

## LICENCE B031

**Pursuant to:**

The Integrated Solid Waste and Resource Management Plan for Metro Vancouver and the Greater Vancouver Sewerage and Drainage District Municipal Solid Waste and Recyclable Material Regulatory Bylaw No. 181, 1996 (as amended) and the BC Environmental Management Act, S.B.C. 2003, c.53

**Issued to:**

Augustine Soil & Mulch Ltd.  
(the "Licensee")

**To Authorize:**

the operation of a Brokering Facility

**Located at:**

17949 Kennedy Road, 17799 Ferry Slip Road and  
Old Dewdney Trunk Road, Pitt Meadows, BC V3Y 1Z1  
(the "Facility")

**Effective Period:**

The terms and conditions set out in the Licence apply to the existing or planned Facility as of  
July 06, 2016

All previous versions of this Solid Waste Licence are hereby rescinded and rendered null and void.

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Issued: March 09, 2011  
Amended: July 06, 2016



Rick Laird  
Deputy Solid Waste Manager

## **1. GENERAL**

If any portion of this Licence is deemed *ultra vires*, illegal, invalid or unenforceable in any way in whole or in part by any court of competent jurisdiction, such decision shall not invalidate or void the remainder of this Licence, the parts so held to be *ultra vires*, illegal, invalid or unenforceable shall be deemed to have been stricken therefrom with the same force and effect as if such parts had never been included in this Licence or revised and reduced in scope so as to be valid and enforceable.

## **2. DEFINITIONS AND INTERPRETATION**

In this Licence terms defined in the Bylaw shall have the same meaning for the purpose of this Licence unless otherwise defined in this Licence and,

**"Concrete Rubble"** means broken fragments of concrete resulting from the decay or destruction or partial destruction of buildings, bridges, sidewalks, pipes or other man made structures. Concrete Rubble may or may not contain rebar

**"Environmental Management Act"** means the Environmental Management Act, S.B.C. 2003, c. 53 as such Act exists or may be amended from time to time

**"Food Waste"** means recyclable food for humans including meat, fish, fat, dairy products, bread, baking products, fruits, and vegetables, whether cooked or uncooked that has been diverted from residential, commercial and institutional sources but does not include liquids such as fruit drinks, milk, soft drinks, etc.

**"GVS&DD"** means Greater Vancouver Sewerage and Drainage District

**"Hazardous Waste"** shall have the same meaning as defined by the Environmental Management Act Hazardous Waste Regulation, B.C. Reg. 63/88

**"Land Clearing Waste"** means Municipal Solid Waste, acceptable to the Solid Waste Manager, resulting from land clearing such as trees, tree stumps, brush and other vegetative matter

**"Municipal Solid Waste"** shall have the same meaning set out in section 23 of the Environmental Management Act

**"Quantity"** (singular or plural) includes any gases, liquids, or solids intermingled with Municipal Solid Waste and Recyclable Material

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"**Recyclable Material**" shall have the same meaning as defined in the Bylaw

"**Residual Waste**" means solid waste remaining after reduction, reuse, recycling, recovery, or other activities conducted at a Facility, for which disposal is required

"**Soiled Paper**" means manufactured thin sheets of wood pulp or other fibrous substances that may be converted into reusable materials such as newspapers and inserts, magazines, telephone directories, catalogues, office papers, envelopes, boxboard, paper bags, carbon paper, tissue paper, paper napkins or towels, gable top paper containers such as milk cartons and paper that is covered or infused with wax, that is soiled by or commingled with Food Waste. Soiled Paper does not include photographic paper, paper that is adhered to plastic or metal or composite paper products such as tetrapak containers

"**Yard Waste**" means vegetative matter resulting from gardening, horticulture, landscaping or land clearing operations, including materials such as tree and shrub trimmings, plant remains, grass clippings, trees and stumps, but does not include demolition waste, contaminated organic matter or significant amounts of animal feces

### **3. MATERIAL BANS**

Disposal of the following materials are banned or restricted. They are either recyclable or hazardous.

- |                                 |   |
|---------------------------------|---|
| ➤ Yard Waste                    | ➤ Medications/Pharmaceuticals           |
| ➤ Newspapers                    | ➤ Blue Box Recyclable Material          |
| ➤ Corrugated Cardboard          | ➤ Beverage Containers (all except milk) |
| ➤ Office Paper                  | ➤ Tires                                 |
| ➤ Gypsum Waste                  | ➤ Oil Filters and Empty Oil Containers  |
| ➤ Lead Acid Batteries           | ➤ Pesticides, Solvents and other        |
| ➤ Electronic Waste              | Household Hazardous Waste               |
| ➤ Paints Solvents and Flammable | ➤ Mattresses                            |
| Liquids                         | ➤ Food Waste                            |
| ➤ Clean Wood Waste              |   |

All reasonable efforts shall be made to recover Recyclable Material from all materials received at the Facility, for the purpose of recycling.

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## **4. FACILITY**

### **4.1. Location of Authorized Facility**

The operation of the Facility to which this Licence applies shall be restricted to the land legally described as Parcel Identifier: 026-559-544, Lot 1, Block 6N, Plan BCP21881, Section 16, Range 1E, New Westminster Land District; Parcel Identifier: 023-609-770 Lot 2, Block 6, Plan LMP30869, Section 16, Range N1, New Westminster Land District; Parcel Identifier: 011-945-184 Parcel F, Block 6, Section 16, Range 1E, New Westminster Land District, PT 2.54 ACRES (REF PL 6505); REF PL 6505.

### **4.2. Access**

The Licensee shall provide locking gates on all entrances to prevent unauthorized access and ensure that they are locked at all times the Facility is unattended. Access routes to and through the Facility shall be constructed from suitable material satisfactory to the Solid Waste Manager and capable of providing all weather access for all emergency vehicles. The Licensee may be required by the Solid Waste Manager to provide fencing, trees, shrubbery, or natural features so as to limit access to the Facility.

### **4.3. Signage**

The Licensee shall ensure that at all times the Facility has a sign posted at the entrance clearly identifying the name and address of the Facility, owner and operator, contact phone number, emergency phone number, hours of operation and information on acceptable and unacceptable materials. This sign shall be of a size and have print that is easily readable from the Facility entrance. Additional signs which clearly indicate the direction to the active receiving areas, tipping area, recycling and waste separation areas, etc. may be required by the Solid Waste Manager.

### **4.4. Communications**

The Licensee shall ensure that at all times the Facility has telephone or other communication equipment to immediately summon fire, police or emergency service personnel in the event of an emergency.

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## **5. OPERATING REQUIREMENTS**

### **5.1. Acceptable Material**

For the purpose of recovering and brokering Recyclable Material, the Facility may accept the following types of Municipal Solid Waste and Recyclable Material:

- (1) Yard Waste
- (2) Food Waste
- (3) Soiled Paper
- (4) Land Clearing Waste
- (5) clean wood waste that has not been treated with anti-sapstain or other wood preserving chemicals
- (6) other materials specifically authorized in writing by the Solid Waste Manager and such authorization shall be deemed to form part of this Licence.

Residual Waste accompanying the acceptable material in (1) to (6) above shall not exceed 10% by weight or volume of any given load.

### **5.2. Unacceptable Material**

The Facility shall not accept:

- (1) any other waste not authorized in Section 5.1 of this Licence and specifically not:
- (2) Hazardous Waste
- (3) liquid or semi-solid waste
- (4) wood waste that has been treated with anti-sapstain or other wood preserving chemicals

Unacceptable Material entering the Facility or observed upon receipt at the Facility shall be refused and removed by the hauler. Unacceptable Material discovered at a later time, shall be segregated from other waste material and removed within 48 hours of its discovery, unless a separate legislative regime applies with respect to removal, such as that applicable to Hazardous Waste.

### **5.3. Quantities**

The Quantity limits outlined in this Licence shall apply regardless of the state, condition, or form of the Municipal Solid Waste and Recyclable Material.

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The Quantities that may be at the Facility at any given time shall not exceed:

(1) Yard Waste	<b>200 metric tonnes or 950 cubic metres</b>
(2) Food Waste/Soiled Paper	<b>100 metric tonnes or 270 cubic metres</b>
(3) clean wood	<b>100 metric tonnes or 475 cubic metres</b>
(4) Land Clearing Waste	<b>400 metric tonnes or 1,120 cubic metres</b>

The Solid Waste Manager may authorize in writing, the addition of Concrete Rubble as an acceptable material and/or additional Quantities of materials, increasing the total maximum of Municipal Solid Waste and Recyclable Material that shall not be exceeded on the site at any given time to:

(1) Yard Waste	400 metric tonnes or 1,900 cubic metres
(2) Food Waste/Soiled Paper	200 metric tonnes or 540 cubic metres
(3) clean wood	200 metric tonnes or 950 cubic metres
(4) Land Clearing Waste	800 metric tonnes or 2,240 cubic metres
(5) Concrete Rubble	1,000 metric tonnes or 630 cubic metres

The written authorization for the addition of Concrete Rubble and/or additional Quantities shall form a part of and be a requirement of this Licence.

The Solid Waste Manager may require the Licensee to retain a British Columbia Land Surveyor, or other qualified professional satisfactory to the Solid Waste Manager, to carry out a survey of the Quantity of Municipal Solid Waste and Recyclable Material at the Facility, and submit the results of the survey to the Solid Waste Manager. If the survey results indicate the Quantity of Municipal Solid Waste or Recyclable Material at the Facility exceeds the authorized volume in cubic metres, the Licensee shall refrain from accepting the specified Municipal Solid Waste or Recyclable Material until such time as the Quantity is less than the authorized volume in cubic metres.

### **5.4. Weigh Scale**

The Licensee shall operate and maintain a weigh scale that records in 10 kg increments and is approved by Consumer and Corporate Affairs – Weights and Measures Section. All loads of Municipal Solid Waste and Recyclable Material received at the Facility and all loads of Recyclable Material and Residual Waste removed from the Facility shall be weighed and recorded.

### **5.5. Supervision and Load Inspection**

An attendant employed by the Licensee shall be present at all times that the Facility is open for business or accepting material and shall inspect every load entering the Facility before and after unloading to ensure it complies with the requirements of this Licence before mixing with any other loads. A record

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shall be maintained of rejected loads including date, time, type of material, hauler's name, and vehicle licence number.

### **5.6. Material Handling and Storage**

All incoming Municipal Solid Waste and Recyclable Material shall be recorded indicating the Quantity of waste received at the Facility. After the weights of the materials are recorded, all materials are to be received, tipped and managed in the designated receiving areas for each type of material.

Loads of mixed Yard Waste, Food Waste and Soiled Paper shall be reloaded and hauled to an appropriately authorized organics recycling facility. Should odour which may be directly attributable to the facility be detected at the property line, the Licensee shall take measures to ascertain the source, control odour from the materials, or remove the odourous waste. The Licensee shall control odour by covering odourous loads with processed wood waste and removal of odourous waste within 24 hours, or any other measures deemed necessary by the Solid Waste Manager. The mixed loads of Yard Waste/Food Waste/Soiled Paper shall be removed from the site within 24 hours.

The receiving and reload area for mixed loads of Yard Waste/Food Waste/Soiled Paper shall be emptied to an inventory of less than 75 cubic metres at the end of every day. Mixed Yard Waste/Food Waste/Soiled Paper that remains on site at the end of the business day shall be covered with processed wood waste to minimize any potential odours.

Residual Material shall be disposed at appropriately authorized facilities. Quantities of all materials leaving the site are to be recorded.

### **5.7. Drainage**

The Licensee shall ensure that storm water runoff from the Facility is to be diverted to the municipal storm water collection system.

**This Licence does not authorize the discharge of liquid waste from the Facility to the sanitary sewer, storm sewer or the environment.**

### **5.8. Hours of Operation**

Subject to municipal bylaws, zoning requirements, or the notification provided for below, the Facility shall only operate or allow access to vehicles transporting Municipal Solid Waste or Recyclable Material to the Facility as follows:

#### **Operating Hours:**

Monday to Saturday

5:00 AM to 7:00 PM

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Sunday 8:00 AM to 5:00 PM

### **Receiving Hours:**

Monday to Saturday 5:00 AM to 7:00 PM  
Sunday 8:00 AM to 5:00 PM

The Licensee shall notify the Solid Waste Manager (facsimile number: 604-436-6707) in writing during regular business hours at least 24 hours in advance of operating outside of these specified times. Notices received outside of regular business hours will be deemed to have arrived at the beginning of the next business day. This notice shall include the specific date and times that the activity will occur outside of these hours. The Licensee shall also notify the municipality in which the facility is located of any changes to these specified times.

### **5.9. Monitoring and Assessments**

The Licensee may be required by the Solid Waste Manager to undertake or provide the following monitoring or assessment requirements, including, but not limited to:

- (1) an environmental impact assessment,
- (2) a survey of waste Quantities,
- (3) groundwater, surface water, run-off, or leachate monitoring, and
- (4) any other investigations, tests, or other actions in accordance with methods and procedures approved by the Solid Waste Manager.

Any assessments, investigations, tests, surveys and other actions may be required by the Solid Waste Manager to be undertaken by an independent third party acceptable to the Solid Waste Manager.

### **5.10. Area Maintenance, Vector and Nuisance Controls**

- (1) The Licensee shall maintain public and private roadways within 100 metres of the Facility free from litter, mud or debris which may be directly attributed to the Facility, its customers, or its suppliers.
- (2) The Licensee shall control litter by way of litter control fences or barriers, litter pickup, or any other measures deemed necessary by the Solid Waste Manager.
- (3) Vectors shall be controlled by way of best operating practices, pest controls or any other measures deemed necessary by the Solid Waste Manager.
- (4) The Licensee shall prevent nuisance occurrences by way of best operating practices, control works or any other measure deemed necessary by the Solid Waste Manager.

**This Licence does not authorize the discharge of air contaminants, including dust and odourous substances, from the Facility.**

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### **5.11. Burning Prohibited**

Burning of any material at the Facility is prohibited.

### **5.12. Fire Protection**

The Licensee shall provide and maintain an adequate water supply or equivalent on site for extinguishing any fires, should they occur.

In the event of a fire the Licensee shall:

- (1) immediately notify the local fire department and the Solid Waste Manager (telephone number: 7:30 AM – 11:30 PM 604-436-6777, 11:30 PM – 7:30 AM 604-643-8488, facsimile number: 604-436-6707, email: [regulationenforcement@metrovanancouver.org](mailto:regulationenforcement@metrovanancouver.org)), and
- (2) take all measures necessary to extinguish the fire.

### **5.13. Emergency Conditions**

In the event of an emergency or condition beyond the control of the Licensee which prevents the effective operation of the Facility or works the Licensee shall:

- (1) immediately notify the Solid Waste Manager (telephone number: 7:30 AM – 11:30 PM 604-436-6777, 11:30 PM – 7:30 AM 604-643-8488, facsimile number: 604-436-6707, email: [regulationenforcement@metrovanancouver.org](mailto:regulationenforcement@metrovanancouver.org)), and
- (2) take all necessary action to resolve the emergency or condition to return the Facility to effective operation.

Notwithstanding 1 and 2 above, the Solid Waste Manager may specify contingency actions to be implemented while the works and/or standard operating procedures are being restored.

### **5.14. Closure Plan**

The Licensee shall notify the Solid Waste Manager of plans and dates regarding the closure of the Facility. This notification is to occur at least 30 days prior to the closure of the Facility. The Licensee shall provide all haulers 30 days notice to find alternative Municipal Solid Waste and Recyclable Material facilities, prior to closure of the Facility. In the event of permanent closure, all equipment shall be dismantled and removed from the Facility, materials ready for market shall be shipped, and any Municipal Solid Waste shall be disposed of at an authorized facility.

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## **6. INSPECTIONS**

### **6.1. Inspections**

The Licensee shall conduct regular inspections of the Facility. These inspections shall include building, machinery, Facility Works, equipment, site drainage, security features, nuisance control works, vector abatement systems and litter controls. The Licensee shall ensure all are maintained in good working condition. The results of the inspections are to be recorded. Any defective conditions shall be corrected or repaired promptly. In addition, routine maintenance on machinery and equipment shall be conducted as specified by the manufacturers and recorded. Inspection reports and routine maintenance records shall be retained for a minimum of three (3) years and made available for examination if required by the Solid Waste Manager or an Officer.

## **7. REPORTING**

### **7.1. Quarterly Reporting of Quantities**

The Licensee shall record the Quantity and type of Municipal Solid Waste and Recyclable Material received at the Facility and Recyclable Material and Residual Waste shipped from the Facility each day. Records of monthly Quantities of Municipal Solid Waste and Recyclable Material received at the Facility and Recyclable Material and Residual Waste shipped from the Facility shall be suitably tabulated and submitted to the Solid Waste Manager on a quarterly basis by the end of January, April, July and October of each year for the preceding calendar quarter.

The reports shall be submitted electronically using the supplied password-enabled web based application.

### **7.2. Record Keeping**

The Licensee shall retain, for the previous three (3) years of operation, the following at 12620 Wooldridge Road, Pitt Meadows and shall produce the same for examination if required by the Solid Waste Manager or an Officer:

- (1) a copy of this Licence
- (2) copies in electronic or hard-copy form of all invoices, bills, statements, weigh-scale records and other evidence relating to the quantity and type of Municipal Solid Waste or Recyclable Material that is,
  - (a) received at the Facility,

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(b) removed from the Facility and delivered to:

- (i) a Disposal Facility that is licenced under the Bylaw;
  - (ii) a Regional Facility;
  - (iii) a recycling broker or such other facility that manages Recyclable Material acceptable to the Solid Waste Manager; or
  - (iv) any other type of facility, person or location
- (3) records of inspections of the Facility, building, machinery, equipment, site drainage, security features, nuisance control works vector abatement systems and litter controls
- (4) records of rejected loads including date, time, type of material, hauler's name, and vehicle licence number for the previous year of operation
- (5) any other records required by the Solid Waste Manager

The Licensee shall retain the following at 17949 Kennedy Road, Pitt Meadows and shall produce the same for examination if required by the Solid Waste Manager or an Officer:

- (1) a copy of this Licence

## **8. TERMS**

### **8.1. Notification of Change of Ownership or Control of the Licence**

The Licensee shall notify the Solid Waste Manager of a change in the ownership, or control of the Facility, or any change in control of the Licensee. This notification shall be provided at least one month prior to the change. A transfer or assignment of a Licence is without effect without the prior written approval of the Solid Waste Manager.

### **8.2. Notice**

Any notice required to be delivered to the Licensee under this Licence shall be delivered or deemed to have been delivered if such notice is:

- (1) mailed by registered mail to the registered or records office of the Licensee or to the address the Licensee is authorized to operate,
- (2) delivered to the registered or records office of the Licensee,
- (3) delivered to an adult individual at the Facility who appears to be an employee of the Licensee or appears to be in control of the Facility,
- (4) delivered to a director, officer, liquidator, trustee in bankruptcy or receiver manager of the Licensee, or

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- (5) posted on the door or gate of the Facility, where no one is present at the Facility or the Facility appears to be abandoned.

### **8.3. Suspension and Cancellation**

This Licence may be suspended or cancelled in accordance with the Bylaw.

## **9. SECURITY AND PERFORMANCE**

As a condition of this Licence, the Licensee shall provide and maintain security as described in this Section 9. The security shall remain in place until the Licensee has completed the Facility closure to the satisfaction of the Solid Waste Manager.

### **9.1. Purpose of Security**

The purpose of the security is as follows:

- (1) to indemnify the GVS&DD for any expenses arising out of default by the Licensee under this Licence,
- (2) to remove, process, treat, or utilize Municipal Solid Waste or Recyclable Material at the Facility,
- (3) to control or stop the escape of leachate or contaminated run-off from the Facility,
- (4) to remediate the site following a fire at the Facility,
- (5) to cover expenses, including legal expenses, incurred by the GVS&DD in
  - (a) carrying out the activities described in this section 9, and
  - (b) enforcing or complying with any laws or enactments of the GVS&DD as they relate to the administration of this Licence,
- (6) to pay outstanding fees required under the Bylaw,
- (7) to complete Facility closure, and
- (8) to conduct remedial work that may be necessary to rectify a continuing default by the Licensee under this Licence.

To the extent that remedial work is required, the Licensee agrees to permit and grant access to the GVS&DD, its employees, agents and contractors, on and to the site of the Facility to carry out such remedial work as may be necessary.

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**9.2. Nature of Security**

The security shall be in the amount of **\$32,000.00** or adjusted pursuant to Section 9.3, and shall be provided and maintained as follows:

- (1) The first \$5,000.00 shall be provided in the form of cash or an irrevocable Letter of Credit provided by a Canadian Chartered Bank. The Letter of Credit shall be irrevocable and may be drawn upon by written demand of the Solid Waste Manager. The Letter of Credit shall be issued in favour of the Greater Vancouver Sewerage and Drainage District and shall be in a form satisfactory to the Solid Waste Manager, and
- (2) The balance of the security shall be provided and maintained in any of the following forms:
  - (a) cash,
  - (b) an increase in the value of any Letter of Credit provided under subsection (1) to the full amount of the security,
  - (c) a trust fund,
  - (d) a surety bond, and
  - (e) any other form satisfactory to the Solid Waste Manager.

The instrument referred to in (b), (c), and (d) shall be provided in a form satisfactory to the Solid Waste Manager.

**9.3. Review of Security**

The amount of security required under this Licence may be reviewed and adjusted periodically at the sole discretion of the Solid Waste Manager at any time during the term of this Licence.

**9.4. Conditions for Drawing on Security**

If the Licensee defaults under or fails to comply with any provision of this Licence and does not cure the default or failure within the time specified by the Solid Waste Manager, in a written notice delivered to the Licensee informing the Licensee of such default or failure, the security may be drawn upon and used at the discretion of the Solid Waste Manager, acting reasonably, for the following purposes set out in Section 9.1.

Nothing in this Licence shall obligate the GVS&DD to draw on any security provided under this Licence or undertake any action to cure any default or failure of the Licensee. The exercise by the GVS&DD of any power to cure any default or failure by the Licensee under this Licence shall not create any obligation or liability on the GVS&DD to complete the curing of any default or failure or to complete the Facility closure.

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If all or any portion of the security is drawn upon, the Solid Waste Manager may require the Licensee to replenish or adjust the security as outlined in Sections 9.2 and 9.3.

### **9.5. Conditions for Returning Security**

The security, or any balance remaining after it may have been drawn upon in accordance with the terms of this Licence, will be returned to the Licensee upon the Licensee completing the Facility closure to the satisfaction of the Solid Waste Manager.

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