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PROJECT: RDMW SWMP
Update

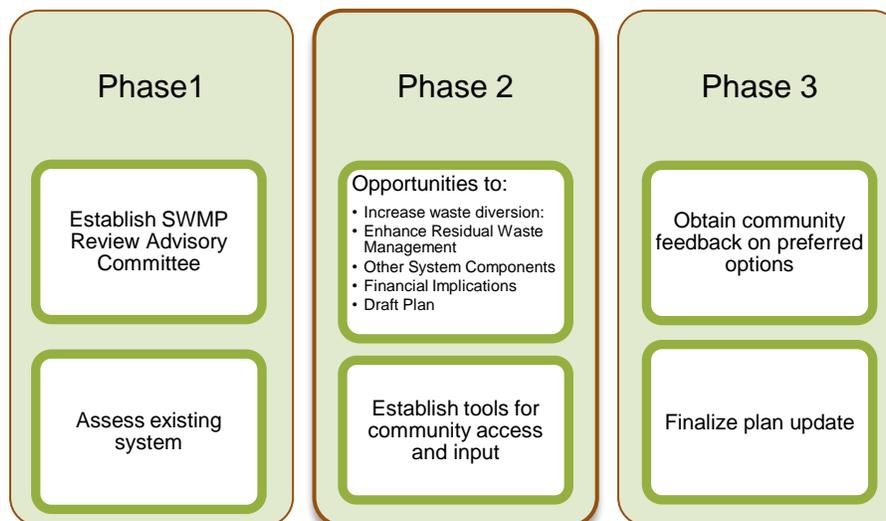
SUBJECT: SWMP Update – Other System Components and Plan Requirements

1. INTRODUCTION

The Regional District of Mount Waddington (RDMW) is currently updating its 1996 Solid Waste Management Plan (SWMP). The process to review the 1996 SWMP is being conducted in three phases as indicated in Figure 1-1.

The first phase, which is complete, consisted of the establishment of the Regional Solid Waste Management Plan Advisory Committee (RSWMPAC) as well as an assessment of the current solid waste management system and a status report on the implementation of the 1996 Plan. The second phase entails a review of options to address the region's future waste solid waste management needs and the selection of preferred options. The third phase will consist of a community and stakeholder consultation process to obtain input on the selected options.

Figure 1-1: Plan Review Process



The planning process is currently in the second phase. As the plan review is being guided by the 5R waste management hierarchy (reduce, reuse, recycle, recovery, residuals management) illustrated in Figure 1-2, the review of options to address future needs can be divided into the programs and services required to minimize waste sent to landfill (Zero Waste) and the services required to provide safe and effective management of the remaining waste that requires landfilling (Residual Waste).



Figure 1-2: Waste Management Hierarchy



The MWA technical memorandum entitled “Options to Reduce the Amount of Waste Landfilled” provided an overview of many of the available options to reduce the amount of waste sent to landfill in the RDMW. The MWA technical Memorandum entitle “Enhancing Residual Waste Management” considered issues and options associated with the recovery and management of the remaining residual waste requiring disposal now and into the future.

This technical memorandum considers other solid waste system components related to illegal dumping mitigation as well as plan requirements related to dispute resolution and plan monitoring and evaluation.

2. ILLEGAL DUMPING

The term “illegal dumping” refers to a range of activities where waste materials have been intentionally disposed in an unauthorized location; this includes:

- Abandonment of used goods on sidewalks, in alleyways and other public spaces. This is typically large items such as furniture, mattresses and electronics.
- Dumping of waste on logging roads, in power line corridors and other rural spaces. This is often renovation debris, yard waste or large items.
- Deposition of valueless used goods at charity organizations’ stores and drop-off bins. This is typically smaller items such as stained clothing, broken electronics and partially used paints and cleaners.





Illegal dumping is a serious issue as it is costly to manage and poses a risk to wildlife and human health. Many regional districts and municipalities in BC are dealing with this issue through prevention, enforcement and clean-up activities

Table 2-1 outlines the illegal dumping mitigation initiatives that have been implemented in the RDMW.

Table 2-1: Illegal Dumping Mitigation Initiatives in the RDMW

Initiative	Description
Organizing clean up events	As significant illegal dump sites are identified, RDMW has organized the clean-up of the sites, as available budget allows. Other community stakeholders have also contributed their services to these clean up event. In recent years, there has no events have been held.
Waiving tipping fees for yard waste	Yard waste whose diameter is less than 5 cm is not charged a tipping fee and is directed towards composting. Deterring yard waste dumping in the woods avoids the initial act which often escalates into additional materials being dumped.
No tipping fees for recyclables	By not charging tipping fees on recyclable materials, there is less burden on the public to channel these materials into proper disposal stream.
Waiving tipping fees for waste collected from illegal dump sites on public land	Several community cleanup efforts have been undertaken on logging roads and along the shoreline which the RDMW has assisted on. The Board has approved the waiving of tipping fees for these materials.
Closure of dumping sites in conjunction with establishing solid waste services	The closure of dumping sites at Woss and Malcolm Island with corresponding services being established or expanded has reduced the tonnage that is illegally disposed.
Community Gardens (Quatsino, Malcolm Island, Port Hardy)	Community gardens encourage the disposal of garden waste away from the surrounding forests

What other options are available to combat Illegal Dumping?

Many regional districts in BC have implemented illegal dumping mitigation programs. Some options for consideration are provided below:

Regional District of Nanaimo

Illegal dumping on private and public lands in rural areas has been a long-standing concern in the Regional District of Nanaimo. The RDN has been monitoring and measuring illegal dumping for approximately 25 years and has found that although the amount of waste illegally dumped represents only .02% of the total solid waste generated in the region, illegally dumped material can have serious effects on the environment, wildlife habitat and the ability of others to use and enjoy outdoor recreational areas. As a result, they have also developed a comprehensive approach to tackle the issue.

Their program includes:



- Prevention of illegal dumping through education;
- Funding the clean-up of illegal dump sites; and
- Illegal dumping surveillance and enforcement activities.

This case study will focus primarily on their surveillance and enforcement activities.

Part of the RDN's Waste Stream Management Licensing (WSML) Bylaw includes a section to enforce the proper disposal of waste. The WSML bylaw requires those who generate waste be responsible for its proper disposal. If a generator's waste is found to be abandoned, the generator can be subject to a fine of up to \$200,000. The authority to undertake this type of enforcement is also enabled by Section 25 of the Environmental Management Act. This component of the WSML bylaw is the backbone to the RDN's illegal dumping program.

The RDN had a Zero Waste Compliance Officer staff position (now Bylaw Enforcement) to carry out illegal dumping prevention and Waste Stream Management License bylaw enforcement and education duties. This position undertakes complaint response, records management, inter-agency/media contacts, establishes the posting of signage in areas subject to illegal dumping activities and conducts historic site monitoring.



In instances where the officer can identify the generator, a written warning is issued with a request to clean up the abandoned waste. In most cases this action is sufficient to achieve compliance. In instances where a generator fails to take responsibility, the officer can charge the clean-up costs to the generator and levy a fine. In some cases, the RDN will work with the RCMP and/or the Ministry of Environment.



The RDN also works with several organizations that are frequent users of backroads and trails including Vancouver Island University (VIU) woodlot staff, VIU's Resource Management Officer Technology Program, Island Timberlands security, Emcon Services staff and various recreational groups/users. These organizations have volunteered to observe and report illegal dumping activities and sites to assist the RDN in monitoring activities and enhancing enforcement. The RDN also maintains a website page where any member of the public can "Observe, Record and Report" illegal dumping that they come across. All complaints, regardless of the source, result in the opening of a file and an investigation.

In 2012, the RDN responded to 115 incident complaints with 43 tonnes of waste cleaned up by RDN contractors or community groups. A total of 18 files resulted in names being located and individuals directed to clean up or warned about their actions. Two individuals were uncooperative and were scheduled for court appearances and were subsequently fined in 2013. Five additional illegal dumping signs were erected in historical illegal dumping areas as well as a problematic RDN park sites (for a total of 60 signs throughout the RDN). All signs are GPS mapped. Community

groups were supported in clean-ups with 15 disposal waivers issued. The illegal dumping program is promoted through Shaw Cable, radio, newspaper and Facebook.



Capital Regional District

The challenge of illegal dumping is an on-going issue in the Capital Regional District (CRD). In 2011, the CRD conducted a survey of member municipalities, local recycling depots and non-profit recycling organizations as part of a process to develop an illegal dumping strategy. This survey revealed that the most common materials illegally discarded were furniture and mattresses, and the most frequent location was on municipal boulevards.

The CRD's existing illegal dumping strategy is multi-faceted to address several aspects of the illegal dumping issue. The strategy is made up of the following:

- On-going surveys of local municipalities, recycling depots and non-profit recycling organizations to understand the current nature and breadth of the illegal dumping problem;
- Monitoring approaches used in other jurisdictions to tackle illegal dumping for potential application in the CRD;
- A communications plan aimed at increasing awareness of illegal dumping as a social and environmental issue, as well as providing information on where and how to dispose of used goods appropriately;
- Funding of community clean up initiatives;
- Supporting non-profit organizations involved in the re-use of goods through:
 - Reduced tipping fees on the disposal of non-salable goods
 - Receiving abandoned household hazardous waste at Hartland Landfill for free
 - Establishing a communications campaign in 2013 that encouraged residents to “donate responsibly”; and
- Working with member municipalities towards a synchronized enforcement approach for the CRD.

As part of the communications plan, the CRD implemented a community-based social marketing campaign that focused on the proper disposal method for and the cost implications to tax payers for random dumping of waste on private property, vacant lots or roadsides. The campaign included significant outreach, advertising, social media and corporate partners, including the University of Victoria's Student Society (UVSS), Jack FM and the Time Columnist. Activities in the campaign included:

- Outreach to UVic students
 - The campaign was launched to coincide with the end of term at UVic
 - CRD staffed worked with UVSS on outreach to the student body
 - UVSS reported a 75% reduction in waste abandoned or dumped in student housing;
- Attending over 30 community events across the region promoting the campaign;
- Advertising utilizing print, radio, transit and online advertising. The campaign received extensive media coverage as well;



- The “Junk It Kit”, which included a tarp, bungee cord, information on recycling options and a pencil. Three thousand of the kits were given away as a means to increase awareness; and
- A Social Media Campaign: From April 2nd to June 9th the CRD partnered with Jack FM, and asked listeners to find the community cruiser around town to spot what “Junk is in the Trunk” of the Jack FM 2012 Toyota Prius Community Cruiser. Each week for 10 weeks the CRD placed everyday household items in the cruiser. Listeners found the cruiser at community events around town and tweeted or posted on Facebook the abandoned waste items for that week and were entered to win prizes along with learning how to properly and safely dispose of those items.

The CRD’s approach to the problem of illegal dumping is comprehensive and initial reports indicate that there has been a positive impact, particularly related to awareness.

Thompson-Nicola Regional District

The Thompson-Nicola Regional District (TNRD) is taking steps to reduce the impact of illegal dumping and to raise awareness about the environmental impacts associated with it through their new Community Clean Up Program launched as part of the new Pay-as-You Throw waste collection (<https://www.tnrd.ca/content/illegal-dumping>). The TNRD Community Clean Up program includes: increased monitoring to map illegal dump sites and catch illegal dumpers in action; an illegal dumping hotline for residents to report illegal dumping; and, support for community clean ups by providing free garbage bags and by waiving tipping fees for waste collected at illegal dump sites on public property.

qathet Regional District

The qathet Regional District (formerly Powell River Regional District), promotes the use of the free TrashOut phone application to help staff track local dump sites and identify sites that require cleaning. TrashOut is app for smartphones that required the user to sign up for a free account. Once signed up, the user can take a photo of the trash and the phone will automatically record the GPS coordinates. Once the coordinates are uploaded on the app, the coordinates will become a pinpoint on a map and the user can



fill out a quick report of what materials the site consists of, how much material is there and other details that the user wants to add. The map can be used by local governments, community groups or members of the public who want to participate in cleanup efforts.

The qRD also hold a one-day community clean up event each year-called the Trash Bash. Residents can clean up dump sites,

litter and beaches and drop off the collected materials for free. Participants are treated to a hot lunch and prizes. (<http://www.powellriverrd.bc.ca/community-services-2/solid-waste-recycling/illegal-dumping-trash-bash/>)



RDMW has already engaged in many of the approaches describe above, including conducting clean ups and waiving tipping fees for community clean up initiatives. If desirable, the RDMW could also consider the following approaches to mitigating illegal dumping:

The RDMW could consider implementing all or some of the following actions:

- Establish and enforce a bylaw that puts the onus for proper disposal on the waste generator
- Develop a “observe, record and report” program
- Develop an education program that addresses dumping of non-saleable goods at donation sites.

3. PROPOSED DISPUTE RESOLUTION PROCESS

The Ministry of Environment (MOE) requires that regional solid waste management plans include a dispute resolution procedure and that this procedure be developed in consultation with input from the advisory committee. The Ministry’s Guidelines for preparing solid waste management plans state, “Although consultation efforts may prevent or minimize conflicts, at times disputes may arise during development or implementation of the plan and regional districts should be prepared to quickly and equitably resolve any conflicts that may arise. To this end, regional districts should establish dispute resolution procedures to address any complaints or concerns that occur during plan development or implementation.” The Guidelines also include a suggested dispute resolution procedure to assist regional districts in creating their own procedure. This procedure is provided below as a proposed process for the RDMW to include in the SWMP Update.

Proposed Dispute Resolution Procedure

This dispute resolution procedure may apply during plan development as well as to the following types of conflicts that could arise during plan implementation:

- ◆ Administrative decisions made by regional district staff



- ♦ Interpretation of a statement, bylaw, policy or provision in the plan
- ♦ Any other matter not related to a proposed change to the wording of the plan or an operating certificate.

The following principles will be followed:

- i. The parties will make all reasonable efforts to attempt to resolve the dispute in an amicable manner without outside intervention
- ii. Disputes will be attempted to be resolved as early and at the lowest administrative level as possible; every effort will be made to avoid disputes requiring a formal resolution process
- iii. The formal process is not intended to deal with inconsequential or frivolous disputes
- iv. The cost of mediation or adjudication will be shared by the parties to the dispute
- v. Information or data related to the dispute will be shared by the parties
- vi. Rules of confidentiality and freedom of information will apply

Disputes will be settled using the following procedure:

Negotiation	Parties involved in the dispute shall make every effort to resolve the dispute on their own through non-facilitated communication. If necessary, the parties will provide each other with a written summary of their position and any relevant supporting documentation Parties may agree to make use of a facilitator
<i>If this is unsuccessful</i>	
Plan Monitoring Advisory Committee	Parties involved in the dispute will have opportunity to speak to the Committee Committee will review, consider and provide recommendations to the Board
<i>If this is unsuccessful</i>	
Board	Parties involved in the dispute will have opportunity to speak to the Board Board will receive recommendations from the Committee and settle the dispute; or, recommend mediation
<i>If the board is unable to settle the dispute</i>	



<p>Mediation</p>	<p>A neutral, impartial third-party facilitator who is acceptable to all the parties to the dispute will be selected. Using appropriate mediation techniques, the facilitator will attempt to develop a solution which satisfies all parties. The facilitator has no decision-making authority. If the parties cannot agree on a mediator, the matter shall be referred to the BC Mediation Roster Society or equivalent roster organization for selection of a mediator.</p> <p>All efforts will be made to reach an agreement through mediation</p> <p>Costs for mediation will be shared by the parties in dispute</p>
<p><i>If this is unsuccessful</i></p>	
<p>Independent Arbitrator</p>	<p>If the dispute cannot be resolved by a mediator, the matter will be referred to arbitration and the dispute will be arbitrated in accordance with the any applicable legislation. A neutral, impartial third-party arbitrator who is acceptable to all the parties to the dispute will be selected. The arbitrator hears each party’s evidence and arguments and renders a final, binding decision.</p> <p>Costs for arbitration shall be apportioned at the discretion of the arbitrator</p>

4. PLAN MONITORING AND MEASUREMENT

As per the MOE Guidelines for Solid Waste Management Planning, the implementation of a solid waste management plan should be monitored to determine its on-going effectiveness. Annual measurement and monitoring allows course corrections to be made in a timely manner.

The following monitoring and measurement activities are recommended for RDMW’s Solid Waste Management Plan Update.

1. **Plan Monitoring Advisory Committee:** Establish a Plan Monitoring Advisory Committee with a mandate to monitor the implementation of the plan, evaluate its effectiveness, and advise the regional district regarding the Plan’s on-going implementation. On an annual basis, Regional District staff would compile data that reflects the status of the Plan’s implementation and progress toward waste reduction targets. This data would be provided to the Plan Monitoring Advisory Committee.
2. **BC Disposal Calculator:** RDMW continue to compile data annually on all of the municipal solid waste disposal activities in the regional district for reporting to the BC Ministry of Environment’s on-line disposal calculator.
3. **Interim Assessment:** As per the MOE Guidelines for Solid Waste Management Planning, five years into the implementation of the Plan, the RDMW should carry out a review of the plan’s implementation and effectiveness. As prescribed by the Ministry of Environment, this review may include:



- Overview of all programs or actions undertaken in first five years to support the plan goals and targets, including status and implementation costs for each.
 - Description and forecasted budget for programs or actions not yet started and status, including explanations for delays or cancellations of plan components.
 - Five-year trend information for waste disposal per person.
 - Five-year trend of greenhouse gases emitted and avoided, if available.
 - Any significant changes that might impact the solid waste management system over the next five years.
4. **Waste Composition Study:** A study that looks at the composition of the waste being sent to landfill provides a wealth of information on the effectiveness of current programs and policies, and also assists in identifying opportunities to further minimize the amount of waste sent to disposal. Waste composition studies are recommended at the following points:
- In advance of the interim review noted above
 - In advance of the next RSWMP update.