Dear Minister Heyman:

Re: Request for Approval of GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017

We are writing to seek your approval of the GVS&DD Commercial Waste Hauler Licensing Bylaw No. 307, 2017 (Bylaw 307).

At its November 24, 2017 regular meeting, the Board of Directors of the Greater Vancouver Sewerage and Drainage District (‘Metro Vancouver’) adopted the following resolution:

That the GVS&DD Board:

a) approve implementing a Commercial Waste Hauler Licensing program through a new Commercial Waste Hauler Licensing Bylaw;

b) give first, second and third reading to Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and forward it to the Minister of Environment and Climate Change Strategy for approval; and

c) write to Regional Districts around the Province requesting that they write the Minister of Environment and Climate Change Strategy in support of Metro Vancouver’s Commercial Waste Hauler Licensing program.

This resolution is included in the report titled “GVS&DD Commercial Waste Hauler Licensing Bylaw” dated November 3, 2017, included as Attachment 1. A certified copy of the resolution is included as Attachment 2, a certified copy of Bylaw 307 is included as Attachment 3 and Commercial Waste Hauler Licensing and Generator Levy Consultation Program: Report on Activities and Feedback from July 7, 2017 – November 24, 2017 is included as Attachment 4.

Integrated Solid Waste and Resource Management Plan
Metro Vancouver’s Integrated Solid Waste and Resource Management Plan (ISWRMP) was approved by the Minister of Environment in July 2011. We are proud that the Metro Vancouver region has one of the most comprehensive and successful waste reduction and recycling programs in North America.

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The ISWRMP targets 70% waste diversion in all municipal solid waste sectors by 2015 and 80% by 2020. At the end of 2016, the region had achieved 62% diversion. Enhancing diversion in the multifamily and commercial/institutional sector is critical to achieving diversion targets. The ISWRMP reflects the internationally recognised waste management hierarchy – priority for waste reduction, then reuse, then recycling, then resource recovery, and last of all, disposal. The ISWRMP prioritises separating at source as the most effective means of recycling.

The ISWRMP contemplates hauler licensing on page 15:

Metro Vancouver may choose to act to reduce the flow of waste to unauthorized facilities which may undermine the waste reduction and diversion goals of this Plan. These flow control initiatives include but are not limited to:

- Split fee bylaw
- Franchising of waste collection services
- Licensing of waste collection service providers

Commercial Waste Hauler Licensing

License threshold. Bylaw 307 would require that all Commercial Waste Haulers collecting more than 10 tonnes per month of municipal solid waste from residential and commercial/institutional sources using mechanically-unloaded vehicles apply for a Commercial Waste Hauler License. Currently, Metro Vancouver estimates that less than 50 haulers currently operating within the Metro Vancouver region would require licenses under the proposed regime. The application and annual license fee for the Commercial Waste Hauler License would be $100 per company, which equals the estimated administrative costs of the program.

Recycling Containers. The Commercial Waste Hauler License would require haulers to provide recycling containers at each of their customer’s premises, unless recycling containers are provided by a third party. Ensuring recycling containers are provided for all multi-family and commercial generators in the region will bolster source separation practices and will help increase recycling rates in this sector and level the playing field for waste and recycling collectors around the region. The GVS&DD has taken this approach because it has the authority to regulate haulers directly under the applicable legislation. It is also one of the most efficient means to ensure that the multi-family and commercial sectors, which currently have the lowest diversion rates and are serviced predominantly by private haulers, have the practical opportunity and a strong incentive to recycle and divert waste.

Record Keeping. Commercial Waste Haulers that deliver all of the residential and commercial/institutional waste they collect to Metro Vancouver and City of Vancouver facilities would be required to keep records related to waste quantities collected and delivery locations. These are records typically kept by Commercial Waste Haulers, and no new types of records would be required. These haulers would provide a declaration annually that all residential and commercial/institutional waste has been delivered to Metro Vancouver and City of Vancouver facilities. No extra administrative effort will be required other than the effort to complete an annual license renewal application (similar to a municipal business license application) and to complete a waste delivery declaration.
Supports the Generator Levy. Commercial Waste Hauler Licensing would also support collection of the Generator Levy (discussed in detail below). If Commercial Waste Haulers deliver residential and commercial/institutional waste to facilities other than Metro Vancouver and City of Vancouver facilities, they will be required to report waste quantities and delivery locations. Hauler licensing will therefore help ensure that all waste generators in the region contribute to the cost of the public transfer stations and solid waste planning and thus support services that benefit the entire region.

Generator Levy
At its November 24, 2017 meeting, the Board also approved the Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Amending Bylaw No. 308, 2017 (Bylaw 308). Bylaw 308 implements a Generator Levy (referred to as a split fee bylaw in the ISWRMP) by amending the Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw No. 306 (2018 Tipping Fee Bylaw). Bylaw 308 is effective January 1, 2018 and does not require approval of the Minister of Environment and Climate Change Strategy because it is a bylaw authorized under the GVS&DD Act.

In line with the ISWRMP’s recognition of priority for recycling and source separation, there is no Generator Levy for recyclable materials that are separated out at source. By encouraging source separation, the bylaw provides incentives and opportunities for recycling and waste reduction, and encourages innovative practices relating to separation of recyclables and increased diversion.

The Generator Levy has been set at $40/tonne for 2018 and, as set out in the 2018 Tipping Fee Bylaw, is calculated on the basis of the budgeted fixed costs of operating the regional transfer stations and solid waste planning. The Generator Levy will be a component of the Tipping Fee for waste delivered to Metro Vancouver and City of Vancouver disposal facilities, and will not affect the cost of disposal at those facilities. For waste from residential and commercial/institutional sources delivered to facilities other than Metro Vancouver and City of Vancouver facilities, haulers will be required to collect the Generator Levy from customers and remit it to Metro Vancouver. The Generator Levy does not apply to source separated recyclables or construction and demolition waste.

Setting the Generator Levy as part of the Tipping Fee Bylaw is appropriate because, for waste delivered to Metro Vancouver and City of Vancouver disposal facilities, the Generator Levy is a component of the Tipping Fee. Additionally, the Generator Levy is expected to grow from $40 to approximately $50 per tonne over the next five years as waste quantities diminish and new transfer station capital investments are made. The Generator Levy would be reviewed annually at the time the Tipping Fee Bylaw is amended or replaced.

The Generator Levy ensures that all waste generators contribute to the fixed costs of the region’s transfer stations and solid waste planning. These services benefit all waste generators in the region through a coordinated regional policy approach to waste disposal, waste reduction and recycling and an accessible and convenient transfer station network that encourages recycling through Metro Vancouver’s Disposal Ban Program and a range of recycling services provided at the transfer stations.
In communications leading up to the Board’s approval of the Generator Levy, some stakeholders, including local cement kilns, the Cement Association of Canada, and proponents of mixed waste recovery systems expressed concern that the Generator Levy may reduce opportunities to develop innovative ways to extract energy or recyclables from municipal solid waste. We understand their concern is that their customers would still be liable to pay the Generator Levy on the mixed municipal solid waste they produce, despite the fact that some of that waste may ultimately be recovered from the waste stream. As such, the full financial benefit of diverting waste from disposal would not be passed on to their customers.

Currently no such municipal solid waste resource recovery operations exist in British Columbia and only a small number exist within North America. Those systems that do exist are primarily intended as an alternative to source separation. It is therefore uncertain the extent to which such private sector systems could potentially reduce waste in the Metro Vancouver region, or whether these systems would become a barrier to recycling at source. Metro Vancouver is however open to re-examining the application of the Generator Levy to generators that successfully divert waste through resource recovery.

Engagement and Consultation
The Board approved initiating consultation on Commercial Waste Hauler Licensing and the Generator Levy on July 28, 2017. The reports recommending initiating consultation and outlining the proposed regulatory model were posted publicly on July 7, 2017 as part of the July 13, 2017 Zero Waste Committee agenda.

Highlights of consultation and engagement activities include:

- Launching consultation web pages on July 28, 2017
- Notifying initially 400 government, industry and non-profit entities of consultation opportunities on August 3, 2017.
- Notifying 50 local First Nations
- Providing reminder notifications to 400 stakeholders of upcoming webinar and workshop dates, link to online survey form, feedback and questions contact information, and invitation to meet in addition to workshop opportunities
- Hosting a consultation webinar and two workshops (in addition to the workshops related to the Bylaw 181 amendments):
  - September 7, 2017: Webinar: 26 participants
  - September 13, 2017: Evening Workshop: 8 participants
  - September 21, 2017: Daytime Workshop: 21 participants
- Notifying 1,500 stakeholders that the October 12, 2017 Zero Waste Committee agenda was available online with instructions on how to apply as a delegation to the Zero Waste Committee. The additional stakeholders were entities included in the Metro Vancouver recycling database, Metro Vancouver Recycles, that were notified of the Bylaw 181 consultation activities. Commencing in October, notifications were combined.
- Notifying 1,500 stakeholders that the October 27, 2017, GVS&DD Board agenda was available online with instructions on how to apply as a delegation to the GV&DD Board
• Notifying 1,500 stakeholders that the November 9, 2017 Zero Waste Committee agenda was available online with instructions on how to apply as a delegation to the Zero Waste Committee
• Notifying the public through newspaper advertisements in The Vancouver Sun and The Province of the November 9, 2017 Zero Waste Committee agenda with instructions on how to apply as a delegation
• Notifying 1,500 stakeholders that the November 24, 2017 GVS&DD Board agenda was available online with instructions on how to apply as a delegation
• Notifying the public through newspaper advertisements in The Vancouver Sun and The Province of the November 24, 2017 GVS&DD Board agenda with instructions on how to apply as a delegation

The following individuals appeared as delegations to the Zero Waste Committee or Board on Commercial Waste Hauler Licensing:

- **October 12, 2017 Zero Waste Committee**
  - Josh Jansen Vandoorn (Super Save Group)
  - Angus Gardner (Belkorp)
  - Steve Bryan (Waste Management Association of British Columbia)

- **November 24, 2017 Board**
  - Ralph McRae (Revolution Resource Recover Inc. and Revolution Infrastructure Inc.)
  - Adam Thomas and Dimitri Pantazopoulos (Waste Connections)

A summary of consultation feedback and Metro Vancouver responses up to September 30, 2017 was reported to the Zero Waste Committee and Board at their October 2017 meetings. Subsequent correspondence was provided to the Zero Waste Committee and Board at their November 2017 meetings and via the Metro Vancouver Board Network, where appropriate.

Metro Vancouver staff participated in meetings when requested and responded to emails and phone calls on the proposals from July to November 2017.

Consultation timeline, activities, stakeholder distribution list, reports, correspondence and other information is included as part of the Generator Levy and Commercial Waste Hauler Licensing Consultation and Engagement Feedback document in Attachment 4.

For your information, we are writing to Regional Districts around the Province to request they express support for Bylaw 307 as we believe Commercial Waste Hauler Licensing is a tool that could advance solid waste management around the province and is currently under consideration in some other regional districts.

In closing, Metro Vancouver is responsible for implementing the ISWRMP, which targets 80% diversion by 2020. Metro Vancouver has one of the most comprehensive and successful waste reduction and recycling programs in North America. The Commercial Waste Hauler Licensing program and the Generator Levy are important tools in continuing to advance the Region’s recycling rates and
waste diversion goals, and in ensuring that core municipal solid waste disposal services are funded in a manner that is equitable for all waste generators in the region.

If you have an interest in discussing the proposed Bylaw 307 or the Generator Levy, we would be happy to meet with you in person. Thank you for your consideration of this important waste management issue.

Yours truly,

Greg Moore
Chair, Metro Vancouver Board

Malcolm Brodie
Chair, Zero Waste Committee

GM/MB/CM/ph

cc: Mark Zacharias, Deputy Minister of Environment and Climate Change Strategy
David Morel, Assistant Deputy Minister, Environmental Protection, Ministry of Environment and Climate Change Strategy
Tessa Graham, Executive Director, Regional Operations Branch, Ministry of Environment and Climate Change Strategy
AJ Downie, Regional Director, Authorizations – South, Environmental Protection Division, Ministry of Environment and Climate Change Strategy
Luc Lachance, Section Head, General Industry / Solid Waste Authorizations – South, Regional Operations Branch Environment Protection Division, Ministry of Environment and Climate Change Strategy

Attachments:

2. Certified Copy of Board Resolution, dated November 24, 2017, for the Greater Vancouver Sewerage and Drainage Commercial Waste Hauler Licensing Bylaw No. 307, 2017


To: Zero Waste Committee

From: Paul Henderson, General Manager, Solid Waste Services

Date: November 3, 2017  Meeting Date: November 9, 2017

Subject: GVS&DD Commercial Waste Hauler Licensing Bylaw

RECOMMENDATION
That the GVS&DD Board:

a) approve implementing a Commercial Waste Hauler Licensing program through a new Commercial Waste Hauler Licensing Bylaw;

b) give first, second and third reading to Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and forward it to the Minister of Environment and Climate Change Strategy for approval; and

c) write to Regional Districts around the Province requesting that they write the Minister of Environment and Climate Change Strategy in support of Metro Vancouver’s Commercial Waste Hauler Licensing program.

PURPOSE
The purpose of this report is to propose a Commercial Waste Hauler Licensing Bylaw and propose forwarding the Commercial Hauler Licensing Bylaw to the Minister of Environment and Climate Change Strategy for approval.

BACKGROUND
On October 27, 2017, the GVS&DD Board approved the following recommendation:

That the GVS&DD Board direct staff to prepare bylaws on the Mixed Municipal Solid Waste Generator Levy and Commercial Hauler Licensing.

This report brings forward a new Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 (Commercial Waste Hauler Licensing Bylaw) for the Board’s consideration.

This report is being brought forward in parallel with the report dated November 3, 2017, 2017, titled “Generator Levy Implementation: Tipping Fee and Solid Waste Disposal Regulation Proposed Bylaw Changes”, containing proposed changes to the 2018 Tipping Fee Bylaw to implement the Generator Levy. One of the benefits of Commercial Waste Hauler Licensing is to facilitate the collection of the Generator Levy.

Metro Vancouver consulted with stakeholders on the proposed Generator Levy and Commercial Waste Hauler Licensing through two meetings and a webinar in September 2017 as well as other opportunities to submit feedback up to September 30, 2017. The provisions in the proposed Commercial Hauler Licensing Bylaw consider stakeholder feedback received during the consultation period.
COMMERCIAL WASTE HAULER LICENSING BYLAW PROVISIONS
The proposed Commercial Waste Hauler Licensing Bylaw is attached. The Commercial Waste Hauler Licensing Bylaw requires the approval of the Minister of Environment and Climate Change Strategy.

The Commercial Waste Hauler Licensing Bylaw requires that any commercial waste hauler collecting more than 10 tonnes per month of Mixed Municipal Solid Waste using mechanically unloading vehicles obtain a Commercial Waste Hauler Licence, to help encourage recycling in multi-family and commercial/institutional buildings and assist in collecting the Generator Levy. Less than 50 haulers are expected to require licenses.

The following provisions are contained in the proposed Commercial Waste Hauler Licensing Bylaw for the Board’s consideration:

- Any commercial waste hauler collecting more than 10 tonnes per month Mixed Municipal Solid Waste from residential and/or commercial/institutional buildings using mechanically unloaded vehicles must hold a valid Commercial Waste Hauler Licence;
- The following haulers do not require a Commercial Waste Hauler Licence:
  - Haulers that collect only Source Separated Recyclable Material, construction and demolition waste or both; and
  - Municipalities that collect Mixed Municipal Solid Waste from multi-family and/or commercial/institutional buildings provided that the municipality has a bylaw or policy requiring recycling containers to be provided wherever the municipality collects Mixed Municipal Solid Waste;
- Licensed Haulers must provide or verify the provision of containers for separate collection of organics and other Recyclable Material from Mixed Municipal Solid Waste. Organics must be collected separately from other Recyclable Material but other Recyclable Material could be co-mingled;
- Commercial Waste Hauler Licence fee set at $100 per year per company;
- Licensed Haulers must maintain records of date, time, quantity, facility name/location and vehicle licence plate number of all loads of Mixed Municipal Solid Waste or Recyclable Material and submit a quarterly report for Mixed Municipal Solid Waste delivered to facilities other than Metro Vancouver and City of Vancouver disposal facilities; and
- Licensed Haulers must collect and remit the Generator Levy to Metro Vancouver for any waste delivered to facilities other than Metro Vancouver and City of Vancouver disposal facilities.

ALTERNATIVE
1. That the GVS&DD Board:
   a) approve implementing a Commercial Waste Hauler Licensing program through a new Commercial Waste Hauler Licensing Bylaw;
   b) give first, second and third reading to Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and forward it to the Minister of Environment and Climate Change Strategy for approval; and
   c) write to Regional Districts around the Province requesting that they write the Minister of Environment and Climate Change Strategy in support of Metro Vancouver’s Commercial Waste Hauler Licensing program.
2. That the Zero Waste Committee receive for information the report dated November 3, 2017, titled “GVS&DD Commercial Waste Hauler Licensing Bylaw” and provide alternate direction to staff.

FINANCIAL IMPLICATIONS
If the Board approves Alternative 1 and gives third reading to the Commercial Waste Hauler Licensing Bylaw, staff will forward the proposed Bylaw to the Minister of Environment and Climate Change Strategy for approval. If the Commercial Waste Hauler Licensing Bylaw is approved by the Minister of Environment and Climate Change Strategy and adopted by the Board, enforcement and administration resources required to implement the Bylaw are not expected to exceed current requirements.

If the Board does not approve Alternative 1, there will be a delay implementing Commercial Waste Hauler Licensing, potentially resulting in reduced future recycling in multi-family and commercial/institutional buildings as well as potential challenges collecting the Generator Levy.

SUMMARY / CONCLUSION
The proposed Commercial Waste Hauler Licensing Bylaw would require that any commercial waste hauler collecting more than 10 tonnes per month of Mixed Municipal Solid Waste using mechanically unloading vehicles obtain a Commercial Waste Hauler Licence from Metro Vancouver and provide or verify the provision of containers for separate collection of organics and other Recyclable Material from Mixed Municipal Solid Waste. Licensed Haulers must maintain records of all loads of Mixed Municipal Solid Waste or Recyclable Material and submit a quarterly report for Mixed Municipal Solid Waste delivered to facilities other than Metro Vancouver and City of Vancouver disposal facilities. These provisions were outlined in the Zero Waste Committee report dated October 6, 2017, titled “Generator Levy and Commercial Hauler Licensing Update” which reflect stakeholder feedback received during the September 2017 consultation period. Commercial Waste Hauler Licensing would help encourage recycling in multi-family and commercial/institutional buildings and assist in collecting the Generator Levy.

Staff recommend Alternative 1, that the Board approve implementing a Commercial Waste Hauler Licensing Bylaw, give first, second and third reading to the Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and forward it to the Minister of Environment and Climate Strategy for approval.

Attachment:
Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 (Orbit # 23665859)
Resolution Form

This is to advise that at the November 24, 2017 Regular Meeting, the Greater Vancouver Sewerage and Drainage District (GVS&DD) Board of Directors considered the following report:

**GVS&DD Commercial Waste Hauler Licensing Bylaw**

and passed the following resolution(s):

"That the GVS&DD Board:

a) approve implementing a Commercial Waste Hauler Licensing program through a new Commercial Waste Hauler Licensing Bylaw;

b) give first, second and third reading to Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017 and forward it to the Minister of Environment and Climate Change Strategy for approval; and

c) write to Regional Districts around the Province requesting that they write the Minister of Environment and Climate Change Strategy in support of Metro Vancouver’s Commercial Waste Hauler Licensing program”.

I, Klara Kutakova, hereby certify the foregoing to be a true and correct copy of a Resolution as finally adopted at the November 24, 2017 Regular meeting of the Greater Vancouver Sewerage and Drainage District (GVS&DD) Board of Directors.

Dated at Burnaby, British Columbia, this 1st Day of December, 2017.

Klara Kutakova, Deputy Corporate Officer
WHEREAS:

A. Pursuant to the Greater Vancouver Sewerage and Drainage District Act (the "Act") the objects of the Greater Vancouver Sewerage and Drainage District ("GVS&DD") include the disposal of all types of waste and the operation and administration of facilities for the disposal of all types of waste;

B. The GVS&DD is authorized pursuant to section 25(3)(h) and (i) of the Environmental Management Act to regulate with respect to municipal solid waste and recyclable material, and to require haulers to hold a hauler licence and to set conditions for the issuance, suspending or cancelling of a hauler licence;

C. Licensing of waste collection service providers is identified as an initiative in the Integrated Solid Waste and Resource Management Plan; and

D. In relation to the disposal of solid waste generated within the geographic area of the GVS&DD, section 7B of the Act empowers the GVS&DD to set levies payable by generators of waste or by other persons who use the services of a commercial waste hauler based on the quantity, volume, type or composition of waste generated, and to require haulers to remit that levy to the GVS&DD;

NOW THEREFORE the Board of the Greater Vancouver Sewerage and Drainage District in open meeting assembled, enacts as follows:

1.0 Citation

1.1 This bylaw may be cited as the "Greater Vancouver Sewerage and Drainage District Commercial Waste Hauler Licensing Bylaw No. 307, 2017".

2.0 Definitions

2.1 In this Bylaw, terms defined in the Environmental Management Act shall have the meaning set out therein for the purpose of this bylaw unless otherwise defined in this bylaw. In this bylaw:

"Board" means the board of directors of the Greater Vancouver Sewerage and Drainage District;

"Client" means a person, a household, a strata corporation, a business, an institution, or any other generator of waste, who pays a hauler to collect or manage municipal solid waste;

"Construction and Demolition Waste" means refuse that originates from demolition or construction sources that has not been handled or managed with waste from other sources;
"Environmental Management Act" means the *Environmental Management Act* S.B.C. 2003 c. 53;

"Generator Levy" means the levy payable by the generator of municipal solid waste to the GVS&DD pursuant to the Tipping Fee Bylaw in effect from time to time;

"GVS&DD" means the Greater Vancouver Sewerage and Drainage District;

"Hauler Licence" means a valid and subsisting licence issued under this bylaw;

"Licence Holder" means the person who is the holder of a valid and subsisting Hauler Licence;

"Manager" means the person appointed as the Solid Waste Manager pursuant to the Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996, and includes any person appointed or designated to act in his or her place;

"Mixed Municipal Solid Waste" means refuse that originates from residential, commercial, or institutional sources, or any combination of waste or refuse from these sources and other sources, but does not include Source Separated Recyclable Material or Construction and Demolition Waste;

"Non-organic Recyclable Material" means recyclable material as defined in the *Environmental Management Act*, other than Organic Recyclable Material;

"Organic Recyclable Material" includes packaged or unpackaged food waste, green waste, clean wood, recyclable paper that has been soiled by or comingled with food residue, compostable packaging and products, carbon paper, tissue paper, paper napkins or towels or paper that is covered or infused with wax, or any combination thereof and does not contain more than 5% (by wet weight) of any other type of refuse;

"Private Facility" means a facility that handles, manages, accepts or disposes of waste that is not a Regional Facility;

"Regional Facility" means any facility owned or operated by the GVS&DD or the City of Vancouver, including any of the facilities listed in Schedule "A", as attached hereto as Schedule "A" and hereby made part of this bylaw;

"Source Separated Recyclable Material" means:

(i) Organic Recyclable Material that has been separated from other recyclable material and from municipal solid waste, and

(ii) Non-organic Recyclable Material that has been separated from municipal solid waste,

by the waste generator at the point of generation for the purposes of recycling; and
“Tipping Fee Bylaw” means the Greater Vancouver Sewerage and Drainage District Tipping Fee and Solid Waste Disposal Regulation Bylaw in effect from time to time, or where no such bylaw exists, the bylaw in effect from time to time that establishes tipping fees at Regional Facilities.

3.0 Licence Required

3.1 No person shall haul waste within the geographic area of the GVS&DD unless that person holds a valid and subsisting Hauler Licence authorizing that activity.

4.0 Exemptions

4.1 Notwithstanding section 3.0 of this bylaw, the following haulers do not require a Licence:

(a) Haulers that collect only Source Separated Recyclable Material, Construction and Demolition Waste, or both;

(b) Municipalities that collect municipal solid waste from multi-family buildings, commercial and institutional sectors, or both, provided that the municipality has a bylaw or policy requiring recycling containers to be provided wherever the municipality collects municipal solid waste;

(c) A hauler that manages less than 10 tonnes of Mixed Municipal Solid Waste in every month of a calendar year; or

(d) A hauler that only uses vehicles that are hand unloaded, with no mechanical assistance.

5.0 Licence Applications

5.1 Every application for a Hauler Licence shall be made to the GVS&DD on the application form prescribed by the Manager.

6.0 Application Fee

6.1 At the time of making application for a Hauler Licence under this bylaw, an applicant shall pay to the GVS&DD the non-refundable application fee of $100.

7.0 Applicants

7.1 Every application for a Hauler Licence shall be made by the owner of the vehicle or vehicles used by the applicant to haul waste, or that person’s authorized signatory.

7.2 If there is more than one owner of the vehicle that is the subject matter of a Licence application, each owner must sign the application or consent to another owner signing the document on their behalf.
8.0 Licence Information Requirements

8.1 All applications for a Hauler Licence shall include the following information:

(a) Company or owner name and contact information;

(b) A list of all vehicles used by the hauler to haul Mixed Municipal Solid Waste, including the gross vehicle weight and licence plate number of each vehicle;

(c) The anticipated monthly amount of Mixed Municipal Solid Waste hauled by the hauler;

(d) Confirmation that the hauler has provided its clients with containers for each of Organic Recyclable Materials, Non-Organic Recyclable Materials and Mixed Municipal Solid Waste, or an explanation of why those containers are not provided in accordance with sections 12.1 and 12.2 of this bylaw.

9.0 Licence Issuance

9.1 The Manager shall issue a Hauler Licence to the applicant where a complete application for a Hauler Licence under this bylaw has been made indicating compliance with all terms of this bylaw, and the applicant has paid the application fee for the Licence. All future Licences issued to the same hauler may only be issued as a renewal.

10.0 Term of Licence

10.1 The term of every Hauler Licence will be up to one year and shall expire on March 31 of each calendar year.

11.0 Licence Renewal

11.1 A Licence Holder may apply to renew its Hauler Licence annually anytime after December 31 but before March 31 of each calendar year by submitting to the Manager the following:

(a) A completed renewal application in the form prescribed by the Manager, clearly indicating any changes in licensing information from the previous licence term;

(b) Where the hauler has only delivered Mixed Municipal Solid Waste to Regional Facilities, and has not delivered any Mixed Municipal Solid Waste to a Private Facility, a declaration in the form prescribed by the Manager; and

(c) Where the hauler has delivered any Mixed Municipal Solid Waste to a Private Facility, a copy of the hauler’s Quarterly Reports as required pursuant to sections 16.1 and 16.2 of this bylaw, and a declaration in the form prescribed by the Manager that all Generator Levy amounts collected by the Hauler up to December 31 of the previous calendar year have been remitted to the GVS&DD in accordance with the Tipping Fee Bylaw.

11.2 The Manager shall issue a renewal of a Hauler Licence where:
(a) the Hauler Licence is in good standing, all fees are up to date, and all Generator Levy amounts have been remitted pursuant to the Tipping Fee Bylaw;

(b) all the original Licence information is still valid and applicable to the existing operations, or has been updated in the renewal application;

(c) the reporting requirements applicable to the hauler under this bylaw or any other enactment have been satisfied; and

(d) the Licence Holder has paid to the GVS&DD a renewal fee of $100.

12.0 Separation of Recyclable Materials

12.1 Every hauler shall provide to each of its clients bins of adequate size for the separate collection of each of the following:

(a) Non-organic Recyclable Material including, at a minimum, paper and paper products, and metal, glass and plastic containers;

(b) Organic Recyclable Material; and

(c) Mixed Municipal Solid Waste.

12.2 As a limited exception to section 12.1, where a hauler has verified the provision of any one of the containers required to be provided under section 12.1 by their client or another hauler, that hauler is not required to provide that container to its client.

12.3 Every hauler shall manage Non-organic Recyclable Material, Organic Recyclable Material and Mixed Municipal Solid Waste so as to keep these materials separate from one another at all times.

13.0 Inspection and Weighing of Loads

13.1 Every hauler shall ensure that every load of Mixed Municipal Solid Waste or recyclable material delivered to a Regional Facility or Private Facility is weighed or otherwise quantified and recorded upon receipt at the facility and before mixing with any other loads.

14.0 Record of Loads

14.1 Every hauler shall maintain a record of all loads of Mixed Municipal Solid Waste delivered to a Regional Facility or Private Facility, including the date, time, quantity, facility name, location, and vehicle licence plate number.

15.0 Record Keeping

15.1 A Licence Holder shall maintain accurate and up-to-date records of all Mixed Municipal Solid Waste delivered to every Regional Facility and Private Facility, and make those records available
for inspection by request of the Manager or any officer appointed by the Board for the purpose of enforcing the bylaws of the GVS&DD.

16.0 Quarterly Report

16.1 Every Licence Holder shall prepare a Quarterly Report containing the following:

(a) the quantity (by weight or volume) of Mixed Municipal Solid Waste collected from generators within the geographic area of the GVS&DD on a load by load basis;

(b) the quantity (by weight or volume) of Mixed Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivered to Regional Facilities on a load by load basis; and

(c) the quantity (by weight or volume) of Mixed Municipal Solid Waste collected from generators within the geographic area of the GVS&DD and delivered to Private Facilities or locations other than Regional Facilities on a load by load basis.

16.2 Every Licence Holder shall submit to the Manager the Quarterly Report prepared pursuant to section 16.0 as follows:

(a) for January 1 to March 31, by April 15 of each calendar year;

(b) for April 1 to June 30, by July 15 of each calendar year;

(c) for July 1 to September 30, by October 15 of each calendar; and

(d) for October 1 to December 31, by January 15 of the following calendar year.

16.3 Where a Licence Holder has only delivered Mixed Municipal Solid Waste to a Regional Facility in any given quarter, no Quarterly Report is required.

17.0 Powers of Manager

17.1 Without limiting the authority granted to the Manager under this bylaw and other enactments, the Manager has the following powers:

(a) To prepare and prescribe forms that are to be used for the purposes of this bylaw;

(b) To determine whether a Licence application or Licence renewal is complete;

(c) To request additional information from an applicant where the Manager considers that the information provided in relation to a Licence application or Licence renewal is incomplete;

(d) To refuse a Hauler Licence application or Licence renewal on the basis that the application is incomplete, or where satisfied that the conditions of this bylaw have not been met;
(e) To suspend or revoke a Hauler Licence in accordance with this Part;

(f) To impose conditions on a Hauler Licence in accordance with this Part;

(g) To request information from a Licence Holder in relation to compliance with a Licence or this bylaw; and

(h) To renew a Hauler Licence in accordance with this bylaw.

18.0 Licence Revocation and Suspension

18.1 The Manager may suspend or revoke a Hauler Licence under this bylaw where the Manager considers that:

(a) The Licence Holder has contravened this bylaw, or another relevant and applicable bylaw or enactment;

(b) The Licence Holder has contravened a condition of the Licence;

(c) The Licence was issued on the basis of information submitted by the Licence Holder in support of the Licence application which was incorrect or misleading in a material way; or

(d) The Licence Holder has failed or refused to pay a fee or remit a levy required under this bylaw or a related bylaw.

19.0 Imposition of Conditions in Relation to Suspension or Revocation

19.1 Where the Manager suspends a Licence, it may also impose conditions in relation to compliance with this bylaw or related enactments, including conditions that:

(a) Shorten the term of a suspension upon compliance with a Hauler Licence or this bylaw; or

(b) Impose additional monitoring or reporting requirements on a Licence Holder.

19.2 All conditions imposed in relation to a Licence suspension become Licence conditions, and are enforceable under this bylaw in the same manner as other Licence conditions.

19.3 An applicant may appeal a determination by the Manager to refuse a Licence application or Licence renewal, to impose conditions on a Licence, or to revoke or suspend a Licence to the Commissioner.

19.4 The decision of the Manager with respect to any of the above matters is immediately effective unless or until varied or reversed by the Commissioner on appeal.
20.0 Appeals to the Commissioner

20.1 If the Manager refuses a Hauler Licence application or Hauler Licence renewal, or revokes or suspends a Hauler Licence, the applicant or Licence Holder may appeal this determination to the Commissioner by submitting a written request for an appeal to the Manager within 30 days of the Manager's decision.

20.2 The Commissioner may extend the time for commencing an appeal either before or after the time for commencement of the appeal has elapsed.

20.3 On an appeal of a decision of the Manager, the Commissioner may consider new information submitted to the Commissioner by the applicant or Licence Holder, the Manager, an affected municipality, or other relevant parties, provided that this information is made available to all interested parties prior to the Commissioner's determination of the appeal.

20.4 On considering an appeal, the Commissioner may:

(a) confirm, reverse or vary the decision appealed from;

(b) refer the matter back to the Manager for reconsideration, as the case may be, with or without directions; or

(c) make any decision that the Manager could have made and that the Commissioner considers appropriate in the circumstances.

20.5 At the request of the Manager whose decision is being appealed, the Commissioner shall permit the Manager to have full party status at the appeal.

21.0 Compliance with Bylaw and Licence

21.1 No person shall:

(a) Fail to comply with the terms of a Hauler Licence issued under this bylaw;

(b) Deliver Mixed Municipal Solid Waste to a Regional Facility without a Hauler Licence, unless exempted under section 4.0 of this bylaw;

(c) Manage Mixed Municipal Solid Waste, Organic Recyclable Material or Non-Organic Recyclable Material contrary to this bylaw;

(d) Prevent or obstruct, or seek or attempt to prevent or obstruct the Manager or another GVS&DD employee administering or enforcing this bylaw; or

(e) In relation to an application for a Hauler Licence under this bylaw, intentionally submit false or misleading information.
21.2 The Manager, and every officer appointed by the Board for the purpose of enforcing the bylaws of the GVS&DD, is authorized to enter a site or inspect the contents of a vehicle for the purpose of enforcing this bylaw and, for this purpose, to exercise all the authority set out in sections 109 and 111 (2) of the Environmental Management Act.

22.0 Offence

22.1 Every person who commits an act that is prohibited by this bylaw commits an offence under this bylaw is liable on summary conviction to fines of up to $200,000.

22.2 Each day that a violation of this bylaw continues constitutes a separate offence.

23.0 Compliance with Other Laws

23.1 Nothing in this bylaw, including, a Licence under this bylaw, excuses any person from complying with all other applicable enactments.

24.0 Application

24.1 This bylaw applies to all land located within the geographic area of the GVS&DD.

25.0 Date of Effect

25.1 This bylaw comes into force and effect upon adoption.

READ A FIRST TIME this 24th day of November, 2017.

READ A SECOND TIME this 24th day of November, 2017.

READ A THIRD TIME this 24th day of November, 2017.

APPROVED BY THE MINISTER OF ENVIRONMENT this _____ day of ______________________, ________.

PASSED AND FINALLY ADOPTED this _____ day of ______________________, ________.

I hereby certify that the foregoing is a true and correct copy.

[Signature]

Klara Kutakova, Deputy Corporate Officer

[Signature]

Chris Plagnol, Corporate Officer
SCHEDULE A

Regional Facilities

- Coquitlam Transfer Station located at 1200 United Boulevard, Coquitlam
- North Shore Transfer Station located at 30 Riverside Drive, North Vancouver
- Surrey Transfer Station located at 9770 192nd Street, Surrey
- Langley Residential Transfer Station located at 1070 272 Street, Langley
- Maple Ridge Residential Transfer Station located at 10092 236 Street, Maple Ridge
- Waste-to-Energy Facility located at 5150 Riverbend Drive, Burnaby
- Vancouver South Transfer Station located at 377 West Kent Avenue North, Vancouver
- Vancouver Landfill located at 5400 72nd Street, Delta

I hereby certify that the foregoing is a true and correct copy.

Klara Kutakova, Deputy Corporate Officer