COMMITTEE
TUESDAY, OCTOBER 23, 2001
7:30 PM**

(Nanaimo City Council Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

- 2-3 Minutes of the Environmental Services Committee meeting held on Tuesday, August 28, 2001.

LIQUID WASTE/UTILITIES

- 4-5 Engineering Services Contract Extension.
- 6-20 Surfside Sewer Rates and Regulation Bylaw No. 1241.
- 21-24 Municipal Benefiting Area Amendment Bylaw No. 1216.01 - City of Nanaimo.

SOLID WASTE

- 25-34 Residual Solid Waste Management Plan Update.
- 35-39 Household Yard and Garden Waste Collection.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

IN CAMERA

That pursuant to Section 242.2(1)(e) of the Local Government Act the Committee proceed to an In Camera Meeting to consider items related to the acquisition of land.

ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD ON TUESDAY, AUGUST 28, 2001, AT 8:20 P.M. IN THE
COUNCIL CHAMBERS OF THE CITY OF NANAIMO
455 WALLACE STREET, NANAIMO, B.C.

Present:

Director L. Sherry	Chairperson
Director L. Elliott	Electoral Area A
Director B. Sperling	Electoral Area B
Director E. Hamilton	Electoral Area C
Director D. Haime	Electoral Area D
Director G. Holme	Electoral Area E
Director J. McLean	Electoral Area F
Director J. Stanhope	Electoral Area G
Director R. Quittenton	Electoral Area H
Director J. Macdonald	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director G. Korpan	City of Nanaimo
Alternate	
Director R. Cantelon	City of Nanaimo
Director L. McNabb	City of Nanaimo
Director T. Krall	City of Nanaimo
Director B. Holdom	City of Nanaimo

Also in Attendance:

K. Daniels	Chief Administrative Officer
D. Trudeau	Manager of Liquid Waste
B. Lapham	General Manager of Development Services
N. Avery	Manager of Financial Services
N. Tonn	Recording Secretary

MINUTES

MOVED Director Krall, SECONDED Director McNabb, that the minutes of the Environmental Services Committee meeting held on Tuesday, July 24, 2001 be adopted.

CARRIED

LIQUID WASTE/UTILITIES

Driftwood Water Supply Service Area Establishment Bylaw No. 1255 and Driftwood Water Supply Service Area Loan Authorization Bylaw No. 1256 – Area E.

MOVED Director Krall, SECONDED Director Holme,:

1. That "Driftwood Water Supply Service Area Establishment Bylaw No. 1255, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
2. That "Driftwood Water Supply Service Area Loan Authorization Bylaw No. 1256, 2001" be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Pump & Haul LSA Amendment Bylaw No. 975.24 – William & Linda Crowther – Marina Way – Area E.

MOVED Director Krall, SECONDED Director Holme, that the application for exclusion from the pump and haul service be accepted:

Lot 7, Block 1, District Lot 38, Nanoose District, Plan 10777
Marina Way
William and Linda Crowther
Area E

CARRIED

MOVED Director Krall, SECONDED Director Holme, that “Regional District of Nanaimo Pump & Haul Local Service Area Amendment Bylaw No. 975.24, 2001” be read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

Electoral Area A (MacMillan Rd. School Site) Sewer LSA Rates & Regulations Amendment Bylaw No. 1237.01.

MOVED Director Elliott, SECONDED Director McNabb,:

1. That “Electoral Area ‘A’ (MacMillan Rd. School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.01, 2001” be introduced for three readings.
2. That “Electoral Area ‘A’ (MacMillan Rd. School Site) Sewer Local Service Area Rates and Regulations Amendment Bylaw No. 1237.01, 2001” having received three readings, be adopted.

CARRIED

Bylaws No. 889.18 and 813.26 – Application for Inclusion in French Creek LSA - 825 Reid Road – Area G.

MOVED Director Stanhope, SECONDED Director Holme,:

1. That Lot 23, Plan 13406, DL 29, Nanoose Land District be included in the French Creek Sewer Local Service Area.
2. That “Northern Community Sewer Local Service Area Amendment Bylaw No. 889.18, 2001” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.
3. That “French Creek Sewer Local Service Area Amendment Bylaw No. 813.26, 2001” be introduced, read three times and forwarded to the Inspector of Municipalities for approval.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Krall, that this meeting terminate.

CARRIED

TIME: 8:22 PM

CHAIRPERSON



REGIONAL DISTRICT OF NANAIMO			
OCT 12 2001			
CHAIR		GMCrs	
CAO		GMDS	
GMCrs		GMES	
		<i>ESE</i>	<input checked="" type="checkbox"/>

MEMORANDUM

TO: John Finnie, P. Eng.
General Manager of Environmental Services

DATE: October 11, 2001

FROM: Dennis Trudeau
Manager of Liquid Waste

FILE: 2240-20-ASSOC

SUBJECT: Engineering Services Contracts Extension

PURPOSE:

To consider extending the wastewater engineering services contract with Associated Engineering for an additional 2 years.

BACKGROUND:

In July 1999 the Regional District of Nanaimo entered into an agreement with Associated Engineering to provide professional services for Liquid Waste for a period of 3 years. The agreement allows for the extension of the contract for a further 2 years provided there is agreement between the RDN and the consultant.

Over the last three years Liquid Waste's consultant services have cost approximately \$160,000 per year. The largest component of the Regional District's consultant costs is related directly to operational issues and capital projects required to operate our pollution control facilities.

Evaluation of Performance

During the last three years, the District has received excellent service from Associated Engineering. They have successfully assisted the District in a number of difficult projects, which have included odour reduction at French Creek Pollution Center, start-up of the Duke Point Pollution Control Center, optimization of the Nanoose Bay Pollution Control Center and upgrade and expansion planning for the Greater Nanaimo Pollution Control Center (GNPCC). All projects have adhered to their budgets and been completed in a timely manner. Associated Engineering has also represented the District in the application for a CAMA award for an innovative receiving environment monitoring program at the GNPCC. Staff have found them to be competent, innovative and budget conscious.

ALTERNATIVES:

1. Extend the current consulting services contract with Associated Engineering for wastewater engineering advice for a two year term.
2. Re-advertise the Request for Proposals to attract proposals from other Engineering Consultants firms.

FINANCIAL IMPLICATIONS:

The advantage of having a dedicated consultant for wastewater services is that staff time is not used up preparing, assessing and managing numerous Request For Proposals. Staff has also noted that less time is spent collecting information with a firm that is experienced with RDN's facilities. As a result more funds go into actual design and construction services than with a firm with limited knowledge of the RDN. Without a sole supplier of engineering services, additional staff would be required to keep pace with the number of operational and capital projects that are necessary to keep our wastewater treatment assets in acceptable condition. It should be noted that operations equivalent to the RDN's size that do not have a dedicated consultant have larger engineering departments to carry out these functions.

Associated Engineering is currently involved in a number of complex liquid waste projects and staff believe that there is value in retaining the existing consultants for an additional 2 years while these projects are completed.

CONCLUSIONS:


The RDN has a contract with Associated Engineering to provide engineering services that was a result of a proposal call in 1998. The contract was for 3 years with a option to extend the contract for an additional 2 years. Associated Engineering has provided excellent services to the RDN and staff is recommending that the contract be extended.

RECOMMENDATION:

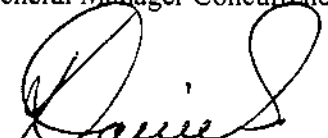
That the Board renew its engineering service's agreement with Associated Engineering in the area of wastewater engineering services for a two year term expiring May 2003.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



REGIONAL DISTRICT OF NANAIMO			
OCT 12 2001			
CHAIR		GMCrS	
CAO		GMDS	
GMCmS		GMES	
		ESC	✓
TO:		DATE:	
FROM:		FILE:	
SUBJECT:			

MEMORANDUM

TO: John Finnie, P. Eng.
General Manager Environmental Services

DATE: October 10, 2001

FROM: Wayne Moorman, PEng
Manager of Engineering and Utilities

FILE: 5500-20-SR-01

SUBJECT: Surfside Sewer Local Service Area
Sewer Rates and Regulations Bylaw

PURPOSE

To present for adoption the "Surfside Sewer Rates and Regulations Bylaw No.1241, 2001".

BACKGROUND

The Riverside Resort Motel and Campground is connected to the Surfside Sewer Local Service Area. Further connections to the sewer system are expected. This is a new sewer local service area and presently the only charge levied for the sewer system is a parcel tax. The approval of this Rates and Regulations Bylaw will make the Surfside Sewer Local Service Area similar to the French Creek sewer local service area rates and regulations bylaw. The bylaw defines annual sewer user rates and the regulations for connection to the Surfside sewer system.

The rates and regulations established under the bylaw will be effective for the balance of the year 2001 except for the User Charge, Schedule "D" which will come into effect in 2002.

ALTERNATIVES

1. Adopt Bylaw 1241, 2001 as presented.
2. Amend Bylaw 1241, 2001 and adopt as amended.

FINANCIAL IMPLICATIONS

Alternative 1

This alternative sets rates and regulations for the Surfside Sewer Service Area.

Alternative 2

This alternative is not recommended, as there is no evidence at this time to support alternative rates and regulations.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

The rates and regulations bylaw will immediately affect the Riverside Resort Motel and Campground and an adjacent property currently under development. Staff have met with the property owners and explained the reasons for this bylaw and the cost implications for the affected properties. The owners agreed with the recommendation to proceed with this bylaw.

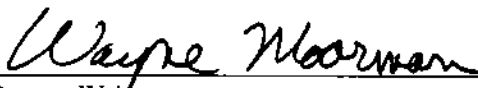
SUMMARY/CONCLUSIONS

The Riverside Resort Motel and Campground is currently connected to the new Surfside Sewer Local Service Area. Further connections to the sewer system are expected. This bylaw will impose rates and regulations for connecting to the sewer that are similar to the French Creek service area. The attached bylaw will be effective for the balance of 2001 with the exception of the user rates, which will become effective on January 1, 2002.

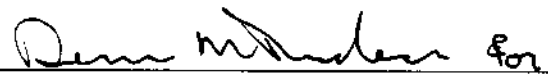
RECOMMENDATION

That "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001" be introduced for first three readings.

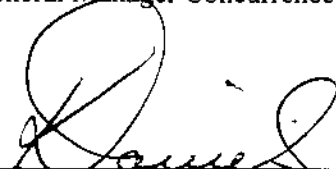
That "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001" having received three reading be adopted.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1241

A BYLAW TO REGULATE THE PROVISION, OPERATION AND ADMINISTRATION OF THE SURFSIDE SEWER SERVICE AND TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF RATES

WHEREAS the Board of the Regional District of Nanaimo has by Surfside Sewer Local Service Establishment Bylaw No. 1124, 1998, established the Surfside Sewer Local Service;

AND WHEREAS the Regional Board may regulate in relation to a service;

AND WHEREAS the Regional Board may, by bylaw, regulate the design and installation of sewerage works provided by persons other than the Regional District;

AND WHEREAS the Regional Board may require owners of real property to connect their buildings and structures to the appropriate sewer in the manner specified in the Bylaw;

AND WHEREAS the Regional Board may, by bylaw, impose fees and charges in relation to the connection to and use of the sewer system;

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

PART ONE - INTERPRETATION

1.0 Citation

1.1 This Bylaw may be cited as the "Surfside Sewer Rates and Regulation Bylaw No. 1241, 2001".

2.0 Definitions

2.1 In this Bylaw, unless the context otherwise requires:

"Applicant" means an owner or his agent making application for a Sewer Connection.

"Building Inspector" means the Chief Building Inspector of the Regional District and includes any person appointed or designated by the Board to act on his behalf or to carry out the function of the Building Inspector under this Bylaw.

"Building Sewer" means a sewer and all attachments installed, owned and maintained by the Owner connecting a Service Connection at the property line to the plumbing system of a building or structure on the Premises.

"Capable of Connection" means that the Parcel of Land abuts the highway, Regional District right of way or easement, upon or in which there is a Collector Sewer with excess capacity and that the Service Connection will have adequate cover at the property line and drain towards the sewer, allowing the building or structure on the Parcel of Land to be connected to the Service Connection by either a gravity building sewer, or a pump and force main.

"Collector Sewer" means a sewer used to collect sewage from Premises in the Service Area.

"Engineer" means the Manager of Engineering Services of the Regional District and includes any person appointed or designated by the Board to act on his behalf or to carry out the function of the Engineer under this Bylaw.

"Owner" means any person who in respect of real property is the owner or agent in writing for the Owner of any Premises or a Parcel of Land that is capable of connection to the Sewer System.

"Parcel of Land" means any lot, block or other area in the Service Area in which land is held or into which it is subdivided, but does not include a highway.

"Premises" means the Parcel of Land, including buildings and structures that have a Service Connection.

"Regional District" means the Regional District of Nanaimo.

"Sanitary Sewer" means a sewer owned and operated by the Regional District that carries sanitary sewage and permitted industrial waste, and to which storm waters are not intentionally admitted.

"Service Area" means the service area established by Surfside Sewer Local Service Establishment Bylaw No. 1124, 1998.

"Service Connection" means a pipe, which may include a valve, an inspection chamber or clean-out and all necessary appurtenances connecting a Sewer Connection to a Building Sewer at the property line.

"Sewage" means liquid wastes that contain animal, mineral, or vegetable matter originating in a building or through an industrial process.

"Sewer Connection" is a sewer pipe extending from a Sanitary Sewer to the property line of the Premises and includes a Service Connection.

"Sewer Extension" means any installation requiring the construction of a Sanitary Sewer on a highway or Regional District Right of Way.

"Sewer System" means all of the system of sanitary sewer works treatment and disposal facilities owned and operated by the Regional District for the benefit of the Service Area.

PART TWO - SERVICE CONNECTIONS

3.0 Individual Connection

3.1 Each parcel of land capable of connection to the Sewer System shall have one Sewer Connection.

4.0 Application

4.1 A person wishing to connect to the Sewer System shall make application to the Regional District in writing in the form of a Building Permit Application prescribed by Schedule "A" signed by the Owner of the Parcel of Land for which the application is made.

4.2 The application shall be accompanied by drawings showing the dimensions of all buildings and sewers and their location in relation to the property line and shall include locations of clean-outs, ground cover over pipe, type of pipe proposed to be used and, where applicable, location, size and depth of any existing septic tank.

4.3 Each application for a Sewer Connection shall be completed in all details prior to submission.

4.4 No application shall be considered to have been approved by the Regional District until a building permit for the Sewer Connection has been issued by the Regional District.

5.0 Connection Locations

5.1 Where possible, a Sewer Connection will be located where requested by the applicant, however if the applicant's preferred location is not practicable due to unsuitable ground conditions or the existence of installed surface improvements or underground utilities, the Engineer may designate the location of the Sewer Connection.

6.0 Mandatory Connection to Sanitary Sewer System

6.1 The Owner of any Parcel of Land capable of connection upon which is situated a building or structure occupied for any purpose must connect or cause to be connected the building or structure to the Sewer Connection in accordance with this Bylaw within the time period specified in a Notice to Connect issued by the Engineer.

7.0 Delivery of the Notice

7.1 A Notice to Connect will be sent by registered mail or delivered by personal service to an Owner of a Parcel of Land capable of connection. The Notice will require the Owner to connect or cause to be connected the buildings or structures on the Parcel of Land to the Sewer Connection within the period specified in the Notice to Connect. The period specified will not be less than two months and not more than six months. The Notice will be deemed to have been received three days after mailing.

8.0 Failure to Comply

8.1 If, after the expiration of the time period specified in the Notice to Connect, an Owner has failed or neglected to construct or install a Building Sewer and Service Connection and has failed or neglected to connect his buildings or structures to the Sewer Connection as required, the Regional District, by its employees or contractors, may enter upon the property and cause the connection to be made.

8.2 Where a Building Sewer and Service Connection is made under section 8.1, it will be done at the expense of the Owner in default and the expense may be recovered from the Owner under section 376 of the *Local Government Act* in the same manner as taxes.

PART THREE - CONDITIONS OF SERVICE

9.0 Responsibility of Owner

9.1 A Building Sewer must be maintained by the Owner at his or her sole expense.

10.0 Blockages

10.1 Where any Sewer Connection or Service Connection becomes stopped up or otherwise fails to function, the Owner or occupier of the Premises served must first determine the location of the blockage.

10.2 The Owner or occupier of the Premises must at his or her own expense unblock any blockage in the Building Sewer.

10.3 Where any stoppage or failure is found to exist in a Sewer Connection or Service Connection, the Owner or occupier must immediately notify the Engineer.

10.4 All costs incurred by the Regional District in restoring service and unstopping the Sewer Connection or Service Connection must be paid by the Owner or occupier of the Premises upon demand unless the stoppage or failure was caused by the Regional District.

10.5 If the costs imposed under section 10.4 remain unpaid on the 31st day of December in the year in which the work is done, the costs will be recovered in accordance with Section 376 of the *Local Government Act* in the same manner as Regional District taxes.

11.0 Abandonment

11.1 When any Building Sewer is abandoned, the Owner of the Premises must notify the Engineer and the Owner must effectively block up the Building Sewer at the Service Connection with an approved watertight seal.

12.0 Septic Tanks

12.1 An Owner of Premises must abandon and remove or fill the existing septic tank on the Premises in accordance with all applicable regulations upon connection to the Service Connection.

13.0 Connection to Service Connection

13.1 An Owner must install a Sewer Connection prior to installation of the Building Sewer and connection of the Building Sewer to the Service Connection.

13.2 Where the Owner installs a Building Sewer prior to installation of the Sewer Connection contrary to section 13.1, the Regional District is not responsible for meeting the elevation of the Building Sewer or connecting the Sanitary Sewer to the Building Sewer.

14.0 Depth

14.1 The depth of the Building Sewer will be determined by the Engineer.

14.2 An Owner must install the Building Sewer with sufficient depth to provide natural drainage from the lowest floor of any building or structure except where natural drainage is made impractical by the relative elevation of the sewer and the lowest floor of the building or structure or by any other cause.

15.0 Prohibitions

15.1 A person must not discharge, or cause or permit to be discharged, into the Sewer System or into any manhole or inspection drain or other part of the Sewer System or into any plumbing fixture connection to the Sewer System, any substance of any kind that:

- (a) obstructs or tends to obstruct or damage the Sewer System;
- (b) which causes or tends to cause any nuisance;
- (c) which interferes or tends to interfere in any manner with the proper functioning, maintenance or repair of the Sewer System;
- (d) without limiting the generality of the foregoing, is a prohibited waste set out in Schedule "B" to this Bylaw.

- 15.2 A person must not:
- (a) damage, destroy, uncover, deface, or otherwise tamper with any part of the Sewer System;
 - (b) make any alteration or connection to the Sewer System without obtaining the required permits or written authorization from the Engineer.
- 15.3 A person must not connect any roof drain or other storm water drains to the Sewer System.

PART FOUR - ILLEGAL CONNECTIONS

16.0 Illegal Connections

- 16.1 A person must not connect or allow to be connected, or allow to remain connected to the Sewer System, any Parcel of Land:
- (a) without the required permits or written authorization from the Engineer; or
 - (b) contrary to the provisions of this Bylaw.

17.0 Disconnection of Illegal Connections

- 17.1 The Engineer may, on thirty (30) days written notice sent to the Owner by registered mail, order the disconnection, stopping up and closing of a Service Connection at the expense of the Owner for:
- (a) violation of any provision of this Bylaw;
 - (b) failure to maintain to the standard of the B.C. Plumbing Code the Building Sewer and other plumbing on the Owner's Premises that is connected to the Sewer System.
- 17.2 A notice to an Owner under section 17.1 shall be deemed to have been received three (3) days after mailing.
- 17.3 The Engineer may order the immediate disconnection, stopping up and closing of a Sewer Connection connected to the Sewer System which discharges into the Sewer System contrary to this Bylaw.

PART FIVE - SEWER RATES AND CHARGES

18.0 Service Connection Fee

- 18.1 An Applicant must pay the Service Connection fee as prescribed in Schedule 'C' of this Bylaw at the time of application for a sewer connection.

19.0 User Charge

19.1 The Owner or occupier of Premises must pay the user charge in Schedule 'D' to this Bylaw for the use of the Sewer System.

PART SIX - ENFORCEMENT

20.0 Right of Entry for Inspection

20.1 The Engineer or Bylaw Enforcement Officer of the Regional District may enter, at all reasonable times, on any property subject to this Bylaw to ascertain whether the regulations of this Bylaw or the directions of the Engineer or Regional District pursuant to this Bylaw are being observed.

21.0 Offence

21.1 Any person who does any act or thing or who suffers or permits any act or thing to be done in contravention of this Bylaw commits an offence.

21.2 Where this Bylaw requires that a person perform any act or do any thing pursuant to this Bylaw, and the person fails to take the required action, the matter or thing may be done at the expense of the person in default together with costs and interest at the rate prescribed in section 11(3) of the *Taxation (Rural Area) Act* in the same manner as municipal taxes.

22.0 Penalty

22.1 A person who commits an offence contrary to this Bylaw is liable on summary conviction to a penalty of not less than \$300.00 and for each subsequent offence to a penalty of not less than \$400.00.

22.2 The penalties imposed under Subsection 22.1 are in addition to and not in substitution for any other penalty or remedy imposed under this Bylaw or any other statute, law or regulation.

Introduced and read three times this _____ day of _____, 2001.

Adopted this _____ day of _____, 2001.

Chairperson

General Manager, Corporate Services

Chairperson

General Manager, Corporate Services

SCHEDULE 'A'
[Section 4.1]

APPLICATION FOR BUILDING PERMIT



6209 Hammond Bay Road, P.O. Box 40, Ladysmith, B.C. V9B 2H0
Telephone: (250) 350-4500 - Toll-free at (800) 854-2600 - Fax: (250) 350-4510

BUILDING PERMIT NO.	№ 23722
DATE OF PERMIT	_____
BYLAW NO.	ZONING
FOLIO NO.	_____
MAP NO.	_____
DATE OF APPLICATION	_____

APPLICATION FOR BUILDING PERMIT

Name of Owner _____ Telephone _____

Mailing Address _____

Name of Builder _____ Telephone _____

Mailing Address _____

Location of Proposed Work _____
(Street Name and Address)

As registered owner of real property legally described as: _____

I hereby make application for a Building Permit to construct _____

Special Requirements or Conditions Applicable - Owners, Development Permit, Code Fees, Bonds, Etc. _____

ALL PERMITS EXPIRE TWO YEARS AFTER "DATE OF PERMIT OR WHEN BUILDING PLACED IN USE OR OCCUPIED"

As the applicant my responsibilities are to:

1. Provide drawings and documents specified in Section 5 & 6 of Bylaw No. 1000;
2. Call for inspections as per Section 13 of Bylaw No. 1000;
3. Not occupy a dwelling or building prior to the issuance of an Occupancy Permit;
4. Allow the Chief Building Inspector to enter at all reasonable times upon premises that are the subject of this Application for a Building Permit;
5. Undertake any measures and tests to ensure the subsurface stability of the subject parcel and siting of building;
6. Obtain the Building Permit 8 months from the date of application, after which time the Chief Building Inspector is authorized to dispose of the documents;
7. Keep the Building Permit and a copy of the approved plans on the premises;
8. Otherwise comply with the terms of Bylaw No. 1000.

The Regional District does not by the issuance or granting of this permit represent to any person that the building to which this permit applies was constructed in compliance with any or all municipal or provincial building or plumbing regulations nor with all health and safety requirements of any statute or bylaw, nor that it is without defect, nor that the quality of work or materials or the installation of any electrical or gas fixtures or appliances or any oil-fired heating facilities meet applicable standards or comply with any provincial or federal regulations or standards.

The granting of this permit does not relieve the applicant, occupier or owner from conforming to all requirements of every pertinent bylaw and regulation enforced within the Regional District and the approval of any plans or specifications in support of an application for this permit (if required) does not excuse the applicant, occupier or owner from conforming to every bylaw and regulation.

In consideration of the granting of this permit, I/we agree to release and indemnify the Regional District of Nanaimo, its board members, employees and agents from and against all liability, demands, claims, causes of action, suits, judgments, losses, damages, costs and expenses of whatever kind which I/we or any other person, partnership or corporation or our respective heirs, successors, administrators or assigns may have or incur in consequence of or incidental to the granting of this permit or any inspection, failure to inspect, certification, approval, enforcement or failure to enforce the Regional District of Nanaimo Building Bylaw or the British Columbia Building Code and I/we agree that the Regional District of Nanaimo owes me/us no duty of care in respect of these matters.

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement. The personal information is collected under the authority of the Municipal Act and Regional District of Nanaimo's bylaws. If you have any questions about this collection, contact the Secretary, Regional District of Nanaimo, P.O. Box 40, Ladysmith, B.C., V9B 2H0, Phone: 350-4111 or 350-4180 (Fax).

I have read the above agreement, release and indemnity and understand it.

Owner _____ Application Fee _____

Date _____ Receipt No. _____

RECORD COPY

Chairperson

General Manager, Corporate Services

SCHEDULE 'B'

[Section 15.1(d)]

REGULATIONS GOVERNING THE ADMISSION OF WASTES INTO SEWERS

1.0 Interpretation

In these Regulations,

"**Approval**" means approval given by the Engineer.

"**B.O.D.**" (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° expressed in milligrams per litre;

"**Combined Sewer**" means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce;

"**Industrial Wastes**" means the liquid wastes from industrial manufacturing, process, trade or business.

"**pH**" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per litre of solution.

"**Permission**" means permission given by the Engineer of the Regional District.

"**Properly Comminuted Garbage**" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewer, with no particle greater than one-quarter inch (1/4") (6mm) in any dimension.

"**Sanitary Sewer**" means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"**Sewage**" means a combination of the water-carried waste from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

"**Sewage Treatment Plant**" means any arrangement of devices and structures used for treating sewage.

"**Sewer**" means a pipe or conduit for carrying sewage.

"**Storm Sewer**" means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

"**Suspended Solids**" means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

2.0 Prohibited Wastes

The following shall not be discharged or caused to be discharged into any pipe, main, conduit, manhole, street inlet, gutter or aperture of the Sewer System, except by permission for extraordinary circumstances:

(a) Special Waste

"Special Waste" is defined by the *Waste Management Act* (British Columbia) and its Regulations.

(b) Air Contaminant Waste

Any waste other than sanitary waste which, by itself or in combination with another substance, is capable of creating, causing or introducing an air contaminant outside any sewer or sewage facility or is capable of creating, causing or introducing an air contaminant within any sewer or sewage facility which would prevent safe entry by authorized personnel.

(c) Flammable or Explosive Waste

Any waste, which, by itself or in combination with another substance, is capable of causing or contributing to an explosion or supporting combustion in any sewer including, but not limited to gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol.

(d) Obstructive Waste

Any waste, which, by itself or in combination with another substance, is capable of obstructing the flow of or interfering with the operation or performance of any sewer, including, but not limited to, earth, sand, sweepings, gardening or agricultural waste, ash, chemicals, paint, metal, glass, sharps, rags, cloth, tar, asphalt, cement based products, plastic, wood, waste portions of animals, fish or fowl and solidified fat.

(e) Corrosive Waste

Any waste with corrosive properties, which, by itself or in combination with any other substance may cause damage to any sewer or which may prevent safe entry by authorized personnel.

(f) High Temperature Waste

- (i) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of the sewer or with the treatment of waste in the sewer system;
- (ii) Any waste which will raise the temperature of waste entering the sewer system to 40°C (104°F) or more;
- (iii) Any non-domestic waste with a temperature of 65°C (150°F) or more.

(g) Biomedical Waste

Biomedical waste including human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group Four" as defined in "Laboratory Bio-Safety Guidelines" published by Health and Welfare Canada and dated 1990.

(h) Miscellaneous Wastes

Any waste, other than sanitary waste, which by itself or in combination with another substance:

- (i) constitutes or may constitute a significant health or safety hazard to any person;
 - (ii) may interfere with any sewage treatment process;
 - (iii) may cause a discharge from a sewage facility to contravene any requirements under any Waste Management Discharge Permit or any other Act, approved Liquid Waste Management Plan or any other law or regulation governing the quality of the discharge;
 - (iv) contains radioactive material, except within such limits are permitted by license issued by the Atomic Energy Control Board of Canada.
- (i) Any water or waste having a suspended solids content of more than 600 milligrams per litre;
- (j) Any soluble waste or waste water having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property.

Chairperson

General Manager, Corporate Services

SCHEDULE 'C'

[Section 18.1]

SERVICE CONNECTION FEE

The following Service Connection fees to defray the cost of laying a Sewer Connection shall be paid in accordance with section 18.1 of the Bylaw:

- | | | |
|-----|--|--|
| (a) | Where 100mm or smaller service connection exists at property line | \$150.00 |
| (b) | Where Service Connection does not exist to property line and 100mm Service Connection is installed | \$150.00 |
| | | Plus the property owner pays to physically connect |
| (c) | All other Service Connections | \$150.00 |
| | | Plus the property owner pays to physically connect |

NOTE:

These connection fees are for work within the road right-of-way. Further costs to physically connect the sewer from the property line to the home are at the expense of the property owner.

Chairperson

General Manager, Corporate Services

SCHEDULE 'D'
[Section 19.1]

USER CHARGE
[if applicable]

1. Billing and Payment:

- (a) Annual sewer rates as invoiced by the Regional District are due and payable on presentation. A ten (10%) percent penalty will be charged if payment is not made within thirty (30) days of the billing date.
- (b) Amounts outstanding after penalty dates will be considered arrears.
- (c) All payments received will be applied firstly against arrears and then to current balances.

2. Rates Payable:

(a) User Charge:

Classification	Annual Rate
(a) Single Family Residence	\$131.20
(b) Apartments, Suites or Duplex - Each Unit	\$131.20
(c) Cafes and Restaurants – for each group of plumbing fixtures	\$131.20
(d) Garage or Service Station	\$131.20
(e) Store or Business Premises – for each group of plumbing fixtures	\$131.20
(g) Mobile Homes (whether situated in a mobile Home park or not) – per unit	\$131.20
(h) Churches and Halls – for each group of plumbing fixtures	\$131.20
(i) Licenses Premises – for each group of plumbing fixtures	\$131.20
(j) Motels – per unit – including residential managers' or owners' units	\$1.00
(k) Hotels – per room	\$1.00
(l) Camping – for each group of plumbing fixtures	\$1.00
- for each space with a sewer connection	\$1.00
(m) Marinas – for each group of plumbing fixtures	\$131.20
(n) Laundry, Laundromat or Dry Cleaners – per washer	\$74.80
(o) Sani Dump (per connection)	\$408.00

(Note: group of plumbing fixtures is equivalent to three fixtures.)



REGIONAL DISTRICT OF NANAIMO			
OCT 16 2001			
CHAIR		GMCrs	
CAO		GMDS	
GMCms		GMES	
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MEMORANDUM

TO: J. Finnie
General Manager, Corporate Services

DATE: October 16, 2001

FROM: N. Avery
Manager, Financial Services

FILE:

SUBJECT: Amendment to the benefiting area boundary within the City of Nanaimo – Southern Community Sewer Local Service Area

PURPOSE:

To introduce "Municipal Benefiting Area Amendment Bylaw No. 1216.01, 2001" for first three readings.

BACKGROUND:

The municipal benefiting area in the Southern Community Sewer Local Service area comprises properties, that have or are within the engineered boundaries for the purpose of connecting to the wastewater treatment plant on Hammond Bay Rd. in the City of Nanaimo. During a recent reconciliation of sewer benefiting properties in the City's customer database it was discovered that 17 properties had been inadvertently removed when the boundaries were amended some time ago. These properties have connections and have been assessed both property taxes and user fees related to sewerage facilities for many years. The amendment requested corrects a technical error in the bylaw boundaries so that the City of Nanaimo continues to have the authority to assess property taxes for this purpose.

ALTERNATIVES:

1. Amend Bylaw 1216 to correct the benefiting area boundary to include the properties, which were removed in error.
2. Do not amend the bylaw.

FINANCIAL IMPLICATIONS:

There are no significant financial implications attached to the bylaw. If the bylaw boundaries are not amended the property taxes required would be assessed over 17 fewer properties within the City of Nanaimo; so that each property owner would pay slightly more than if the 17 properties were taxable under the bylaw.

INTERDEPARTMENTAL IMPLICATIONS:

All of the properties are located outside of the Urban Containment Boundary (UCB). It is the Regional District's and the City's position that services should not be extended outside of the UCB unless there are compelling environmental reasons to do so. It appears after considerable review with City staff that the UCB (and subsequently the realignment of the sewer benefiting area boundary under Bylaw 746, since superseded by Bylaw 1216) contained these errors from the outset. City staff while supporting the corrections to the sewer benefiting area, do not at this time recommend changes to the UCB, preferring to respond to UCB adjustments through the prescribed Regional Growth Management Plan update process.

SUMMARY/CONCLUSIONS:

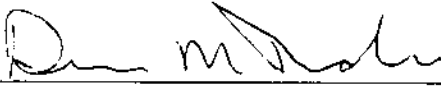
City of Nanaimo staff have identified 17 properties, which were inadvertently removed from the municipal benefiting area boundary during the establishment of Urban Containment Boundaries under the Regional Growth Management plan. The properties have sewer connections and have been assessed for property taxes associated with the treatment plant throughout their existence. City staff have requested an amendment to Bylaw 1216 to correct this technical error. While this will result in a slight misalignment of the servicing strategy associated with the Urban Containment Boundary, Regional District staff concur with the recommendation to correct the benefiting area boundary. Both City and Regional District staff agree that any change to the Urban Containment Boundary would be brought forward following the prescribed process under the Regional Growth Management plan.

RECOMMENDATION:


1. That "Municipal Benefiting Area Amendment Bylaw No. 1216.01, 2001" be introduced for first three readings and be forwarded to the City of Nanaimo for consent.



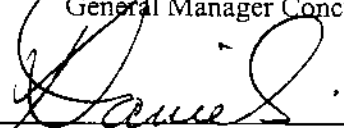
Report Writer



Manager Concurrence



General Manager Concurrence



C.A.O. Concurrence

COMMENTS:

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1216.01

**A BYLAW TO AMEND RDN
MUNICIPAL BENEFITTING AREA
BYLAW NO. 1216, 2000**

WHEREAS Bylaw No. 888 created a local service area for the purpose of the collection, conveyance, treatment and disposal of sewage;

AND WHEREAS clause 6(a) of Bylaw No. 888 provides that the Regional Board may, with the consent of the Council of participating municipalities, define the boundaries of a benefiting area within the municipality;

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

1. The benefiting area within the City of Nanaimo shall be amended to include those properties listed on Schedule 'B' attached hereto and forming part of this bylaw.
2. Schedule 'A' to Bylaw No. 1216 is repealed and replaced by Schedule 'A' attached to and forming a part of this bylaw.
3. This bylaw may be cited as "Municipal Benefitting Area Amendment Bylaw No. 1216.01, 2001".

Introduced and read three times this ____ day of _____, 2001.

Received the consent of the City of Nanaimo this ____ day of _____, 2001.

Adopted this ____ day of _____, 2001.

CHAIRPERSON

GENERAL MANAGER, CORPORATE SERVICES

Chairperson

General Manager, Corporate Services

SCHEDULE 'B'

1. Lot A, Section 1, Range 3, Plan 41427, LD 58
2. Lot 1, Section 15, Range 7, Plan 18428, Mountain LD
3. Lot A, Section 15, Range 7, Plan 32706, Mountain LD
4. Lot 1, Section 14, Range 7, Plan 32950, Mountain LD
5. Section 12, Range 8, LD 31
6. Lot 5, Section 13, Range 7, Plan 41146, LD 31
7. Lot B, Section 13, Range 7, Plan 48320, LD 31
8. Lot A, Section 12, Range 6, Plan 49195, LD 31
9. Section 11, Range 6, LD 31
10. Section 11, Range 6, LD 31
11. Lot 1, Section 10, Range 6, Plan 18793, LD 31
12. Lot 2, Section 10, Range 6, Plan 18793, LD 31
13. Lot 4, Section 10, Range 6, Plan 18793, LD 31
14. Lot 5, Section 10, Range 6, Plan 18793, LD 31
15. Lot E, Section 10, Range 7, Plan 16192, LD 31
16. Lot 1, Section 13, Range 4, Plan 48227, LD 18
17. Lot 1, Section 10, Range 6, Plan 50225, LD 31



REGIONAL DISTRICT OF NANAIMO			
OCT 17 2001			
CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	
ESL ✓			

MEMORANDUM

TO: John Finnie, P. Eng.
General Manager Environmental Services

DATE: October 15, 2001

FROM: Carey McIver
Manager Solid Waste

FILE: 5365-02

SUBJECT: Residual Solid Waste Management Plan Update

PURPOSE

To provide the Board with an update on the status of the Residual Solid Waste Management Plan Amendment Process.

BACKGROUND

The Solid Waste Management Planning Process

In 1992, the Board began to amend the RDN's original 1988 Solid Waste Management Plan (SWMP) to identify options for waste reduction and future waste disposal. The process used to amend the plan is a three-stage process based on the guidelines provided by the then Ministry of Environment, Lands and Parks (the Ministry). The Ministry must approve each stage upon completion.

Stage One was completed in 1992. Stage Two began in 1994 and was divided into two components: a waste diversion (3Rs) planning exercise to determine the best approach for meeting the provincial 50% waste reduction objectives; and a residual management plan for managing the remaining waste.

The 3Rs Plan was approved by the Board in August 1996 and approved by the Ministry as an amendment to our Solid Waste Management Plan in April 1997. The RDN met the provincial 50% waste diversion target in 2000.

The residual waste plan is still under development. Stage Two of this planning exercise was completed in September 1999. The full Stage Two Report documenting the residual waste planning process from 1994 through 1999, including corresponding public consultation, was submitted to the Ministry for approval in September 2000. We are currently awaiting approval of this document.

Residual Waste Management Plan Stage Two Report

The residual waste plan considers options to manage the waste that remains after the 3Rs Plan has been implemented. The Stage Two residual waste planning exercise had two major components: a review of processing technologies that can further reduce the volume of residual waste requiring disposal and a review of disposal options for any remaining waste.

Processing options that were considered during the planning process were incineration, energy-from-waste, pyrolysis, vitrification, and municipal solid waste composting. Disposal options considered were siting a new landfill, mining the existing landfill and waste export.

In August 1999, after an extensive public consultation process, the Board selected waste export as the only viable residual solid waste disposal option for the RDN. This is because, at the time, this option had the lowest capital cost requirements of any of the alternatives, the lowest environmental impacts and risks, and offered the greatest flexibility to accommodate future advancements in waste management technologies. Additionally, waste export received the greatest amount of public acceptance.

Although these considerations may still be valid, since 1999 the economic and environmental conditions supporting this decision have changed. For example:

- ◆ Waste export fees have increased by roughly 15% due to rising fossil fuel prices. As a result of this and other cost increases, the projected cost of a full waste export system has increased from \$110 to \$140 per tonne and will require a significant increase in tipping fees and/or taxes.
- ◆ Rising fossil fuel prices have made “green energy” sources such as energy generated from waste incineration or from capturing landfill gas more economically viable and therefore an important consideration in choosing a waste disposal option.
- ◆ The environmental impact of trucking wastes to Cache Creek has increased given the recent recognition that carbon dioxide (CO₂) emissions must be reduced to address global climate change issues.

RSWMP Review Project

Given these changing conditions, staff are proceeding to re-examine the decision to export RDN solid waste. This review is being undertaken internally by the Manager of Solid Waste as a thesis project for a Masters Degree in Environment and Management from Royal Roads University in Victoria. The thesis component of this degree is an applied research study that must involve both the learner and the RDN, as sponsor, in a project of mutual benefit.

This study consists of:

- ◆ A review of the work completed and the decisions made to date to amend the Residual Solid Waste Management Plan,
- ◆ A review of new and emerging waste processing and disposal technologies by means of an extensive literature review, interviews and site visits,
- ◆ An economic analysis of waste export and any potential new options including a full cost accounting study, a tipping fee elasticity study and a local community compensation study, and
- ◆ Consultation with the Solid Waste Advisory Committee regarding the review process and thesis.

The deliverable for this review will be a report recommending a sustainable solid waste disposal option that reconciles environmental, economic, and social concerns. This may or may not be waste export. This report will be submitted to the Environmental Services Committee in Spring 2002 upon completion of the Royal Roads thesis project. Staff will provide the Committee with a presentation on the status of this report early in the New Year.

Enviroco Energy Recovery Ltd/ABC Wood Recycling & Recovery

As outlined above, rising fossil fuel prices have made "green energy" sources such as energy generated from waste incineration more economically viable. This is particularly true for Vancouver Island where BC Hydro plans to construct three natural gas fired electricity generation facilities to replace the power currently coming to the Island on transmission lines that are nearing the end of their useful life.

As a result of this renewed interest in "green energy", two companies interested in constructing incineration facilities to capture energy from garbage and waste wood have approached the RDN. One is Enviroco Energy Recovery Ltd (Enviroco), who made a brief presentation to the Environmental Services Committee in July, and the other is ABC Wood Recycling & Recovery Ltd., backed by SNC Lavalin Constructors (Pacific) Inc and Heuristic Engineering Inc.

For the ABC Wood Recycling & Recovery Ltd proposal, SNC Lavalin have submitted a 25 page conceptual business plan outlining the project overview, project partners, plant description, technical descriptions, annual tonnages and proposed yearly revenues and expenses.

SNC Lavalin is aware that the Board has rejected incineration in favour of waste export. They are also aware that staff is currently reviewing the sustainability of waste export. They have advised us that they would be interested in responding to a Request for Proposals if the Board decides to pursue MSW incineration with energy recovery as a result of the review.

Enviroco have not provided staff with any additional information on the project beyond the two-page news release and briefing paper submitted in July. They have requested that the Board provide a significant expression of interest in the project and be willing to seek simplification of the regulatory approval processes.

Staff have informed Enviroco that the Board is on record as rejecting incineration as an option to handle residual wastes, and that any change in this position would require a plan amendment and associated public consultation. (See attached correspondence) They have been advised that, if, after adequate public consultation, the Board does decide to re-consider the concept of incineration or waste-to-energy, it may decide to follow a competitive process and request proposals from qualified firms. Based on this information Enviroco has decided to postpone further investment in this project.

Staff also expects that other companies will be approaching the Board with waste processing and disposal options other than waste export.

FINANCIAL IMPLICATIONS

The full cost accounting study, the tipping fee elasticity study and the community compensation study may require consulting assistance in the order of \$20,000. The Manager of Solid Waste will complete the majority of the work outside of normal work hours. The typical time requirement for the thesis project is at least 10 hours per week. The funds required for studies to support this review are available in the 2001 Solid Waste Budget.

ENVIRONMENTAL IMPLICATIONS

In August 2000 the Board approved a motion that the RDN utilize reserve capacity at the Regional Landfill to provide emergency back up and disposal of non-exportable wastes. Given current projected landfill lifespan, as well as the need to retain reserve capacity, a full waste export system will not be required until June 2006 at the earliest. Consequently, staff is proceeding to acquire property for a new transfer station but do not anticipate needing to construct the facility until 2006 or later. Other opportunities for maximizing the capacity of the landfill may also be available and staff will discuss this further with the Board in the New Year.

SUMMARY

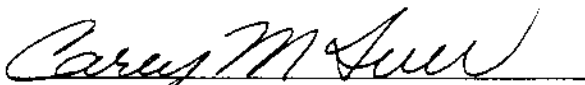
In August 1999 the Board selected waste export as the only viable residual solid waste disposal option for the RDN. This is because, at the time, this option had the lowest capital cost requirements of any of the alternatives, the lowest environmental impacts and risks, and offered the greatest flexibility to accommodate future advancements in waste management technologies.

Although these considerations may still be valid, since 1999 the economic and environmental conditions supporting this decision have changed. Consequently staff is proceeding to re-examine the decision to export RDN solid waste. Staff will submit a report to the Environmental Services Committee in Spring 2002 that will recommend a sustainable solid waste disposal option that reconciles environmental, economic and social concerns. This may or may not be waste export.

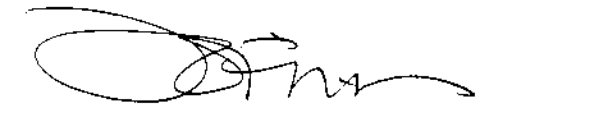
In the meantime, two companies interested in constructing incineration facilities to capture energy from garbage and waste wood have approached the RDN. Entertaining waste processing and disposal options other than waste export at this time will require a plan amendment and public consultation.

RECOMMENDATION

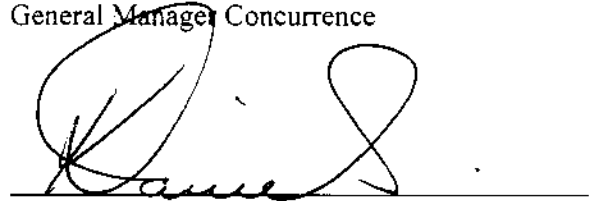
1. That the Board receive the update on the status of the Residual Solid Waste Management Plan Amendment Process.



Report Writer



General Manager Concurrence



CAO Concurrence

COMMENTS:



File Copy

September 18, 2001

File: 5365-01

Lloyd Guenther
President
EnviroCo Energy Recovery Ltd
502-283 Davie Street
Vancouver, B.C.
V6B 5T6

Dear Mr. Guenther:

Re: EnviroCo Biomass Energy Recovery Proposal

Thank you for your letter detailing your understanding of the regulatory approval process associated with your proposal to construct a biomass energy recovery facility in the Regional District of Nanaimo (RDN). We believe there may be some misunderstanding regarding this process and the Regional Districts involvement and therefore wish to provide the following points for clarification:

1. Staff from the Ministry of Water, Land and Air Protection (MWLAP), the Environmental Assessment Office (EAO), the Ministry of Sustainable Resource Management (MSRM) and the RDN have agreed to gain efficiencies and avoid duplication in the three major approvals required. As discussed at the meeting held with agency staff and your company on August 22, 2001, approval agencies are willing to integrate aspects of the Solid Waste Management Planning (SWMP) process, the Environmental Assessment technical review process and MWLAP permitting process. This integration could streamline the approval process to 2 rather than 4 years as identified in your letter.
2. Your letter would suggest that the RDN is dictating the approval process and hence is somehow responsible for the lengthy review. You should be aware that the RDN is required by Provincial legislation to do a Plan amendment for applications such as yours. Further, the requirements for this review are prescribed by the Province and must be followed by the RDN. You should also be advised that given past community sensitivity around solid waste disposal issues and incineration we expect considerable community interest.
3. The current regulations require that the RDN Board must be willing to make a commitment to amend our SWMP before an application would be considered by the EAO. This regulation addresses the principle that the host community must want the proposed facility. With respect to your proposal, the RDN SWMP, as originally approved in 1989, rejected incineration as a waste disposal option. The concept of incineration was also rejected again in 1999 at the completion of Stage 2 of our current plan amendment process. Consequently, before the Board could provide either a significant expression of interest, as requested by your firm, or a commitment to amend our SWMP, as required by provincial regulation, we need to undertake some level of public consultation. This could take from 3 to 6 months.
4. It was also raised at our previous meeting that before the Board may be willing to undertake a public consultation process directed at changing our policy on incineration,

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250)390-4163

RDN Website: www.rdn.bc.ca

PAGE
29



REGIONAL
DISTRICT
OF NANAIMO

we would require additional information from your firm that will allow us to examine the technical and economic assumptions of the project. To date the only information before us is a news release and briefing paper. Consequently, my staff will be contacting your firm shortly regarding further information requirements.

5. Finally, if, after adequate public consultation, the Board does decide to re-consider the concept of incineration or waste-to-energy, it may decide, as it has in the past, to follow a competitive process and request proposals from qualified firms to select the most cost-effective and environmental sound company and technology.

I trust that the above has clarified the regulatory approval process associated with your project and look forward to reviewing your project in detail. Thank you.

Sincerely,

George Holme
Chair

cc - Mike Hunter, MLA
Hon. Joyce Murray, Minister of Water, Air and Land Protection
Hon. Stan Hagan, Minister of Sustainable Resources
Hon. ~~Kevin Neufeld~~, Ministry of State for Deregulation KEVIN FALCON
Sheila Wynn, Deputy Minister, Environmental Assessment Office
Dave Brown, Regional Manager, Waste Management Division, MWLAP

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REGIONAL DISTRICT OF NANAIMO			
OCT 2 2001			
CHAIR		GMCrS	
CAO		GMDS	
GMCrS		GMES	

September 27, 2001

Regional District of Nanaimo
6300 Hammond Bay Rd.
Nanaimo, BC V9T 6N2

Attention: Mr. George Holme, Chair

Dear Sir:

Re: EnviroCo Energy Recovery Proposal
RDN Letter of September 18, 2001

We appreciate your timely response to our letter. The points that you make for clarification confirm our concerns about a lengthy, costly and uncertain review and approval process. We understand that the SWMP process that the RDN works under is dictated by Provincial legislation. It is also clear that under existing regulations the extensive duplication of review and approvals cannot be avoided, despite your suggestion that some level of streamlining may be possible.

Your letter also points out, for the first time, that even after successfully undertaking the process, the company would then still be set back to the starting point through a tendering process, jeopardising all of the other negotiated commercial arrangements that EnviroCo has put in place.

Your request for technical and economic assumptions for the project raises some concerns:

- Technical matters are dealt with through permitting of emissions and is captured under the regulations of the Environmental Assessment Act;
- Economic assumptions are confidential and competitive information that we cannot release to a potential customer or put into the public domain;
- The RDN is both a potential customer and an approval authority.

In order to conclude any financing, investors require a more certain and positive investment climate, a viable business plan [in their opinion] and an independent technical evaluation. We will continue to work to resolve the review and approval process and hope that we will have your support for an economic energy recovery option for your community, our industrial power hosts and for electricity customers. Until then, we must be prudent and postpone further investment in the current process.

Yours truly,



Lloyd Guenther

Cc Mike Hunter, MLA
 Hon. Joyce Murray, Minister of Water, Air and Land Protection
 Hon. Stan Hagan, Minister of Sustainable Resources
 Hon. Richard Neufeld, Minister of Energy & Mines
 Hon. Kevin Falcon, Minister of State for Deregulation
 Sheila Wynn, Deputy Minister, Environmental Assessment Office
 Dave Brown, Regional Manager, Waste Management Division



REGIONAL
DISTRICT
OF NANAIMO

October 2, 2001

Mr. Lloyd Guenther
EnviroCo Energy Recovery Ltd.
502 - 283 Davie Street
Vancouver, BC
V6B 5T6

Dear Sir:

Your letter of September 27, 2001, continues to suggest a misunderstanding surrounding the Solid Waste Management Planning (SWMP) process as prescribed by the Province of British Columbia as well as the Regional District of Nanaimo's (RDN) commitment to a fair and equitable process for disposal of our solid waste. While I would suggest that to continue a letter writing campaign to clarify these points is not particularly effective I will attempt, as clearly as I can, to outline our obligations and processes. I would suggest a meeting in the near future if you are still not satisfied with my response.

Our initial understanding of your firm's intentions was to construct an incinerator that would be used to burn industrial source wood waste obtained through contracts in the lower mainland and Vancouver Island. You did not need nor were you necessarily looking for feedstock from the RDN's waste stream. If this is still the case, and no municipal solid waste such as construction/demolition waste is intended to be utilized, then no SWMP amendment is required and no approvals from the RDN are required.

If you are requiring municipal waste feedstock from the RDN or other jurisdictions, then a SWMP amendment is required. This plan amendment process is prescribed by the Ministry of Water, Land and Air Protection and can be a lengthy process, particularly if there is a large public interest in the amendment. The technical reports and much of the public review can and will be coordinated between Provincial regulatory agencies and the RDN, thereby reducing the time frame as much as possible. This was confirmed in an August meeting between these agencies, ourselves, and your representatives.

Your reluctance to share economic assumptions, business plan information, or information relative to the business viability of your proposal is understandable in a competitive market place. Our assumption, therefore, is that you are not looking for a sole source contract with the RDN or a partnership that would give you exclusivity in the market place.

Our process, therefore, is for the Board:

- to consider a staff report in October that will examine the need for and timing to open the SWMP for a review.

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250)390-4163

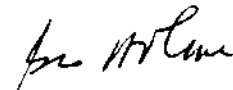
RDN Website: www.rdn.bc.ca

- if a review is supported, then the process will begin, at the RDN's expense, by considering alternate forms of waste disposal, including incineration.
- at the end of the process, if incineration or some other residuals management option is supported, the SWMP will be amended.
- to then proceed with a request for proposals and evaluate them to determine whether the costs warrant the RDN entering into a contract for disposal.

As you can appreciate, your firm is not the only company that has approached the RDN with proposals looking for our solid waste stream as feedstock. The Board must be fair and equitable in our treatment of all these companies and we do this through our public tendering process. We are also bound by the provincial Waste Management Act which encumbers us in a lengthy and very public process prior to our ability to change directions in how we dispose of our municipal waste.

In closing, I would once again suggest that you arrange a meeting to review these issues. I will be happy to attend, with Kelly Daniels, RDN Administrator, to ensure all your questions, ideas and concerns are addressed.

Sincerely,


George Holme
Chairperson

c.c. Mike Hunter, MLA
Hon. Joyce Murray, Minister of Water, Air and Land Protection
Hon. Stan Hagan, Minister of Sustainable Resources
Hon. Richard Neufeld, Minister of Energy and Mines
Hon. Kevin Falcon, Minister of State for Deregulation
Sheila Wynn, Deputy Minister, Environmental Assessment Office
Dave Brown, Regional Manager, Waste Management Division



REGIONAL DISTRICT OF NANAIMO		
OCT 15 2001		
CHAIR		GMCRS
CAO		GMDS
GMCRS		GMES

MEMORANDUM

TO: Carey McIver
Manager of Solid Waste

DATE: October 11, 2001

FROM: Alan Stanley
Waste Reduction Coordinator

FILE: 5370-02

SUBJECT: Household Yard and Garden Waste Collection

PURPOSE

To review options and costs related to residential yard and garden waste (yard waste) collection.

BACKGROUND

The Need for Curbside Collection of Yard Waste

In June the RDN Environmental Services Committee considered a status report on the development of a curbside yard and garden waste collection program to service urban households throughout the RDN. This report follows up on the June report and provides additional pricing information obtained through a recent contract tender.

For the purposes of this report, yard waste refers to the organic waste material produced by a normal sized, urban residential property. This would include lawn clippings, hedge trimmings, waste from a small vegetable garden and waste from flowerbeds. Not included would be kitchen waste, dimensional lumber, yard and garden tools, or other man-made products used in the yard.

In terms of removing organic material from the waste stream, the RDN has conducted a successful backyard composter distribution program for the last several years, and has distributed approximately 16,000 composters. This has reduced the quantity of organic kitchen waste going to disposal, however due to the volume of yard waste produced by an average household in the region, the small size of the backyard composters has limited their usefulness in handling yard waste.

Residential curbside collection of yard waste has never been a part of the RDN or City of Nanaimo garbage and recyclables collection programs. However, a number of factors in the region have increased interest in a residential curbside collection program for yard waste:

- The desire of some jurisdictions to ban backyard burning for health and environmental reasons;
- Very high levels of residential traffic causing delays and safety concerns at disposal facilities;
- Limited numbers of appropriate disposal facilities;
- Yard waste is the most common material illegally dumped on back roads;
- According to market surveys, the majority of RDN residents would like to receive yard waste collection.

Consequently, as discussed in the June report, staff included yard waste collection options in the recent garbage and recyclables collection contract tender. The intent was to receive the best price the hauling market could provide for yard waste collection. All previous estimates on the cost of such programs have been speculative, relying on program costs in other areas. Tendered pricing allows an accurate user fee calculation.

In terms of generation of yard waste the majority of the material comes from the City of Nanaimo and the Regional District urban areas. Most of the problems associated with excess yard waste are largely concentrated in the municipalities and urban areas. Public surveys indicate that a higher percentage of residents living in municipalities and urban areas would like a yard waste collection program. If a yard waste collection program were to be implemented in the urban areas, the majority of the issues associated with yard waste disposal should be addressed.

RDN Garbage and Recyclables Collection Contract Tender

In the tender, bidders were required to submit pricing on scheduling options that included weekday and weekend collection. The reason for the weekend yard waste collection option was that the haulers could use the equipment utilized through the week for garbage collection, lessening capital costs and possibly reducing user fees.

Bidders were also required to submit pricing on a number of geographic areas, which included all of the municipalities within the RDN, and the areas outside of the municipalities that received weekly garbage and recyclable collection. Further geographic breakdowns and pricing options were provided in order to give the RDN as much flexibility as possible when deciding which, if any, areas should receive yard waste collection, but that would also give the bidding contractors enough customers within each service area option to provide good pricing.

The lowest price for garbage, recyclables, and yard waste collection was submitted by Salish Disposal. There was no difference in pricing for weekday vs. weekend collection.

Table 1, Appendix 'A' summarizes the bids received from Salish Disposal for yard waste collection.

City of Nanaimo Tender Results

Although the contract tender language precludes the RDN staff from entering into a contractual agreement for yard waste with contractors other than Salish Disposal for work within the RDN jurisdiction, the tender language is also clear that the RDN is under no obligation to implement yard waste anywhere within the RDN, including the City of Nanaimo. What this means, is that the City of Nanaimo could tender a yard waste contract, independent of any actions of the RDN. In the RDN tender, pricing option for collecting yard waste within the City of Nanaimo as a stand-alone project were requested and the results are found in Table 2, Appendix 'A'. Note that Table 2, describes weekday pricing only, as without additional components of a contract, the weekend pricing is not valid.

While the bidders are not legally bound to honour the pricing provided for the City of Nanaimo as they relate to the RDN tender, it is expected that an independent tender, conducted by City of Nanaimo staff would result in similar pricing.

Cost of Service

The attached tables in Appendix 'A' represent collection fees only and do not include disposal fees. Given that no large-scale residential yard waste collection has ever been done in the RDN, estimates on disposal costs are based on other programs providing similar levels of service in similar jurisdictions. It is expected that the average weight of yard waste per customer would be no more than 225 kilograms (495 pounds) per year. At a tipping fee of \$45 per tonne the per household disposal cost would be roughly \$10.12 per year. Add to that collection cost of \$19.44 per household per year for bi-weekly collection and the projected annual user fee would be \$29.56 per household.

The Need for Further Customer Surveying

One of the weaknesses of the public survey that was carried out on yard waste collection is that there was no information on the actual cost of service. It is now known, from the tender results, the annual per household user fee will be approximately \$30. It is recommended that additional survey work be done and, based on the results of the survey, if the Board supports yard waste collection, it could be implemented in 2002.

ALTERNATIVES

1. Carry out customer surveys in the urban areas of the RDN including the City of Nanaimo to determine customer willingness to pay for yard waste collection service at an annual cost of \$30 per household. There are adequate funds in the solid waste budget to carry out this survey.
2. Implement yard waste collection in the urban areas of the RDN.
3. Do not implement yard waste collection in any areas.

FINANCIAL IMPLICATIONS

Alternative 1 – Depending on the sample size and number of questions asked, the minimum cost for an adequate customer survey would be approximately \$10,000 and would include surveying City of Nanaimo residents.

Alternative 2 - The total annual contract costs to implement bi-weekly yard waste collection in the urban areas of the RDN would be \$269,185 resulting in an annual user fee of around \$30 per household, which includes the tipping fees.

Alternative 3 - There are no costs for this alternative.

PUBLIC RELATIONS IMPLICATIONS

While the majority of the public generally supports yard waste collection, implementing a program without further public input on the costs is not recommended. It is recommended that an additional public survey be conducted now that the costs are known.

ENVIRONMENTAL IMPLICATIONS

A curbside collection program for yard waste will have a positive impact on air quality in the RDN since it will not only eliminate the need for backyard burning in urban areas but will also reduce the number of vehicle trips to the disposal facilities.

SUMMARY/CONCLUSIONS

In June the RDN Environmental Services Committee considered a status report on the development of a curbside yard and garden waste collection program to service urban households throughout the RDN.

A number of factors in the region have increased interest in a residential curbside collection program for yard waste. This interest resulted in the inclusion of requests for pricing for the collection of yard waste in the recent RDN garbage and recyclables collection tender.

The annual per household user fee for bi-weekly yard waste collection in the RDN would be approximately \$30.

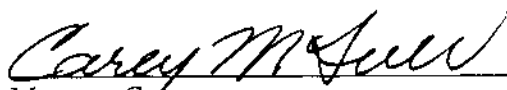
It is recommended that survey work be done, and based on the results of the survey, if the Board supports yard waste collection; it could be implemented in 2002.

RECOMMENDATION


That the Board direct staff to conduct customer surveys in the urban areas of the RDN including the City of Nanaimo, to determine customer willingness to pay for yard waste collection service at an annual cost of \$30 per household.



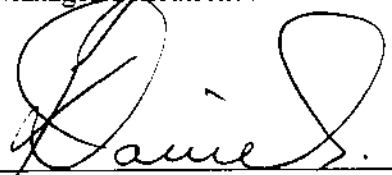
Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

COMMENTS:

Table 1

<i>Service Location</i>		<i>Option A</i>		<i>Option B</i>	
		Bi-Weekly Collection for 12 months/year		Monthly Collection for 9 months/year	
	<i># of Customers</i>	<i>Total Cost</i>	<i>per customer per year</i>	<i>Total Cost</i>	<i>per customer per year</i>
Region Wide School District 68 School District 69 City of Nanaimo	39,025	\$758,646	\$19.44	\$744,597	\$19.08
Regional District – Weekly Garbage Collection Areas* School District 68 and 69	17,643	\$342,979	\$19.44	\$336,628	\$19.08
Regional District – ‘Urban’ Areas Lantzville, Nanoose, Parksville, French Creek, Qualicum Beach	13,847	\$269,185	\$19.44	\$264,200	\$19.08

*Note- RDN Weekly garbage collection areas include:

Cedar, Cedar-by-the-Sea, Yellow Point, Cassidy, South Wellington, Lantzville, Nanoose, Parksville, French Creek, Qualicum Beach, Dashwood, Qualicum Bay, Bowser

Table 2

CITY OF NANAIMO YARD AND GARDEN WASTE COLLECTION PRICING

<i>Contractor</i>		<i>Option A</i>		<i>Option B</i>	
		Bi-Weekly Collection for 12 months/year		Monthly Collection for 9 months/year	
	<i># of Customers</i>	<i>Total Cost</i>	<i>per customer per year</i>	<i>Total Cost</i>	<i>per customer per year</i>
Salish Disposal	21,382	\$415,666	\$19.44	\$407,968	\$19.08
IPI	21,382	\$307,900.80	\$14.40	\$230,925	\$10.80
Canadian Waste	21,382	\$605,538	\$28.32	\$767,186	\$35.89