

Regulatory Mechanisms to Increase Recycling Industry Workshop October 14, 2011

Workshop Summary

November 25, 2011

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1. Overview

Metro Vancouver's new Integrated Solid Waste and Resource Management Plan (ISWRMP) identifies Regulatory Mechanisms to Increase Recycling (RMIR) in Metro Vancouver. Metro Vancouver has worked with municipal staff and industry working groups to develop these regulatory mechanisms. Currently, Metro Vancouver is consulting on these initiatives with government staff and industry stakeholders.

The three initiatives presented and discussed at the RMIR Industry Workshop were:

- **Solid Waste Regulatory Bylaw Review (SWRBR)**
Potential revisions to the *Greater Vancouver Sewerage & Drainage District (GVS&DD) Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996*, which governs the management of municipal solid waste and recyclable materials at privately-operated facilities.
- **Mandatory Recycling on Demolition, Landclearing and Construction (DLC) Worksites**
Proposed municipal regulatory approach to mandate recycling and hazardous materials reporting on construction and demolition work sites.
- **Mandatory Space for Recycling in Multi-family and Commercial (MFC) Buildings**
Proposed municipal regulatory approach to mandate recycling infrastructure requirements for new and renovated multi-family and commercial buildings

Collectively, the objectives of these mechanisms are to support Metro Vancouver's ISWRMP through the use of regulatory mechanisms to encourage sustainable and cost-effective resource recovery at licensed private solid waste and recyclable material management facilities, with materials from DLC worksites and MFC buildings.

2. Industry Workshop

The overall Workshop objectives were to:

- provide information and opportunities for input to industry representatives regarding each of the three initiatives
- inform Metro Vancouver staff efforts to revise the sample municipal bylaws for review by the Waste Management Committee and Board
- inform Metro Vancouver staff efforts to draft a Solid Waste and Recyclable Material Regulatory Bylaw amendment for review by the Waste Management Committee and Board, and submission to the Minister of Environment for approval.

Invitees to this workshop included:

- private solid waste and recyclable material management facility operators
- construction and demolition industry representatives
- developers
- building managers
- haulers
- contractors
- regulators
- municipal staff
- others participating and interested in the solid waste industry in the region.

The Workshop took place October 14, 2011 from 8:30 a.m. to 4:30 p.m. at the Holiday Inn Express in Burnaby, B.C. The workshop was divided into three sessions as follows:

Session 1: Solid Waste Regulatory Bylaw Review (SWRBR)
8:30 – 11:00 a.m.

Session 2: Mandatory Recycling on Demolition, Landclearing and Construction (DLC)
Worksites
11:00 a.m. – 2:00 p.m.

Session 3: Mandatory Space for Recycling in Multi-family and Commercial (MFC)
Buildings
2:00 – 4:30 p.m.

Each session included a 15-minute presentation by Metro Vancouver staff. Sessions 2 and 3 also featured brief municipal staff presentations regarding their municipality's perspective on DLC and MFC initiatives. Subsequent small group discussions utilized a modified World Café format allowing participants to visit and contribute to several table topic discussions. The table topics by session were:

Session 1: Solid Waste Regulatory Bylaw Review (SWRBR)

1. Facility types requiring a solid waste license
2. Recyclable materials definition
3. Facilitator operator requirements
4. License and disposal fees
5. Compliance promotion

Session 2: Mandatory Recycling on Demolition, Landclearing and Construction (DLC) Worksites

1. Eligible, excused and exempt projects
2. Targeted recyclables and hazardous materials
3. Fees
4. Administration and approvals
5. Enforcement and verification

Session 3: Mandatory Space for Recycling in Multi-family and Commercial (MFC) Buildings

1. Eligible, excused and exempt projects
2. Recycling storage space requirements
3. Vehicle access and loading area
4. Compliance

3. Feedback

Input at the RMIR industry workshop was received via:

- participant comments and questions recorded on flip charts during small group discussions
- participant comments and questions during plenary sessions
- feedback forms completed and returned at the event.

4. Key Themes

Key challenges and recommendations emerged from the discussions as follows, by session:

Session 1: Solid Waste Regulatory Bylaw Review (SWRBR)

Facility types requiring a solid waste license

- Requiring all facilities accepting recycling to be regulated and tiered (based on size and whether they are on or off-site) should increase diversion
- Support for tiered licenses and scaled fees
- Support for all facilities, public and private, to require licenses
- Concern regarding burden of administration, reporting and regulations.

Recyclable materials definition

- Concern regarding financial impacts to smaller operators of expanding materials definition
- Concern regarding financial impacts to facilities that handle agricultural waste
- Concern with difficulty in keeping sources/defined materials separate
- Ensure adequate processing capability for new materials.

Facility operator requirements

- Audits with an escalating enforcement approach could be considered
- Metro Vancouver or a security deposit could cover the cost of audits to demonstrate non-compliance
- If a company is found to be compliant, cost of audit should be recovered.

License and disposal fees

- Support for using fees to ensure a level playing field
- Strong support for a tiered reward system; use incentives rather than disincentives
- Help smaller facilities and start-ups by scaling fees and issuing reimbursement for successes
- Concern that fees will have little impact because volume of broker residuals is too low and fees not high enough
- Ensure transparency in what Metro Vancouver does with collected fees.

Compliance

- Develop streamlined programs (e.g. fewer inspections) for companies with good compliance records
- Create incentives for compliance, create a rewards or incentive program
- Use fines/license suspensions for companies that are repeat offenders
- Have a checklist/guide for new and existing facilities to ensure compliance
- Create criteria to guide escalated enforcement.

Session 2: Mandatory Recycling on Demolition, Landclearing and Construction (DLC) Worksites

Eligible, exempt and excused projects

- Remove the \$50,000 threshold as projects will be structured/costed to fall below the threshold
- Create a level playing field for all projects – no exemptions
- All projects should be targeted, but there should be differing regulations for different types (e.g. construction sites should have higher standards)
- Incentive to recycle is low without markets for recyclable materials
- Combine demolition and construction requirements on one permit for single-family residential
- Develop a method to capture projects that do not trigger a permit process.

Target recyclable and hazardous materials

- Concern regarding the lack of space at facilities and total capacity for recycling targeted materials
- Develop additional small transfer stations
- Location and convenience of drop-off facilities are critical
- Provide lists of facilities authorized to take on material
- Broaden zoning opportunities for recycling facilities
- Concern with possible overlap of hazardous materials reporting with WorkSafe BC requirements
- Consider third party verifications of hazardous materials diversion, or documentation from final recycling site
- Require documentation of hazardous materials on site.

Fees

- Deposit-refund system is onerous and time-consuming; a bond/letter of credit for proven contractors would be preferable
- Ensure that verification and refund of fees have a quick turnaround time
- Offer incentives for good behaviour rather than penalties for poor behaviour
- Concern that fees aren't effective; education and convenience of recycling may provide better incentives
- Contractors could demonstrate responsible performance/behaviour through initial compliance/reporting – possibly during phase-in of bylaw.

Application requirements and approval process

- Keep process as simple as possible
- Streamline process to encourage compliance by increasing drop-off sites, creating a database to track materials, and standardizing definitions (e.g. when demolition starts) and reporting systems
- Increase educational resources
- Promote and provide lists of licensed/approved facilities
- Create permits for different project stages in addition to one umbrella site permit
- Consider whether waste going to a material recovery facility will satisfy bylaw requirements
- Consider how reuse of materials will be tracked, and to what extent.

Compliance

- Consistent approach amongst municipalities is key to compliance success
- Increase monitoring through inspecting waste entering landfills and increasing officers in the field
- Consider using third-parties for contractor certification
- Put more officers in the field using revenue from the increased fees
- Use incentive programs
- Prohibit demolitions on weekends as material recycling might not be properly conducted.

Session 3: Mandatory Space for Recycling in Multi-family and Commercial (MFC) Buildings

Eligible, excused and exempt projects

- There should be no exemptions, including for all new construction
- Flexibility in providing alternative methods should be allowed to make recycling more convenient
- Leadership in Energy and Environmental Design (LEED) certification requirements may be a basis for exemption from the bylaw
- Introduce phased-in compliance for existing buildings.

Recycling storage space requirements

- Strong support for flex space
- Opposition to mandating provision of in-suite space as it is difficult to enforce
- Concern regarding whether existing buildings have enough space for recycling requirements
- Need tools to educate property managers and tenants
- Participation will be a challenge; incentives and/or enforcement are needed.

Vehicle access and loading area

- Space provided must meet requirements, and must be easily accessible by trucks.
- Consider how space should be allocated for old and new buildings
- Identify incentives for builders to remove space from living space
- Need to address conflict between desire for centralized space for loading with high-density developments and the goal of selling more units
- Fine for distances between storage area and loading area over 50 to 100 feet.

Compliance

- Education is highly important
- Compliance must be determined through planning or early construction phases
- Enforce at occupancy permit stage
- Incentives pre- or post-occupancy are required to ensure compliance
- Enforcement could be via spot inspections or ambassador program
- Haulers can help ensure proper use of recycling space and access requirements.

5. Next Steps

The deadline for feedback has been extended from November 30 to December 16, 2011 and additional stakeholder meetings are being held. Participants are encouraged to submit their feedback by visiting Metro Vancouver's website and completing an online feedback form at:

Session 1: Solid Waste Regulatory Bylaw Review (SWRBR)

www.metrovancouver.org/boards/bylaws/Pages/bylawreview.aspx

Session 2: Mandatory Recycling on Demolition, Landclearing and Construction (DLC) Worksites

www.metrovancouver.org/services/solidwaste/planning/Pages/default.aspx

Session 3: Mandatory Space for Recycling in Multi-family and Commercial (MFC) Buildings

www.metrovancouver.org/services/solidwaste/planning/Pages/default.aspx

Comments may also be sent directly to icentre@metrovancouver.org using the subject line: RMIR (Regulatory Mechanisms to Increase Recycling), or by mail to:

Public Involvement Division
Metro Vancouver
4330 Kingsway
Burnaby, BC V5H 4G8

Consultation reports will include issue-response tables, in which Metro Vancouver responds to the questions and comments raised during the consultation. Following the close of the comment period on December 16, 2011, these tables will be available to all stakeholders and the public.

Following consideration of all of the feedback received during this consultation, Metro Vancouver staff will modify the bylaw approaches where appropriate and review these with government staff. The recommended regulatory mechanisms, along with consultation reports, will then be forwarded to Metro Vancouver's Waste Management Committee and Board for review.

Final sample bylaws and supporting forms and implementation guides will then be forwarded to municipalities for consideration and implementation.

Amendment to Metro Vancouver's own solid waste regulatory bylaw requires the approval of the provincial Minister of Environment.

6. Participation

The following organizations participated in the RMIR Industry Workshop, by session.

Session 1: Solid Waste Regulatory Bylaw Review (SWRBR)

- 3R Demolition
- Action Environmental
- BFI
- Cadillac Fairview
- Canadian Fibre
- Cascades Recovery Inc.
- Contractor
- Dillon Consulting
- Ecowaste
- Emterra
- Fairway Disposal/Waste Away Disposal
- Genesis Recycling
- Greater Vancouver Home Builders Association
- Happy Stan's Recycling
- Harvest Power
- Inner City Demo,
- Lafarge
- Lighthouse
- Mr. Bin Disposal
- NSD Disposal,
- Recyc – Mattress
- Rolls Right
- Saakori Lifestyle
- Sierra Waste Services
- Super Save Group

- Urban Impact Recycling
- Urban Woodwaste Recyclers
- Waste Control Services
- Wastech
- West Rim Fibre
- Westcoast Plastic Recycling
- Yield Energy

Session 2: Mandatory Recycling on Demolition, Landclearing and Construction (DLC) Worksites

- 3R Demolition
- Action Environmental
- BC Blacktop Ltd.
- BFI
- Canadian Fibre
- City of West Vancouver
- Contractor
- Dillon Consulting
- Ecowaste
- Emterra
- Fairway Disposal/Waste Away Disposal
- Golder Associates
- Greater Vancouver Home Builders Association
- GVHBA / CCI Renovations
- Happy Stan's Recycling
- Harvest Power
- Inner City Demo
- Lighthouse
- Mr. Bin Disposal
- NSD Disposal
- Urban Impact Recycling
- Urban Wood
- Waste Control Services
- Wastech
- Worksafe B.C.
- Yield Energy

Session 3: Mandatory Space for Recycling in Multi-family and Commercial (MFC) Buildings

- Action Environmental
- BFI
- Building Owners and Managers Association (BOMA)
- Cadillac Fairview Corp.
- Cascades Recovery Inc.
- Contractor
- Dillon Consulting
- Earth Renu Energy Corp.
- Emterra
- Encorp
- Greater Vancouver Home Builders Association
- Happy Stan's Recycling
- NSD Disposal
- Sierra Waste Services
- Urban Impact Recycling
- Waste Control Services
- Wastech
- Yield Energy