



Regional District of Central Kootenay
JOINT RESOURCE RECOVERY COMMITTEE
Open Meeting Agenda

Date: Wednesday, September 13, 2023
Time: 1:00 pm
Location: Hybrid Model - In-person and Remote

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

Pages

1. WEBEX REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Meeting Time:

1:00 pm PDT

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=ma3d769fd529dcfd74b0218a5f98b097f>

Join by Phone:

1-844-426-4405 Canada Toll Free
+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2774 766 2306

Meeting Password: frGnmTee887

In-Person Location: RDCK Board Room, 202 Lakeside Drive, Nelson, BC

2. CALL TO ORDER & WELCOME

Director Popoff to call the meeting to order at 1:00 pm.

2.1 Traditional Lands Acknowledgement Statement

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

2.2 Adoption of the Agenda

RECOMMENDATION:

The agenda for the September 13, 2023 Joint Resource Recovery meeting be adopted as circulated.

2.3 Receipt of Minutes

4 - 8

The August 16, 2023 Joint Resource Recovery minutes, have been received.

3. RDCK-RDKB MEMORANDUM OF UNDERSTANDING: ORGANICS

9 - 16

The September 6, 2023 Committee Report from Matt Morrison, Organics Coordinator, providing the Memorandum of Understanding (MOU) developed to outline the responsibilities and expectations of the two organizations related to the delivery and receiving of organic waste being brought from the RDKB to the RDCK Central (Salmo) Composting Facility, and seek authorization to sign the MOU, has been received.

RECOMMENDATION:

[Central & West Sub-regions]

That the Board approve the RDCK enter into a Memorandum of Understanding with the Regional District of Kootenay Boundary (RDKB) which outlines the responsibilities and expectations of the two parties in regards to the delivery and receiving of organic waste originating within the RDKB.

4. REQUEST FOR QUOTE RESULTS: SUPPLY & MAINTENANCE OF PORTABLE TOILETS

17 - 21

The September 13, 2023 Committee Report from Heidi Bench, Projects Advisor, providing the results of the Request for Quotes (RFQ) for the Supply and Maintenance of Portable Toilets with Sinks at Resource Recovery Facilities, and to request approval to award a contract, has been received.

RECOMMENDATION:

[All Electoral Areas]

That the Board approve the RDCK enter into a Services Agreement with Anex Sales & Rentals Ltd. for the supply & maintenance of portable toilets with sinks at various Resource Recovery Facilities for a period of 3 years at 3-year contract value of approximately \$152,257 including GST (subject to annual adjustments for inflation);

AND FURTHER, that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the costs be paid from:

- Service S186 East Sub-Region Resource Recovery Service of approximately \$47,796.
- Service S187 Central Sub-Region Resource Recovery Service not to exceed \$43,496.

- Service S188 West Sub-Region Resource Recovery Service of approximately \$60,964.

22 - 35

5. **RESOURCE RECOVERY BYLAW NO. 2905 AMENDMENT BYLAW NO. 2926**

The August 21, 2023 Committee Report from Todd Johnston, Environmental Services Coordinator, proposing Resource Recovery Bylaw No. 2926, 2023, to amend Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023, has been received.

RECOMMENDATION:

[All Areas]

That the *Regional District of Central Kootenay Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023* be read a FIRST, SECOND, and THIRD time by content.

RECOMMENDATION:

[All Areas]

That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2926, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

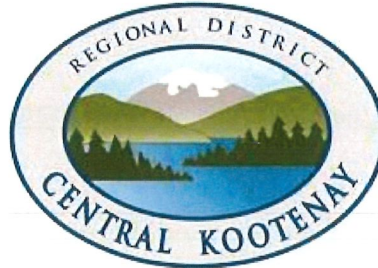
6. **PUBLIC TIME**

The Chair will call for questions from the public and members of the media at 3:00 pm.

7. **ADJOURNMENT**

RECOMMENDATION:

The September 13, 2023 Joint Resource Recovery Committee meeting adjourn at ____ pm.



Regional District of Central Kootenay

JOINT RESOURCE RECOVERY COMMITTEE MEETING

Open Meeting Minutes

A Joint Resource Recovery Committee meeting was held on Wednesday, August 16, 2023 at 1:00 pm PDT through a hybrid meeting model.

ELECTED OFFICIALS PRESENT	Director G. Jackman	Electoral Area A (Chair)	In-person
	Director R. Tierney	Electoral Area B	In-person
	Director K. Vandenberghe	Electoral Area C	In-person
	Director A. Watson	Electoral Area D	In-person
	Alt. Director J. Smienk	Electoral Area E	In-person
	Director T. Newell	Electoral Area F	In-person
	Director H. Cunningham	Electoral Area G	
	Director A. Davidoff	Electoral Area I	
	Director H. Hanegraaf	Electoral Area J	In-person
	Director T. Weatherhead	Electoral Area K	In-person
	Director M. McFadden	City of Castlegar	
	Director A. Mondia	Town of Creston	In-person
	Director S. Hewat	Village of Kaslo	
	Director T. Zeleznik	Village of Nakusp	
	Director K. Page	City of Nelson	
	Director D. Lockwood	Village of Salmo	In-person
	Director C. Ferguson	Village of Silverton	
	Director J. Lunn	Village of Slocan	
ELECTED OFFICIALS ABSENT	Director W. Popoff	Electoral Area H	
	Director L. Casely	Village of New Denver	
STAFF PRESENT	S. Horn	Chief Administrative Officer	
	U. Wolf	GM – Environmental Services	
	A. Wilson	Resource Recovery Manager	
	A. Hamilton	Environmental Projects Lead	
	M. Morrison	Organics Coordinator	
	N. Schilman	Environmental Technologist	
	S. Eckman	Meeting Coordinator	

1. WEBEX REMOTE MEETING INFO

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m73f09e7533541281593fd40c90907754>

Join by Phone:

1-844-426-4405 Canada Toll Free

+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2772 138 3092

Meeting Password: JVrcum98Sp7

In-Person Meeting Location for Hybrid Meeting Model

The following location was determined to hold the in-person meetings for the Joint Resource Recovery Committee:

Location Name: RDCK Board Room

Location Address: 202 Lakeside Drive, Nelson, BC

The facility listed above was able to accommodate the remote requirements for the meeting.

2. CALL TO ORDER & WELCOME

Director Jackman assumed the chair and called the meeting to order at 1:00 pm PDT.

2.1 Traditional Lands Acknowledgement Statement

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

2.2 Adoption of the Agenda

Moved and seconded,

And resolved:

The Agenda for the August 16, 2023 Joint Resource Recovery Committee meeting be adopted as circulated.

Carried

2.3 Receipt of Minutes

The July 19, 2023 Joint Resource Recovery Committee Minutes have been received.

3. RURAL CURBSIDE CONSULTATION RESULTS AND SERVICE ESTABLISHMENT PROCESS

The July 31, 2023 Committee Report from Matt Morrison, Organics Coordinator, providing recommendations for the development of a Service Establishment Bylaw for curbside collection services for households within portions of Electoral Areas F, H, and J, and that voter approval for the bylaw be undertaken by means of Assent Voting, has been received.

DIRECTOR Director Ferguson joined the meeting at 1:15 pm.
PRESENT

Moved and seconded,
And resolved that it be recommended to the Board:

That the Board direct staff to prepare a service establishment Bylaw for Curbside Collection Services within the recommended Service Area Boundaries, maintaining the ability to make adjustments as required to meet relevant program criteria, in portions of Electoral Area J; and that voter approval, for the bylaw, be undertaken by means of Assent Voting.

Carried

RECESS Meeting recessed for a break from 2:01 pm to 2:10 pm.

DIRECTOR Director Page joined the meeting at 2:08 pm.
PRESENT

Moved and seconded,
And resolved that it be recommended to the Board:

That the Board direct staff to prepare a service establishment Bylaw for Curbside Collection Services within the recommended Service Area Boundaries, maintaining the ability to make adjustments as required to meet relevant program criteria, in portions of Electoral Areas F and H, and that voter approval, for the bylaw, be undertaken by means of Assent Voting.

Carried

Moved and seconded,
And resolved:

That the Board direct staff to prepare a breakdown of costs associated with the Assent Voting for the service establishment Bylaw for Curbside Collection Services and provide clarification of costs being borne by the respective service if the process is unsuccessful.

Defeated

4. OOTISCHENIA LANDFILL LANDS ACQUISITION

The August 1, 2023 Committee Report from Nathan Schilman, Environmental Technologist, advising that staff will be proceeding with an application to the Crown to expand the current License of Occupation (LOO) boundaries at the Ootischenia Landfill in order to fulfil the goal of optimizing landfill capacity as laid out in the 2021 RDCK Resource Recovery Plan, and to seek re-designation of lands to the north of the landfill from Residential zoning to Open Space zoning, to allow for the creation of an ecological reserve area that is tied into the Waterloo Eddy Regional Park, has been received.

5. COST RECOVERY THROUGH TIPPING FEE ASSESSMENT AND SYSTEMS EFFICIENCY REVIEW UPDATE

Amy Wilson, Resource Recovery Manager, provided a verbal update on the cost recovery through tipping fee assessment and systems efficiency review.

6. CORRESPONDENCE FOR RECEIPT

- a. The 2023 UBCM Meeting Request: Recycling Regulation Shortfalls addressed to the Ministry of Environment and Climate Action Change.

7. STAFF REPORTS

7.1 Adjustment to Facility Operating Hours due to Heat

8. PUBLIC TIME

The Chair called for questions from the public and members of the media 3:25 pm PDT.

14. ADJOURNMENT

Moved and seconded,
And resolved:

The Joint Resource Recovery Committee meeting adjourn at 3:25 pm PDT.

Carried

CERTIFIED CORRECT



Director G. Jackman
Chair, August 16, 2023 Joint Resource Recovery Committee meeting

**BOARD RESOLUTIONS AS ADOPTED AT THE AUGUST 16, 2023 JOINT RESOURCE RECOVERY
COMMITTEE MEETING**

RECOMMENDATION #1

That the Board direct staff to prepare a service establishment Bylaw for Curbside Collection Services within the recommended Service Area Boundaries, maintaining the ability to make adjustments as required to meet relevant program criteria, in portions of Electoral Area J; and that voter approval, for the bylaw, be undertaken by means of Assent Voting.

RECOMMENDATION #2

That the Board direct staff to prepare a service establishment Bylaw for Curbside Collection Services within the recommended Service Area Boundaries, maintaining the ability to make adjustments as required to meet relevant program criteria, in portions of Electoral Areas F and H, and that voter approval, for the bylaw, be undertaken by means of Assent Voting.



Committee Report

Date of Report: September 6, 2023
Date & Type of Meeting: September 13, 2023 Joint Resource Recovery Committee
Author: Matt Morrison – Organics Coordinator
Subject: RDCK – RDKB MEMORANDUM OF UNDERSTANDING – ORGANICS
File: 12-6210-20
Electoral Area/Municipality Regional District of Kootenay Boundary

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide the Joint Resource Recovery Committee with the Memorandum of Understanding (MOU) developed to outline the responsibilities and expectations of the two organizations related to the delivery and receiving of organic waste being brought from the RDKB to the RDCK Central (Salmo) Composting Facility, and seek authorization to sign the MOU.

SECTION 2: BACKGROUND/ANALYSIS

With the start of operations at the Central (Salmo) Composting Facility, and the launch of the Regional District of Kootenay Boundary (RDKB) curbside green bin program, the RDCK and the RDKB wish to have a Memorandum of Understanding (MOU) in place that outlines the responsibilities and expectations of the two parties.

Receiving organic waste collected from residential curbside services in the RDKB has been a consistent component of facility design and program planning since the start of the RDCK Organic Waste Diversion Strategy in 2018. As well, the RDKB completed an Organics Management Strategy in 2019 that identified a partnership with the RDCK for the delivery of organic waste from the McKelvey Wasteshed to the RDCK Central Composting Facility as the preferred option.

The MOU is intended to outline high level intentions, expectations, and responsibilities of the two parties in regards to the delivery of organic waste from the RDKB directly to the Central (Salmo) Composting Facility. The MOU is not intended to have any legal effect, and is meant to be a living document where the parties are able to adjust and amend the document as the relationship evolves.

The RDKB will be accountable to the RDCK Resource Recovery Regulatory Bylaw, while access to the Central (Salmo) Composting Facility will be outlined in the Resource Recovery Site Access Agreement. The RDKB will hold a commercial account with the RDCK, and be charged a tipping fee for organic waste that is disposed of at the RDCK Facility.

The MOU between the RDCK and the RDKB is expected to provide the basis for which to refine and develop the partnership between the two organizations in a collaborative manner that meets the mutually beneficial objectives of reducing landfilled organic wastes.

It is recommended that the Committee authorize staff to enter into a Memorandum of Understanding with the RDKB for the delivery and receiving of organic waste originating within the RDKB.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:

☐ Yes ☒ No

Financial Plan Amendment:

☐ Yes ☒ No

Debt Bylaw Required:

☐ Yes ☒ No

Public/Gov't Approvals Required:

☐ Yes ☒ No

Not applicable.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

None. The MOU is not intended to have any legal or regulatory effect. The RDKB will be accountable to the RDCK Resource Recovery Regulatory Bylaw.

3.3 Environmental Considerations

The MOU facilitates the Organics Waste Diversion/Management Strategies for both parties. Reducing landfilled organic waste saves landfill capacity, reduces the impacts of landfill leachates, and reduces methane produces from landfilled organic waste.

3.4 Social Considerations:

None noted.

3.5 Economic Considerations:

The RDKB represents the largest potential tonnage of organic waste being delivered to the Central (Salmo) Composting Facility. While no minimum tonnage is guaranteed, the RDKB will be charged a Tipping Fee for Organic Waste that is reasonably tied to full cost recovery of operating the facility and processing the organic waste received from the RDKB. The value of the RDKB as a customer to the RDCK is in the tipping fees recovered, as well as the value within the feedstocks for the production and re-sale of Class A compost.

3.6 Communication Considerations:

Communication between the Parties, as well as for the public should highlight the collaborative nature of the agreement, and intentions to work together to meet mutually beneficial goals and objectives (by following through with the Responsibilities and Expectations as set out in the MOU).

3.7 Staffing/Departmental Workplace Considerations:

The Compost Facility Operator will receive and process the organic waste delivered to the Central (Salmo) Compost Facility. The Organics Coordinator will maintain the relationship between the RDCK and RDKB and provide updates to any revisions to the MOU.

3.8 Board Strategic Plan/Priorities Considerations:

This MOU aligns with the RDCK Board's priority of Waste Management and Alternatives, and RDCK's Strategic Objective to adapt to our changing climate and mitigate greenhouse gas emissions.

SECTION 4: OPTIONS & PROS / CONS

OPTION 1: That the Board approve the RDCK enter into the Memorandum of Understanding with the Regional District of Kootenay Boundary, which outlines the responsibilities and expectations of the two parties in regards to the delivery and receiving of organic waste originating within the RDKB.

PROS:

- Provides a living document that outlines the intentions, responsibilities, expectations of the two parties
- Provides no legal effect, and is meant to describe a collaborative and mutually beneficial relationship
- Allows the Parties to have the MOU in place prior to the launch of the RDKB Green Bin Program on October 2, 2023
- Is consistent with past mutual support for organics diversion within the two organizations

CONS:

- None noted.

OPTION 2: That the Joint Resource Recovery Committee direct Staff to revise the Memorandum of Understanding with the Regional District of Kootenay Boundary, which outlines the responsibilities and expectations of the two parties in regards to the delivery and receiving of organic waste originating within the RDKB, as directed and return to the October JRRC meeting for further consideration.

PROS:

- Allows for revisions to the MOU preferred by the JRRC

CONS:

- Does not allow for a MOU to be in place prior to the RDCK accepting the RDKB organics for processing

SECTION 5: RECOMMENDATIONS

That the Board approve the RDCK enter into a Memorandum of Understanding with the Regional District of Kootenay Boundary (RDKB) which outlines the responsibilities and expectations of the two parties in regards to the delivery and receiving of organic waste originating within the RDKB.

Respectfully submitted,

Matt Morrison – Organics Coordinator

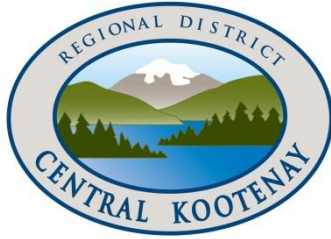
CONCURRENCE

Resource Recovery Manager – Amy Wilson

General Manager of Environmental Services – Uli Wolf

ATTACHMENTS:

Attachment A: Draft Memorandum of Understanding



MEMORANDUM OF UNDERSTANDING

BETWEEN

The Regional District of Central Kootenay

AND

Regional District of Kootenay Boundary

This MEMORANDUM OF UNDERSTANDING (“MOU”) is made and entered into by and between the Regional District of Central Kootenay, hereinafter referred to as “the RDCK,” and the Regional District of Kootenay Boundary, hereinafter referred to as “the RDKB,” Hereinafter collectively referred to as the Parties.

A. PREAMBLE:

The RDCK and the RDKB wish to collaborate in works associated with their respective Organic Waste Diversion Programs, with the common goal of reducing the amount of organic wastes being landfilled in order to meet the solid waste management objectives of:

- 1) Reducing greenhouse gas (methane) emissions and landfill leachate production associated with organic waste decomposing in landfills; and,
- 2) Preserving landfill capacity and extending landfill lifespans.

As part of this collaboration, the RDKB will transport organic waste collected from their residential green bin program and any other sources to the RDCK-owned and operated Central (Salmo) Composting Facility (the Facility) for the receiving and processing of organic wastes into compost (the Works).

B. BACKGROUND:

It is recognized that:

- The RDKB completed an Organics Management Strategy in 2019 which evaluated options for expansion of organics diversion programs;
- The RDKB Board of Directors has provided direction that for the organic waste generated in the McKelvey Creek Wasteshed a partnership with the RDCK was the preferred option;
- A letter of support was provided to the RDCK on June 22, 2020 which included a commitment “in-principle” to supply/and or direct collected organic food waste to the Facility once the organics processing infrastructure is constructed and operational. The letter of support was provided to enhance a RDCK grant application to the CleanBC Organic Infrastructure Program;
- The RDCK has been successful in receiving an Organics Infrastructure Program grant for the construction of the Facility;
- The Facility will operate in compliance with the Organic Matter Recycling Regulation and any applicable local, Provincial, and Federal legislation and regulations;
- The Facility is designed to produce a Class A Compost product from non-bio-solids feedstocks;
- The requirement to operate the Facility in compliance with the OMRR and production of Class A compost will impact the quality and types of acceptable feedstocks;

- The RDKB has constructed a transfer station facility at the McKelvey Creek Landfill to collect food waste from residential and commercial collection programs to allow for efficient transport to the Facility;
- Due to the economies of scale achieved with the partnership between the RDCK and RDKB, there is inherent benefit to both parties to continue to work cooperatively together to achieve successful organic waste diversion programs;
- The most up-date version of the RDCK Resource Recovery Facilities Regulator Bylaw (the Bylaw) will provide the definitions, fees, and lists of accepted and prohibited materials related to the disposal of organic waste.

C. PURPOSE:

The Parties wish to establish a cooperative and mutually beneficial relationship in order to accomplish the Works. The purpose of this MOU is to set forth each of the Parties' responsibilities and expectations for the Works, as well as the mechanism(s) by which changes to the agreed-upon Responsibilities and Expectations may occur.

D. RESPONSIBILITIES AND EXPECTATIONS:

1. Supply of Feedstocks
 - a. RDKB intends to direct food waste generated in the McKelvey Creek Wasteshed to the Central (Salmo) Composting Facility located at 550 Emerald Road, Salmo, BC.
 - b. RDKB will endeavor to work cooperatively on the provision of wood waste generated in the McKelvey Creek Wasteshed, should it be needed for the composting process.
 - c. RDKB does not provide any warranty or guarantee of quantity of materials directed to the RDCK.
2. Access to Central (Salmo) Composting Facility
 - a. RDKB will have access to the Facility during its standard hours of operation in which an RDCK operator is present at the site.
 - b. A Site Access Agreement will be used to outline the conditions of access to the Central Transfer Station and Central Composting Facility (Schedule A).
 - c. An approximate delivery schedule for loads arriving to the RDCK Composting Facility from the RDKB will be provided, and revised when changed.
3. Acceptance of Feedstock
 - a. Accepted and prohibited materials are outlined in the Bylaw under Schedules H and I, respectively.
 - b. RDCK will make every effort to accept loads of organic waste that contain small amounts of Prohibited Materials (contamination) when contamination removal is considered operationally possible.
4. Rejection of Feedstocks
 - a. Rejected Organics Waste is defined in Bylaw.
 - b. Rejected Organic Waste tipping fees are defined in the Bylaw.
 - c. Rejection of loads containing organic wastes from the RDKB will be at the sole

- discretion of the RDCK.
- d. Should a load of organic waste originating from the RDKB be rejected, the RDCK will notify the RDKB immediately that a load has been rejected, and request collection and transportation of rejected loads for proper disposal within the RDKB.
 - e. The RDKB and RDCK will strive to resolve issues of rejected loads within 24 hours.
5. RDKB Access to Produced Compost Product (Class A)
- a. Access to the Produced Compost Product (Class A) will be determined by the RDCK Board of Directors, with input from the RDKB and other parties.
 - b. The RDCK will strive to provide the RDKB access to finished compost product for distribution to RDKB residents in an equitable manner that takes into account the tonnages of feedstocks delivered to the Facility by the RDKB.
 - c. RDCK will provide labeling and proof of Class A compost under the Fertilizers Act.
6. Inter-Agency Communications
- a. Both Parties commit to constructive collaboration and open, respectful communications.
 - b. Both Parties will communicate any administrative or operational changes or issues that may impact the Work as soon as reasonable possible.
 - c. The RDCK will communicate on an ongoing basis the quality of organic waste feedstocks received from the RDKB, any issues, and recommendations for improving quality of feedstocks.
 - d. Records documenting occurrences of contamination will be shared with the RDKB as they are created, including a description and photographs of the contamination.
7. Public Education
- a. RDKB and RDCK will share and work cooperatively on public education materials to be developed and distributed.
 - b. Any public materials that reference the relationship between the Parties will be reviewed by each Party prior to public distribution.
8. Financial Considerations
- a. RDKB will be responsible for the full costs associated with collection and transportation of organic wastes to the Central Compost Facility.
 - b. At such a time that the RDKB intends to deliver organic waste to the Facility, the RDKB will pay a tipping fee per tonne for organic waste disposed at the Facility. This value will be based on estimated full cost recovery via tipping fees for the receiving and processing of organic waste from the RDKB at the Central Compost Facility.
 - i. This tipping fee value is in the process of being assessed as part of the RDCK's 2023-24 Tipping Fee Cost Recovery Assessment. Once this study is finalized (expected in March 2024), the RDCK will give the RDKB sixty (60) days notification of any changes to the tipping fee, whether this be to increase or decrease, to ensure that full cost recovery is achieved via the tipping fee.

- ii. If the RDCK deems any further future adjustments to the tipping fee are warranted, the RDCK will provide rationale for the change and a minimum of ninety (90) days notification to the RDKB.
- c. RDCK will be responsible for the operation of the Facility, including the receiving and processing of organic wastes into compost.
- d. The RDKB will apply for and hold a commercial account with the RDCK and deliver payment to the RDCK upon notification of balance, as set out in the Refuse Disposal Charge Account application form (Schedule B).

E. DURATION OF THE MOU

This MOU will commence once signed by both Parties, and will remain in effect until the MoU is cancelled.

F. DISPUTE RESOLUTION

In the event of a dispute, controversy, or claim arising out of or relating to the MOU, the Parties will use their best efforts to settle promptly such dispute through direct negotiation. Each Party will give full and sympathetic consideration to any proposal advanced by the other to settle amicably any matter for which no provision has been made or any controversy as to the interpretation or applications of this MOU.

G. AMENDMENT OR CANCELLATION OF THE MOU

This MOU may be amended at any time in writing with both parties' consent. It is intended to be living document where both parties work to include and adjust Responsibilities and Expectations as the relationship evolves. Should this agreement no longer meet the needs of one or both of the Parties, with no viable amendments identified, this MOU may be cancelled by either party upon sixty (60) days written notice to the other party except where the cancellation is for cause (i.e. a significant breach of any of the Responsibilities and Expectations of this MOU), then it may be cancelled upon delivery of written notice to the other party.

H. NO LEGAL EFFECT

This MOU is not intended to constitute an agreement that will be legally binding on the Parties and is not intended to be relied upon by the Parties as creating any legal rights or obligations.

I. CONTACTS:

The principal contacts for this MOU are:

Regional District of Kootenay Boundary

Name:
Phone: [Phone #]
Fax: [Fax #]
Email: [Email Address]

Regional District of Central Kootenay

Name:
Phone: [Phone #]
Fax: [Fax #]
Email: [Email Address]

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the last written date below.

ON BEHALF OF:

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Stuart Horn, Corporate Officer

Date: _____, 2023.

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

Name, Position

Date: _____, 2023.

DRAFT



Committee Report

Date of Report: August 23, 2023
Date & Type of Meeting: September 13, 2023 Joint Resource Recovery Committee
Author: Heidi Bench, Projects Advisor
Subject: PROCUREMENT – SUPPLY & MAINTENANCE OF PORTABLE TOILETS WITH SINKS AT RESOURCE RECOVERY FACILITIES
File: 06_2230_10_2023-131-ENV
Electoral Area/Municipality All Sub-Regions

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to update the Joint Resource Recovery Committee (JRRC) on the results of the Request for Quotes (RFQ) for the Supply and Maintenance of Portable Toilets with Sinks at Resource Recovery Facilities, and to request approval to award a contract to Andex Rentals & Sales Ltd (Andex) for a total 3-year value of approximately \$152,257 including government sales tax (GST).

SECTION 2: BACKGROUND/ANALYSIS

Several Resource Recovery facilities do not have access to plumbed washroom facilities. Section 4.85(2) of the Occupational Health and Safety (OHS) Regulation states:

- (2) If plumbed washroom facilities cannot be provided because of the nature of the workplace or the nature of the work in which the worker is involved, the employer must*
- (a) Provide access to portable washroom and hand-washing facilities, or*
 - (b) Make such other reasonable arrangements to accommodate workers as the circumstances allow, if access to portable washroom and hand-washing facilities cannot be provided*

To comply with the OHS Regulation the RDCK provides portable toilets with sinks at the following facilities for Staff use:

Sub-Region	Site
West	Burton Transfer Station
	Edgewood Transfer Station
	Slocan Transfer Station
	Winlaw Recycling Depot
Central	Lakeside (Nelson) Recycling Depot
	Ymir Transfer Station
	Kaslo Transfer Station
	Marblehead Transfer Station
East	Boswell Transfer Station
	Crawford Bay Transfer Station
	Creston Carwash Recycling Depot

The provision of this service has historically been split by sub-region for cost efficiency based on the location of providers. The final extension for the existing contract for the Central and West facilities is held by Andex Rentals & Sales Ltd. (Andex) and ends October 31, 2023. The East facilities are currently being serviced by Pitbull Contracting Ltd (Pitbull). Staff have been unable to establish a contract with Pitbull; however historically there have been no other options for providing this service in the East sub-region.

Staff issued an RFQ to establish a three-year contract for the supply and maintenance of portable toilets with sinks for the Resource Recovery facilities listed above on July 6, 2023. No quotes were received by the closing date of July 25, 2023, so Staff reached out to the two current service providers to inquire why they did not submit proposals. Both had missed the closing date in the RFQ and confirmed that they were interested in submitting quotes. Quotes were received from both service providers by August 4, 2023.

Andex provided the highest scoring and lowest cost quote to provide the services as described in the RFQ at all but one site (Creston Carwash Recycling Depot), where Pitbull was cheaper; however Pitbull is not able to provide toilets with sinks as required by the OHS Regulation, only hand sanitizer. According to the Centre for Disease Control and Prevention, hand sanitizer is not considered equivalent to hand-washing as it is not able to kill all types of germs or remove harmful chemicals like pesticides and heavy metals, which may be encountered at transfer stations and recycling facilities.

Staff recommend the Committee award a single contract to Andex to provide the services at all RDCK facilities for a total contract value of \$152,257 including GST over a three-year term starting November 1, 2023.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:

☒ Yes☐ No

Debt Bylaw Required:

☐ Yes☒ No

Financial Plan Amendment:

☐ Yes☒ No

Public/Gov't Approvals Required:

☒ Yes☐ No

The contract for this work includes the RDCK standard annual adjustments clause that allows the Contractor to adjust their pricing annually based on a pre-set formula that uses the Statistics Canada Annual Average Consumer Price Index for Transportation in British Columbia; therefore the 3-year contract values indicated in this report may increase or decrease slightly based on inflation rates.

Each quote included a breakdown of costs per site so that the contract could be awarded as a whole, by sub-region, or by a collection of sites. The monthly cost to provide and maintain toilets provided by Pitbull was significantly more than Andex at all sites except the Creston Carwash Recycling Depot, so Staff considered two options:

- 1) Award a single contract to Andex for all facilities.

2) Award two contracts: one to Pitbull for Creston Carwash Recycling Depot, and one to Andex for all remaining sites.

Staff completed a cost analysis to evaluate these options, as outlined in the table below:

OPTION 1: Single Contract				
SITE	MONTHLY		ANNUAL COST	
	RENTAL	SERVICING		
ANDEX	Burton	\$ 88.15	\$ 606.80	\$ 8,339.40
	Edgewood	\$ 88.15	\$ 287.93	\$ 4,512.96
	Slocan	\$ 88.15	\$ 171.38	\$ 3,114.36
	Winlaw	\$ 88.15	\$ 194.10	\$ 3,387.00
	WEST	\$ 352.60	\$ 1,260.21	\$ 19,353.72
	Nelson	\$ 88.15	\$ 71.75	\$ 1,918.80
	Ymir	\$ 88.15	\$ 182.35	\$ 3,246.00
	Kaslo	\$ 88.15	\$ 287.35	\$ 4,506.00
	Marblehead	\$ 88.15	\$ 256.65	\$ 4,137.60
	CENTRAL	\$ 352.60	\$ 798.10	\$ 13,808.40
	Boswell*	\$ 88.15	\$ 245.00	\$ 3,997.80
	Crawford Bay*	\$ 88.15	\$ 480.00	\$ 6,817.80
	Creston Carwash*	\$ 88.15	\$ 275.00	\$ 4,357.80
	EAST	\$ 264.45	\$ 1,000.00	\$ 15,173.40
	SUB-TOTAL	\$ 969.65	\$ 3,058.31	\$ 48,335.52
	GST	\$ 48.48	\$ 152.92	\$ 2,416.78
	TOTAL ANNUAL COST			\$ 50,752.30
	TOTAL 3-YEAR CONTRACT COST			\$ 152,256.89

OPTION 2: Two Contracts					
SITE	MONTHLY		ANNUAL COST		
	RENTAL	SERVICING			
ANDEX	Burton	\$ 88.15	\$ 606.80	\$ 8,339.40	
	Edgewood	\$ 88.15	\$ 287.93	\$ 4,512.96	
	Slocan	\$ 88.15	\$ 171.38	\$ 3,114.36	
	Winlaw	\$ 88.15	\$ 194.10	\$ 3,387.00	
	WEST	\$ 352.60	\$ 1,260.21	\$ 19,353.72	
	Nelson	\$ 88.15	\$ 71.75	\$ 1,918.80	
	Ymir	\$ 88.15	\$ 182.35	\$ 3,246.00	
	Kaslo	\$ 88.15	\$ 287.35	\$ 4,506.00	
	Marblehead	\$ 88.15	\$ 256.65	\$ 4,137.60	
	CENTRAL	\$ 352.60	\$ 798.10	\$ 13,808.40	
	Boswell*	\$ 88.15	\$ 270.00	\$ 4,297.80	
	Crawford Bay*	\$ 88.15	\$ 505.00	\$ 7,117.80	
	PB	Creston Carwash	\$ 150.00	\$ 80.00	\$ 2,760.00
		EAST	\$ 326.30	\$ 855.00	\$ 14,175.60
SUB-TOTAL		\$ 1,031.50	\$ 2,913.31	\$ 47,337.72	
GST**		\$ 62.08	\$ 145.67	\$ 2,492.89	
TOTAL ANNUAL COST			\$ 49,830.61		
TOTAL 3-YEAR CONTRACT COST			\$ 149,491.82		

*Andex indicated that they would make every effort to minimize ferry wait times, but that if wait times exceeded 15 minutes per trip, a \$75 ferry surcharge would be applied. This cost estimate conservatively includes a \$150 ferry surcharge incorporated into the monthly servicing fee for East sites serviced by Andex. If ferry waits are avoided, this could reduce the costs of both options by up to \$1,800/year or \$5,400 over the 3-year term.

**Pitbull included Provincial Sales Tax (PST) on the rental in addition to GST.

Differences in cost between the two options only affect the East sub-region; pricing would remain the same for the West and Central sub-regions. Based solely on contract pricing, Option 2 is approximately \$922/year less than Option 1; however the costs shown reflect external costs of the contracts only. The internal costs associated with contract administration and invoicing would be double to manage this work as two separate contracts.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Section 4.85(2) of the OHS Regulation requires employers to provide portable washrooms with hand-washing facilities for Staff at sites where there are not plumbed washroom facilities.

3.3 Environmental Considerations

None at this time.

3.4 Social Considerations:

None at this time.

3.5 Economic Considerations:

None at this time.

3.6 Communication Considerations:

None at this time.

3.7 Staffing/Departmental Workplace Considerations:

The Resource Recovery Team & Operations Supervisor will be the Contract Lead and will be responsible for future communications with the Contractor ensuring the scope of work is completed as outlined in the RFQ.

3.8 Board Strategic Plan/Priorities Considerations:

This contract would fall under the RDCK Strategic Objective to manage assets and operations in a fiscally responsible manner.

SECTION 4: OPTIONS & PROS / CONS

OPTION 1: That the Board authorize Staff to enter into a contract with Andex Sales & Rentals Ltd. for the Supply & Maintenance of Portable Toilets with Sinks at Resource Recovery Facilities for all sites at a 3-year contract value of approximately \$152,257 including GST, subject to annual adjustments for inflation; AND FURTHER, that the Chair and Corporate Officer be authorized to sign the necessary document; AND FURTHER, that the costs be paid from:

- Service S186 East Sub-Region Resource Recovery Service of approximately \$47,796
- Service S187 Central Sub-Region Resource Recovery Service of approximately \$43,496
- Service S188 West Sub-Region Resource Recovery Service of approximately \$60,964

PROS:

- Awarding a single contract will require less administrative oversight (contract management, finance, etc.) resulting in less internal costs.
- Awards the contract to the proponent who can provide the preferred equipment (portable toilets with sinks)
- Awards the contract to the highest ranked proponent.

CONS:

- The contract price is slightly more expensive than Option 2.

OPTION 2: That the Board authorize Staff to enter into two contracts: one with Pitbull Contracting Ltd. for the Supply & Maintenance of Portable Toilets at Resource Recovery Facilities at Creston Carwash Recycling Depot, and one with Andex Sales & Rentals Ltd. for the Supply & Maintenance of Portable Toilets with Sinks at Resource Recovery Facilities for sites at all remaining sites, at a 3-year contract value of approximately \$149,492 including sales tax, subject to annual adjustments for inflation; AND FURTHER, that the Chair and Corporate Officer be authorized to sign the necessary document; AND FURTHER, that the costs be paid from:

- Service S186 East Sub-Region Resource Recovery Service of approximately \$45,031
- Service S187 Central Sub-Region Resource Recovery Service of approximately \$43,496
- Service S188 West Sub-Region Resource Recovery Service of approximately \$60,964

PROS:

- Lowest contract cost for provision of services.

CONS:

- Added administrative costs to manage two contracts and additional invoicing.
- Creston Carwash would be supplied with a portable toilet with hand sanitizer instead of a sink for hand-washing.

SECTION 5: RECOMMENDATIONS

That the Board approve the RDCK enter into a Services Agreement with Andex Sales & Rentals Ltd. for the supply & maintenance of portable toilets with sinks at various Resource Recovery Facilities for a period of 3 years at 3-year contract value of approximately \$152,257 including GST (subject to annual adjustments for inflation);

AND FURTHER, that the Chair and Corporate Officer be authorized to sign the necessary document;

AND FURTHER, that the costs be paid from:

- Service S186 East Sub-Region Resource Recovery Service of approximately \$47,796.
- Service S187 Central Sub-Region Resource Recovery Service not to exceed \$43,496.
- Service S188 West Sub-Region Resource Recovery Service of approximately \$60,964.

Respectfully submitted,

Heidi Bench – Resource Recovery Project Advisor

CONCURRENCE

Resource Recovery Manager – Amy Wilson

General Manager of Environmental Services – Uli Wolf

ATTACHMENTS: NONE



Committee Report

Date of Report: August 21, 2023
Date & Type of Meeting: September 13, 2023 Joint Resource Recovery Committee
Author: Todd Johnston, Environmental Services Coordinator
Subject: RESOURCE RECOVERY BYLAW NO. 2926, 2023 – AMENDING
RESOURCE RECOVERY BYLAW NO. 2905, 2023
File: 08-3200-10
Electoral Area/Municipality Entire RDCK

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present the proposed Resource Recovery Bylaw No. 2926, 2023, to amend Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023. This proposed amendment is solely to introduce a \$129/tonne tipping fee for “Out-Of-Area Kitchen Waste”, which would be charged for Kitchen Waste disposed by the Regional District of Kootenay Boundary, from their curbside collection program, to the RDCK’s Central Compost Facility. Staff recommend that the Bylaw be brought to the September 14, 2023 Board meeting for FIRST, SECOND and THIRD readings and adoption.

SECTION 2: BACKGROUND/ANALYSIS

It is anticipated that Kitchen Waste from the Regional District of Kootenay Boundary’s (RDKB) Curbside Green-Bin organics and kitchen scraps collection program (RDKB Program) will be brought to the RDCK Central Compost Processing Facility in early October.

The volumes from the RDKB Program are estimated to be 30-40% of the total volumes expected at the Central Compost Facility. This is a significant contribution to the program, in terms of both disposal revenues and maintaining a commitment to grant funders for processed volumes and related GHG emission reductions.

Until more is known about actual expenses and incoming volumes it is challenging to accurately determine the true costs per tonne for processing materials at the compost facility. A detailed analysis of tipping fees and material processing costs district-wide has just been initiated with the final outcomes expected in March 2024. A more fulsome costing exercise can be carried out in 2024 once more information is available.

Initially Staff recommended a subsidized tipping fee of \$110/Tonne for Kitchen Waste set below the mixed waste rate at the time of \$125/Tonne to incentivize diversion. This was later lowered to \$80/tonne, with the intention of further increasing the incentive to divert organics. Staff propose a rate of \$129/tonne for Out-of-Area Kitchen Waste based on current estimates of expenses. This proposed rate is notably higher than what RDCK residents and businesses are charged, but all efforts are being made to ensure the RDCK is not subsidizing out of district waste. Organics related tipping fees can be adjusted to meet cost recovery when actual costs are better understood.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: ☒ Yes ☐ No Financial Plan Amendment: ☐ Yes ☒ No
Debt Bylaw Required: ☐ Yes ☒ No Public/Gov't Approvals Required: ☐ Yes ☒ No

All estimated fixed and variable costs for the compost facility were included in the determination of a cost recovery tipping fee for Out-of-Area Kitchen Waste. This includes, but not limited to, operating expenses such as staffing, supplies, equipment, repairs & maintenance, fuel, utilities, insurance, administration, contribution to reserves, and repayment of borrowing for capital expenses.

Staff intend to continue assessing the costs incurred by the RDCK to date, as well as future asset replacement costs, and will incorporate these expenses equitably into future tipping fees.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

None at this time.

3.3 Environmental Considerations

Providing a service for accepting organic wastes for aerobic processing, instead of landfilling, will reduce methane gas emissions, extend the life of the landfill and reduce leachate production at these landfills.

3.4 Social Considerations:

None at this time.

3.5 Economic Considerations:

None at this time.

3.6 Communication Considerations:

None at this time.

3.7 Staffing/Departmental Workplace Considerations:

Some Staff time will be required to communicate with RDCK in coordinating disposals, and some training for site staff will be required in accepting this out-of-area materials.

3.8 Board Strategic Plan/Priorities Considerations:

This initiative aligns with the following RDCK Board Strategic Objectives:

- To Strengthen our Relationships with our Community Partners
- To Adapt to Our Changing Climate and Mitigate Greenhouse Gas Emissions
- To Continually Innovate to Reduce the Impact of Solid Waste

SECTION 4: OPTIONS & PROS / CONS

Option 1:

- a. That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023 be read a FIRST, SECOND, and THIRD time by content.
- b. That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2926, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

PROS:

- Tipping fee for Out-of-Area Kitchen Waste will be established prior to the acceptance of the RDKB organics at the Central Compost Facility.
- Organic Waste disposed by the RDKB for processing at the Central Compost Facility will bring in significant revenues to the RDCK.
- The proposed rate is higher than what RDCK residents and businesses are charged, to mitigate any subsidizing of out-of-area waste.
- The RDKB organics will help the RDCK in meeting our commitments to the provincial and federal grant funders.

CONS:

- Tipping fees are estimated based on current information, more analysis is required once actual costs are realized.

Option 2: Direct Staff to further revise Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023 as directed and return to the October Joint Resource Recovery Committee meeting for adoption.

PROS:

- Further input from the Joint Resource Recovery Committee to direct Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023.

CONS:

- Without a listed tipping fee for Out-Of-Area Kitchen Waste, RDCK would have to accept the material at the subsidized organics rate of \$88/Tonne or the Mixed Waste rate of \$137.50/Tonne.

SECTION 5: RECOMMENDATIONS

RECOMMENDATION #1:

That the *Regional District of Central Kootenay Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023* be read a FIRST, SECOND, and THIRD time by content.

RECOMMENDATION #2:

That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2926, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

Respectfully submitted,



Todd Johnston – Environmental Services Coordinator

CONCURRENCE

Resource Recovery Manager – Amy Wilson
General Manager of Environmental Services – Uli Wolf
Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

ATTACHMENT A: July 19, 2023 Joint Resource Recovery Committee Report “RESOURCE RECOVERY BYLAW NO. 2905, 2023 – REPEALING RESOURCE RECOVERY BYLAW NO. 2891, 2023.

ATTACHMENT B: Proposed Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023



Attachment A Committee Report

Date of Report: June 27, 2023
Date & Type of Meeting: July 19, 2023 Joint Resource Recovery Committee
Author: Todd Johnston, Environmental Services Coordinator
Subject: RESOURCE RECOVERY BYLAW NO. 2905, 2023 – REPEALING
RESOURCE RECOVERY BYLAW NO. 2891, 2023
File: 08-3200-10
Electoral Area/Municipality Entire RDCK

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present the proposed Resource Recovery Bylaw No. 2905, 2023, to repeal Resource Recovery Facilities Regulatory Bylaw No. 2891, 2023. Proposed changes are to support the acceptance of new materials for processing at the Central Compost Facility, including Dehydrated Kitchen Waste, in addition to definition changes intended to improve the regional organics diversion program. Staff recommend that the Bylaw be brought to the July 20, 2023 Board meeting for FIRST, SECOND and THIRD readings and adoption.

SECTION 2: BACKGROUND/ANALYSIS

The changes proposed in the proposed Resource Recovery Bylaw No. 2905, 2023 (the Bylaw), are intended to support the operations of RDCK Compost Facilities in general, with emphasis on disposal of dehydrated Kitchen Waste.

Dehydrated Kitchen Waste

The City of Nelson is making steps towards implementing a city-wide pre-treated organics diversion program, which provides residents with a FoodCycler™, an in-home appliance to grind and dehydrate most Kitchen Wastes. A portion of the City of Nelson's program's end product is expected to be processed at the RDCK Central Compost facility. Staff propose adding a new waste category (Dehydrated Kitchen Waste) to characterize the material that is coming from Nelson, with the following definition, to be included in the Bylaw:

Dehydrated Kitchen Waste means a Kitchen Waste that has had a significant reduction in volume and weight through mechanical dehydration, grinding or a combination thereof, by a pre-treatment device.

While the RDCK is anticipating DKW at the Central Compost Facility, the new waste category has been added to all three sub-region user fee schedules to accommodate residents, businesses, and institutions that pre-treat their Kitchen Wastes district-wide.

The proposed price of \$137.50/Tonne (same as Mixed Waste) for DKW is a starting point, and will likely be adjusted once processing costs are better defined. As the dehydrated material should be approximately 25% of the original weight, the disposal costs at this rate will be significantly lower than disposing of untreated Kitchen Wastes mixed in with garbage.

As no other local governments in Canada are formally accepting DKW for processing at aerated windrow organic processing facilities, costs for handling and processing, beyond what is required for conventional Organic Wastes, is unknown. While dehydrating a material with a high moisture content decreases hauling weights and weight-based disposal costs, the product is expected to require re-hydrating and extra handling to process as a marketable compost.

Staff have reached out to consultants guiding the compost facility operations planning, and also the Food Cycle Science Corporation (Food Cycle), to obtain more processing information. Food Cycle have communicated that they are working with Regenerative Waste Lab in Vancouver to develop more detailed guides for using their end product.

First Organics Container Waived Tipping Fee Pilot

Staff are continually looking at ways to encourage diversion of Organic Waste from landfilling to composting. Staff feel that self-hauling customers might be encouraged to source-separate Organic Waste from their garbage if the tipping fee for the first Container of source separated Organic Waste (currently \$2.25 each) was waived, when disposed in conjunction with garbage disposal (currently \$3.25 per Container in the East and West subregions and \$3.75 in the Central subregion).

The rationale being that when self-haul residents bring both Mixed Waste and Organic Waste in separate container, source separating the Organic Waste can be more expensive than declaring everything as Mixed Waste.

The two scenarios below compare costs to dispose of the same volume of mixed materials, handled a number of different ways:

Scenario	Containers MW = Mixed Waste OW = Organic Waste	*Totals: Current Pricing	*Totals: Proposed Pricing	Comments
1A	1 Container MW. No source separating.	\$3.25	\$3.25	No diversion
1B	1 Container MW + 1 container OW. Source separated organics.	\$5.50	\$3.25	Higher cost for separating organics
2A	2 Containers MW. No source separating.	\$6.50	\$6.50	No difference when not source separating
2B	2 Containers MW + 1 Container OW. OW separated, 2 MW Containers required (e.g., smaller bags, lower % of Organic Waste etc.).	\$8.75	\$6.50	More expensive with current pricing; \$2.25 savings with proposed pricing.
*Using the East and West Tipping Fees of \$3.25 per Container of Mixed Waste as example. Mixed Waste Containers in Central are \$3.75 each.				

While this proposed incentive should increase voluntary diversion of Organic Waste, it is also a subsidy that would only benefit self-haul customers. Further, this opportunity would only be available at the four Resource Recovery sites that accept Organic Waste. The JRRC may wish to consider piloting this service to determine if it diverts sufficient Organic Waste to justify the subsidized disposals.

If JRRC is in support of promoting a pilot as described above, Staff request that JRRC direct Staff to report on the results of the “First Organic Container Waived Tipping Fee” pilot in October with proposed Bylaw amendments to support out-of-region Organic Waste disposals and any recommended changes resulting from the pilot.

Chipped Yard and Garden Waste and Clean Wood Waste

Approximately one year ago, in anticipation of new composting services coming online in Creston, Staff proposed a new waste category - Chipped Yard and Garden Waste – which offered disposals of clean chipped Yard and Garden Waste, tree bark and tree stumps at a reduced rate; when the material is transported directly to an Organics Processing Facility the tipping fee is waived. The intention was to ensure a reliable supply of clean carbon material available for composting. Some municipal public works, excavating companies, haulers and arborists have taken advantage of the incentivized pricing, with a total of 137 tonnes disposed over the past year.

With a recent addition of a Free Yard and Garden month (October) in the Central and West subregions, coupled with increased FireSmart cleanups throughout the region, and a steady stream of regular Yard and Garden disposals, RDCK facilities actually have a surplus of clean chipped carbon materials, with no foreseeable shortages in the distant future.

RDCK Staff have received several requests from forestry companies over the past year, wishing to dispose of very large volumes of chipped forestry slash at the reduced or waived rate; however, those requests have all been denied due to storage space limitations. Therefore, Staff recommend the RDCK continuing to offer this material at a reduced rate to encourage FireSmart activity, but to not make this available for forestry waste, through the following modified definition:

Chipped Yard and Garden Waste means Yard and Garden Waste, tree bark, tree stumps (with root ball removed), that has been processed with a wood chipper or grinder, **but does not include processed materials sourced from forestry slash or any logging activity.**

Due to high handling costs and shortage of available space for stockpiling, Staff recommend increasing the disposal fee for Chipped Yard and Garden Waste to \$22/tonne, when brought directly to an RDCK Composting Facility and matching the existing price for Yard and Garden Waste (\$55/tonne) when disposed at any other site.

A reduced disposal rate for “Clean Wood Waste”, was introduced in a previous Bylaw amendment, with the intention of securing sufficient carbon feedstock for composting operations. Due to site storage constraints, however proper segregation of this material was not possible.

With a new wood grinding contract recently awarded, Staff are optimistic that there will be more options for improving efficiencies in Wood Waste management, both in reducing the handling, and finding end-uses elsewhere, such as biofuels or land application. If alternatives are not realized, it may shift the management of Wood Waste to landfilling of contaminated materials and separating Clean Wood Waste for carbon stock. As such, Staff recommend retaining the Clean Wood Waste category in the user fee schedules, and assigning the same tipping fee as Wood Waste (\$71.50), but keeping the option for future price adjustments as required.

Out-Of-Area Kitchen Waste Tipping Fees

The Regional District of Kootenay Boundary (RDKB) has cited October 1st, 2023 as the start date for their Curbside Green-Bin organics and kitchen scraps collection program; their bins are ordered and scheduled for delivery to residents in August.

In order to receive this material at the Central Compost Processing Facility, Staff will need to determine an appropriate tipping fee to safeguard RDCK taxpayers and customers from subsidizing processing of Out-Of-Area wastes.

Before a tipping fee, specific for out-of-region Organic Waste is set, a memorandum of understanding between RDCK and RDKB will need to be negotiated to determine the logistics and mechanisms for achieving full cost recovery. As such, Staff recommend bringing a proposed amendment to the Bylaw to the Joint Resource Recovery Committee in September, detailing the new tipping fee.

In preparation for these changes, Staff recommend adding the following definition:

Out-Of-Area Kitchen Waste means loads of Kitchen Waste that originates from outside the administrative sub-regions of the Regional District as described in Schedule F hereto, transferred to an RDCK Organic Waste Processing Facility, through an agreement made in advance between the RDCK and the organization transferring the Kitchen Waste.

Yard and Garden Waste Definition

Staff have noted, that wording in the Yard and Garden Waste definition, specifying acceptable branch dimensions are confusing. The dimensions were intended to support the inclusion of small branches (less than 2" diameter) accepted in the Castlegar Organic Waste curbside pickup program, however, Staff feel that the wording is in fact convoluted. These restrictions are defined in Schedule "H" MATERIALS ACCEPTED FOR DISPOSAL AT RDCK ORGANIC WASTE PROCESSING FACILITIES and aren't necessary. The proposed revised definition:

Yard and Garden Waste means biodegradable, organic materials, substances or objects including, but not limited to: hedge clippings, weeds, shrubs, and shrub and tree ~~branches between 5 and 15 centimeters (2" — 6") in diameter or~~ up to 15 centimetres (6") ~~in diameter at those without~~, chipped Yard and Garden Waste, but does not include:

- a. tree stumps;
- b. Noxious Weeds;
- c. plants or growing media that may have been identified by the Canadian Food Inspection Agency from time to time as infectious or potentially infectious and of which notice has been sent to the Regional District or publicized by the Canadian Food Inspection Agency;
- d. plant and tree material in municipal street sweepings;
- e. rocks, sand and Waste Soil; or
- f. fruit or vegetable material
- g. chipped Wood Waste.
- h. Organic Waste ~~(Prohibited only in areas where no Organic Processing Services exist)~~

Remove Municipal Wastewater Biosolids from Pricing Schedule A-1 Central Subregion

Staff noted that Municipal Wastewater Biosolids is included in Pricing Schedule A-1, however that material is only accepted for disposal at Landfills; there is no active landfilling in the Central Subregion, therefore Staff recommend removing this material from Schedule A-1.

Ash and Soot

Staff recommend adding “Ash and Soot” to Schedule I (Materials Prohibited For Disposal At RDCK Organic Waste Processing Facilities). The City of Castlegar requested direction from RDCK Staff on the acceptance of this material from residents participating in their curbside Organics pickup this Summer/Fall. Given the potential for contamination from burnt garbage, such as plastic, Staff feel that it would be of benefit to direct disposal of Ash and Soot to Landfill.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Financial Plan Amendment:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Debt Bylaw Required:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Public/Gov’t Approvals Required:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Projecting revenue impacts from the acceptance of Dehydrated Kitchen Waste at the Central Processing Facility is limited until certain unknowns, as listed below, are better understood:

- How many Nelson residents will choose to use the FoodCycler™ versus continuing to dispose of Kitchen Waste in the garbage;
- How many Nelson residents will choose to keep the end-product as a soil amendment versus delivering it to the City of Nelson for disposal;
- How many of the residents using FoodCycler™ were previously composting versus disposing of Kitchen Waste through the garbage;
- How much DKW might be used for Public Works projects versus being disposed at the Central Composting Facility.

While the proposed starting tipping fee for DKW is the same as Mixed Waste, revenues from materials previously disposed as untreated Kitchen Waste will be 75% less, as the dehydrating process reduces the Kitchen Wastes to an estimated 25% of their original weight.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

None at this time.

3.3 Environmental Considerations

Taking steps to divert more organic wastes for aerobic processing, instead of landfilling will save landfill air space, and reduce both methane gas emissions and leachate generation.

3.4 Social Considerations:

None at this time.

3.5 Economic Considerations:

Some of the proposed pricing changes will make disposal of Chipped Yard and Garden Waste more expensive for some businesses.

3.6 Communication Considerations:

Changes to the bylaw will be communicated to Site Staff and posted on the RDCK website. Staff will reach out to City of Nelson with disposal information for Dehydrated Kitchen Waste.

3.7 Staffing/Departmental Workplace Considerations:

Some Staff time will be required to communicate with municipal partners and administrative tasks such as updating the transaction database.

3.8 Board Strategic Plan/Priorities Considerations:

This initiative aligns with the following RDCK Board Strategic Objectives:

- To Strengthen our Relationships with our Community Partners
- To Adapt to Our Changing Climate and Mitigate Greenhouse Gas Emissions
- To Continually Innovate to Reduce the Impact of Solid Waste

SECTION 4: OPTIONS & PROS / CONS

Option 1:

a. That the Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 be read a first, second and third time by content to repeal and replace Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2891, 2023.

b. That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

c. That the Board direct Staff to report on the results of the “First Organic Container Waived Tipping Fee” pilot to the Joint Resource Recovery Committee on October 18, 2023.

PROS:

- A waste category and tipping fee for Dehydrated Kitchen Waste is a necessary step in working with the City of Nelson in diverting Kitchen Waste generated by Nelson residents for processing in a compost.
- Creating a new category for Out-Of-Area Kitchen Waste is a necessary step in adding Organic Waste generated in the RDCKB and allows for a simple bylaw amendment at a later date to include a new tipping fee for the material.
- A price incentive for residents self-hauling Containers of Organic Waste should help to incentivize source separation to divert organics from the landfill.
- Minor modifications proposed in this report will create more efficient site operations.

CONS:

- A price incentive for residents self-hauling Containers of Organic Waste, to divert further Kitchen Wastes from landfilling to aerated windrow composting may reduce revenues generated.

Option 2: Direct Staff to further revise Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 as directed and return to the August Joint Resource Recovery Committee meeting for adoption.

PROS:

- Further input from the Joint Resource Recovery Committee to direct Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023.

CONS:

- Delays to updating Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 reduces preparation time for Site Staff and communications with municipal partners.

SECTION 5: RECOMMENDATIONS**RECOMMENDATION #1:**

That the Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 be read a first, second and third time by content to repeal and replace Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2891, 2023.

RECOMMENDATION #2:

That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

RECOMMENDATION #3:

That the Board direct Staff to report on the results of the “First Organic Container Waived Tipping Fee” pilot to the Joint Resource Recovery Committee on October 18, 2023.

Respectfully submitted,



Todd Johnston – Environmental Services Coordinator

CONCURRENCE

Resource Recovery Manager – Amy Wilson
General Manager of Environmental Services – Uli Wolf
Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

ATTACHMENT A: Redline Version – Proposed changes to Resource Recovery Facilities Regulatory Bylaw No. 2891, 2023.

ATTACHMENT B: Proposed Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2926

A Bylaw to amend Regional District of Central Kootenay Resource Recovery Facilities
Regulatory Bylaw No. 2905, 2023

WHEREAS the Board of the Regional District of Central Kootenay has enacted Bylaw No. 2905, being the "Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023" for the purpose of adopting regulations and to establish fees and charges for the use of Regional District Resource Recovery Facilities.

AND WHEREAS it is deemed appropriate to amend Bylaw No. 2905 to add an additional fee in Schedule A-1 as required;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

- 1 That Schedule A-1 attached to Bylaw No. 2905 be deleted in its entirety and the attached Schedule A-1 to Amendment Bylaw No. 2926 - "Resource Recovery Facilities Regulatory Bylaw" be substituted therefore.

CITATION

- 2 This Bylaw may be cited as **"Regional District of Central Kootenay Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023."**

READ A FIRST TIME this 14th day of September, 2023.

READ A SECOND TIME this 14th day of September, 2023.

READ A THIRD TIME this 14th day of September, 2023.

ADOPTED this 14th day of September, 2023.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

SCHEDULE A-1 TO BYLAW NO. 2896: USER FEES - CENTRAL SUB-REGION
SCHEDULE A-1 OF BYLAW NO. 2905: USER FEES: CENTRAL SUB-REGION

Schedule A-1: User Fees: Central Sub-Region	⁽¹⁾ Weight-based fee	⁽²⁾ Volume based fee
Municipal Solid Waste		
Mixed Waste: Per Container (applies to first 3 Containers)	\$3.75 ea	\$3.75 ea
Mixed Waste: Minimum charge for all weighed loads larger than three Containers.	\$13.75	\$13.75
Mixed Waste	\$137.50/tonne	\$33.00/m ³
Mixed Waste (compacted)	\$137.50/tonne	\$44.00/m ³
Construction, Demolition and Renovation Waste	\$220.00/tonne	\$55.00/m ³
Organic Waste: Per Container (applies to first 4 Containers)	\$2.25 ea	\$2.25 ea
Organic Waste	\$88.00/tonne	\$22.00/m ³
Rejected Organic Waste	\$275.00/tonne	Not Accepted
Dehydrated Kitchen Waste	\$137.50/tonne	\$33.00/m ³
Out-Of-Area Kitchen Waste	\$129/tonne	\$32.25/m ³
Controlled Waste (See Bylaw Schedule C)		
Controlled Waste specified in Schedule C that is not otherwise specified in this Schedule A-1	\$137.50/tonne	⁽³⁾ \$33.00/m ³
Noxious Weeds (Source Separated)	No Charge	No Charge
Noxious Weeds (not Source Separated)	\$137.50/tonne	\$33.00/m ³
Rubble	\$48.50/tonne	\$72.50/m ³
Uncontaminated Soil	\$19.75/tonne	\$29.75/m ³
Recyclable Materials		
Excluded ODS-Containing Products	\$16.50ea	\$16.50ea
ODS-Containing Products	No Charge	No Charge
Non-ODS Containing Products	No Charge	No Charge
Propane Tanks	No Charge	No Charge
Heavy Duty Industrial, Commercial or Institutional (ICI) Air Conditioning Unit	\$65	\$65
Reusable Products	\$137.50/tonne	\$30.00/m ³
Scrap Metal	\$44.00/tonne	\$22.00/m ³
Wood Waste	\$71.50/tonne	\$28.50/m ³
Clean Wood Waste	\$71.50/tonne	\$28.50/m ³
Yard and Garden Waste: Per Container (applies to first 2 containers)	\$2.75 ea	\$2.75 ea

Schedule A-1: User Fees: Central Sub-Region	⁽¹⁾ Weight-based fee	⁽²⁾ Volume based fee
Yard and Garden Waste: Loads ≤ 2.5 m ³	⁽⁴⁾ \$5.50/load	⁽⁴⁾ \$5.50/load
Yard and Garden Waste: Loads > 2.5 m ³	⁽⁴⁾ \$55.00/tonne	⁽⁴⁾ \$11.00/m ³
Chipped Yard and Garden Waste: Loads >2.5 m ³	⁽⁴⁾ ⁽⁵⁾ \$55.00/tonne	⁽⁴⁾ ⁽⁵⁾ \$11.00/m ³
Tires off rim	\$3.25 ea	\$3.25 ea
Tires on rim (inner diameter of 20” or smaller or marked P, LT or T)	\$16.50ea	\$16.50ea
Tires on rim (inner diameter larger than 20” or not marked P, LT or T)	\$60.50 ea	\$60.50ea
Tires on rim marked LS	\$132.00 ea	\$132.00
Rejected Tires off rim	\$15.00	\$15.00
Bicycle Tire Bundle	\$3.25	\$3.25
Other Fees	Fee	
Charge to weigh a Vehicle for a person not Disposing of or Depositing Municipal Solid Waste	\$5.50	
Application fee for Waste Soil	\$110.00	
Questionnaire fee for Waste Soil	\$55.00	
Special handling fees (subject to Schedule C) for Asbestos – Friable, Asbestos – Non Friable, Bulky Waste, Condemned Foods, Dead Animals and Parts, Food Processing Waste, Rejected Organic Waste	Rate for quantities less than 1.5 m ³ = \$27.50 Rates for all other quantities will be estimated in advance by the Manager and will reflect actual labour and equipment costs expected to be incurred by the RDCK plus a 20% administration fee	
Charge for Mixed Waste loads containing more than 10% Recyclable Materials which are not otherwise considered Prohibited Waste	Double applicable user fee (subject to Section 6 (2) of this bylaw)	
Charge for Unsecured Loads	Double applicable user fee (subject to Section 6 (2) of this bylaw)	
Charge for Loads of Source Separated Waste that are Contaminated	Double applicable user fee (subject to Section 6 (2) of this bylaw)	
Charge for a container larger than the maximum size	Double applicable user fee (subject to Section 6 (3) of this bylaw)	
(1) Applicable at Resource Recovery Facilities equipped with a weigh scale. (2) Applicable at Resource Recovery Facilities not equipped with a weigh scale. (3) Fee applies only to categories of Controlled Waste that are accepted at Transfer Stations. Refer to Schedule C for Controlled Waste acceptance at Transfer Stations. (4) Fee to dispose of up to a single Load per day of Yard & Garden Waste is waived during the months of May and October. (5) Fee to dispose of Chipped Yard & Garden Waste is reduced to \$22.00/tonne year round at the Central Transfer Station.		
Minimum Charge for any material with a weight-based fee.	The equivalent of 100kg of material to be applied at both scaled and volume-based facilities, with a minimum charge of \$5.50 and maximum charge of \$13.75.	