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

Date: Wednesday, March 19, 2025

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. ZOOM 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 p.m. PST

Join by Video:

https://rdck-bc-ca.zoom.us/j/98572164791?pwd=plCY9gqLwVZtdzR2zmtuHXJOmq138L.1

Join by Phone:

833 955 1088 Canada Toll-free

*6 to unmute or mute
*9 to raise or lower your hand

Meeting ID: 985 7216 4791
Passcode: 701014

2. CALL TO ORDER & WELCOME

Chair _____________ called the meeting to order at ________ p.m.

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 March 19, 2025 Joint Resource Recovery meeting be adopted as circulated.

2.3 RECEIPT OF MINUTES 5 - 9

The February 19, 2025 Joint Resource Recovery minutes, have been received.

3. SEPTAGE DISPOSAL FACILITIES REGULATORY BYLAW AMENDMENT [All Areas] 10 - 42

The Committee Report from Todd Johnston, Environmental Coordinator presenting the Draft Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 3021, 2025 to amend Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 and to increase the disposal rate for Septage, has been received.

RECOMMENDATION 1:
That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025, amending the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005, be read a FIRST, SECOND and THIRD time by content.

RECOMMENDATION 2:
That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

RECOMMENDATION 3:
That the Board direct staff to transfer $28,015 from the S187 Refuse Disposal – Central Subregion Regular Reserve fund to the S187 Refuse Disposal – Central Subregion Septage Reserve fund, and transfer $69,027 from the S186 Refuse Disposal – East Subregion Reserve Fund to the new East Septage Reserve Fund.

4. OOTISCHENIA LANDFILL DESIGN, OPERATIONS AND CLOSURE PLAN [West Subregion] 43 - 65

The Committee Report from Nathan Schilman, Environmental Technologist regarding the contract award for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application, has been received.

RECOMMENDATION:
That the Board approve the RDCK enter into a Consulting Services Agreement with Sperling Hansen Associates Inc. for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application for a two year term, with two

optional one-year extensions upon mutual agreement, at up to a total costs of $117,310, not including GST;

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

AND FURTHER that the costs be paid from Service S188 Refuse Disposal - West Subregion.

5. LETTER TO THE MINISTRY OF ENVIRONMENT & PARKS - INTERCHANGE RECYCLING [All Areas] 66 - 201

The Committee Report from Akane Norimatsu, Resource Recovery Technician regarding sending a response letter to the Ministry of Environment and Parks regarding Interchange Recycling's compliance with their Extended Producer Responsibility (EPR) program plan within the RDCK, has been received.

RECOMMENDATION:
That the Board direct Staff to send a letter to the Ministry of Environment and Parks, as drafted with amendments directed by the Joint Resource Recovery Committee the Ministry investigates Interchange Recycling's compliance with their Extended Producer Responsibility program plan within the RDCK;

AND FURTHER, that the Chair be authorized to sign the letter.

6. RECYCLING COUNCIL OF BC (RCBC) 2024 ANNUAL SUMMARY [All Areas] 202 - 205

Akane Norimatsu, Resource Recovery Technician will provide a verbal report on the Recycling Council of BC (RCBC) Recycling Hotline and Recyclepedia 2024 Annual Summary for the RDCK. The following report has been received:

- Recycling Council of BC (RCBC) Recycling Hotline and Recyclepedia 2024 Annual Summary - RDCK

7. PUBLIC TIME
The Chair will call for questions from the public and members of the media at _____ p.m.

8. CLOSED

8.1 MEETING CLOSED TO THE PUBLIC
The Open meeting will be adjourned after In-Camera without reconvening back into the open session unless there is business that needs to be addressed.

RECOMMENDATION:
In the opinion of the Board and, in accordance with Section 90 of the *Community Charter* the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90

of the *Community Charter*, the meeting is to be closed on the basis identified in the following Subsections:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

8.2 RECESS OF OPEN MEETING

RECOMMENDATION:
The Open meeting be recessed at _________ p.m. in order to conduct the Closed meeting.

9. ADJOURNMENT

RECOMMENDATION:
The Joint Resource Recovery Committee meeting adjourn at ______ p.m.

File: 01-0515-20-JRRC

Regional District of Central Kootenay
JOINT RESOURCE RECOVERY COMMITTEE MEETING
Open Meeting Minutes

A Joint Resource Recovery Committee meeting was held on Wednesday, February 19, 2025 1:00 pm PST / 2:00 pm MST 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	
	Director H. Cunningham	Electoral Area G	In-person
	Director W. Popoff	Electoral Area H	In-person
	Director A. Davidoff	Electoral Area I	
	Director H. Hanegraaf	Electoral Area J	
	Director T. Weatherhead	Electoral Area K	In-person
	Director M. McFaddin	City of Castlegar	
	Councillor C. Hawton	Town of Creston	
	Director S. Hewat	Village of Kaslo	In-person
	Director T. Zeleznik	Village of Nakusp	
	Director K. Page	City of Nelson	In-person
	Alt. Director Fyke	Village of New Denver	
	Director D. Lockwood	Village of Salmo	In-person
	Director L. Main	Village of Silverton	In-person
	Director E. Buller	Village of Slocan	

STAFF PRESENT	Y. Malloff	General Manager – Finance, IT & Economic Development
	U. Wolf	General Manager – Environmental Services
	A. Wilson	Resource Recovery Manager
	L. Brown	Operations Supervisor
	M. Braithwaite	Purchasing Agent
	H. Bench	Resource Recovery Projects Advisor
	E. Clark	Meeting Coordinator
	N. Metz	Alt. Meeting Coordinator

1. ZOOM REMOTE MEETING INFO

Join Zoom Meeting
https://rdck-bc-ca.zoom.us/j/98572164791?pwd=plCY9gqLwVZtdzR2zmtuHXJOmq138L.1

Meeting ID: 985 7216 4791
Passcode: 701014

Dial by your location
833 955 1088 Canada Toll-free

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

2. CALL TO ORDER & WELCOME

Chair Jackman called the meeting to order at 1:00 pm PST.

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 February 19, 2025 Joint Resource Recovery Committee meeting be adopted as circulated.

Carried

2.3 Receipt of Minutes

The January 15, 2025 Joint Resource Recovery Committee Minutes have been received.

3. COMPACTION TRAILER CONTRACT AWARD

[Central Sub-region]
The Committee Report from Larry Brown, Operations Supervisor seeking authorization to enter into a Purchase of Goods Agreement with Rollins Machinery for the purchase of a compacting trailer for the Central waste fleet, has been received

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

That the Board approve the RDCK enter into a Purchase of Goods Agreement with Rollins Machinery for the purchase of a Deloupe Model HS483 tridem axle Compaction Pushout Trailer to a maximum value of $278,134 plus GST, and that the Chair and Corporate Officer be authorized to sign the necessary documents.

AND FURTHER, that the costs be paid from S187 Refuse Disposal - Central Subregion.

Carried

4. HYDROGEOLOGY AND HYDROLOGY CHARACTERIZATION REPORT FOR CENTRAL LANDFILL AND HB MINE TAILINGS STORAGE FACILITY

[Central Sub-region]

The Committee Report from Heidi Bench, Resource Recovery Projects Advisor presenting the findings of the Hydrogeology and Hydrology Characterization Report for the Central Landfill and HB Mine Tailings Storage Facility, has been received for information.

DIRECTOR ABSENT Director Cunningham left the meeting at 1:30 pm.

DIRECTOR ABSENT Director Newell left the meeting at 1:41 pm.

5. HYDROGEOLOGY AND HYDROLOGY CHARACTERIZATION REPORT FOR OOTISCHENIA LANDFILL

[West Sub-region]

The Committee Report from Heidi Bench, Resource Recovery Projects Advisor presenting the findings of the Hydrogeology and Hydrology Characterization Report for the Ootischenia Landfill and providing an update of follow-up actions, has been received for information.

DIRECTOR ABSENT Director Buller left the meeting at 1:57 pm.

RECESS / RECONVENE The meeting recessed at 1:58 pm for a break and reconvened at 2:11 pm.

DIRECTOR PRESENT Director Newell joined the meeting at 2:11 pm.

6. 2025-2025 DRAFT FINANCIAL PLANS

The following draft 2025-2029 Financial Plans highlighting final adjustments for discussion, have been received:

6.1 Service S186: Refuse Disposal – East Subregion

6.2 Service A116: Recycling Program – East Subregion

6.3 Service A119: Organics Program – East Subregion

6.4 Service S187: Refuse Disposal – Central Subregion

6.5 Service A117: Recycling Program – Central Subregion

6.6 Service S188: Refuse Disposal – West Subregion

6.7 Service A118: Recycling Program – West Subregion

6.8 ServiceA120: Organics Program – Central & West Subregions

DIRECTOR PRESENT Director Cunningham joined the meeting at 2:39 pm.

DIRECTOR PRESENT Director Buller joined the meeting at 3:17 pm.

7. PUBLIC TIME

The Chair called for questions from the public and members of the media at 3:47 p.m.

No questions from the public.

8. ADJOURNMENT

Moved and seconded,
And resolved:

The Joint Resource Recovery Committee meeting adjourned at 3:48 pm PST.

Carried

CERTIFIED CORRECT

Director G. Jackman, Chair
February 19, 2025
Joint Resource Recovery Committee Meeting

BOARD RESOLUTIONS AS ADOPTED AT THE FEBRUARY 19, 2025 JOINT RESOURCE RECOVERY COMMITTEE MEETING

RECOMMENDATION #1

That the Board approve the RDCK enter into a Purchase of Goods Agreement with Rollins Machinery for the purchase of a Deloupe Model HS483 tridem axle Compaction Pushout Trailer to a maximum value of $278,134 plus GST, and that the Chair and Corporate Officer be authorized to sign the necessary documents.

AND FURTHER, that the costs be paid from S187 Refuse Disposal – Central Subregion.

Committee Report

March 19, 2025

REGIONAL DISTRICT OF CENTRAL KOOTENAY SEPTAGE DISPOSAL FACILITIES REGULATORY BYLAW NO. 3021, 2025 - AMENDING REGIONAL DISTRICT OF CENTRAL KOOTENAY SEPTAGE DISPOSAL FACILITIES REGULATORY BYLAW NO. 1751, 2005

Author:	Todd Johnston, Environmental Coordinator
File Reference:	11-5500-01
Electoral Area/Municipality:	Entire RDCK
Services Impacted	S186 Refuse Disposal – East Subregion S187 Refuse Disposal – Central Subregion S190 Septage Disposal – West Subregion

1.0 STAFF RECOMMENDATION

That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025, amending *the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005,* be read a FIRST, SECOND and THIRD time by content.

That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No 3021, 2025 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

That the Board direct staff to transfer $28,015 from the S187 Refuse Disposal – Central Subregion Regular Reserve fund to the S187 Refuse Disposal – Central Subregion Septage Reserve fund, and transfer $69,027 from the S186 Refuse Disposal – East Subregion Reserve Fund to the new East Septage Reserve Fund.

2.0 BACKGROUND/HISTORY

The purpose of this report is to present the Draft Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 3021, 2025 (3021), to amend Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 (The Bylaw) as directed by resolution

250/23 *That the Board direct Staff to bring back further amendments to the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $90/tonne in 2025 and $110/tonne in 2027.*

This will increase the disposal fee of Septage from the current rate of $70/tonne to $90/tonne across the RDCK. The disposal fee was last increased to $70/tonne (from $50/tonne) in 2023, and this recent increase is the third

of a proposed four-stage increase intended to build reserves for developing future septage management facilities.
At present, the septage reserve account balance for S187, Central, is $52,444; and for S190, West, it is $870,783.95. East Subregion, currently does not have a dedicated septage reserve fund.

As the additional $20/tonne for septage disposals, collected specifically for reserves began June 01, 2023, Staff have estimated the contributions that should be in each septage reserve account based on the tonnage received (contribution being $20/tonne), as is shown in the table below.

Subregion	Site	2023	2024	Total
East	**Creston**	$27,510	$41,517	**$69,027**
West	**Ootischenia**	$69,864.21	$123,534.00	**$207,481**
	Nakusp	$4,060.63	$10,021.94	
CEN	**Salmo**	$12,009.74	$17,685.40	**$29,695**

As no transfer to septage reserves for the East or Central subregions has occurred over this period, Staff recommend $69,028 is moved from the East Waste Regular Reserve to the new East Septage Reserve and $29,695 is moved from the Central Waste Regular Reserve to the Central Septage Reserve.

The West Subregion had directed sufficient funds to their Septage reserve over this period: $185,524 and $92,250 in 2023 and 2024 respectively.

Future septage reserve transfers will be included in the draft Financial Plans based on estimated septage revenues.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

For a fulsome description of the problems and opportunities associated with the current system for receiving and treating septage at RDCK facilities, please see Attachment A.

In summary:

- RDCK operates septage drying beds at the Ootischenia, Nakusp, and Salmo (Central) Resource Recovery Facilities. All of the drying beds are in need of upgrade or replacement, and are not meeting current regulatory requirements or standards for liquid waste management.
- The Town of Creston made a motion to bring a new East Subregion septage disposal service to Alternate Approval Process; RDCK Staff are waiting to review design plans from Creston before proceeding.
- The Ootischenia Drying Beds reached capacity in November of 2024 due to excess volumes attributed to an extended pump-out season (late snow) requiring re-direction of septage to the central lagoon system.
- In 2023 Minister George Heyman specified in a letter to RDCK that the proposed septage management sites (submitted with the Resource Recovery Plan (and the associated borrowing) were not specifically approved or authorized by the plan; and that septage management facilities must be authorized by a valid and subsisting authorization under the Environmental Management Act including a liquid waste management plan.
- The RDCK does not currently provide wastewater treatment services beyond the septage drying beds, or operate under a Liquid Waste Management Plan (LWMP). Pursuing a LWMP is a significant endeavor, that can take years to develop and incur significant costs.

The RDCK and Creston have taken steps to develop a septage service in Creston, that would meet current regulatory requirements; this partnership has been in in progress since 2010.

Given the above information, the RDCK is interested in seeking additional partnerships with municipalities in both the West and Central subregions currently operating a Wastewater treatment plant, with both the capacity and willingness to expand their operations to include a septage receiving facility.

At this time, RDCK Staff are participating on technical advisory committees for both the City of Castlegar and Nelson LWMPs; Staff have requested that both municipalities fully consider the potential to expand wastewater treatment systems to include a regional septage treatment service.

Further, less formal discussions have also occurred between RDCK and Village of Salmo and Nakusp staff on this topic.

3.1 Alignment to Board Strategic Plan

Working with a municipality to adopt a more appropriate service is aligned with the RDCK's strategic objective to "develop relationships and partnerships".

Supporting a modern method of treatment that is meeting current environmental standards is aligned with RDCK's strategic objectives of "Energy efficiency and environmental responsibility" and to "innovate to reduce the impact of waste".

3.2 Legislative Considerations

None at this time.

4.1 Financial Considerations of the Proposed Solution

See Attachment A.

4.2 Risks with the Proposed Solution

A significant increase to the tipping fee carries the risk of septic system owners deferring cleanouts and maintenance, which could pose an environmental risk, if their system is not functioning.

Should RDCK be unsuccessful in securing a partnership with a municipality, the reserve funds will be directed towards constructing an RDCK – operated septage treatment facility, likely at the Salmo (Central) Resource Recovery Site, as was recommended in the "Septage Management Plan" Final Report, prepared by Kerr Wood Leidal Associates LTD in 2020.

Potential risks with building a centralized treatment facility at the Salmo Site compared to having multiple facilities throughout the region, are that hauling distances become a significant additional cost for haulers. Further, it may be a more expensive project for the RDCK to do on their own, and also require that RDCK Staff increase their capacity as an organization to deliver a wastewater treatment service.

At any site, there is always risk of not generating sufficient revenues to generate to cover maintenance, operating, and asset replacement costs. As RDCK pursues potential partnerships with municipalities, a fulsome business plan will be essential.

4.3 Resource Allocation and Workplan Impact

This stage of the septage strategy (building reserves) will not add any new impacts to the existing Staff workplans. Staff are already engaging with haulers on a bi-annual basis, as well as participating on two Liquid Waste Management Plan Technical Advisory Committees.

Letters, informing of the upcoming price increase are drafted and will be sent to all affected haulers in the RDCK – see Attachment B.

An outstanding workplan item is the evaluation of true operations cost for the current septage systems in place with focus on the associated solids disposal cost.

4.4 Public Benefit and Stakeholder Engagement of Proposed Solution

Staff meet bi-annually with three septage hauling companies (all hauling companies operating in the RDCK were invited to participate), to gather feedback, discuss concerns, financial information, and regional plans.

While none of the haulers are happy about price increases, most understand the rationale for building reserves, and some have reported out that they are now using the information provided by Staff to educate their customers as to why prices have risen.

4.5 Leveraging Technology

Social media posts will be used to educate residents on septic systems of the upcoming changes to pricing.

4.5 Measuring Success

Success will be measured by having sufficient reserves in place to significantly reduce long-term borrowing debt for capital infrastructure costs.

5.0 ALTERNATIVE SOLUTION(S)

None at this time.

6.0 OPTIONS CONSIDERED BUT NOT PRESENTED

Not Applicable.

7.0 OPTIONS SUMMARY

Option 1:

Recommendation #1:

That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025, amending *the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005,* be read a FIRST, SECOND and THIRD time by content.

Recommendation #2:

That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No 3021, 2025 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

Recommendation #3:
That the Board direct staff to transfer $28,015 from the S187 Refuse Disposal – Central Subregion Regular Reserve fund to the S187 Refuse Disposal – Central Subregion Septage Reserve fund, and transfer $69,027 from the S186 Refuse Disposal – East Subregion Reserve Fund to the new East Septage Reserve Fund.

Option 2:

Recommendation #1:
That the Board direct Staff to not amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $90/tonne.

Recommendation #2:
That the Board direct staff to transfer $28,015 from the S187 Refuse Disposal – Central Subregion Regular Reserve fund to the S187 Refuse Disposal – Central Subregion Septage Reserve fund, and transfer $69,027 from the S186 Refuse Disposal – East Subregion Reserve Fund to the new East Septage Reserve Fund.

8.0 RECOMMENDATION

Recommendation #1:
That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025, amending *the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005,* be read a FIRST, SECOND and THIRD time by content.

Recommendation #2:
That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

Recommendation #3:
That the Board direct staff to transfer $28,015 from the S187 Refuse Disposal – Central Subregion Regular Reserve fund to the S187 Refuse Disposal – Central Subregion Septage Reserve fund, and transfer $69,027 from the S186 Refuse Disposal – East Subregion Reserve Fund to the new East Septage Reserve Fund.

Respectfully submitted,

Todd Johnston – Environmental Coordinator

CONCURRENCE

Resource Recovery Manager – Amy Wilson
General Manager of Environmental Services – Uli Wolf
General Manager of Finance, IT, E.D. – Yev Malloff
Chief Administrative Officer – Stuart Horn

ATTACHMENTS:
Attachment A: 2023-04-19 JRRC Report: Septage Bylaw Price Increase
Attachment B: 2025 RDCK Hauler Letter
Attachment C: 2024-08-14 JRRC Report: Town of Creston Septage Receiving Facility Service
Attachment D: Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025
Attachment E: Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005, Consolidated

Committee Report

Date of Report: March 13, 2023
Date & Type of Meeting: April 19, 2023 Joint Resource Recovery Committee
Author: Todd Johnston, Environmental Services Coordinator
Subject: SEPTAGE BYLAW PRICE INCREASE
File: 08-3200-10-2901
Electoral Area/Municipality All

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present Draft Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 2901, 2023 to amend Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005; this Bylaw was amended once (Bylaw No 2718) in 2020 to both include the East Waste Management Subregion and to increase the disposal rate for Septage to $50/tonne (from $41/tonne).

The Draft Bylaw proposes an increase of the disposal fee for Septage from $50/tonne to $70/tonne across the RDCK. The disposal fee was last increased in 2020, and this recent increase is the second of a proposed four-stage increase intended to build reserves for either developing an RDCK-operated septage treatment facility in Salmo or financially supporting municipal wastewater treatment plant upgrades to include septage receiving for the West and Central subregion.

SECTION 2: BACKGROUND/ANALYSIS

On February 19, 2020, Staff presented to the RDCK Joint Resource Recovery Committee (JRRC) a report (Attachment A) on the status of the RDCK Septage Management Strategy (Attachment B), which was developed for the RDCK by Kerr Wood Leidal Ltd. The Staff report recommended that the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 (the Bylaw) be amended to increase septage fees in Service S190 (West Septage), Service S187 and Service S186 to $50/tonne.

On July 16, 2020 the Board adopted the following Resolution:

#92/20 *That the Board direct staff to continue an assessment of the City of Castlegar Lagoons as the preferred option for a centralized septage receiving facility;*

AND FURTHER that the Board direct staff to begin discussions with the City of Castlegar to determine the feasibility of a workable partnership;

AND FURTHER that the Board direct staff to amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $50/tonne.

RDCK currently has septage drying beds (Beds) at the Ootischenia, Nakusp, and Central landfills that require upgrading or replacement, as they are not adequately meeting current and future demands in the region, have poor environmental performance, and are not meeting regulatory requirements. Excepting for the Beds, the RDCK does not provide wastewater treatment services anywhere in the region, or have a Liquid Waste Management Plan (LWMP), which is a significant endeavour, that can take years to develop and cost hundreds of thousands of dollars. Further, a LWMP requires qualified staff with the appropriate certifications, trained in liquid waste treatment to operate. At present no Environmental Services staff, located in the West or Central Subregions have these qualifications. Treating liquid waste at landfill sites is contrary to best solid waste management practices, and with the recent approval by the Ministry of the RDCK 2021 Resource Recovery Plan, the Minister George Heyman specified in his February 08, 2023 letter to RDCK:

> *"…as septage is not "municipal solid waste" as defined in the Environmental Management Act, I want to be clear that the proposed septage management sites or facilities are not specifically approved or authorized by this solid waste management plan.*
>
> *In accordance with the Environmental Management Act, regulations and guidance, septage is "municipal liquid waste" and/or "municipal wastewater", and septage management facilities must be authorized by a valid and subsisting authorization under the Environmental Management Act including a liquid waste management plan and associated operational certificate, permit, and/or the Municipal Wastewater Regulation, and/or the Organic Matter Recycling Regulation. As necessary, please submit applications for new and/or amended authorizations to authorize septage management facilities."*

The RDCK Septage Management Strategy (the Strategy) does identify three options for improving a septage treatment service in the West/Central Subregions: the preferred option (Option A), being the development of a septage receiving facility and service at the Castlegar North Lagoons facility, which are currently used for treating a portion of the municipal sewer wastewater (See Attachment A).

As Lagoon upgrades and operational costs would be shared between the City of Castlegar and the RDCK, the annualized cost of this option (capital plus O&M) was estimated at $312k/year for the RDCK (in 2019 dollars) with an estimated break-even tipping fee for this service at $52/tonne, dropping to $40/tonne for 2045 hauling volumes.

Since reporting to JRRC in 2020, RDCK and Castlegar Staff have investigated the potential for Option A, however long-standing Lagoon upgrades to meet Ministry compliance under their current permit, raised questions as to whether an additional septage service could be financially viable. Castlegar is now undergoing a formal LWMP with the Ministry, which is expected to take several years, eliminating Option A for the time being.

Option B, Upgraded Septage Drying Beds at the closed Central Landfill site (See Attachment A), incorporates a receiving station which drains to six beds with impermeable asphalt and geomembrane lining. The estimated capital costs are $3.4M, with Operation and Maintenance (O&M) costs of $454K/year, requiring tippng fees of $107/tonne, (dropping to $83/tonne for 2045 hauling volumes) to break even. All estimates in 2019 dollars.

Option C, Septage Composting Facility at the closed Central Landfill site is a septage receiving facility with active aerated windrows and additional leachate treatment. The capital costs were estimated at $4.1M (2019 dollars) with estimated O&M costs off $233k/year, requiring a break-even tipping fee of $77/tonne, dropping to $60/tonne for 2045 hauling volumes. All estimates in 2019 dollars.

While Options B and C remain as potential solutions for improved septage services for West and Central Subregions, the preferred strategy is to avoid a LWMP process and partner with municipalities to accept septage at their WWTPs. As such, RDCK Staff are reaching out to other municipalities in the Central and West subregions (Salmo, Nelson, Nakusp and Kaslo) to gauge interest in a partnership to develop a septage receiving service. A break-even disposal fee for a municipal – run septage service has not been estimated. For comparison, the Town of Creston and the RDCK have a Memorandum of Understanding to develop a new septage receiving station at the Town's WWTP site. In a 2018 design and technical brief by Associated Engineers, the financial analysis indicated that a tipping fee in the range of $92-$93/m3 (roughly $92-$93/tonne) was required for cost recovery (2018 dollars).

It should be noted that, at this time there are no local disposal or treatment options for hauled liquid wastes, such as those from grease traps, porta-potties, or oil-water separators. It is suspected that these wastes are being mixed in with loads of septage and disposed at the RDCK Beds; it would be near impossible for Operators to detect these wastes during discharge. A regimented service for septage receiving would be better equipped to detect "non-septage loads" and reject them. The lack of these services should be part of the overall regional septage strategy conversation with both municipal partners and the private sector, or as a consideration for a regionally-run service.

Staff recently reached out to two septage hauling company owners in the RDCK, both with decades experience in the business, to discuss pricing and issues in general. Both haulers conveyed a willingness to work with the RDCK to provide regular feedback on the state of the industry, disposal needs, and a desire to be better informed of a regional strategy. Both also conveyed concern over a lack of non-septage disposal options, higher tipping fee customer impacts, and longer hauling distances required for centralized services. Staff recommend inviting hauling companies to participate in a quarterly or semi-annual stakeholder meetings to provide input and receive updates.

Refer to Attachments C and D to review the Draft Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 2901, 2023, and the consolidated Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, respectively. Staff recommend putting the new price into effect June 1st, 2023, to give the septage hauling industry adequate time to adjust their pricing and quotes. Staff also recommend contributing all new septage revenue to the appropriate septage reserve to save for upcoming works, and establish a separate septage reserve for the East Subregion.

In preparation for this price increase, a letter (Attachment E) will be sent, following any Board resolutions to change the tipping fees, to the septage hauling industry in advance of the change.

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

At present, an in-depth financial analysis for actual costs incurred managing septage, in the current system, has not been done. However, it is understood that significant operator time is spent mixing and stockpiling, maintaining Beds and access, supervising disposals; in addition to the costs of equipment (loader and excavator) use, staffing, and overhead costs. If no changes are made beyond a LWMP, and septage management remains status quo, there will soon be costs associated for replacement of Beds at end of life.

Current septage tipping fee revenue is not sufficient to build reserves to fund upcoming septage management capital works options, such as: co-fund one or more municipal septage receiving services, develop a LWMP for a new RDCK septage service, or cover the capital and operating costs for the Options B and C, at the closed Central Landfill site, described in section 2.

Considering the information in the previous section, Staff recommend a staged price increase for septage disposal to build the necessary reserves to develop one of the above described services. Reserve funds would also be required to cover LWMP and staffing costs should future septage services be developed, owned and operated by RDCK alone. An increase to $70/tonne in 2023, $90/tonne in 2025, and $110/tonne in 2027 will also serve to have the industry adjust to a realistic disposal fee at upgraded future facilities. It should be noted that a more in-depth financial analysis may reveal that these projected disposal fees may need future adjustments.

The table below summarizes the tonnages from 2018-2022 of septage received RDCK facilities, with average tonnages.

	2018	**2019**	**2020**	**2021**	**2022**	**Average Annual Tonnage**
Central	1274	1341	1217	1259	929	1204
Creston	2075	1984	2299	2469	2111	2189
WEST						
Ootischenia	4366	4842	5012	5578	4532	4866
Nakusp	217	215.5	379	647	444	380.5
Total West	4583	5057.5	5391	6225	4976	5246.5

It should be noted that much of the septage coming to the Ootischenia landfill originates in the Central SubRegion, as the Central Landfill is only open two days per week, versus the Ootischenia Landfill which is open six days per week. When construction of the organics processing facilities at Central are complete, it is anticipated that hours of operation will increase. Further, there are considerations being made for an automated kiosk at Central, which would allow haulers access to the site more days of the week. Future changes to site hours of operation will shift revenues from West to Central.

It should be further noted that septage disposed at the Creston Beds are not weighed or monitored – the haulers with accounts have 24 hour access to the Beds and report their volumes to Town of Creston Staff, after disposal. The tonnage estimates for Creston were based on revenues received, with the assumption that the volumes reported were correct.

The next table estimates potential annual revenues, at various disposal rates, with the assumption that the 2018-2022, five year average averages are disposed of at those sites.

	$50/T	**$70/T**	**$90/T**	**$110/T**
Central	$60,200	$84,280	$108,360	$132,440
Creston	$109,384	$153,137	$196,871	$240,644
Ootischenia	$243,300	$340,620	$437,940	$535,260
Nakusp	$19,025	$26,635	$34,245	$41,855
Total WEST	$262,325	$367,255	$472,185	$577,115

At the end of 2022, the balances in the S190, West Rural Septage and S187 Central Septage Reserve funds was $593,010, and $50,765 respectively. The projected contribution to the Service S190 West Rural Septage Reserve fund for 2023 is $235,000.

Staff recommend immediately increasing septage rates to adjust the market to future costs of the program and to begin generating reserves to pay for future infrastructure. New septage revenue should be directed to the septage reserve associated with the subregion of disposal to save for upcoming works.

Specifically, the revenues generated from the $20/tonne increase should be dedicated to reserve funds to fund upcoming septage management capital expenses. Based on tonnage averages between 2018 to 2022, the proposed disposal fee increase, if effective June 1st, should be able to contribute $14,000 in 2023 and $24,000 in 2024 in the Central Subregion; $25,523 in 2023 and $43,753 in 2024 in the East Subregion; and $61,200 in 2023 and $105,000 in 2024, in the West Subregion.

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

None at this time.

3.3 Environmental Considerations

Increased disposal fees could encourage illegal dumping of septage, and associated groundwater and soil contamination. However, managing the majority of septage at a modern treatment facility would be a vast improvement to environmental performance over the current use of Drying Beds, which may be contributing to groundwater contamination.

3.4 Social Considerations:

None at this time.

3.5 Economic Considerations:

Increased costs for septic tank maintenance may be difficult to manage for some residents and businesses, however most septic system owners only get their tanks serviced every 5-10 years, a potential $20-$60 service price increase, would likely not create an unacceptable financial burden.

3.6 Communication Considerations:

Septage haulers will be given one month advanced warning before new prices go into effect, giving them time to adjust their billing and quotes.

3.7 Staffing/Departmental Workplace Considerations:

Staff time will be required to communicate with septage haulers 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 Manage our Assets and Operations in a Fiscally Responsible Manner
- To Strengthen our Relationships with our Community Partners

SECTION 4: OPTIONS & PROS / CONS

Option 1: That the Board direct Staff to amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $70/tonne, and further, that Staff be directed to bring back further amendments to the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $90/tonne in 2025 and $110/tonne in 2027; and further, that additional revenues created through higher user fees be placed into reserves earmarked for the respective area septage services at year end.

PROS:

- A reserve fund will help pay for future upgrade expenses and decrease borrowing costs.
- Incrementally increasing fees may be easier for the hauling industry to adapt to than a significant overnight increase.
- Assuming most septic system owners only get their tanks serviced every 5-10 years, a potential $20-$60 service price increase, would not create an unacceptable financial burden.
- Dedicating additional revenues generated from the proposed price increase towards capital costs for developing septage facilities that meet modern standards justifies to haulers and their customers, the additional costs for disposal.

CONS:

- Higher tipping fees will increase disposal costs to the Hauling sector and ultimately result in higher service fees for their customers.

Option 2: That the Board direct Staff to NOT amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 at this time.

PROS:

- Hauling industry may wish to defer increases to their operating costs and higher service fees to their customers.

CONS:

- No available or insufficient reserve fund to help pay for future upgrade expenses and decrease borrowing costs.
- Significant overnight increase timed with new services may be more difficult for the hauling industry to adapt to than incremental increases.

SECTION 5: RECOMMENDATIONS

RECOMMENDATION #1:

That the Board direct Staff to amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $70/tonne;

AND FURTHER, that additional revenues created through higher user fees be placed into reserves earmarked for the respective area septage services at year end.

RECOMMENDATION #2:

That the Board direct Staff to bring back further amendments to the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $90/tonne in 2025 and $110/tonne in 2027.

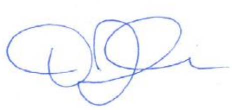
RECOMMENDATION #3:

That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 2901, 2023 be read a FIRST, SECOND and THIRD time by content.

RECOMMENDATION #4:

That the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No 2901, 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: 2020-02-19 “Septage Strategy Management Update” report prepared by Todd Johnston, Environmental Services Coordinator to Joint Resource Recovery Committee
ATTACHMENT B: 2020-03-31 “Septage Management Plan” Final Report, prepared by Kerr Wood Leidal Associates LTD.
ATTACHMENT C: Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 2901, 2023
ATTACHMENT D: Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 2901, 2023, Consolidated for Convenience.
ATTACHMENT E: 2023 RDCK Hauler Letter

rdck.ca

File No. 12-6300-01-2022

March 25, 2025

Name
Address

RE: 2025 TIPPING FEE INCREASE

The Regional District of Central Kootenay (RDCK) is issuing this letter to all septage haulers to inform of an upcoming amendment to RDCK Regulatory Bylaw Number 1751, to increase the disposal fee for septage to $90/tonne at all RDCK septage disposal facilities, **effective June 01, 2025.**

The RDCK Board of Directors adopted the following resolution at their April 20, 2022 Open regular meeting:

> *That the Board direct Staff to amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in Service S190, Service S187 and Service S186 to $70/tonne.*
>
> *AND FURTHER, that additional revenues created through higher user fees be placed into reserves earmarked for the respective area septage services at year end.*

This recent increase is the second since 2020, and there is one additional price increases of $20/tonne, scheduled to occur in 2027, to $110/tonne.

The RDCK is seeking better treatment options for septage, ideally through a partnership with municipal wastewater treatment plants. If such a partnership is not achievable, the RDCK will have to construct treatment facilities that meet current standards through a formal Liquid Waste Management Plan in accordance with the *BC Environmental Management Act*. All of the above endeavours are costly and, in increasing the tipping fees, the RDCK is moving the rate closer to the expected operational cost and building reserves to fund portions of this upcoming work and future asset replacement.

In light of these upcoming changes and impacts to your business, I am inviting you to participate in a stakeholder group, to gather feedback and ideas, discuss issues, and receive progress and financial updates. If interested please contact me directly at tjohnston@rdck.bc.ca or 250.352.1523. This group meets bi-annually at the Nelson Lakeside office with options of meeting after regular business hours and/or through online participation for businesses operating outside of Nelson and surrounding area.

Sincerely,

Todd Johnston, Environmental Coordinator

TJ/ec

Nelson Office: Box 590, 202 Lakeside Drive, Nelson, BC. V1L 5R4
Phone: 250.352.6665 | Toll Free: 1.800.268.7325 (BC) | Email: info@rdck.ca | Fax: 250.352.9300

ATTACHMENT C

Committee Report

Date of Report:	August 7, 2024
Date & Type of Meeting:	August 14, 2024 Joint Resource Recovery Committee
Author:	Todd Johnston, Environmental Coordinator
Subject:	TOWN OF CRESTON SEPTAGE RECEIVING FACILITY SERVICE
File:	11-5500-30
Electoral Area/Municipality	Electoral Areas A,B,C and Town of Creston

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide information to the Joint Resource Recovery Committee, including background and updates pertaining to negotiations between the Town of Creston (the Town) and RDCK for a revised Septage Service, including plans for capital infrastructure upgrades to the Town's Wastewater Treatment Plant to include a newly constructed Septage Receiving Facility, and options for service models to deliver this service in the East Subregion.

SECTION 2: BACKGROUND/ANALYSIS

BACKGROUND

Septage service negotiations and developments between the Town of Creston (the Town) and the Regional District of Central Kootenay (RDCK) have been in progress since 2010. It is in the interest of both the RDCK and the Town to finalize this long, complex project towards a substantially revised service, which will meet Ministry requirements for liquid waste management, improve environmental performance, clearly define roles in service delivery, and create a financially and environmentally sustainable solution for septage treatment in the East Subregion. Further, the Town will benefit from both the revenues generated, and being able to protect their Wastewater Treatment Plant (WWTP) through increased controls of influent and elimination of the current unlined septage lagoon.

Trucked septage (liquids and solids pumped from septic systems) in the East Subregion is discharged by haulers to drying beds (Beds) located on Town land, adjacent to their Wastewater Treatment Plant (WWTP). The Beds are open pits, in which chipped wood is added with the septage until sufficiently dry; when full, the dried materials are excavated and stockpiled at the Creston Landfill. The liquid portion of the septage is drained to the WWTP for further treatment and eventual discharge to the receiving environment.

The RDCK Resource Recovery Plan, approved by the Ministry of Environment and Climate Change Strategy in 2023, identifies that the RDCK is partnering with the Town of Creston to construct a septage receiving station at their wastewater treatment plant (WWTP).

A Septage Disposal Agreement between the Town of Creston (the Town) and the RDCK was executed in June of 2010, through which the revenues from septage are evenly split between the Town and the RDCK. This arrangement continues to this day, however since 2023 the RDCK directs $20/tonne to a septage reserve for future upgrades.

The RDCK is financially responsible for all operating costs of the Beds including annual maintenance and repairs; however the Town typically directs the maintenance and assigns contractors.

Liquid wastes discharged to the Beds are regulated by the RDCK Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 (Septage Bylaw), and are limited to “domestic type septage”. The discharges to the Beds are not monitored, and it is likely that wastes prohibited in the Septage Bylaw, from sump pumps, oil-water separators, grease traps, pit toilets and other sources are being disposed at the Beds. RDCK is not aware of any existing services in the RDCK to accept and treat these prohibited wastes, and both RDCK and the Town will need to consider how these wastes will be managed in the future, as planning for improved septage facilities progresses.

In 2012, the Town requested RDCK fund an assessment of septage impacts to the Town’s WWTP, with the intent of quantifying operational impacts from septage loadings (additional volume and pollutants) from uncontrolled discharge to the WWTP. The RDCK contributed $40,000 towards design and a study to identify septage receiving options for at the Town’s WWTP.

Still of major concern for the Town, is the strain on their WWTP infrastructure from uncontrolled discharge of high strength septage from the Beds; already exacerbated by high strength influent from the adjacent Columbia Brewing Company. The Columbia Brewing Company, however, provides significant financial contributions for WWTP infrastructure upgrades and regular maintenance.

In 2013 Urban Systems assessed the impacts of septage on the upgraded WWTP, including design criteria and required upgrades, and in 2014 the Ministry of Environment (MOE) stated support for treating Creston’s septage via the WWTP, and a reluctance for approving treatment by drying beds at the Creston Landfill.

Since 2010, the Town has authorized multiple extensions to the Septage Disposal Agreement, but in 2014 stated support for one final extension to that agreement, and the expectation that RDCK would fund the septage receiving facility, and that failure to make earnest efforts towards a long-term solution could result in closure of the Creston septage pits. That year RDCK worked with the Town to develop a Memorandum of Understanding (MOU) to address the process and terms by which the closure of the Beds and the creation of a modern septage receiving facility at the Town’s WWTP would occur.

The RDCK Board adopted the following resolution at their April 17, 2014 Regular Board meeting:

#197/14 *Staff be directed to work with Town of Creston staff to develop a business case for the construction of a modern septage receiving station at the Town of Creston wastewater treatment plant; AND FURTHER, that the Board Chair and Corporate Secretary be authorized to sign the Letter of Understanding with the Town of Creston extending the Septage Disposal Agreement for a one-year term.*

In 2018 the Town provided RDCK with a Septage Receiving Station (SRS) Design and Technical Brief by Associated Engineers (See Attachment A), which signified the need to commence negotiation regarding the construction of the facility. The technical brief estimated capital costs at $1,070,000, including civil site works, structural and architectural, process mechanical, building mechanical and electrical; at present there is $1.38M allocated in the 2024 Financial Plan for Service S186 East Resource Recovery budget for project construction and engineering.

The full life cycle costs estimated in this brief (in 2018 dollars), totaled $3,184,600, for all capital, replacement, operating and maintenance costs.

The RDCK Board adopted the following resolution at their July 19, 2018 Regular Board meeting:

#469/18 *That staff be directed to commence negotiations with the Town of Creston regarding construction of the Septage Receiving Station as outlined in the April 2018 Town of Creston WWTP Septage Receiving Station Design and Technical Brief prepared by Associated Engineering.*

In 2019, the Town presented a Draft Agreement outlining ownership, funding, design, construction, and operation of the SRS at the Creston WWTP (Attachment B) which proposed that:

- The RDCK continue to provide the regional service of accepting domestic septage waste from within the boundaries of the East Waste Sub region; and receive tipping fees to fund the service.
- Creston shall undertake engineering detailed design, tendering and construction for the SRS.
- Costs for the preliminary design and the detailed design shall be repaid to the Town.
- Total capital costs shall include: Technical Brief (completed), Detail Design, Tendering, and Construction.
- Upon closure of the Old Septage Facility, Creston shall reclaim the site to such standard as Creston, RDCK, and BC Ministry of Environment consider necessary, with costs to be repaid by the RDCK (estimated at $30,000 in 2019 dollars).
- RDCK will be responsible for environmental assessment required for the decommissioning of the Old Septage Facility.
- Creston will operate, charge users, and maintain the SRS as a service on behalf of the RDCK.

In 2021, Associated Engineers provided an estimate of WWTP SRS Upgrades costs for design work, project management, construction administration and post construction services, at $131,000. In addition, the receiving station cost where estimated at approximately $500,000, leaving approximately $370,000 for site works. It was recommended to include approximately $60,000 for site works contingency.

The RDCK currently has $125,000 budgeted for the design engineering services, and Town Staff have indicated that the design work would coincide with other WWTP upgrades, allowing for some design work to piggy-back on other projects which will likely reduce costs below what is budgeted.

In 2021, the RDCK submitted a Resource Recovery Plan (RRP), as mandated by the Ministry of Environment and Climate Change Strategy; a long-term vision for managing solid waste, with commitments for improving the septage management system in the RDCK. Once approved, an RRP allows a local government to access long-term borrowing for bigger projects such as the development of the SRS without a separate public approval process, on the premise that the information is reported, and feedback received through significant public consultation prior to submittal and approval. The RRP was formally approved February 8, 2023, however Minister Heyman stipulated a condition that any septage management facilities would need to be authorized through a Liquid Waste Management Plan (LWMP). The Town's WWTP is already authorized under a permit, including the acceptance of septage waste, therefore a LWMP is not deemed necessary in this situation. LWMP is an exhaustive and lengthy process (typically three or more years from initiation to approval). RDCK, in late 2023 expressed concern to the Ministry Section Head (Municipal Solid Waste Management Planning), who voiced her support for proceeding with the proposed Creston SRS, without a LWMP, as the project represents:

"…a substantial improvement in septage management and treatment for the region and a progressive partnership between the RD and the Town. We are supportive of an application to the Inspector of Municipalities for long-term borrowing as a capital project, as identified in your approved SWMP [Solid Waste Management Plan]."

From this endorsement, RDCK is now in a stronger position to advance with an application to the Municipal Finance Authority (MFA) for the long-term borrowing as a capital project, as identified in the RRP, with Board Approval. The RDCK 2024 Financial Plan allocates funds for the overall project to proceed using long-term borrowing. The borrowing process will be lengthy, and given the long history of this initiative, there is an urgency to determine the best service and funding approach to expedite prioritizing in the Corporate/Finance workplan.

There are several possible approaches for the operation of a new septage facility, which all require careful consideration of related legislative, regulatory, contractual, risk management and financial factors.

Some relevant factors to consider:

- Septage facility operations in the Creston Valley have historically been administered and funded through the East Resource Recovery Service.
- The service, if limited to receiving only septic system waste, would mostly serve rural residents, with the exception of a small number of parcels in the Town that have septic systems. With the Town being a major financial participant in East Resource Recovery, Town residents may view the service as not directly benefitting them.
- It is unknown whether the service will include the acceptance of non-septage wastes from port-a-potties, sump pumps, grease interceptors, holding tanks etc. Acceptance of these residential and business wastes would expand the benefitting population, and likely increase buy-in within the Town.
- The financial obligations, risks and benefits for each party in developing and operating the new facility must be addressed within a comprehensive agreement between the Town and RDCK, which is currently in draft form. The parties have not yet reached consensus about how best to balance the interests of both.
- Establishing a new septage service is at the discretion of the RDCK Board.
- The scope and cost of the septage facility was included in the Approved 2021 Resource Recovery Plan, which enables the RDCK to complete long-term borrowing of funds without undergoing a separate elector approval process.
- Normally, where borrowing is required to establish a new service, the borrowing approval would be included within a service establishment bylaw elector assent process.
- Given the historical inclusion of septage services within East Resource Recovery, a new septage facility could be administered through the existing East Resource Recovery service.

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

The current arrangement of operating the drying beds adjacent to the Creston WWTP, requires RDCK to cover all operating costs, primarily maintenance and repairs.

Twice per year, the RDCK pays a contractor to clean out the drying beds at Creston, also any repairs and maintenance required. The Town also sometimes assists maintenance work on the drying beds such as video inspection work, which is charged to the RDCK. The solid materials that are cleaned out bi-annually are stockpiled on site at the Creston Landfill for potential use in landfill closure works.

Over the past five years, the RDCK paid an average of $21,306 per year in operation, maintenance and repair costs for the Creston drying beds. Septage revenues average $103,244 per year, which is split 50/50 with the Town of Creston (after the $20/tonne designated for reserves starting in 2023). The Town does not monitor the septage disposals at the drying beds; the haulers have 24-hour access and self-declare their volumes and associated payments to the Town. The table below summarizes the costs and revenues since 2019.

Year	2019	2020	2021	2022	2023	TOTAL	AVERAGE / YEAR
Contractor Maintenance and Excavation	$7,355	$23,753	$17,640	$26,940	$14,590	**$90,278**	**$18,056**
Contractor Repairs				$2,836	$10,457	**$13,293**	**$6,647**
Town of Creston Repairs/Equipment		$1,870			$1,090	**$2,960**	**$1,480**
Total Costs	$7,355	$25,623	$17,640	$29,776	$26,137	**$106,531**	**$21,306**
REVENUES	$81,350	$109,726	$65,380	$105,552	*$154,210	**$516,218**	**$103,244**
Difference	**$73,995**	**$84,103**	**$47,740**	**$75,776**	**$128,073**	**$409,687**	**$81,937**

*In 2023, the rate for septage was increased by $20, from $50/tonne to $70/tonne. The $20/tonne in 2023 equals $11,915, which is designated for reserves.

Currently, $1,382,742 is budgeted in the S186 – East Resource Recovery 5 Year Financial Plan (2024-2028) for the Septage Receiving Facility for construction costs, a 15% contingency, and $125,000 for detailed design.

The amortization period and timing of financing, taken by the RDCK will determine the payback period and the full cost to be repaid through user fees.

Considering the above, there are several options to consider in structuring the future septage service. Below is a list of possible options presented in descending order of simplicity and time requirements (most complicated/time consuming at the top):

1. **Establish a new service and authorize borrowing together in a single elector approval process.**
    a. Service boundary is established based on properties that rely on septic systems
    b. Risk of public rejecting the service establishment
    c. Duplicates the long term borrowing authorization under the RRP
    d. Delays the project and impacts alignment with other planned upgrades thereby increasing costs
    e. Allows public the opportunity for a voice on this specific matter
    f. Most formal and direct way of ensuring that only residents on septic retain the financial obligation

2. **Borrow under the RRP authorization and establish a new service after that is completed.**
    a. Service boundary is established based on properties that rely on septic systems

b. Methods of transferring debt obligations between services are not yet defined (i.e. contribution service etc.)
c. Utilizes existing authorization and avoids the risk of public rejection of the borrowing
d. Options 3 or 4 could be considered if elector approval for the new service fails
e. Achieves Town request to establish a new service

3. **Borrow under the RRP authorization and amend the Service S186 – East Resource Recovery establishment bylaw to reflect that Creston is not recovering the cost of debt.**
    a. Bylaw could contain a new funding formula specifically relieving the Town of the septage facility capital costs
    b. Funding formula within the bylaw would create a binding legal obligation, which could provide the Town necessary assurances
    c. Likely would not require elector approval (subject to Ministry confirmation)

4. **Borrow under the RDCK's RRP authorization but cover the cost sharing component through a policy.**
    a. Does not create legally binding obligations and could be subject to change by RDCK Board
    b. Precedent at RDCK is the Central / West Cost-sharing policy for the shared use of the Ootischenia Landfill

5. **Borrow under the RDCK's RRP authorization with all matters related to costs, revenues and risk management addressed through the agreement between the Town and RDCK.**
    a. Simplest arrangement - it does not require service establishment bylaw changes or new policy.
    b. Contract creates legally binding obligations on both parties
    c. Town may be concerned about financial risk under this approach

Staff from the Town and the RDCK met on July 23rd to discuss options and plan the next steps for advancing the draft agreement for the facility. RDCK staff outlined the challenges and impacts to timing for the options that involve establishing a new service or amending the existing East Resource Recovery Service Bylaw. RDCK staff are of the opinion that all concerns of the Town could be addressed through the draft agreement, and that service establishment will add unnecessary complications and delay the project. Town staff indicated some willingness to explore the 'contract only' option further. RDCK committed to presenting this as a preferred option to the JRRC, and if supported, engaging the Ministry for input and a legal review before providing the Town with recommended changes to the original draft for final negation of terms.

At this time, Staff have not sought input from Ministry of Municipal Affairs and Housing staff on any options, but will do so once general preferences are established by the Joint Resource Recovery Committee.

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

A new service agreement between the Town of Creston and RDCK, to govern the construction and operation of a septage receiving facility will need to be done in accordance with the local government act and legal authority of both the RDCK Board and the Town's Council.

Section 23 of the Community Charter enables a local government to form agreements with other local authority for delivery of services, which may include:

a) *activities and services within the powers of a party to the agreement, including agreements respecting the undertaking, provision and operation of activities and services,*

b) *operation and enforcement in relation to the exercise of authority to regulate, prohibit and impose requirements within the powers of a party to the agreement, and*

c) *the management of property or an interest in property held by a party to the agreement.*

The three areas noted above would be included in an agreement between the RDCK and the Town. Some of the issues to be negotiated within the agreement, which would require Ministry input and legal review, include:

- Any provisions for Ownership and leasing of land and equipment related to using RDCK borrowing authority for infrastructure owned by the Town;
- Aligning the agreement to the legal authorities of both parties;
- Avoiding agreement provisions that might fetter the discretion of the RDCK Board or the Town's Council to exercise their legal authority;
- Defining who has the authority to regulate and set fees for the facility;
- Cost sharing, revenue management and debt repayment; and
- Capital replacement funding and establishment of reserves.

3.3 Environmental Considerations

Proper management of septage, through proper treatment protects ground and surface water and soil health.

3.4 Social Considerations:

Proper management of septage, through proper treatment protects human health by ensuring that people are not in contact with disease-carrying pathogens and environmental health.

3.5 Economic Considerations:

Investment in compliant municipal disposal options for residents comes at a financial cost, which will be reflected in tipping fees. However, extreme disposal price hikes can be mitigated through long-term borrowing and taxation subsidies.

3.6 Communication Considerations:

New septage service developments will be communicated to impacted haulers via notification and invitation for consultation. Similarly, communication resources will be distributed to affected members of the public.

3.7 Staffing/Departmental Workplace Considerations:

Demand on RDCK Staff time to develop a service establishment bylaw, arrange long-term borrowing, finalize a service agreement with the Town of Creston, and liaise with both the Ministry and Town Staff, will increase temporarily, until the new service is fully in operation.

3.8 Board Strategic Plan/Priorities Considerations:

This initiative aligns with the Board strategic priorities:

- Manage our assets and service delivery in a fiscally responsible manner;
- Develop relationships and partnerships;

- Energy efficiency and environmental responsibility; and
- Innovate to reduce the impact of waste.

SECTION 4: OPTIONS & PROS / CONS

Not Applicable

SECTION 5: RECOMMENDATIONS

That the Joint Resource Recovery Committee receive this report for information.

Respectfully submitted,

Todd Johnston – Environmental Coordinator

CONCURRENCE

Resource Recovery Manager – Amy Wilson
General Manager of Environmental Services – Uli Wolf
Chief Administrative Officer – Stuart Horn
Corporate Officer – Mike Morrison
General Manager of Finance, IT & Economic Development – Yev Malloff

ATTACHMENTS:

Attachment A – 2018 Septage Receiving Station (SRS) Design and Technical Brief by Associated Engineers
Attachment B – 2019 DRAFT AGREEMENT For Construction and Operation of Septage Receiving Facility

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3021

A Bylaw to amend Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005, to increase the disposal rate for Septage to $90/tonne

WHEREAS the Regional District of Central Kootenay by Bylaw No. 1751, being the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005, regulates and set fees for the disposal of septage in the Central Waste and West Waste Management Subregions of the Regional District of Central Kootenay;

AND WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to increase septage fees in the West, East and Central Waste Management Subregions to $90/tonne;

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

1 That Section 4.0 Fee Schedule be amended by REPLACING Section 4.0 with the following:

That fees be charged as per Schedules A-1, A-2, and A-3 to this bylaw.

2 That Schedules A-1, A-2, and A-3 be added to this bylaw.

3 This Bylaw shall come into force and effect June 1st, 2025.

4 This Bylaw may be cited as **Regional District of Central Kootenay Septage Disposal Facilities Regulatory Amendment Bylaw No. 3021, 2025.**

READ A FIRST TIME this	20th	day of	March,	2025.
READ A SECOND TIME this	20th	day of	March,	2025.
READ A THIRD TIME this	20th	day of	March,	2025.
ADOPTED this	20th	day of	March,	2025.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

SCHEDULE A-1 TO BYLAW NO. 3021: USER FEES – CENTRAL SUB-REGION

Liquid Waste	Weight-based fee
Septage	$90.00/tonne

SCHEDULE A-2 TO BYLAW NO. 3021: USER FEES – WEST SUB-REGION

Liquid Waste	Weight-based fee
Septage	$90.00/tonne

SCHEDULE A-3 TO BYLAW NO. 3021: USER FEES – EAST SUB-REGION

Liquid Waste	Weight-based fee
Septage	$90.00/tonne

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Septage Disposal Facilities Regulatory

Bylaw No. 1751, 2005

CONSOLIDATED FOR CONVENIENCE ONLY

This bylaw has no legal sanction.

Includes the following Bylaw Amendments:
Bylaw No. 2718
Bylaw No. 2901
Bylaw No. 3021

A Bylaw to regulate and set fees for disposal of septage in the Central, West and East Waste Management Regions.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 1751

A Bylaw to regulate and set fees for the disposal of septage in the Central Waste Management Region and the West Waste Management Region

WHEREAS a service has been established by the Regional District of Central Kootenay by Bylaw No. 1231, being the West Waste Management Subregion Septage Disposal Local Service Area Establishment Bylaw No. 1231, 1997, for the purpose of generating sufficient funds to offset any shortfall resulting from the charging of insufficient user fees to accommodate the operation of a septage dumping facility located in the West Waste Management Subregion;

AND WHEREAS a service has been established by the Regional District of Central Kootenay Bylaw No. 1232 being the Central Waste Management Subregion (Salmo) Septage Disposal Local Service Area Establishment Bylaw No. 1232, 1997 for the purpose of generating sufficient funds to offset any shortfall resulting from the charging of insufficient user fees to accommodate the operation of a septage dumping facility located in Salmo area of the Central Waste Management Subregion;

AND WHEREAS a service has been established by the Regional District of Central Kootenay Bylaw No. 1233, being the Central Waste Management Subregion (Nelson) Septage Disposal Local Service Area Establishment Bylaw No. 1233, 1997 for the purpose of generating sufficient funds to offset any shortfall resulting from the charging of insufficient user fees to accommodate the operation of a septage dumping facility located in the Nelson area of the Central Waste Management Subregion;

AND WHEREAS the Regional District deems it expedient to amalgamate the regulation and setting of fees for all Septage Disposal Facilities operated by the Regional District of Central Kootenay into a single bylaw;

AND WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Septage Disposal Facilities Regulatory Bylaw No. 1751, 2005 to include the East Waste Management Subregion and to increase septage fees in the West, East and Central Waste Management Subregions to $90/tonne;

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

<u>1.0 APPLICATION</u>

1.1 This Bylaw shall apply to all Septage Disposal Facilities operated by the Regional District of Central Kootenay.

<u>2.0 CONDITIONS OF USE</u>

2.1 The Regional District hereby authorizes a Site Operator to enforce such rules governing the use of a Septage Disposal Facility operated by the Site Operator and/or provide directions to users of the Septage Disposal Facility which are consistent with this bylaw and which are necessary or convenient for the efficient and lawful operation of the Septage Disposal Facility.

2.2 Every person depositing septage at a Septage Disposal Facility shall comply with and abide by all rules and directions of the Site Operator, whether such rules or directions are in the form of signs or verbal instructions.

2.3 Persons entering a Septage Disposal Facility do so at their own risk. The Regional District accepts no responsibility (liability) for damage and/or injury to persons or property.

2.4 Anyone who contravenes these regulations and/or fails to comply with the directions of the Site Operator or with posted notices and signs on a Septage Disposal Facility may be refused (prohibited) entry onto a Septage Disposal Facility.

2.5 Any person who fails to pay charges imposed by this bylaw may be refused (prohibited) entry onto a Septage Disposal Facility.

3. GENERAL

3.1 The Regional District of Central Kootenay hereby establishes and imposes the charges set out in this bylaw and every person disposing of septage in the Regional District shall pay to the Regional District the applicable charges.

3.2 The days and hours of operation of Septage Disposal Facilities are to be established by Board resolution and may be amended by Board resolution when deemed necessary.

3.3 Only domestic type septage will be accepted. No toxic or harmful wastes will be allowed (ie: hydrocarbons, industrial wastes, excess inorganic solids, or trash).

SCHEDULE A-1 TO BYLAW NO. 3021: USER FEES – CENTRAL SUB-REGION

Liquid Waste	Weight-based fee
Septage	$90.00/tonne

SCHEDULE A-2 TO BYLAW NO. 3021: USER FEES – WEST SUB-REGION

Liquid Waste	Weight-based fee
Septage	$90.00/tonne

SCHEDULE A-3 TO BYLAW NO. 3021: USER FEES – EAST SUB-REGION

Liquid Waste	Weight-based fee
Septage	$90.00/tonne

Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application – Contract Award

Author:	Nathan Schilman, Environmental Technologist
File Reference:	12-6300-OOT
Electoral Area/Municipality:	West Sub-Region
Services Impacted	S188 Refuse Disposal – West Subregion

1.0 STAFF RECOMMENDATION

That the Board approve the RDCK enter into a Consulting Services Agreement with Sperling Hansen Associates Inc. for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application for a two-year term, with two optional one-year extensions upon mutual agreement, at up to a total costs of $117,310, not including GST;

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

AND FURTHER that the costs be paid from Service S188 Refuse Disposal – West Subregion .

2.0 BACKGROUND/HISTORY

In 2019, the RDCK engaged Wood Environmental & Infrastructure Solutions (Wood) to investigate and develop preliminary designs and cost estimates for two potential landfill expansion options: the original 2007 Design and Operations Plan, prepared by Conestoga-Rovers and Associates (CRA), and an optimized footprint geometry.

After thorough analysis, the RDCK Board selected the optimized footprint as the preferred option for future landfill development and expansion. This option was included in the RDCK's 2021 Resource Recovery Plan.

The optimized footprint offers several advantages, including an estimated 90 years of landfill capacity—effectively doubling both the lifespan and capacity of the landfill compared to the original design. The optimized footprint also represents a more cost-effective solution in terms of landfill airspace, as it provides a lower cost per cubic meter of waste disposed.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

As part of the optimized footprint plan, an updated Design, Operations, and Closure Plan (DOCP), a requirement of the landfill's Operational Certificate and the BC Landfill Criteria will need to be developed. The existing License of Occupation (LOO) for the site will also need to be expanded to support a 50m buffer from cleared areas of the optimized footprint to the LOO boundary. The DOCP will form part of the LOO expansion application.

An Archaeological Impact Assessment (AIA) will advance in the spring of 2025 in areas that would be disturbed as part of the optimized footprint plan. Information obtained from the archaeological works completed to date (Archaeological Overview Assessment, Preliminary Field Reconnaissance Survey) and the AIA will need to be used to support engagement with First Nations, as part of the LOO expansion application. Public and stakeholder engagement are also required as part of the LOO process.

As the RDCK can only move forward with implementing the optimized footprint plan once an amended LOO is approved, a process which the Ministry of Water, Lands, and Resource Stewardship has outlined could take 1 to 3 years, the RDCK also requires an interim plan for filling while the DOCP and lands processes proceed.

Further, to execute the optimized footprint construction works, the current transfer area will need to be relocated.

As a result of the above complexities, the RDCK requires several separate yet intertwined projects to support the eventual implementation of the Ootischenia Landfill optimized footprint design.

On January 17, 2025, Staff issued a Request for Proposals (RFP) for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application. This RFP consolidates the scopes of work for four projects related to future landfill development under the optimized footprint plan, which are as follows:

1. **Interim Fill Plan**: Develop an Interim Fill Plan to maximize site efficiency prior to the finalization of the DOCP and the LOO amendment approval for the optimized footprint plan.
2. **Design, Operations, and Closure Plan (DOCP)**: Create an updated DOCP based on the optimized footprint design from the 2019 Design and Operations Plan Update, prepared by Wood. The DOCP will also be used to support the LOO amendment application.
3. **License of Occupation Amendment Application**: Develop a Management Plan and stakeholder engagement plan for the required lands acquisition to facilitate landfill expansion outlined in the DOCP.
4. **Transfer Station Preliminary Design**: Provide conceptual and preliminary design options for the future relocation of the transfer station and the addition of a second weigh scale, along with other entrance area improvements.

The four scopes of work outlined above also all share collective project preparation costs, and progress meeting costs. The full detailed scopes of work for the four projects are included in the draft Consulting Services Agreement in Attachment A. Within the RFP, all project deliverables were set for the end of 2025.

The RFP closed on February 21, 2025, and four proposals were received:

- Sperling Hansen Associates Inc: $117,310
- Stantec Consulting Ltd.: $231,051
- Dillon Consulting: $239,360
- Ottoted Engineering Corp.: $142,768

The highest ranked and lowest cost proposal was received from Sperling Hansen Associates Inc.

The term of the proposed contract is recommended to be two years, with two optional one-year extensions, as the possibility of a follow-on contract was identified in the RFP. The scopes of work for a follow-on contract may include but are not limited to the following: the detailed design and technical specifications for the transfer station and scale upgrades, and optimized footprint expansion works; construction procurement assistance; environmental and engineering support during construction; construction contract administration; as-built drawings; and final reports.

3.1 Alignment to Board Strategic Plan

This project aligns with:

- *Environmental Responsibility*. The optimized footprint plan will include a liner and leachate collection to ensure leachate is managed in an environmentally responsible manner.
- *Managing Our Assets and Service Delivery in a Fiscally Responsible Manner*. The optimized footprint represents a more cost-effective solution in terms of landfill airspace, as it provides a lower cost per cubic meter of waste disposed.

3.2 Legislative Considerations

The following legislation is being considered for this work:

- BC Landfill Criteria – for the DOCP and Interim Fill Plan
- *Land Act* – for the LOO expansion
- *Environmental Management Act* – for leachate collection/management
- Landfill Gas Management Regulation – for landfill gas collection/management

3.3 What Are the Risks

The execution of the optimized footprint plan is dependent on a successful LOO expansion and the AIA determining there are no archaeological resources within the area to be disturbed.

As the LOO expansion application is dependent on the DOCP being completed to outline future plans for the LOO area, the DOCP must include the design for the optimized footprint. There is a risk that if the LOO expansion is not approved, or if the AIA identifies archaeological resources in the expansion area, some design components of the DOCP may need to be revised to reduce the footprint size to avoid those areas. The cost of revising the DOCP is estimated at $15,000.

Needing to move forward with a smaller landfill footprint would reduce long-term landfill capacity and increase the cost per cubic meter of waste disposed.

4.0 PROPOSED SOLUTION

Staff are recommending awarding the contract to SHA as it was the highest ranked and lowest cost proposal, in addition to the positive and long-standing working relationship held between SHA and the RDCK. SHA has completed over 38 DOCPs and 25 Fill Plans and are highly experienced with this field of work. Staff is confident that SHA can deliver a high-quality product, on time, and on budget, as evidenced by their previous work for the RDCK.

There is $10,000 available in Account 54040 (Consulting Fees) for Ootischenia engineering site visit(s). Staff would like to reallocate these funds for a community engagement specialist, should one be needed, to further support the LOO process. The engineering site visit budget will no longer be needed in 2025, as SHA will be completing site visits as part of the DOCP and interim fill plan scopes of work and therefore these funds can be reallocated to ensure the success of the LOO process.

4.1 Financial Considerations of the Proposed Solution

Within the draft 2025 – 2029 Financial Plan, for 2025 there is $110,000 in Account 54040 (Consulting Fees) for the Ootischenia design, operations, and closure plan development and lands acquisition. There is an additional $100,000 for 2025 in Account 60000 (Capital Expenditures) for the tipping area relocation and second scale design. These works will be funded through reserves.

With the total cost of SHA's proposal being $117,310, there is adequate budget allocated to Accounts 54040 and 60000 for the four scopes of work under the contract.

4.2 Risks with the Proposed Solution

SHA has less than the desired experience level with LOO processes and engagement. Not being successful in the LOO expansion application would require an adjustment of the landfill design, which could set back landfill expansion plans.

To mitigate this risk, Staff are proposing to allocate $10,000 of other available consulting funds to the lands scope of work, should a community engagement specialist be needed to assist with the LOO process.

4.3 Resource Allocation and Workplan Impact

This project is in the workplan for the Environmental Technologist to lead, with support from the Resource Recovery Manager, and Environmental Projects Lead. The Resource Recovery Mechanical Operations & Site Supervisor, and the Field Supervisor – West Sub-Region will also provide limited review support on the transfer area and scale area conceptual and preliminary designs.

All works are scheduled to be completed by the end of 2025. It is not anticipated that other projects will be delayed as a result of this work.

4.4 Public Benefit and Stakeholder Engagement of Proposed Solution

The LOO expansion project will include First Nations, and public and stakeholder engagement, as part of the LOO Management Plan development process. The scope of work will include the development of a stakeholder engagement plan, all engagement materials, and consultant support on engagement meetings.

4.5 Leveraging Technology

None at this time.

4.5 Measuring Success

Success will be measured by the completion of the four scopes of work by the end of 2025, the successful expansion of the LOO, and a landfill and transfer station preliminary design that has West Sub-Region Resource Recovery Committee acceptance and is capable of accommodating the community's future solid waste disposal needs.

5.0 ALTERNATIVE SOLUTION(S)

The RDCK could consider awarding to the second highest ranked firm, Stantec, at a total cost of $231,051. Stantec's proposal scored very high on all criteria other than price. Their proposal outlines a project team with significant size and experience, and thoroughly identifies the risks of the complex scope and schedule of this work, with recommended mitigations. They have also proposed team members with significant experience in community engagement which is a critical path in this project that could affect the RDCK's ability to execute the optimized footprint plan.

5.1 Financial Considerations of the Alternative Solution(s)

The second highest ranked proposal had a total cost of $231,051, which is almost double the cost of the SHA proposal and $21,051.00 above the available budget for this work. A 2025 Draft Financial Plan revision would be required to accommodate awarding the contract to Stantec, increasing the amount in the Consulting Services Account 54030 and offsetting the expense, such as reducing the amount allocated to reserve contribution or increasing the reserve transfer. Staff suggest Stabilization Reserves Account 45000 could be used to offset the additional budget.

5.2 Risks with the Alternative Solution(s)

There are no risks identified with choosing Stantec over SHA other than the financial considerations.

5.3 Resource Allocation and Workplan Impact

See Section 4.3

5.4 Public Benefit and Stakeholder Engagement of Proposed Solution

See Section 4.4

5.5 Measuring Success

See Section 4.5

6.0 OPTIONS CONSIDERED BUT NOT PRESENTED

None at this time.

7.0 OPTIONS SUMMARY

Option 1:

Recommendation:

That the Board approve the RDCK enter into a Consulting Services Agreement with Sperling Hansen Associates Inc. for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application for a two year term, with two optional one-year extensions upon mutual agreement, at up to a total costs of $117,310, not including GST;

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

AND FURTHER that the costs be paid from Service S188 Refuse Disposal – West Subregion .

Option 2:

Recommendation:

That the Board approve the RDCK enter into a Consulting Services Agreement with the Stantec Consulting Ltd. for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application for a two year term, at up to a total costs of $231,051, not including GST.

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

AND FURTHER, that the costs be paid from Service S188 Refuse Disposal – West Subregion .

AND FURTHER, that the Board direct Staff to adjust the Draft 2025 Financial Plan Service S188 to increase Contracted Services by $21,051.00 and increase the contribution from Stabilization Reserves by $21,051.00.

8.0 RECOMMENDATION

That the Board approve the RDCK enter into a Consulting Services Agreement with Sperling Hansen Associates Inc. for the Ootischenia Landfill Interim Fill Plan, Design, Operations and Closure Plan, Transfer Station Preliminary Design, and General Consulting Support for a Lands Application for a two year term, with two optional one-year extensions upon mutual agreement, at up to a total costs of $117,310, not including GST;

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

AND FURTHER that the costs be paid from Service S188 Refuse Disposal – West Subregion.

Respectfully submitted,

Nathan Schilman – Environmental Technologist

CONCURRENCE

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

ATTACHMENTS:
Attachment A – Draft Consulting Services Agreement

ATTACHMENT A

Consulting Services
Agreement

Contract #:2025-001-ENV
Project: Ootischenia Landfill Engineering Design
GL Code: Add account & work order #

THIS AGREEMENT executed and dated for reference the:

_____ day of _______________, 2024
(Day) (Month) (Year)

BETWEEN

REGIONAL DISTRICT OF CENTRAL KOOTENAY
(hereinafter called the "RDCK")
at the following address:
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

Agreement Administrator: Nathan Schilman
Telephone: 250.551.5937
Email: NSchilman@rdck.bc.ca

AND

SPERLING HANSEN ASSOCIATES INC.
(hereinafter called the "Consultant")
at the following address:
8-1225 East Keith Road
North Vancouver, BC V7J 1J3

Agreement Administrator: Add name
Telephone: Click here to add phone #
Email: Click here to add email

FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS CONFIRMED, THE REGIONAL DISTRICT OF CENTRAL KOOTENAY AND THE CONSULTANT AGREE AS FOLLOWS:

(a) **SERVICES:** The Consultant shall provide the services which are set out in the Consultant's proposal dated February 21, 2025 (the "Proposal") which forms part of this Agreement and as detailed in Schedule "A" of this Agreement (the "Services"). It is agreed that Services may also include any additional services authorized and agreed to by the Consultant and the RDCK by written agreement after the Agreement has commenced ("Additional Services").

(b) **CHANGES TO SERVICES:** The RDCK and the Consultant acknowledge that it may be necessary to modify the Services, the Project schedule and/or the Budget in order to complete the Project. In the event that the RDCK or the Consultant wishes to make a change or changes to the Services, the Project schedule and/or the Budget it shall notify the other of the proposed change and reason(s) therefore. The party receiving the notification shall review and consider the proposal for change and shall as soon as is reasonably possible and no longer than within five (5) working days, advise in writing the party proposing the change whether it agrees to the change. Where the parties agree to the change, such agreement will form part of this Agreement and be formalized by means of a Scope Change Letter.

Any RDCK authorized services required of the Consultant beyond those Services set out in the Proposal shall be considered Additional Services. The Consultant shall be compensated for all Additional Services on an hourly or per diem basis, as agreed upon by the RDCK and the Consultant in writing by means of a Scope Change Letter prior to the Consultant performing the Additional Services.

(c) **TERM:** Notwithstanding the date of execution of this Agreement the Consultant shall provide the Services described in Schedule A hereof commencing on **March 21, 2025** (Start Date) and ending on **March 31, 2027** (End Date) (the "Term"). The Agreement may be extended for up to two additional one year terms upon mutual agreement of both parties.

(d) **LOCATION:** The location for delivery of the Services shall be 671 Columbia Road, Castlegar, BC.

(e) **PAYMENT:** The total budget for the Services, as specified in the Proposal is **$117,310** (excluding GST) and on the terms set out in Schedule B. The budget for the Services is broken into tasks in the Proposal. The Consultant agrees to complete all of the tasks specified in the Proposal at a cost that will not exceed the budget amount for each task. The Consultant shall submit an invoice to the RDCK for payment, together with supporting documents, in respect of the hours worked and disbursements made on or before the last day of each month, for the RDCK's approval and due processing.

(f) Schedules A, B and C are incorporated into, and form part of this Agreement.

(g) The following terms and conditions are incorporated into, and form part of this Agreement.

THE CONSULTANT' OBLIGATIONS

1 The Consultant shall:

(a) Undertake all work and supply all materials necessary to perform the Services, unless stipulated otherwise in Schedule A.

(b) In performing the Services, at all times, act in the best interests of the Regional District of Central Kootenay (herein after called the **"RDCK"**). Also, the Consultant shall exercise that degree of professional care, skill and diligence required according to generally accepted professional standards current as of the date that the Services are rendered.

(c) Engage the services of staff, sub-consultants and sub-contractors who have the education, training, skill and experience necessary to perform the Services, and shall cause them to perform the Services on behalf of the Consultant.

(d) Employ only those sub-consultants and sub-contractors identified in the Proposal to supply the Services. The Consultant agrees that it has the responsibility for the coordination of all professional Services rendered to the RDCK by the Consultant or by its sub-consultants or sub-contractors on the Project. The Consultant may, with the written approval of the RDCK, such approval not to be unreasonably withheld, replace any of the identified project team members described in the Proposal with other professional staff possessing equivalent knowledge, ability and skills.

(e) Ensure that all personnel hired by the Consultant to perform the Services will be the employees of the Consultant and not to the RDCK with the Consultant being solely responsible for the arrangement of reliefs and substitutions pay supervision, discipline, employment insurance, workers compensation, leave and all other matters arising out of the relationship of employer and employee.

(f) Upon the request of the RDCK fully inform the RDCK of the work done by the Consultant in connection with the provision of the Services and permit the RDCK at all reasonable times to inspect, review and copy all works, productions, buildings, accounting records, findings, data, specifications, drawings, working papers, reports, documents and materials, whether complete or otherwise, that have been produced, received or acquired by the Consultant as a result of this Agreement.

(g) Comply with all applicable municipal, provincial and federal legislation and regulations.

(h) At its own expense, obtain all permits and licenses necessary for the performance of the Services, and on request provide the RDCK with proof of having obtained such licenses or permits.

(i) Promptly pay all persons employed by it.

(j) Not assign this Agreement, not subcontract any of its obligations under this Agreement, to any person, firm or corporation without the prior written consent of the RDCK.

(k) At all times, exercise the standard of care, skill and diligence normally exercised and observed by persons engaged in the performance of services similar to the Services.

(l) Not perform any service for any other person, firm or corporation which, in the reasonable opinion of the RDCK, may give rise to a conflict of interest.

(m) Be an independent Consultant and not the servant, employee or agent of the RDCK. The Consultant and the RDCK acknowledge and agree that this Agreement does not create a partnership or joint venture between them.

(n) Accept instructions from the RDCK, provided that the Consultant shall not be subject to the control of the RDCK in respect of the manner in which such instructions are carried out.

(o) At its own expense, obtain Workers Compensation Board coverage for itself, all workers and any shareholders, directors, partners or other individuals employed or engaged in the execution of the Work. Upon request, the Consultant shall provide the RDCK with proof of such compliance.

(p) Be responsible for all fines, levies, penalties and assessments made or imposed under the *Worker's Compensation Act* and regulations relating in any way to the Services, and indemnify and save harmless fines, levies, penalties and assessments.

(q) Not in any manner whatsoever commit or purport to commit the RDCK to the payment of any money.

(r) Establish and maintain time records and books of account, invoices, receipts, and vouchers of all expenses incurred.

(s) Notwithstanding the provision of any insurance coverage by the RDCK, indemnify and save harmless the RDCK, its successor(s), assign(s) and authorized representative(s) and each of them from and against losses, claims, damages, actions, and causes of action (collectively referred to as "Claims"), that the RDCK may sustain, incur, suffer or be put to at any time either before or after the expiration or termination of this Agreement, that arise out of errors, omissions or negligent acts of the Consultant or its subconsultant(s), subcontractor(s), servant(s), agent(s) or employee(s) under this Agreement, excepting always that this indemnity does not apply to the extent, if any, to which the Claims are caused by errors, omissions or the negligent acts of the RDCK its other consultant(s), contractor(s), assign(s) and authorized representative(s) or any other persons.

(t) Use due care that no person or property is injured and no rights infringed in the performance of the Services, and shall be solely responsible for all losses, damages, costs and expenses in respect to any damage or injury, including death, to persons or property incurred in providing the Services or in any other respect whatsoever.

(u) The Consultant must provide the RDCK with a certificate of insurance upon execution of this Agreement in a form acceptable to the Chief Financial Officer of the Regional District and shall, during the Term of this Agreement, take out and maintain the following insurance coverage:

(i) Automobile Liability (third party) insurance with a minimum limit of $2,000,000.

(ii) comprehensive commercial general liability insurance against claims for bodily injury, death or property damage arising out of this Agreement or the provision of the Services in the amount of **$2,000,000 dollars per occurrence** with a **maximum deductible of $5,000**;

Such insurance will:

(A) name the Regional District, its elected officials, employees, officers, agents and others as an additional insured;

(B) include the Consultant's Blanket contractual liability;

(C) include a Cross Liability clause;

(D) include occurrence property damage;

(E) include personal injury;

(F) include a Waiver of Subrogation clause in favor of the RDCK whereby the insurer, upon payment of any claim(s), waives its right to subrogate against the RDCK for any property loss or damage claim(s);

(G) be primary in respect to the operation of the named insured pursuant to the contract with the RDCK. Any insurance or self-insurance maintained by the RDCK will be in excess of such insurance policy (policies) and will not contribute to it;

(H) require the insurer not cancel or materially change the insurance without first giving the RDCK thirty days' prior written notice; provided that if the Consultant does not provide or maintain in force the insurance required by this Agreement, the Consultant agrees that the RDCK may take out the necessary insurance and the Consultant shall pay to the RDCK the amount of the premium immediately on demand.

(iii) professional liability coverage in the amount of **$5,000,000 dollars per claim** and **$5,000,000 dollars aggregate,** with a **maximum deductible of $50,000;**

(v) Keep confidential for an unlimited period of time all communications, plans, specifications, reports or other information used in connection with the Project except:

(i) those requiring disclosure by operation of law; and
(ii) any disclosure authorized in writing by the RDCK.

CONSTRUCTION SUPERVISION

(w) Inspect the site where the Services are to be performed (the **"Site"**) and become familiar with all conditions pertaining thereto prior to commencement of the Services.

(x) Where materials and supplies are to be provided by the Consultant, use only the best quality available.

(y) Where samples of materials or supplies are requested by the RDCK, submit them to the RDCK for the RDCK's approval prior to their use.

(z) Not cover up any works without the prior approval or consent of the RDCK and, if so required by the RDCK, uncover such works at the Consultant's expense.

(aa) Keep the Site free of accumulated waste material and rubbish caused by it or the Services and, on the completion of the Services, leave the Site in a safe, clean and sanitary condition.

(bb) At all times, treat as confidential all information and material supplied to or obtained by the Consultant or subconsultant as a result of this Agreement and not permit the publication, release or disclosure of the same without the prior written consent of the RDCK.

STANDARD OF CARE

(cc) The RDCK recognizes that sub-surface conditions may vary from those encountered where samplings, borings, surveys or explorations are located by the Consultant and that the data, interpretations and recommendations of the Consultant are based solely on the information available to it.

UNDERGROUND UTILITIES

(dd) The Consultant shall be responsible for locating all underground utilities prior to commencing subterranean work and provide proof of such to the RDCK.

SAFETY

(ee) The Consultant shall be responsible for its activity and that of its employees on the job site. This shall not be construed to relieve the RDCK or any other contractor of their obligation to maintain a safe job site. Neither the presence of the Consultant nor of its employees, sub-consultants, sub-contractors and agents shall be understood to imply control of the operations of others, nor shall it be construed to be an acceptance of responsibility for job site safety.

THE REGIONAL DISTRICT OF CENTRAL KOOTENAY'S OBLIGATIONS

2 The RDCK shall:

(a) Retain the Consultant to provide the Services as set out in this Agreement.

(b) Subject to the provisions of this Agreement, pay the Consultant, in full payment for the Services which in the opinion of the RDCK at the times set out is Schedule "B" of this Agreement (herein called **"Agreement Price"**), and the Consultant shall accept such payment as full payment for the Services.

~~(i) Notwithstanding Subsection 2(b), not be under any obligation to advance to the Consultant more than 90% of the Agreement Price for Services rendered in accordance with Schedule "A" to the satisfaction of the RDCK. The 10% holdback shall be retained and paid back in accordance with the *Builder Lien Act*.~~

~~(ii) providing that it is not in breach of any of its obligations under this Agreement, holdback from the Agreement Price in addition to the 10% holdback contemplated in Subsection 2(b)(i), sufficient monies to indemnify the RDCK completely against any lien or claim of lien arising in connection with the provision of the Services.~~

(c) Provide the Consultant with all reports, data, studies, plans, specifications, documents and information available to the RDCK and relevant to the Project. The Consultant shall be entitled to rely on the reports, data studies, plans, specifications, documents and other information provided by the RDCK.

(d) Provide access to any site or adjacent properties as required to complete the Project. The Consultant shall be liable for any and all injury or damage which may occur to persons or to property due to any act, omission, neglect or default of the Consultant, or of his employees, sub-consultants, sub-contractors or agents.

(e) Give the Consultant reasonable notice of anything the RDCK considers likely to materially affect the provision of the Services.

(f) Examine all studies, reports, sketches, proposals and documents provided by the Consultant under this Agreement, and render decisions pertaining thereto within a reasonable time.

TERMINATION OF AGREEMENT

3 Should the Consultant neglect to complete the Services properly or fail to perform any of its obligations under this Agreement, the RDCK may notify the Consultant in writing that it is in default of its contractual obligations and instruct it to correct the default within fourteen (14) working days of receiving the notice. Failure to comply with the default request extends to the RDCK the option, without any other right or remedy, of suspending the Consultant's performance of the Services or immediately terminating this Agreement. The RDCK shall pay the Consultant for all Services performed and all disbursements incurred pursuant to this Agreement and remaining unpaid as of the effective date of such suspension or termination.

4 Other than for reasons set forth in section 3 the RDCK may suspend or terminate this Agreement for any reason by giving thirty (30) calendar days' prior written notice to the Consultant. Upon receipt of such written notice, the Consultant shall perform no further Services other than those reasonably necessary to close out the Project. In such an event, the Consultant will be paid by the RDCK pursuant to this Agreement, for the completed tasks according to the Project schedule of tasks remaining unpaid as of the effective date of such suspension or termination.

5 Should the RDCK fail to perform any of its obligations under this Agreement, the Consultant may notify the RDCK in writing that it is in default of its contractual obligations and instruct it to correct the default within fourteen (14) working days of receiving the notice. Failure to comply with the default request extends to the Consultant the option, without limiting any other right or remedy the Consultant may have, of immediately terminating this Agreement and requesting settlement for all Services performed and for all disbursements incurred pursuant to this Agreement and remaining unpaid as of the effective date of such termination.

6 Should the Consultant's Services be suspended by the RDCK at any time for more than thirty (30) calendar days in any calendar year through no fault of the Consultant, the Consultant shall have the right until such suspension is lifted by the RDCK, to terminate this Agreement upon giving seven (7) working days' written notice to the RDCK. In such an event, the Consultant will be paid by the RDCK pursuant to this Agreement, for the completed tasks as per the Schedule of Tasks that remain unpaid as of the effective date of such termination.

GENERAL TERMS

7 The RDCK shall be the sole judge of the work, material and the standards of workmanship in respect of both quality and quantity of the Services, and their decision on all questions in dispute with regard thereto, or as to the meaning and intentions of this Agreement, and as to the meaning or interpretation of the plans, drawings and specifications, shall be final, and no Services shall be deemed to have been performed as to entitle the Consultant to payment therefrom, until the RDCK is satisfied therewith.

8 The RDCK certifies that the Service purchased pursuant to this Agreement are for the use of and are being purchased by the RDCK and are therefore SUBJECT TO THE FEDERAL GOODS AND SERVICES TAX.

9 This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.

10 Time shall be of the essence of this Agreement.

11 Any notice required to be given hereunder shall be delivered or mailed by prepaid certified or registered mail to the addresses above (or at such other address as either party may from time to time designate by notice in writing to the other), and any such notice shall be deemed to be received 72 hours after mailing.

12 This Agreement shall be binding upon the parties and their respective successors, heirs and permitted assigns.

13 A waiver of any provision or breach by the Consultant of any provision of this Agreement shall be effective only if it is in writing and signed by the RDCK.

14 A waiver under Section 13 shall not be deemed to be a waiver of any subsequent breach of the same or any other provision of this Agreement.

15 Everything produced, received or acquired (the **"Material"**) by the Consultant or subcontractor as a result of this Agreement, including any property provided by the RDCK to the Consultant or sub-consultant, shall:

(a) be the exclusive property of the RDCK; and
(b) be delivered by the Consultant to the RDCK immediately upon the RDCK giving notice of such request to the Consultant.

16 The copyright in the Material belongs to the RDCK.

17 The RDCK may, at its discretion, notify the Consultant that the terms, amounts and types of insurance required to be obtained by the Consultant hereunder be changed.

18 Where the Consultant is a corporation, it does hereby covenant that the signatory hereto has been duly authorized by the requisite proceedings to enter into and execute this Agreement on behalf of the Consultant.

19 Where the Consultant is a partnership, all partners are to execute this Agreement.

20 Sections 1 f), l), m), s), and 18 of this Agreement will, notwithstanding the expiration or earlier termination of the Term, remain and continue in full force and effect.

21 The ideas, processes, or other information contained in the Consultant's Proposal is proprietary and, until the Consultant's Proposal is accepted, shall not be disclosed to any parties outside of the RDCK's staff or be duplicated by any means or used in whole or in part for any purpose. Should the Consultant's Proposal be accepted, the RDCK shall have the right to duplicate, use or disclose the information contained therein.

22 Neither the RDCK nor the Consultant will be considered in default of this Agreement for non-performance due to strikes, labour disputes, riots, civil insurrection, mechanical breakdowns, war, floods, or acts of God or for other reasons beyond the reasonable control of the RDCK or the Consultant.

23 Unbudgeted disbursements incurred by the Consultant due to delays caused by weather conditions and/or poor site access shall be for the RDCK's account.

24 The parties shall make all reasonable efforts to resolve a dispute by amicable negotiations and agree to provide, on a without prejudice basis, frank, candid and timely disclosure of relevant facts, information and documents to facilitate these negotiations.

25 All matters in dispute, which cannot be settled by the RDCK and the Consultant, may, with the concurrence of both the RDCK and the Consultant, be submitted to final and binding arbitration to a single arbitrator appointed jointly by them.

26 No person shall be nominated to act as arbitrator who is in any way financially interested in the Project or in the affairs of either the RDCK or the Consultant.

27 In the event that the RDCK and the Consultant cannot agree to an arbitrator, such arbitrator shall be chosen by reference to a Judge of the Supreme Court of British Columbia.

28 If any portion of this Agreement is held to be illegal or invalid by a court of competent jurisdiction, the illegal or invalid portion shall be severed and the decision that it is illegal or invalid does not affect the validity of this Agreement.

29 This Agreement constitutes the sole and entire Agreement between the RDCK and the Consultant relating to the Project and completely supersedes and abrogates any prior agreements existing between the RDCK and the Consultant, whether written or oral.

30 The headings in this Agreement are for convenience of reference only and shall not affect the interpretation or construction of this Agreement.

31 Part 2 of the RDCK's Request for Proposals dated January 17, 2025 is hereby incorporated into and forms part of this Agreement.

32 The Consultant's Proposal dated February 21, 2025 is hereby incorporated into and forms part of this Agreement.

33 Except as expressly set out in this Agreement, nothing herein shall prejudice or affect the rights and powers of the RDCK in the exercise of its powers, duties or functions under the *Community Charter* or the *Local Government Act* or any of its bylaws, all of which may be fully and effectively exercised as if this Agreement had not been executed or delivered.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement as of the day and year first above written.

REGIONAL DISTRICT OF CENTRAL KOOTENAY	**SPERLING HANSEN ASSOCIATES INC.**
(Signature of Authorized Signatory)	(Signature of Authorized Signatory)
(Name and Title of Authorized Signatory)	(Name and Title of Authorized Signatory)
(Signature of Authorized Signatory)	(Signature of Authorized Signatory)
(Name and Title of Authorized Signatory)	(Name and Title of Authorized Signatory)

SCHEDULE A - SERVICES

1.1 BACKGROUND

The Ootischenia Landfill, located southeast of the City of Castlegar, has been operational since 1968. The Landfill accepts solid non-hazardous waste from municipal, commercial, and light industrial sources within the City of Castlegar and the surrounding region. Since its inception, the landfill has received an estimated 585,600 tonnes of waste through to the end of 2024.

The landfill operates under the current Operational Certificate (OC), MR 17126, which was issued in 2014. The OC authorizes a range of activities, including the sanitary landfill, recycling/storage areas, composting facility, and septage ponds. Waste is disposed of using the area-fill method.

In 2019, the RDCK engaged Wood Environmental & Infrastructure Solutions (Wood) to investigate and develop preliminary designs and cost estimates for two potential landfill expansion options: the original 2007 Design and Operations Plan, prepared by Conestoga-Rovers and Associates (CRA), and an optimized footprint geometry. After thorough analysis, the RDCK selected the optimized footprint as the preferred option for future landfill development and expansion, and included this in the RDCK's 2021 Resource Recovery Plan (Solid Waste Management Plan). This design offers several advantages, including an estimated 90 years of additional landfill capacity—effectively doubling both the lifespan and capacity of the landfill compared to the original design. The optimized footprint also represents a more cost-effective solution in terms of landfill airspace, as it provides a lower cost per cubic meter of waste disposed.

As part of the optimized footprint plan that will be worked into the updated DOCP, the existing License of Occupation (LOO) for the site will need to be expanded to support a 50 m buffer from cleared areas to the LOO boundary. The RDCK is currently planning for the completion of an Archaeological Impact Assessment in spring of 2025 in the areas that would need to be disturbed as part of the optimized footprint plan. Information obtained from the archaeological works completed to date (Archaeological Overview Assessment, Preliminary Field Reconnaissance) will be used to support engagement with First Nations, as part of the required LOO amendment application. As the RDCK can only move forward with implementing the optimized footprint plan once an amended LOO is approved, a process which the Ministry of Water, Lands, and Resource Stewardship has outlined could take 1 to 3 years, the RDCK also requires an interim plan for filling while the DOCP and lands processes proceed. As a result, the RDCK requires several separate yet intertwined projects to support the eventual implementation of the Ootischenia Landfill optimized footprint design.

1.2 SCOPE OF WORK

This RFP consolidates the scopes of work for four projects related to future Landfill development under the optimized footprint plan, which are as follows:

1. **Interim Fill Plan**: Develop an Interim Fill Plan to maximize site efficiency prior to the finalization of the Design, Operations, and Closure Plan (DOCP) and the LOO amendment approval for the optimized footprint plan.
2. **Design, Operations, and Closure Plan (DOCP)**: Create an updated DOCP based on the optimized footprint design from the 2019 Design and Operations Plan Update, prepared by Wood. The DOCP will also be used to support the LOO amendment application.
3. **License of Occupation Amendment Application**: Develop a Management Plan for the required lands acquisition to facilitate landfill expansion outlined in the DOCP.
4. **Transfer Station Preliminary Design**: Provide conceptual and preliminary design options for the future relocation of the transfer station and the addition of a second weigh scale, along with other entrance area improvements, as required as part of the optimized footprint plan.

These four projects are described in detail in Sections 2.2.2 to 2.2.5, which outline the objectives, tasks, report review requirements, and deliverables necessary to complete the respective work.

All plans shall meet the requirements of the OC, the Criteria, and all other applicable Provincial and Federal legislation. The successful Proponent shall be responsible for developing an overall project timeline, methodology/approach, and specific steps to meet the overall objectives, adhering to the Scope of Work requirements presented herein.

1.2.1 Project Preparation:

(a) Review all available background information, data, and any reports or information pertinent to site conditions.
(b) The Proponent should plan for a project kick-off meeting, with associated agenda and meeting minutes preparation, and a site visit.

1.2.2 Meetings and Communication

Document review meetings that are specific to the individual scopes of work for each project are outlined in Sections 2.2.2 to 2.2.5.

For the combined project period, the Consultant should also plan for:

- Bi-weekly progress meetings to review milestones, timelines, and upcoming task associated with each of the four separate projects.
- Regular communication via email or phone for general project updates and clarifications.

1.2.3 Interim Fill Plan

(a) Objectives

Prepare a standalone Interim Fill Plan that aligns with the principles outlined in Section 10.3.1 and Appendix A of the Criteria. The primary objectives are to:

- Maximize available fill areas.
- Ensure operational efficiency while awaiting the finalization of the Design, Operations, and Closure Plan (DOCP), and implementation of the optimized footprint.

(b) Key Tasks

- Assess available fill areas and borrow sources for cover material.
- Evaluate potential efficiencies associated with relocating current storage and septage areas, versus moving the transfer area.
- Review current filling methods, access requirements, and operational procedures.
- **Develop a detailed lift-by-lift plan for filling operations, including cell geometry, waste to cover ratios, and operational constraints**.
- **Identify cover borrow areas and ensure their operational viability until future expansion plans are implemented**.
- **Address environmental, regulatory, and logistical constraints in the interim operations**.
- Prepare a brief report that includes:
    - The rationale for the proposed fill sequencing, and access and borrow management.
    - A timeline for implementation, highlighting key milestones.
    - Any assumptions or constraints identified during the planning process.
    - Site plans and technical drawings.

(c) Report Review Requirements

- Plan for two (2) draft review periods for the Interim Fill Plan.
- The RDCK will return comments on each draft within 2 weeks.
- Plan for one (1) virtual meeting for each draft review to discuss RDCK's comments.

(d) Deliverables

- Draft and final Interim Fill Plan

1.2.4 Design, Operations, and Closure Plan

(a) Objectives

Develop an updated Design, Operations, and Closure Plan (DOCP) for the Ootischenia Landfill based on the optimized footprint design from Wood's 2019 Design and Operations Plan Update. The DOCP must be accepted by Ministry of Environment and Parks (ENV).

(b) Key Tasks

- Review background information relevant to site conditions, including regulatory, environmental, and previous study results.
- Conduct any necessary site investigations, and fieldwork as necessary to gather required data.
- Prepare standalone technical memos for any required site investigations
- Analyze and model geotechnical, seismic, surface water, leachate management, landfill gas, and cover design requirements.
- Consider the future location of the transfer station area, second scale, and additional entrance area improvements such as traffic queue, a commercial lane, and/or expanded recycling areas, and integrate these into the DOCP.
- Build on the Interim Fill Plan prepared in Section 2.2.2 to develop a cohesive plan to full optimized footprint implementation.
- Consider the sequencing for implementation of the optimized footprint implementation including fence relocation, stripping vegetation, and road building.
- Consider the location for a new asbestos disposal area.
- Develop all required technical report sections, drawings and plans.

Produce the DOCP by addressing each section from the Landfill Criteria (Section 10.3), as summarized below (refer to the detailed requirements in the Criteria):

- Task 1: Topography
- Task 2: Physical Summary
- Task 3: Geotechnical and Seismic Assessment
- Task 4: Groundwater and Surface Water Impact Assessment
- Task 5: Site Plan
- Task 6: Site Layout Plan
- Task 7: Landfill Design
- Task 8: Filling Plan
- Task 9: Progressive Closure Plan
- Task 10: Lifespan Analysis
- Task 11: Contaminating Lifespan
- Task 12: Surface Water Management Plan
- Task 13: Leachate Management Plan
- Task 14: Landfill Gas Management Plan
- Task 15: Environmental Monitoring Plan

- Task 16: Facility Operations Plan
- Task 17: Closure Plan
- Task 18: Fire Safety Plan
- Task 19: Emergency Response Plan
- Task 20: Financial Security Plan
- Task 21: Contingency Plans
- Task 22: Land Survey

On final completion of the DOCP, submit the document to ENV for review, and lead any required communications or other engagement with ENV to obtain final acceptance of the Plan.

(b) Report Review Requirements

- Plan for three (3) draft review periods for the DOCP.
- Account for a one (1) hour virtual meeting per draft review period (3 total) for the above items to discuss RDCK's comments.
- Plan for one (1) draft review period for any site investigation memos (no virtual meeting required).
- The RDCK will return comments on each draft within 2 weeks.

(c) Deliverables

- Draft and final standalone memos for any site investigations
- Three drafts and a final DOCP

1.2.5 License of Occupation Expansion Application

(a) Objectives:

The Proponent will lead the development of a Management Plan for the expansion of the License of Occupation for the Ootischenia Landfill. The plan must align with the Management Plan Guidance Document and incorporate necessary components from the DOCP.

Management Plan Guidance Document: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/management_plan_guidance_document.pdf

A Management Plan template is included in the reference materials in Schedule B.

(b) Key Tasks:

- Conduct background research to compile location, infrastructure, environmental, and socio-community data.
- Identify key stakeholders, and in collaboration with the RDCK, lead engagement activities with First Nations, local governments, and adjacent landowners.
- Develop a Stakeholder Engagement Plan that may include meetings and/or surveys.
- Develop all engagement materials following recommended best practices and Ministry guidance.
- Prepare a draft Management Plan, incorporating feedback from RDCK and stakeholders.
- On completion of the Management Plan, submit the document to the Ministry of Water, Land and Resource Stewardship for review, and lead any required communications or other engagement with the Ministry to obtain final acceptance of the Plan.

(c) Report Review Requirements:

- Plan for one (1) draft review period for the Stakeholder Engagement Plan (no virtual meeting required)
- Plan for one (1) draft review period for the stakeholder engagement materials (no virtual meeting required)
- Plan for two (2) draft review periods for the Management Plan.
- The RDCK will return comments on each draft within 2 weeks.
- Account for a one (1) hour virtual meeting per draft review period of the Management Plan to discuss RDCK's comments.

(d) Deliverables

- Stakeholder Engagement Plan
- Stakeholder engagement materials
- Draft and Final Management Plan

1.2.6 Transfer Station and Associated Infrastructure Conceptual and Preliminary Design

(a) Objectives

The Consultant will prepare an options assessment that will include up to three conceptual designs for a new solid waste transfer station, second scale, entrance area improvements, recycling depot relocation (if required), and possible Eco-Depot, all to be located within the existing **Ootischenia Landfill** property. The chosen conceptual design for the transfer station and associated infrastructure will be developed into a preliminary design.

Wood, metal, and mixed waste are currently received at the transfer station, and then moved to areas within the landfill using loader-mounted bins. Organics, mostly from collection contractors, is also received at the transfer area in 30-yard roll-off bins. The bins are then transported to the RDCK Compost Facility in Salmo.

The transfer station must be capable of accommodating the community's future solid waste disposal needs and allow for **scalability** in the event of increased waste volumes or operational changes. In addition to operational efficiency, the design should prioritize **cost-effectiveness,** and **ease of maintenance.**

Other than the requirements of two disposal bays (30-yard roll-off bins) for organics that need to accommodate tipping by collection vehicles, the number, type, and size of bays required to maximize site efficiencies shall be recommended by the consultant.

A September 2020 conceptual layout for a proposed transfer station area, and an associated geotechnical site investigation are included in the reference materials in Schedule B. The area shown in this conceptual layout is just one area for potential consideration of the transfer station location, but the RDCK will consider any location option that the Consultant sees as viable.

(b) Key Tasks:

Options Assessment:

- Conduct any necessary on-site investigations to allow for completion of options assessment;
    - Prepare standalone technical memos for any required site investigations.
- Prepare an Options Assessment Report for up to three conceptual layouts:
    - Evaluate potential locations.
    - Confirm utility servicing options for water, and power.
    - Assess basic traffic flow plan for the safe and efficient movement of vehicles (light and heavy-duty) and operations equipment through the facility.

- Assess current operational practices of utilizing small loader-mounted bins for transporting waste from the transfer area to the landfill, or moving to larger bins that are moved to the landfill by truck.
    - Assess an additional laydown area for empty bin storage.
    - Assess the potential for a commercial lane for priority passage into and out of the site.
    - Assess the potential relocation of the recycling depot, and potential location options for a future Eco-Depot.
    - Provide high-level cost estimates for each option.
    - Address data gaps and recommended additional investigations for each option.
    - Evaluate each concept, the rationale for selection, major assumptions and uncertainties, and residual risks.
    - Make a final written recommendation on the preferred conceptual site layout
    - Outline next steps for each option, if selected by the RDCK
- Prepare and present a PowerPoint presentation (e.g. Zoom) on the conceptual designs and preferred option to RDCK West Resource Recovery Committee (Committee).

Preliminary Design:

- Prepare a Preliminary Design Report for the RDCK's selected option, including:
    - Site selection and description
    - Design criteria
    - A peak traffic management assessment, ensuring minimal congestion and safe operations for all vehicles, including light and heavy duty vehicles, and equipment.
    - Future expansion opportunities
    - Utilities and services
    - Regulatory requirements
    - Equipment and infrastructure
    - Identify decision matrix for why specific materials/locations/design elements were included/excluded.
    - Drawings must include:
        - Overall site plan
        - Site layout specific to transfer station area and entry
        - Light and heavy duty traffic and equipment flow patterns
        - Any other drawings the Consultant considers necessary
    - A Class D construction cost estimate
    - Discussion of any decisions that need to be made by the RDCK before proceeding to a detailed design.

(c) Reporting Requirements

- Plan for one (1) draft review period for the Options Assessment Report
- Plan for two (2) draft review periods for the Preliminary Design Report.
- Account for a one (1) hour virtual meeting per draft review period (3 total) for the above items to discuss RDCK's comments.
- Plan for one (1) draft review period for any site investigation memos (no virtual meeting required).
- The RDCK will return comments on each draft within 2 weeks.

(d) Deliverables

- Draft and final standalone memos for any site investigations
- Draft and final Options Assessment Reports
- PowerPoint Presentation on conceptual designs

- Draft and final Preliminary Design Reports

1.3 ADDITIONAL REPORTING REQUIREMENTS FOR ALL SCOPES

Outside of the specific reports required for each individual scope of work, before the conclusion of the project all documents, including but not limited to memos, reports, photographs, video, shop drawings, manuals, spreadsheets, project management information and tracking, assessments and other documents created for the purpose of this project, will be provided on a memory stick or through SharePoint to the Regional District.

All reports should be delivered as a PDF version and an editable version in Word (for documents), Excel (for data, tables, and graphs), DWG or shapefiles (for drawings), and JPEG or TIFF (for photos).

1.4 REFERENCE MATERIALS

The following reference materials are available in Schedule B.

- 2007 Ootischenia Landfill Design and Operations Plan, Conestoga-Rovers, January 2007
- 2019 DOP Update Wood PLC, July 2019
- 2024 Hydrogeological & Hydrology Characterization Report, SLR Consulting, November 2024
- 2023 Ootischenia Landfill Annual Operations & Monitoring Report, RDCK, June 2024
- 2024 Management Plan, RDCK, January 2024
- 2023 Landfill Gas Generation Assessment, Sperling Hansen, January 2024
- 2020 Geotechnical Investigation, Tetra Tech, August 2020
- 2020 Transfer Area Conceptual Design Traffic Flow, Tetra Tech, September 2020.
- 2021 Resource Recovery Plan, MWA Environmental Consultants, August 2021
- 2023 Comprehensive Waste Composition Stud, Tetra Tech, November 2023
- 2023 Archeological Overview Assessment, Ursus, January 2024
- 2024 Preliminary Field Reconnaissance Report, Ursus, July 2024

All reports and data for the site will be made available to the successful proponent.

1.5 CARRY-ON CONTRACT

The RDCK is contemplating the possibility of a follow-on contract for this work, which may include, but is not limited to the following: the detailed design and technical specifications for the transfer station and scale upgrades, and optimized footprint expansion works; construction procurement assistance; environmental and engineering support during construction; construction contract administration; as-built drawings; and final reports.

SCHEDULE B – CONTRACT PAYMENT TERMS

1 Total budget shall not exceed $117,310 (excluding GST).

2 Invoices to be submitted monthly.

The following contract number and GL code(s) **must** be quoted on the invoice(s):

Contract Number: **2025-001-ENV**

GL Code: **ACCOUNT # & WORK ORDER #**

Invoices should be emailed to ap@rdck.bc.ca, with the contract administrator identified on the first page of this contract in cc.

3 Invoices to be paid on net 30 day term.

4 GST (if applicable) shall be listed as a separate line item on all invoices.

5 All invoices for work performed in the calendar year shall be emailed to ap@rdck.bc.ca, with the contract administrator identified on the first page of this contract in cc, no later than January 10th of the following year.

SCHEDULE C – CONSULTANT'S PROPOSAL DATED FEBRUARY 21, 2025

Insert proposal

Letter to the Ministry of Environment and Parks- Interchange Recycling

Author:	Akane Norimatsu, Resource Recovery Technician
File Reference:	12-6240
Electoral Area/Municipality:	All Areas
Services Impacted	S186 Refuse Disposal - East Subregion S187 Refuse Disposal - Central Subregion S188 Refuse Disposal - West Subregion

1.0 STAFF RECOMMENDATION

That the Board direct Staff to send a letter to the Ministry of Environment and Parks, as drafted with amendments directed by the Joint Resource Recovery Committee, requesting the Ministry investigates Interchange Recycling's compliance with their Extended Producer Responsibility program plan within the RDCK;
AND FURTHER, that the Chair be authorized to sign the letter.

2.0 BACKGROUND/HISTORY

On July 21, 2011, June 18, 2013, and November 13, 2020, the RDCK sent letters to the Ministry of Environment and Parks (Ministry) addressing concerns related to the service levels of EPR programs in rural area as well as a significant operational costs for local governments to support Extended Producer Responsibility (EPR) services.

On August 20, 2024, at the direction of the Board the RDCK sent a fourth letter to the Ministry explaining the challenges that the RDCK is experiencing with EPR programs. Challenges the RDCK addressed in the 2024 letter include:

- Poor service levels from many EPR programs in the RDCK
- EPR material collection costs incurred by RDCK taxpayers
- ICI sector packaging and paper recycling materials
- Household hazardous materials without oversight of an EPR program that are harmful to the environment and human health
- Delays in implementing EPR programs for problematic materials such as mattresses and compressed cylinders

In October 2024, the RDCK received a response from the Ministry, which was presented to the Joint Resource Recovery Committee (JRRC) in November 2024. The Ministry recognized the challenges the RDCK outlined, and clarified their responsibility is to review and approve EPR plans, and to monitor program performance in accordance with approved plans. The Ministry suggested the RDCK discuss concerns directly with the respective EPR agencies. The letter further states that if concerns are not adequately addressed, the RDCK should refer to the dispute resolution procedures outlined in approved program plans.

At the November JRRC meeting Staff was directed to draft a response letter to the Ministry advocating for the improvement in particularly problematic EPR program service levels. The drafted letter to the Ministry requests investigation of Interchange Recycling's compliance with their EPR plan in the RDCK, and where non-compliance exists requests specific action (see Attachment A).

The RDCK would like to see significant improvement in Interchange Recycling's service level due to problems outlined in Section 3.0.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

The RDCK does not have direct contractual agreements with EPR programs aside from Recycle BC and Major Appliance Recycling Roundtable (MARR) so the dispute resolution procedures for most EPR programs are not generally applicable. The RDCK does not collect Interchange Recycling (former BC Used Oil Management Associations/BCUOMA) program material, aside from co-hosting collection at Household Hazardous Waste (HHW) events.

As per the Interchange Recycling program plan's dispute resolution process (Figure 1 below) RDCK Staff corresponded with Interchange Recycling's Chief Executive Officer in August 2024 (Attachment B), identifying concerns around their program delivery in the RDCK. The only response, dated August 17th, stated the matter was raised with their organization and Board, with no further response or resolution to date.

Figure 1 – Interchange Recycling Dispute Resolution – February 2021

7.1 Dispute Resolution

BCUOMA requires collectors, processors and collection facilities to register and follow the requirements to receive payment in the form of a financial incentive from BCUOMA. BCUOMA's requirements including manuals, registration forms and applications are posted on the BCUOMA website.

If there is a dispute between BCUOMA and a service provider or stakeholder, the individual consumer or company can take the following actions:

1. Bring the dispute to the Executive Director.
2. Ask that the BCUOMA Board consider the issue.
3. If the matter is not resolved at the previous two levels, service providers can use normal commercial legal procedures such as the Commercial Arbitration Act.

BCUOMA's incentive system supports the competitive commercial market. BCUOMA has had very few disputes, if any, that would require a more complex dispute resolution system to produce a successful result. More complex processes are likely needed in systems where the financial outcomes of participants are pre-determined which, as highlighted earlier, is not the case with BCUOMA.

BCUOMA is also the only stewardship agency in BC that has a local government representative and a member-at-large representative on its Board of Directors. This type of representation helps to provide the local government and non-industry input directly at the Board level, including the resolution of any disputes or concerns by collectors and processors, local governments, producer members, or the public.

In the Ministry's October 2024 response to the RDCK, it was also mentioned that the Ministry strongly encourages local governments and all interested parties to partake and provide feedback in consultations of EPR programs. The RDCK routinely participates in all applicable EPR program plan consultations and directly communicates with their representatives when issues arise in our District.

The RDCK sent formal communications to Interchange Recycling in 2013 and 2018 (Attachment C, D), requesting improvement in their service level in the RDCK. Further, RDCK staff have reached out numerous times to representatives from Interchange Recycling via phone calls and emails, advocating for more collection facilities and better servicing for existing facilities in the RDCK.

According to the database shared by Zero Waste BC (ZWBC), there were 15 collection locations for Interchange Recycling's program products in 2014, however since then the number of collection locations continuously declined. Currently the RDCK only has one year-round collection location in Nelson (Nelson Leafs Eco-Depot, subsidized by the RDCK) for the entire Regional District. Alternatively, residents are expected to bring used oil, antifreeze, oil filters and containers to the annual Household Hazardous Waste (HHW) round up events (held and sponsored by the RDCK).

Due to lack of collection locations across the RDCK, the volume of used oil brought to the HHW events in 2024 was significant and overwhelmed the events. Unfortunately, many residents were turned away because the high volumes of used oil created a capacity issue for the HHW hauling contractor. As described in Section 4.1 the grants from Interchange are estimated to cover only 40% of expenses to host collection of their program materials at RDCK HHW events.

Table 1 below shows the total used oil, antifreeze and oil filters collected at each HHW event in 2024.

Table 1: RDCK 2024 HHW events total volume for Interchange Recycling Program Products

Event Location	Event Hours	Traffic Counts	Waste Oil (Drum-220L)	Waste Oil (Pail-20L)	Waste Antifreeze	Waste Oil Filter (Drum-220L)
Creston	7h	294	12	28	2	2
Salmo	3h	80	6	20	1	1
Castlegar	4h	213	9	45	3	1
Kaslo	3h	80	3	26	0	1
Nakusp	3h	193	6	19	1	1
Silverton	3h	103	7	17	3	1

In 2024 the RDCK collected over 11,360 litres of used oil during HHW events in September 2024. This volume is considered quite significant, especially when it is compared with the volume of used oil collected at the Nelson Leafs Eco-Depot (the Leafs). The Leafs, who was ranked as a Top 30 collector in BC in 2023, collected 24,800 litres of used oil in 2024. The RDCK collected 46% of the Leafs' annual volume during six one-day HHW collection events.

In August 2024, the Ministry received Interchange Recycling's amended EPR plan. The Ministry sent back feedback and further amendment requests to Interchange Recycling in October 2024 (Attachment E). The Ministry addressed complaints received from local governments in rural and remote regions and challenges of having materials collected, as well as being charged additional costs such as a stopping fee. The Ministry stated the responsibility of Interchange Recycling to improve relationships with rural and remote communities through promotions and outreach.

Recycling Regulation Section 5(1)(c)(iii) states that an EPR plan must adequately provide reasonable and free consumer access to collection facilities or collection services, which Interchange Recycling and many EPR programs are not meeting in the RDCK.

The Interchange Recycling's accessibility standard uses six different Community Types and Targeted Service Levels. Under this model, the communities in the RDCK are classified as either 'City, High Industrial' with an associated Targeted Service Level of a minimum of one facility, or a 'Village' or 'Other' with one facility within a 30-minute drive or a collection event. Based on these criteria, most of the communities in the RDCK do not have adequate accessibility to collection locations or events. Castlegar and Creston are classified as City, High Industrial communities, however, neither of them currently have collection facilities, and receive only one annual event hosted by the RDCK. Nakusp, Kaslo and Salmo are classified under 'Village' and each also receive one annual RDCK event. Silverton, New Denver and Slocan are classified under 'Other' and only Silverton receives an annual RDCK event. Having annual events is not sufficient to capture the increased demand for Used Oil collection, and the nearest collection facility available to most of these communities is on average over an hour drive away.

Interchange Recycling reported that 99.4% of the total population in BC has access to registered collection facilities. The percentage of the BC population that is adequately served by the collection network is calculated by adding up the population total from the communities meeting the Accessibility Standard set out in their EPR program plan. Using this same method, only 23% of the population in the RDCK has adequate access to their service (only the populations of Nelson, Nakusp, Kaslo, Salmo, Silverton are adequately serviced according to Interchange's approved plan).

Further, the RDCK should continue to lobby Interchange Recycling to improve service to rural commercial operations that do not wish to become a collection location, but generate a significant volume of used oil that makes traveling to events or depot unreasonable.

3.1 Alignment to Board Strategic Plan

The RDCK Board Strategic Plan calls to leverage our rural perspective to advocate for the improvement of the well-being of our region through Provincial lobbying efforts. Relevant areas of focus include:

- Actively advocate to stop the downloading of provincial responsibilities onto local government.
- Ensuring that provincial programs are reviewed and designed through a rural lens.
- Advocating for increased consultation with local governments on provincial programs that will either impact or be implemented by us.

The RDCK Board Strategic Plan also aims to leverage available opportunities in order to enhance our Waste Management System. A relevant area of focus is:

- Continue to invest in sustainable, cost-effective (waste) diversion programs for our residents

3.2 Legislative Considerations

The Recycling Regulation sets out the requirements for each EPR program plan and the compliance to its approved plan. The Recycling Regulation also states that each EPR program is required to provide opportunity for stakeholder input in the implementation and operation of the EPR program.

The Ministry is currently reviewing Interchange Recycling's amended EPR plan and the Ministry did not share the time line of when it will be approved. However, the last EPR plan was approved in 2021 February and each EPR program is obligated to renew their EPR plans every five years. Therefore it is estimated that the EPR plan should be amended and approved before 2026 February.

3.3 What Are the Risks

None at this time.

4.0 PROPOSED SOLUTION

Since the RDCK has repeatedly communicated concerns and followed the approved dispute resolution, it is recommended that the RDCK send a letter to the Ministry of Environment and Parks, as drafted with amendments directed by the Joint Resource Recovery Committee, requesting the Ministry investigates Interchange Recycling's compliance with their Extended Producer Responsibility program plan within the RDCK, including:

- Establishment of year-round collection facilities in Creston and Castlegar as per Interchange Recycling's Targeted Service Level Standard that is approved by the Ministry
- Hosting one collection event in New Denver and Slocan
- Highlight that the current event grant does not adequately cover the cost for hosting one day collection events.

4.1 Financial Considerations of the Proposed Solution

Interchange Recycling provides $1,500 per event to collectors through their event grant program. The RDCK received $9,000 for events in 2024, however this will not nearly offset the costs and effort for the RDCK to host these events. During the HHW events, RDCK's contractor (Environmental 360 Solutions) allocated approximately 50% of their time was used to manage products covered under Interchange Recycling's program, therefore it was calculated that approximately $16,056 was spent by the RDCK for Environmental 360 Solutions to collect used oil at the six HHW events.

Additionally, during the 2024 HHW events, the total of 80.2 tonne of material was collected and of that 17% was for Interchange Recycling by weight. The RDCK's in-house costs to collect Interchange Recycling's program materials at the events is estimated to be $6,665 (17% of the staffing, supplies, mileage, meals, and advertising).

In total, it is estimated that $22,721 was spent towards the collection of Interchange Recycling's program materials at the HHW events in 2024. Therefore, it is considered that the $9,000 received from Interchange Recycling is not sufficient to cover the costs to collect Interchange Recycling materials at the HHW events. As the cost associated with hosting collection on behalf of Interchange Recycling is no longer financially viable, and the volume and issues with traffic has become overwhelming at the events, the JRRC should consider providing notice to Interchange Recycling that the RDCK will no longer collect their program materials at HHW events starting in 2026.

Many previous used oil collection locations within the RDCK shared they stopped collecting used oil because the program did not adequately compensate them for the effort and space required to participate.

Recycling Regulation Section 5(1)(c)(i) states that an EPR plan should adequately provide for the full costs associated with collecting and managing within the product category covered by the EPR plan, which is not being met by Interchange in the RDCK.

4.2 Risks with the Proposed Solution

N/A

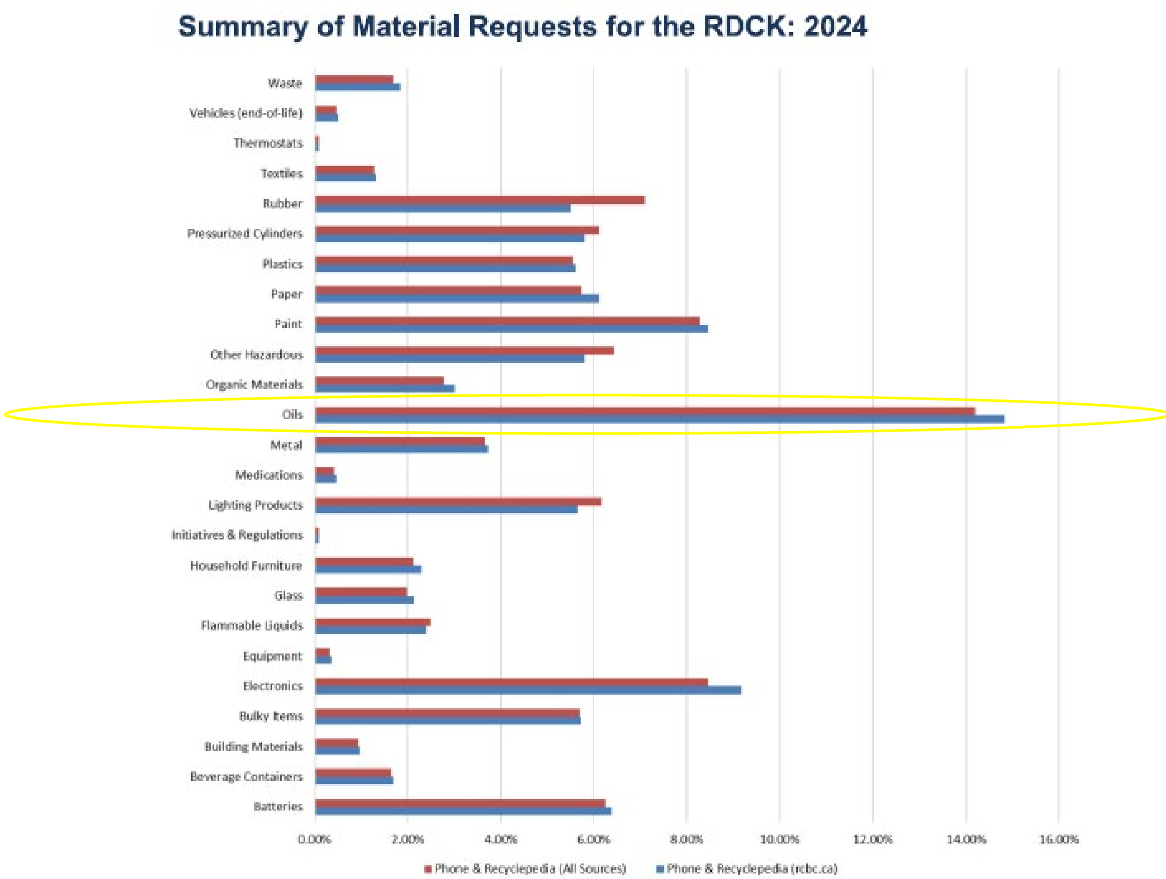
4.3 Resource Allocation and Workplan Impact

Resource Recovery Staff regularly consult on EPR plans, participate in the BC Product Stewardship Council, and lobby EPR programs for improved service delivery in the RDCK.

4.4 Public Benefit and Stakeholder Engagement of Proposed Solution

RDCK residents would benefit from more opportunities to recycle used oil and other products under Interchange Recycling's program plan. A summary of requests from the Recycling Council of BC (Figure 2) below shows that "oils" were the most frequently queried material in the RDCK in 2024, often more than double than any other recyclable materials.

Figure 2-Summary of Material Requests for the RDCK 2024



1 | RCBC Hotline Summary Report - 2024

4.5 Leveraging Technology

N/A

4.5 Measuring Success

Successful lobbying would see the addition of year-round Interchange recycling collection facilities in Castlegar and Creston at a minimum and a reduction of the cost and other impacts of collecting Interchange program materials at the RDCK's annual HHW events.

Staff will return to the JRRC to present any responses received and actions taken by the Ministry.

5.0 ALTERNATIVE SOLUTION(S)

None at this time.

5.1 Financial Considerations of the Alternative Solution(s)

N/A

5.2 Risks with the Alternative Solution(s)

N/A

5.3 Resource Allocation and Workplan Impact

N/A

5.4 Public Benefit and Stakeholder Engagement of Proposed Solution

N/A

5.5 Measuring Success

N/A

6.0 OPTIONS CONSIDERED BUT NOT PRESENTED

None at this time.

7.0 OPTIONS SUMMARY

Option 1:

Recommendation:

That the Board direct Staff to send a letter to the Ministry of Environment and Parks, as drafted with amendments directed by the Joint Resource Recovery Committee, requesting the Ministry investigates Interchange Recycling's compliance with their Extended Producer Responsibility program plan within the RDCK; AND FURTHER, that the Chair be authorized to sign the letter.

Option 2:

Recommendation:

That the Board direct Staff to revise the letter to the Ministry of Environment and Parks and return for further review.

8.0 RECOMMENDATION

That the Board direct Staff to send a letter to the Ministry of Environment and Parks, as drafted with amendments directed by the Joint Resource Recovery Committee, requesting the Ministry investigates Interchange Recycling's compliance with their Extended Producer Responsibility program plan within the RDCK; AND FURTHER, that the Chair be authorized to sign the letter.

Respectfully submitted,

Akane Norimatsu-Resource Recovery Technician

CONCURRENCE

General Manager Environmental Service – Uli Wolf
Resource Recovery Manager – Amy Wilson

ATTACHMENTS:

Attachment A – Draft 2025 Letter to the Ministry of Environment and Parks regarding Interchange Recycling
Attachment B – Correspondence from RDCK staff to Interchange Executive Director and Board
Attachment C – Letter to Interchange Recycling (BCUOMA) sent in 2013
Attachment D – Letter to Interchange Recycling (BCUOMA) sent in 2018
Attachment E – Interchange Recycling EPR Plan and response from the Ministry of Environment and Parks

rdck.ca

File No. 12-6240-20

March 21, 2025

The Honorable Tamara Davidson
Ministry of Environment and Parks
PO Box 9360 Stn Prov Govt
Victoria, BC V8W 9M2

Dear Minister Davidson:

RE: Compliance to EPR Plan-Interchange Recycling

The Regional District of Central Kootenay (RDCK) has been actively communicating with the Ministry of Environment and Parks (Ministry) and Extended Producer Responsibility (EPR) agencies regarding the poor services from EPR programs as well as the significant costs incurred by local governments in rural areas to subsidize EPR programs for over a decade.

The RDCK routinely participates in all applicable EPR program plan consultations and directly communicates with their representatives when issues arise in our District.

The RDCK sent letters to the Ministry on July 21, 2011, June 18, 2013, and November 13, 2020, addressing concerns related to the cost and service levels of EPR programs in rural areas. On August 20, 2024, the RDCK sent another letter explaining the challenges that the RDCK continues to experience with EPR programs. Specific concerns addressed in the 2024 letter include:

- Poor service levels from many EPR programs in the RDCK
- EPR material collection costs incurred by RDCK taxpayers
- ICI sector packaging and paper recycling materials
- Household hazardous materials without oversight of an EPR program that are harmful to the environment and human health
- Delays in implementing EPR programs for problematic materials such as mattresses and compressed cylinders

The Ministry's October 22, 2024, response suggested the RDCK directly discuss concerns with the respective EPR agencies and refer to the dispute resolution procedures outlined in each EPR program plan. However, the RDCK does not have direct contractual agreement with EPR agencies, except for Major Appliance Recycling Roundtable (MARR) and Recycle BC. Therefore, the dispute resolution procedures in most EPR program plans are not generally applicable. Although the RDCK has been communicating with EPR agencies

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regarding the challenges related to their program delivery in the RDCK for many years, the circumstances remain status quo, or for some EPR programs the service levels have been declining over the past years.

Challenges with Interchange Recycling

The RDCK would like to see significant improvement to Interchange Recycling's service level. The RDCK has advocated for improvement in their service level multiple times over the past decade (see Attachments A, B). In 2013 and 2018, the RDCK sent letters to Interchange Recycling, requesting improvement in their service level in the RDCK. As per the Interchange Recycling program plan's dispute resolution process approved by the Ministry on February 2021, RDCK Staff corresponded with Interchange Recycling's Chief Executive Officer in August 2024 identifying concerns around their program delivery in the RDCK. The only response, dated August 17th, stated the matter was raised with their organization and Board, with no further response or resolution to date (Attachment C).

According to the database shared by Zero Waste BC (ZWBC), there were 15 collection facilities in the RDCK to collect residential Used Oil, Antifreeze, Oil Filters and their containers in 2014. However, the number of collection facilities has continuously declined since 2014. Currently there is only one year-round collection facility, located in Nelson, to serve the entire RDCK with a population of over 65,000 in an area of over 22,000 square kilometers. Alternatively, residents in the RDCK are required to hold onto these products until annual Household Hazardous Waste (HHW) Collection Events hosted by the RDCK, intended to collect non-EPR program materials. The one-day HHW Collection events are hosted at six different locations throughout the RDCK. These events have been very well attended by its residents and due to lack of year-round collection facilities the volume of Used Oil brought to these events is becoming overwhelming. During HHW Collection Events in September 2024, the RDCK collected over 11,360 Litres of Used Oil. Unfortunately, many residents were turned away because the high volumes of Used Oil created a capacity issue for the HHW hauling contractor. The volume collected at these events is equivalent to over 46% of the annual total volume of Used Oil collected from the Nelson Leafs Eco-Depot in 2024 (the facility was awarded as a Top 30th collector in the province in 2023).

As stated in Interchange Recycling's 2023 Annual Report, approximately 5% of the total annual volume of Used Oil comes from consumers that change their own oil. Accordingly, 5% of the total volume of Use Oil collected in the entire RDCK in 2023 (1,438,292 litres) from residents equates to approximately 71,914 Litres. However, in 2023 only 28,100 Litres of Used Oil was collected through both the Nelson Leafs Eco-Depot and six HHW events. This volume is less than 2% of the total annual volume collected in the RDCK, which implies that less than expected volumes were collected from consumers in the RDCK.

The Interchange Recycling accessibility standard uses six different Community Types and Targeted Service Levels. Under this model, the communities in the RDCK are either 'City, High Industrial' with an associated Targeted Service Level of a minimum of one collection facility, or a 'Village' or 'Other' with one facility within a 30-minute drive or collection event. Based on these criteria, most of the communities in the RDCK do not have adequate accessibility to collection locations or events. Both Castlegar and Creston are classified as City, High Industrial communities requiring a collection facility, however neither of them currently do. Some communities classified under 'Village' received one day HHW events hosted by the RDCK, however we are considering no longer collecting Interchange Recycling and other EPR program materials at our HHW events to maintain capacity and manage traffic to meet our intention of non-EPR material collection. According to the RDCK's HHW event contractor, more than 50% of their time was spent towards Used Oil and other items the fall under Interchange Recycling's program. Having annual events is clearly not sufficient to capture the increased demand for Used Oil collection, and the nearest collection facility available to most of these communities is on average over an hour drive away.

Interchange Recycling's 2023 annual report indicates that 99.4% of British Columbians currently have reasonable access to a recycling location. In their EPR plan which is currently under the Ministry's review demonstrates how this percentage is calculated (*6.2.3 Accessible Consumer Collection Calculation*). The percentage of the accessibility is calculated by adding up the population total from the communities meeting the accessibility standard. Based on what the RDCK has been experiencing, 99.4% accessibility is not being met in our district. Based on Interchange Recycling's Accessibility Standard, approximately only 23% of the total population in the RDCK has adequate access to a recycling service.

In their program plan currently under review, Interchange Recycling has proposed amending the Service Level Standard. The RDCK would like to request the Ministry thoroughly review the Accessible Consumer Collection Calculation Methodology that Interchange Recycling is proposing in their plan. And further, the RDCK requests that the Ministry investigate Interchange Recycling's compliance to their accessibility criteria stated in their approved EPR program plan in the RDCK.

The RDCK requests the Ministry also review the event grants available to support Community Collection Events in Interchange Recycling's EPR plan. The collection event grants available to local governments is currently $1,500 per event. In 2024, the RDCK spent approximately $150,113 towards six HHW collection events of which $67,390 was to host the events, and the remainder was related to non-EPR HHW disposal costs. The RDCK estimates it spent $22,721 at the 2024 events specifically to collect Interchange Recycling materials, but only received $9,000 in grant funding from them. Therefore, the $1,500 grant per event is not sufficient to cover the costs associate with the collection events.

Conclusion

Interchange Recycling's current service level in the RDCK is not adequately meeting the Recycling Regulation *Section 5 (1) (c) (iii) reasonable and free consumer access to collection facilities or collection services*, in the RDCK. Interchange Recycling should immediately establish year-round collection facilities in Creston and Castlegar as per their Targeted Service Level Standards as approved by the Ministry, and host annual collection events in New Denver, Slocan and other communities that meet the S Targeted Service Level Standards should the RDCK not continue to host used oil collection at our HHW events. Further, the RDCK requests Interchange Recycling and the Ministry review the current event grant to subsidize the cost of hosting collection events. The RDCK has completed all dispute resolution steps up to legal action, with no result, therefore, the RDCK would like the Ministry's support in requiring Interchange Recycling to abide by their approved program plan and deliver appropriate collection services in our district.

Thank you for your time and consideration.

Sincerely,

Cc: Stuart Horn, Uli Wolf, BCPSC, SABC, Interchange Recycling

Attachment A: Letter sent to BCUOMA on May 14, 2013
Attachment B: Letter sent to BCUOMA on June 14, 2018
Attachment C: Email sent to Interchange Recycling's Chief Executive Officer on August 1, 2024

From: Gord Klassen <GKlassen@fortstjohn.ca>
Sent: Friday, August 16, 2024 9:58:24 AM
To: Uli Wolf <UWolf@rdck.bc.ca>
Subject: Re: Used oil program delivery in the RD of Central Kootenay

---

Mr. Wolf,

Thank you for reaching out to express your concerns.

I have raised the issue with the organization and the Board for their information and response.

Thanks again.

Gord Klassen
Councillor
City of Fort St John
"BC's Energy Capital"

On Aug 1, 2024, at 4:17 PM, Uli Wolf <UWolf@rdck.bc.ca> wrote:

Hello Will,

I would like to express my dismay about the lack of options in our Regional District for used oil (and other program eligible) materials that are responsibility of Interchange Recycling (IC). We (my staff and myself) have had with you (Interchange Recycling, BCUOMA and the Managers during this period) now for one and half decades regular exchanges about the program not meeting IC's self set criteria under the various Management Plans accepted by the province. We heard over that 15 year period many promises about improvements and increased efforts.
The end result is as follows (based on your own website map):

- Our entire Regional District (over 22,000 km^2 and a population of over 60,000) are "serviced" by two Interchange contracted depots (in the Village of Nakusp and City of Nelson).
- Your current service level does not meet your own accessibility standards for 7 of our 9 municipalities - not even to mention the difficulty for rural area residents.
- The RD is left with the obligation for ongoing support of collection services through events at great cost and effort to the RDCK (your organizations contribution of $1,500 per event is no more than a token to the overall cost and effort of these events and I understand from my staff we will not even receive that contribution anymore).
- 15 years of the RDCK expressing that the payment models to depots provided by IC is not near enough for lower population density Regional Districts to attract depot owners has not been seriously taken into account.

This has now culminated in a service level that I can only express as almost non-existent.

I realize that you may find the tone of my e-mail offensive but the Regional District has obligations towards their residents and so does your organization. It is time that our Board of Directors sees real tangible action in regards to improving services through Interchange Recycling.

I share this e-mail as well with the only non-industry representative on your Board of Directors, Gord Klassen in the hope that he will raise our concern with other members of your Board.

Uli Wolf | General Manager of Environmental Services

Regional District of Central Kootenay
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ATTACHMENT C

Regional District of Central Kootenay

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Nelson, BC V1L 5R4 BC Toll Free 1-800-268-7325
Web: www.rdck.bc.ca e-mail: info@rdck.bc.ca

May 14, 2013

Our File: 6050-20

Ron Driedger
Executive Director, BCUOMA
Suite 125 # 9 45905 Yale Rd
Chilliwack, B.C. V2P 8E6

Dear Ron Driedger:

RE: REDUCTION IN SERVICE LEVEL

The RDCK acknowledges the importance of well-managed product stewardship programs to local residents. Unfortunately this region, due to its rural and remote nature, is often underserviced by product stewardship programs. In November 2011, the RDCK developed an Interest Statement on Extended Producer Responsibility (attached for your reference). This position formed the basis for termination of participation in various stewardship programs in order to shift the costs of waste management off of the general taxpayer and on to the specific consumers of the product.

The RDCK has terminated participation in Product Stewardship programs. The changes represent an effort by the RDCK Board of Directors to advocate for the best interest of local taxpayers in the provincial recycling system. Under provincial regulations, the costs of Extended Producer Responsibility (EPR) programs should be borne fully by the producer and consumers of the products. However, hosting these programs at landfills and transfer stations has meant that some of the costs of collecting, storing, and transporting the materials are instead covered by residents who pay taxes to fund the operation of government facilities. In effect, when EPR programs were hosted at RDCK landfills and transfer stations, residents were paying twice for these recycling services—once when they purchase the product and once when they pay their property taxes.
By taking this position regarding stewardship programs the RDCK hopes to encourage producers to site alternative collection depots that are consistent with the consumer-pay objective of extended producer responsibility. In some parts of BC, the businesses that benefit financially from the sale of EPR products take a more active role in the recycling process.

The RDCK is disappointed that BCUOMA is unable to provide adequate compensation to ensure the continuation of collection services in remote areas. Specifically, the RDCK acknowledges the correspondence between BCUOMA and The Kaslo Pump (June 2012). As E.A Janzen stated in a letter to you *"we have decided that the program is neither economically viable nor reasonable. Should you and your colleagues suggest a solution to our dilemma that is at least revenue neutral, we will certainly continue to provide the service as we have, but after the above date, without some funding that makes this program viable please consider us closed to this program until a solution is found that is agreeable to us."*

Your letter, dated June 27, 2012 does not provide specific solutions nor do you express any intention to provide financial compensation to assist in maintaining the Kaslo Pump as a designated collection site for your products. On the contrary your letter clearly states that withdrawal from collection is acceptable.

It is the opinion of the RDCK Board that Product Stewardship Programs such as BCUOMA should offer compensation that covers all costs incurred to manage the BCUOMA program. Costs to manage these programs should not be absorbed by the service providers and taxpayers. Financial support for the businesses that collect your products is not always a "one size fits all" formula. We hope that in the future greater consideration will be given to rural services and specifically businesses' like the Kaslo Pump who have incurred significant expense to assist in collection for your programs.

Sincerely,

Uli Wolf
General Manager of Environmental Services

UW/nlw

Enclosure

Cc David Schick, Board Chair, BCUOMA
David Ranson, Director, Environmental Quality Branch
Hon. Terry Lake, Minister of Environment
David Lawes, Acting Manager, Environmental Quality Branch
Nicole Kohnert, Co-Chair, BC Product Stewardship Council
Brock MacDonald, CEO, Recycling Council of BC
Brian Carruthers, Chief Administrative Officer, RDCK
Raymond Gaudart, Acting Resource Recovery Manager, RDCK
Rae Sawyer, CAO, Village of Kaslo
John Kettle, Chair, Board of Directors, RDCK

Interest Statement

on Extended Producer Responsibility Programs – November, 2011

Endorsed by the Regional District of Central Kootenay (RDCK) Board of Directors through resolution number 770/11:

"The Interest Statement on Extended Producer Responsibility Programs, dated November 2011, be endorsed by the Board as a tool for staff and elected official to use when engaging with the Province, product stewards, the public, and other relevant parties in discussions on BC's product stewardship system."

The RDCK supports the following principles for waste diversion through the product stewardship system:

- All residents, in all areas of BC, must have reasonable access to collection facilities.
- Extended producer responsibility policies must encourage waste reduction and promote environmental stewardship.
- Producers/product stewardship agencies must not rely on local governments to fulfil their role in the product stewardship system.
- All actors in the product stewardship system, including local governments, must be adequately compensated for their role.
- All stakeholders, including local governments, must have a genuine say in how product stewardship programs are planned and managed.

The RDCK recommends the following actions and approaches to help overcome the challenges with the BC product stewardship system:

- Producers/product stewardship agencies must coordinate their collection activities in order to improve convenience for the consumer. Similar to a local government recycling depot, a 'one-stop' return location would improve consumers' abilities to fulfil their role in the product stewardship process.
- When establishing performance targets in Product Stewardship Plans, producers/ product stewardship agencies must commit to achieving a reasonable level of service in *all* areas of BC. This commitment must be monitored and enforced by the Province.
- Producers/product stewardship agencies should consider utilizing existing recycling infrastructure that will otherwise become redundant when the packaging and printed paper program becomes effective. The current owners of this infrastructure must be adequately compensated for historic investments.
- Producers/product stewardship agencies must work to improve direct communication with local governments as both stakeholders and consumer representatives. Individual or regional annual meetings would help achieve the goal of improved stakeholder input on product stewardship programs.
- Producers/product stewardship agencies must work to improve direct communication with consumers. Responsibility for this task should be wholly shifted off local governments.
- The Province should consider establishing an Extended Producer Responsibility Advisory Committee to oversee communications regarding the BC product stewardship system, and to promote compliance with the Recycling Regulation. This committee should consist of representatives from the Province, the Regional Districts, and product stewardship agencies.

6050-20

BCUOMA

British Columbia Used Oil Management Association

BCUOMA
Suite 125 #9 45905 Yale Road
Chilliwack, BC V2P 8E6

T 604.703.1990
F 604.703.1998
C 604.819.5396
E rdriedger@usedoilrecycling.ca
www.usedoilrecycling.com

June 27, 2012

E.A. Janzen
The Kaslo Pump
Box 1418
Kaslo, BC V0G 1M0

Dear Mr. Janzen:

Thank you for your email letter of June 16, 2012, where you expressed concerns regarding the program that the BC Used Oil Management Association (BCUOMA) has in place to pay the Return Collection Facilities (RCFs) that agree to take back used oil and antifreeze materials from the do-it-yourselfers in the Kaslo area.

In 2011, BCUOMA made a total of over $10 million in payments to registered BCUOMA Collectors, Processors and Return Collection Facility (RCF) operators in British Columbia. BCUOMA registered Collectors regularly pick up from over 4,000 generators of used oil and antifreeze materials all across the province. In almost all the areas of the province the program is working very well, with registered collectors regularly making collections and 530 RCFs in place for the do-it-yourselfers to take back their used oil materials, and over 300 RCFs for used antifreeze.

From discussions with Newalta, they service the Nelson - Trail area every two weeks with regular pickups of used oil one week and oil filters and antifreeze the next week. Nu-Plastic Services is the company that regularly makes pickups of oil and antifreeze container for Newalta customers.

There are several reasons why it is more of a challenge in making the pickup of used oil and antifreeze materials from the Kaslo area. Firstly, Kaslo is some distance away from Highway 3A and not along a regular "trap line route" that Newalta would travel. Secondly, there are very small quantities of used oil and antifreeze materials generated in Kaslo. In speaking to Clint Kilback, Branch Manager for Newalta, he advised me that if the generators in the Kaslo area could work together to accumulate larger quantities of used oil and antifreeze materials, this would greatly assist them in regularly scheduling trips to service Kaslo.

CRRC
July 18/12
#7b)

Making every drop count

It is my understanding from talking to Ken Hart of Hartech Industries that he will try to work with the other generators in the area to insure that sufficient quantities are accumulated before Newalta makes the trip to Kaslo. Anything that you can do to assist that effort would be appreciated. BCUOMA will monitor how this new service is working and will consider revisions to the BCUOMA program should they prove to be necessary.

With respect to your decision to withdraw being a RCF for the do-it-yourselfer, BCUOMA understands and respects your decision. There still are two other RCFs in Kaslo who have agreed to remain as RCFs for the do-it-yourselfers to take back the smaller quantities of used oil and antifreeze materials at no charge.

Again, thank you for taking the time to explain your concerns.

Yours truly,

Ron Driedger
Executive Director

cc David Schick, Board Chair, BCUOMA
David Ranson, Director, Environmental Quality Branch
Hon. Terry Lake, Minister of Environment
David Lawes, Acting Manager, Environmental Quality Branch
Nicole Kohnert, Co-Chair, BC Product Stewardship Council
Brock MacDonald, CEO, Recycling Council of BC
Jim Gustafson, Chief Administrative Officer, RDCK
Mike Morrison, Resource Recovery Manager, RDCK
Rae Sawyer, CAO, Village of Kaslo
Marguerite Rotvold, Chair, Board of Directors, RDCK

ATTACHMENT D

Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
Telephone: (250) 352-6665
BC Toll Free: 1-800-268-7325

Web: www.rdck.ca
Email: info@rdck.bc.ca
Fax: (250) 352-9300

File No. 12-6230-20

June 14, 2018

Valentina Yetskalo
Ministry of Environment & Climate Change
PO Box 9378 STN PROV GOVT
Victoria, BC V8W 9M6

Dear Valentina:

RE: BRITISH COLUMBIA USED OIL MANAGEMENT ASSOCIATION PROPOSED MINIMUM SERVICE LEVELS

The Regional District of Central Kootenay Board strongly supports the product stewardship model to safely manage end-of-life products in order to conserve resources and prevent potential environmental damage. However, these stewardship programs can only effectively provide these services if they are accessible to all residents of British Columbia. Unfortunately, many of these programs are under-represented in the RDCK and residents have limited to no access to permanent drop off locations. Used oil is a particularly noteworthy example of this lack of facilities as currently there are only two collection sites in the entire region recognized by the BC Used Oil Management Association to serve a population of nearly 60,000 and an area of over 22,000 square kilometers. Neither site accepts the full range of BCUOMA stewarded materials.

The RDCK hosts annual Household Hazardous Waste round-ups at locations throughout the district to collect hazardous materials that are not covered by any current stewardship programs. The events also collect stewarded materials that do not have nearby collection facilities. Used oil, filters and antifreeze were the most common material brought by residents with nearly 10,000 litres of used oil collected in 2017. BCUOMA does provide grants of $500 per event for these round ups and this amount is set to increase to $1500 for 2018. While these grants do relieve some costs to the RDCK contracted staff at these events cost $4000 – $6000 and much of their time is spent handling used oil. Further, one-day events do not capture used oil from residents who are otherwise busy on the day of the round up and would be better served by dedicated, year-round facilities. The lack of such facilities is a concern frequently voiced by RDCK residents.

In its Stewardship Plan update released on May 27, 2018 BCUOMA has proposed new minimum service levels for consumer products and claims that 99.5% of the population of British Columbia would have access to a collection facility should these minimums be achieved. This is an admirable step as the new community classifications and service levels in the update would go a long way towards addressing the service deficit that exists in the RDCK. The newly proposed levels would provide for six full-time collection facilities in the district and be located within a 30-minute drive for the large majority of residents.

...../2

While the new proposals reflect progress, the principle issue with the BCUOMA program for rural areas has been and continues to be the actual service provided and not the service levels in the plan. Proposing improved service levels when the levels identified in BCUOMA's current plan are not met does not generate confidence in the promise of new depots being created. Over the last several years the number of locations for oil collection has *decreased* in the RDCK as notable retailers and garages have cancelled their public drop off services. For BCUOMA's plan to be successful further improvements are needed to service levels and developing stronger mechanisms that ensure the levels are fulfilled are essential.

As with other product stewardship programs the service standard proposed and actual service provided by BCUOMA serves the more populated, urban areas of the province well, namely the lower mainland. For this program to serve all British Columbians we suggest the following changes to BCUOMA's service standards:

- Community definition amended to include populations in unincorporated electoral areas;
- Development of action plan to ensure depots are established and maintained;
- Number of collection facilities in a district tied to product sales in district;
- Recovery rate applied individually to each Regional District;
- Return incentive for collection facilities should at a minimum equal the event grant value.

Used oil is generated year-round and presents an obvious environmental hazard if not disposed of correctly. For BCUOMA and other product stewardship programs to work as intended they must offer convenient access for all residents.

Sincerely,

Uli Wolf
General Manager of Environmental Services

UW/tb

cc: Teresa Conner, Senior Policy Advisor - Ministry of Environment
David Lawes, Executive Director – BC Used Oil Management Association

BRITISH COLUMBIA

Reference: 412510/048-31267

October 18, 2024

David Lawes, CEO
Interchange Recycling
536 Broughton Street, 3rd Floor
Victoria, BC, V8W 1C6

Dear David Lawes,

Thank you for submitting proposed amendments to the Interchange Recycling Extended Producer Responsibility Plan (the "plan") initially on July 8, 2024 in fulfillment of the requirements of Part 2, Section 6 of the Recycling Regulation (the "regulation") made under the *Environmental Management Act*. Further, the most recent revision (2nd revision) of the plan was submitted on September 5, 2024.

I acknowledge the efforts of Interchange Recycling (Interchange) and the ongoing dialogue between Interchange and the Extended Producer Responsibility (EPR) section staff to develop revisions and improvements to the plan to better meet the requirements of the regulation.

Under the regulation, the director, otherwise known as the Statutory Decision Maker (SDM), has the ability to both amend an approved EPR plan on their own initiative, and to approve amendments to an approved plan that have been proposed by a producer. I have completed my review of the proposed amendments to the plan and identified that, while elements of the proposed amendments meet the criteria set out in Section 5(1) of the regulation, and my previous direction, certain components remain outstanding.

Prior to the issuance of this decision letter, Interchange was provided feedback in my preliminary decision letter (PDL) on May 24, 2024 on the proposed plan amendments and has had the opportunity to propose further amendments or provide additional information for consideration. While Interchange has addressed several of the identified deficiencies, there are matters I do not consider to be effectively addressed, which are listed below.

Please be advised that in addition to the amendments proposed by Interchange in the September 5, 2024 plan and approved by way of this letter, I am further amending the plan, pursuant to Section 5(5) of the regulation concerning the following areas:

1. Collection of Automotive Containers

In addition to products captured under Schedule 2 of the regulation, i.e. used oil, oil filters, antifreeze products, and used oil and antifreeze containers, the plan proposes to also cover all containers sold with automotive fluids, gels, greases, waxes, creams, and aerosols used in residential or institutional, commercial, and industrial (ICI) applications (excluding products specifically identified or designed for ICI use). These additional automotive containers fall within Schedule 5 of the regulation. In my PDL, I stated that the plan must clearly identify how the additional automotive containers will be collected, managed, and paid for by the producers of the products. I stated that the plan submitted at that time did not meet the regulatory requirement to provide for Section 5(1)(c)(i) of the regulation, producers collecting and paying the cost, and that an adequate collection method for additional automotive containers from residents and the ICI sector had not been described in the plan, as required by Sections 5(1)(c)(i) and (iii) of the regulation. The PDL stated that I was considering not approving the addition of automotive containers to the plan.

In response to my PDL, Interchange made further amendments to the plan that only partially addressed the deficiencies noted. In particular, "Appendix D: Recycle BC – Future State Overview" was added to the plan, and I considered this document within the context of section 5(2)(m) of the regulation, the structure of financial and operational co-operation with other producers. This document outlined a possible future state arrangement between Recycle BC and BCUOMA (now Interchange), whereby BCUOMA would assume the obligation for items currently in the Recycle BC program, however collection for residents through Recycle BC's blue box program could still be available. Recycle BC would use their composition audit process to determine the quantities of BCUOMA containers collected through the blue box system, and the commercial and financial arrangement would see BCUOMA compensate Recycle BC for the volume of containers collected, including a fee for the additional audit work.

While this appendix to the plan outlines a possible future state that could address the deficiencies noted in the preliminary decision letter, it falls short of a firm commitment that Interchange will contract with Recycle BC to collect Schedule 5 containers. As Recycle BC notes in the final paragraph of the document, the proposal is only outlined at a high level, and suggests next steps that would be required, including an agreement to govern the commercial transaction for the Schedule 5 containers. Without a firm commitment and agreement for financial and operational cooperation in place, I am not satisfied that the plan, as presented, meets the requirements of Sections 5(1)(c)(i) and (iii) of the regulation.

In considering the amendments to include Schedule 5 containers in the plan, I also turned my mind to the requirements of Section 5 (1)(d) of the regulation, which requires that the plan adequately provides for the collection of the product from residential premises, and from municipal property that is not industrial, commercial, or institutional property, i.e. streetscape. While the proposed arrangement with Recycle BC could address the collection of the product from residential premises, for the same reasons as stated above, without a firm commitment and agreement in place with Recycle BC, I am not satisfied that the plan will provide for the collection of the product from residential premises. In addition, the plan as currently presented does not provide any information to address the collection of products from municipal property that is not industrial, commercial, or institutional. For these reasons, I am not satisfied that the plan meets the requirements of Section 5(1)(d) of the regulation. A firm commitment through an agreement with Recycle BC would be required that provides specifics on how the collection of products from residential premises and streetscapes would be managed, and this agreement should also outline how options for disposal would be communicated to residents.

For the reasons presented above, it is my decision **not** to approve the inclusion of automotive containers in the plan. As such, I am making the following amendments to the plan:

i. I am amending the plan to replace all instances referring to “automotive containers” with “containers”, to indicate that these references are to containers of products managed by the plan and captured under Schedule 2, i.e. oil and antifreeze containers.

ii. I am amending the plan to remove the following wording from Section 3.1 of the plan:

“In addition to oil and antifreeze containers, the Interchange program will include empty containers (HDPE, metal, non-HDPE, multi-layer plastics, aerosols, other) that contained products intended for the uses below. Within 8 months of the EPR Plan approval, Interchange will begin collection of these additional containers, which represent a subset of the products identified in Schedule 5 of the Recycling Regulation.

- Windshield washer fluid
- Brake fluid
- Lubricants
- Stabilizers
- Sealers
- Conditioners

- Boosters
- Solvents
- Degreasers
- Fuel system cleaners

Excluded: Products used to clean or maintain the interior or exterior surfaces of an automobile (e.g., car wax and upholstery shampoo).

While the program was originally designed to collect oil or antifreeze containers, these similar containers have found their way into the Interchange collection stream. Many of the additional container types are considered contamination in the current collection stream and by including more types in the Interchange program, the total amount captured will increase. The contamination cost of the non-program containers is approximately $300K per year.

As communicated in the 2022 consultation materials for the container expansion (Appendix B.2), Interchange expects very few resulting operational changes. This means that all automotive containers will fall under the existing funding, collection and incentive models, and Interchange's performance measures will remain the same. For reference, Appendix D includes an overview of a possible future state, prepared by Recycle BC.."

iii. I am amending the plan to remove the following wording from page 6 of the plan:

"Automotive Containers

- It is assumed that all automotive containers sold into the marketplace are available for collection. Interchange's varying fee approach will continue to reflect the complexity and cost to manage each product type."

iv. I am amending the plan to remove the following wording from page 8 of the plan:

"Interchange also intends to work with the residential curbside collection system in BC to ensure that the expected few automotive containers discarded by consumers at residential premises into the curbside system are collected and managed. It is preferred that consumers bring automotive containers to Interchange recycling centers as containers discarded in curbside systems may cause contamination and other environmental issues."

v. I am amending the plan to remove the words "including the additional automotive containers" from Section 8 on page 13.

I would also like to address Interchange's statement in the plan that the contamination cost of the non-program containers is approximately $300K per year, as I recognize that this represents a considerable program cost for Interchange. Given that the collection network consists largely of commercial facilities such as service stations, lube shops, and large commercial operations, along with Return Collection Facilities, I believe that a significant amount of the contamination and related costs from non-program containers could be addressed through increased education and promotion with the employees of these facilities, and through clear contamination clauses in contracts. I would encourage Interchange to continue to explore these options to help bring the high cost of contamination down within their system.

If Interchange wishes to pursue the inclusion of automotive containers in their plan in the future, I would encourage Interchange to work with ministry staff on options for resubmission of an amended plan to address the deficiencies noted here.

2. <u>Producer paying the costs</u>

In accordance with the regulation, Section 5(1)(c)(i), Interchange is responsible for collecting and paying the costs for the collection and management of the obligated material. As per amendments to the plan in Section 8.1, Interchange has committed to conducting a cost study and will submit the results to the ministry by January 1, 2026. For clarity of expectations regarding this cost study, I am further adding the following amendment to Section 8.1 of the plan:

i. I am requiring Interchange to engage in consultation with affected parties (e.g. commercial generators, collectors, and processors) prior to conducting the cost study to ensure a comprehensive methodology is developed. This cost study should incorporate any feedback from affected parties, and outline how their input was addressed. Additionally, it must demonstrate how producers are managing the costs associated with the collection and management of products. The cost study results must be shared with affected parties, and any changes to Interchange's financial framework must be implemented no later than four months (i.e. May 1, 2026) after the submission of the cost study to the ministry.

3. <u>Appendix A-C</u>

This plan revision updates the previous plan approval amendments dated February 5, 2021. Each appendix proposes the plan's term from November 2024 to November 2029. It is important to note that plans <u>do not</u> have an expiration date, as they remain in effect until a new plan is approved. For clarity with respect to this, I am amending the plan as follows:

i. I am amending the plan to remove all term dates in each Appendix from A-C referring to "Term: November 2024 – November 2029" on pages 21, 25, and 101.

Ministry Expectations for the next five-year plan review

The ministry expects continuous improvement across all future plans and amendments submitted by Interchange, including the following areas of concern:

A) Producers Paying the Cost

Complaints have been received from local governments in rural and remote regions citing difficulty having material collected as well as being charged additional fees (i.e. a stopping fee). It is expected that Interchange will improve relationships with rural and remote communities by demonstrating how the program provides adequate incentives for servicing collection facilities.

Additionally, the ministry notes that collection for materials that are not oil or antifreeze (i.e. filters and containers) has been challenging provincially for the program and expects that Interchange will improve its incentive rate strategy for each material type to ensure they are all being collected at a satisfactory rate. These additional incentive rates are expected to be consulted on and included in the next plan review process.

Please note that the ministry has some recently updated guidance documents, including Paying the Costs under Recycling Regulation Section 5(1)(c)(i) and Dispute Resolution Guidance 2024. For future plan reviews, it is expected that Interchange follows the updated guidance. Prior to your next plan review, please ensure awareness with any other updated guidance, which is available at: Extended Producer Responsibility - Province of British Columbia (gov.bc.ca)

B) End-Of-Life Management Material Targets

An objective of the EPR approach is to reduce or eliminate the environmental impacts of products throughout their life cycle by managing them at increasingly higher levels of the Pollution Prevention Hierarchy (PPH), as required by section 5(1)(c)(viii) and 5(3). Interchange's present EPR program allows the market to dictate the end-fates of their products and does not actively move products higher up the hierarchy. It is expected that Interchange's next submission will include targets for managing their products at higher levels of the PPH, specify end-of-life management pathways, and offer justification when products cannot be managed at a higher level.

D) Additional Automotive Containers

If Interchange intends to propose to include additional automotive containers in a future plan amendment, all of the included product types are to be clearly outlined such that the audience understands what they are being consulted on, how the products are to be collected, and targets set for these products. Additionally, it is expected that residual products within automotive containers will also need to be included in Interchange's plan and managed in accordance with the regulation.

E) Market Baseline

As registered participants own and can market collected materials, collection can wane and stop during poor market conditions in which used oil is not deemed as economically valuable to collect and resell. For future plan iterations, Interchange should identify the market conditions that trigger reduced collection in each provincial zone as a baseline, and provide a methodology to calculate effective incentive rates that the program must provide when market conditions trigger the need (e.g., by dropping below the identified baseline).

F) Consultation

Moving forward, Interchange is expected to include extensive efforts towards informing Indigenous communities and governments of the Interchange program and impacts, including informing the Indigenous Zero Waste Technical Advisory Group (IZWTAG) as a method to reach a broad Indigenous audience. In addition, to better understand the effect of program consumers or for communication purposes, having an advisory committee made up of local governments, Non-Government Organizations, and IZWTAG is generally considered best practice for EPR agencies.

Information Sharing Expectations

The ministry expects this approval letter to be forwarded to Interchange's board of directors as well as its member producers, since each producer is responsible for ensuring its agent fulfills the plan, and compliance proceedings may be taken against a producer if the agent fails to implement the plan.

Third Party Assurance for Non-Financial Information in Annual Reports

Third party assurance for non-financial information in Annual Reports is required through Section 8(2)(h) of the regulation. The assurance report should be completed in accordance with the document entitled, “Third Party Assurance Requirements for Non-Financial Information in Annual Reports” dated November 2022 and revised from time to time, which is enclosed.

Additionally, please be advised, under Part 2, Section 8(2)(h) of the regulation, the director can specify any other information required in the annual report. To ensure the continuity of all performance measures, performance requirements, and targets in the plan, reporting on each of these metrics will be maintained until they are superseded by an approved plan renewal.

Next Plan Review Due Date

Section 6 of the regulation requires a plan review every five years. As per this requirement, Interchange must review its approved plan, consult on the plan, and submit proposed amendments to the director, or notify the director in writing that no amendments to the plan are necessary, by **November 25, 2024**.

Right to appeal

If you disagree with this decision, Division 2 of Part 8 of the *Environmental Management Act* provides for appeal of my decision to the Environmental Appeal Board (EAB). In accordance with the Act and with the Environmental Appeal Board Procedures regulation, the EAB must receive notice of the appeal no later than 30 days after the date you receive this decision. For further information, please contact the Environmental Appeal Board at (250) 387-3464.

Thank you for your efforts on this plan amendment and I appreciate Interchange’s continued commitment to achieving compliance in this regard. If you have any questions regarding the implementation of the plan, please contact me at andreas.wins-purdy@gov.bc.ca or through the Extended Producer Responsibility inbox at ExtendedProducerResponsibility@gov.bc.ca.

Sincerely,

Andreas Wins-Purdy, P.Ag.
Director, Extended Producer Responsibility, Program Delivery
Authorizations and Remediation Branch
Environmental Protection Division

cc: Doug Hill, Executive Director, Authorizations and Remediation Branch, Doug.Hill@gov.bc.ca

Tess Rouse, Director, Environmental Policy & Initiatives Branch, Tess.Rouse@gov.bc.ca
Leeanne Fraser, Senior Policy Analyst, Authorizations and Remediation Branch, Leeanne.Fraser@gov.bc.ca
Extended Producer Responsibility: ExtendedProducerResponsibility@gov.bc.ca

Enclosure:

Interchange EPR plan, submitted September 5, 2024
Third party assurance for non-financial information in annual reports, November 2022

Extended Producer Responsibility Plan

Lubricating Oil, Oil Filter Products, Antifreeze Products,
Empty Automotive Containers

Original Submission: January 28, 2019
Amended Submissions:
1: February 5, 2021
2: December 1, 2022
3: February 17, 2023
4: July 8, 2024
5. August 16, 2024 **(Current Submission)**

Submitted by:	*Submitted to:*
David Lawes, Chief Executive Officer Interchange Recycling 536 Broughton Street, 3rd Floor Victoria, BC V8W 1C6 t. 778-817-0721 | tf. 1-844-722-8662 f. 236-237-1732 https://interchangerecycling.com/	BC Ministry of Environment & Climate Change Strategy Extended Producer Responsibility Section

Contents

Supplementary Documents:

- Appendix A: Performance Measures, Targets and Reporting Commitments
- Appendix B: Consultation Processes, Feedback and Attendees
- Appendix C: Product Design and Use Trends
- Appendix D: Recycle BC – Future State Overview

1 Acronyms

The following acronyms and abbreviations are commonly used throughout this document.

EHC	Environmental Handling Charge
EPR	Extended Producer Responsibility
Interchange	Interchange Recycling, formerly the BC Used Oil Management Association (BCUOMA)
IZWTAG	Indigenous Zero Waste Technical Advisory Group
RCBC	Recycling Council of BC
RCF	Return Collection Facility
RI	Return Incentive
SABC	Stewardship Agencies of BC
UOMA	Used Oil Management Associations of Canada

2 Overview

Interchange Recycling is a not-for-profit society formed under the British Columbia Society Act in 2003. Interchange's mandate is to ensure the responsible collection and management of the used oil, antifreeze, filters and containers required under the BC Recycling Regulation.

Since its inception, Interchange has improved collection and recycling performance in all regions of the province – and across all product categories. The commitment to continuous improvement remains a major focus in this EPR Plan.

Interchange has operated a province-wide collection and recycling program for used oil, oil filters and used oil containers since August 2003 and for antifreeze since 2011. This collection program includes the do-it-yourself market as well as the commercial and industrial markets.

Interchange's program is funded by its producer members through an EHC on the sale or commercial use of new products. Each Interchange member determines if and how it will recover its costs for the Interchange charge. Interchange produces audited annual financial statements outlining the fee revenue and program expenditures.

3 Legal Requirements

The Recycling Regulation, replacing the Post-Consumer Residual Stewardship Program Regulation, was brought into law on October 7, 2004. Under authority of the *Environmental Management Act,* the regulation sets out the requirements for EPR in British Columbia. Referred to as members, Interchange represents the producers of designated products appointed to carry out their legal obligations in accordance with the approved plan. This EPR Plan is submitted in conformity with Section 4 of the regulation.

The list of members that have appointed Interchange to carry out the duties of the producer under Part 2 of the regulation is available here on the Interchange website.

3.1 Products Covered under the Plan

Schedule 2 of the Recycling Regulation defines the products managed under each of the categories of used lubricating oil, antifreeze, oil filters and oil and antifreeze containers.

In addition to oil and antifreeze containers, the Interchange program will include empty containers (HDPE, metal, non-HDPE, multi-layer plastics, aerosols, other) that contained products intended for the uses below. Within 8 months of the EPR Plan approval, Interchange will begin collection of these additional containers, which represent a subset of the products identified in Schedule 5 of the Recycling Regulation.

- Windshield washer fluid
- Brake fluid
- Lubricants
- Stabilizers
- Sealers
- Conditioners
- Boosters
- Solvents
- Degreasers
- Fuel system cleaners

Excluded: Products used to clean or maintain the interior or exterior surfaces of an automobile (e.g., car wax and upholstery shampoo)

While the program was originally designed to collect oil or antifreeze containers, these similar containers have found their way into the Interchange collection stream. Many of the additional container types are considered contamination in the current collection stream and by including more types in the Interchange program, the total amount captured will increase. The contamination cost of the non-program containers is approximately $300K per year.

As communicated in the 2022 consultation materials for the container expansion (Appendix B.2), Interchange expects very few resulting operational changes. This means that all automotive containers will fall under the existing funding, collection and incentive models, and Interchange's performance measures will remain the same. For reference, Appendix D includes an overview of a possible future state, prepared by Recycle BC..

4 Governance and Financing

Interchange's producer members, through networks of both company-owned and independently owned retail and wholesale facilities, bring lubricating oil, automotive antifreeze and filters into the province for sale or distribution. Retail facilities range from self-serve gas bars to mass merchandise marketers, quick lube shops, radiator shops, and automotive, farm, marine and commercial equipment dealers. Wholesale lubricating oil facilities comprise both branded bulk plants, and independently owned and brand owner warehouses.

4.1 Governance

A multi-sector Board of Directors manages Interchange, with representatives from the manufacturing, retail, local government and public sectors. The Chief Executive Officer reports to the Board and is responsible for operations management, financial management, communications, staff management and general administrative oversight. Interchange also works closely with other used oil management associations in Canada to harmonise operations and minimize costs.

A listing of all Board Members and their affiliations is provided on the Interchange website and reported in the Annual Report.

4.2 Bylaws

Interchange bylaws outline how the organization will operate. The bylaws are available on the Interchange website in the members' section.

4.3 Annual General Meeting and Annual Reporting

Interchange holds an Annual General Meeting (AGM) that is open to the public to attend. At the meeting, Interchange's producer members vote on items such as Director appointments, bylaw changes, and governance structure. The members also use the AGM to select an independent financial auditor for the next year.

An Annual Report is released to the members and the public at the AGM. The report outlines the financial and operational performance of Interchange over the last year and includes an Audited Financial Statement and an Independent Non-financial Information Review Report. The report is submitted to the Ministry of Environment for review against the requirements in the Recycling Regulation and approved EPR Plan.

4.4 Program Financing

Interchange collects Environmental Handling Charges (EHCs) from its producer members. Varying by product type, size and material recyclability, the EHCs are set by the Board of Directors and approved by the members. The fee may or may not be passed on to the consumer as a separate charge by the member or downstream seller.

5 Product Available for Collection

Interchange seeks to identify and use the best available information, gathered from producer members and by qualified external consultants, to estimate the amount of each type of material available to collect, often partnering with other used oil associations in Canada to ensure there is consistency at a national level.

The methodology used in calculating the product available for collection for each material type is detailed in the table below, and examples of the types of product uses that are considered consumed in use and repurposed are further described following the table.

Product (unit of measure)	Sold	Consumed in Use	Re-purposed	Available for Collection
Used Oil (Millions of Litres)	Reported litres	Average percentage of used oil consumed through normal usage across major categories of use as supported by the most recent third-party study	Estimated number of litres of used oil directed to uses outside of the Interchange program annually as supported by the most recent third-party study*	Reported litres sold less consumed in use less re-purposed
Filters (Units)	Reported units	n/a	n/a	Reported units
Automotive Containers (Millions of Kgs)	Reported litres of containers converted to kgs	n/a	n/a	Reported litres of containers converted to kgs
Used Antifreeze (Millions of Litres)	Reported litres	Average percentage of used antifreeze consumed through normal usage across major categories of use as supported by the most recent third-party study	Estimated number of litres or % of litres sold of used antifreeze directed to uses outside of the Interchange program annually as supported by the most recent third-party study**	Reported litres sold less consumed in use less re-purposed

* Based on the most recent study results, it is likely that the quantity of used oil re-purposed annually is more accurately estimated to be a constant quantity than a fixed percentage of the quantity sold each year.

** As of the date of this Plan submission, Interchange has not developed an accurate estimate of re-purposed antifreeze and has not deducted any quantities of used antifreeze in its available for collection estimates.

Lubricating Oil

- A portion of the lubricating oil supplied into BC is consumed in use and not available for collection. Interchange uses "Consumed in Use" studies as an input to inform/update its formula to estimate the volume of oil available for collection. An example of a lubricating oil use where there is a significant consumed in use factor is for automotive uses. Oil that is consumed is typically burned off during vehicle operation, lost in small leaks or drips, or lost in a vehicle accident or engine malfunction.
- Another factor impacting the used oil available for collection in BC is re-purposing by the owners. Interchange studies identify that volumes of used oil are directed by the owner of the material to purposes such as burner fuel, explosive manufacturing, cement/lime manufacturing and fish/pleasure boats. "Unaccounted Used Oil" studies are also completed periodically to update the available for collection estimates.
- Landfill audits and illegal dumping studies done by local governments demonstrate that there is very little, if any, used oil being disposed.

Antifreeze

- Antifreeze is sold in concentrated and diluted form. Interchange tracks the quantities of each form sold to calculate the volume sold and available for collection.
- Interchange has been operating an antifreeze program since 2011, and other provinces have since started programs. Although fewer reports and studies are available for user stage analysis of antifreeze than for oil, the product can be lost in use through leaks, vehicle accidents, engine malfunctions (e.g., hose breaks) and some re-purposing for other uses that are not part of the Interchange program. It can be assumed that most, if not all, of the antifreeze sold off the retail shelf is "top-up" antifreeze that is replacing antifreeze lost in use and not available for collection. Interchange has engaged with other provincial programs to continue to study the estimated "Unrecoverable Antifreeze" and is also conducting its own studies.
- Interchange is committed to continuing to conduct usage studies to further refine consumed in use estimates and to obtain information on the purposes and quantities of used antifreeze that are re-purposed with the goal of increasing capture rates for used antifreeze.
- Completing by fall 2025, Interchange is conducting a follow-up to its 2020/2021 BC-specific study of the estimated amount of antifreeze that is repurposed, consumed in use, or lost in service and therefore unrecoverable, and to delve deeper into any improperly disposed quantities which are bypassing the recovery stream. The information from this study will inform the measures used to determine Interchange's antifreeze collection performance, as detailed in Appendix A.

- As more information on where uncollected used antifreeze quantities are being directed becomes available, Interchange will continue to develop education and program initiatives to increase antifreeze capture rates. Landfill audits and illegal dumping studies done by local governments demonstrate that there is very little, if any, used antifreeze being disposed.
- As part of the communications and awareness strategy, Interchange will work to better educate the public on the environmental and economic benefits of returning their used antifreeze for recycling at no charge, to one of the program's many public collection facilities around the province.

Oil Filters

- It is assumed that all oil filters sold into the marketplace are available for collection. Small quantities of used filters may be lost as damaged in use or lost in vehicle accidents, but estimates of these quantities are not currently deducted from the Interchange estimates of oil filters available for collection.

Automotive Containers

- It is assumed that all automotive containers sold into the marketplace are available for collection. Interchange's varying fee approach will continue to reflect the complexity and cost to manage each product type.
- Many Interchange producer members are partners of the Canada Plastics Pact and, as such, have already committed to improving the recyclability of their plastic packaging. Interchange will continue to support its members in their ongoing efforts.

Interchange commits to the continuing completion of studies that inform the "available for collection" used in calculating its recovery rates for the various products the program includes. These studies are posted in the Resources & Reports section of the Interchange website. Interchange commits to maintaining or improving the baseline capture rates as presented in Appendix A to this Plan.

The table below indicates the planned update cycle for these key studies. Where appropriate, due to the particular nature of the material or its sales or usage in BC, studies will be conducted provincially; otherwise studies will be conducted nationally or internationally in conjunction with other used oil management organizations.

Product	Consumed in Use Study Update Frequency	Re-purposed Update Frequency	Unit/weight Conversion Factors Update Frequency
Used Oil	5 years	5 years	n/a
Used Antifreeze	5 years	5 years	n/a
Filters	n/a	n/a	5 years
Automotive Containers	n/a	n/a	5 years

6 Collection

Of all the oil and antifreeze collected in BC, most (approximately 95%) is collected from commercial facilities such as service stations, lube shops and large commercial operations (e.g., mining, forestry and agriculture). These commercial facilities are typically serviced by a Interchange Registered Collector that has a service agreement with the facility. Approximately 5% of the oil and antifreeze collected in BC comes from consumers that change their own oil/antifreeze or small commercial operators that choose to use the Registered Return Collection Facilities (RCFs) offered for free consumer drop-offs, which are also serviced by Interchange's Registered Collectors.

6.1 Commercial Collection (~95%)

The commercial collection system includes roughly 4,000 generators around the province. This system provides the cleanest material and leads to the best environmental outcome for that material. In a commercial setting, oil and antifreeze recovered from a personal or commercial vehicle can be stored and kept clean and free of contaminants, such as water, gasoline and solids. Oil/antifreeze that is kept clean is more likely to be processed and re-refined as new lubricating oil or antifreeze.

Commercial facilities choose the Registered Collector with which they want to enter into a service agreement. These agreements often outline the collection frequency, collection requirements and any payments or charges. These agreements are between the facility and the collector and do not involve Interchange, although Interchange does provide financial incentives to collectors and processors based on collection volumes and locations. The collectors have supply arrangements with processors that manage used oil, antifreeze, filters and containers.

Some small commercial operations choose to use the consumer recycling system and transport their used oil, antifreeze, filters and containers to a Registered RCF. Access to a RCF is therefore significantly less important for commercial collection than for consumer collection. While Interchange does not put volume restrictions on drop-offs, the recycling facilities typically do. If a large volume will be dropped off, it is recommended that the RCF be contacted in advance to ensure they have the capacity to accept it.

Given that the vast majority of Interchange products are collected through the commercial system, the product capture rate (see section 7.3) is considered the measure that best reflects Interchange's performance in this stream.

6.2 Consumer Do-it-Yourself (DIY) Collection (~5%)

For DIY consumers who choose to change their own oil or antifreeze, Interchange has a province-wide network of approximately 300 registered recycling centers that provide consumers with free access for recycling. These RCFs are conveniently located at facilities that accept a variety of stewardship program products such as privately operated multi-material depots (bottle depots), local government operated recycling and landfill sites, eco depots, and retail and industrial sites.

In addition, there are over 1,000 professional lube shops located across BC where consumers can take their vehicle to have their oil, oil filter and antifreeze changed. These facilities are located to coincide with the demand. Materials collected at professional lube shops are taken directly from the vehicle and placed in storage infrastructure. These materials are picked up by a Registered Collector on a frequent basis and are less contaminated, making them more suitable for re-refining.

Given the low product volumes represented by consumer collection, accessibility to recycling is considered the measure that best reflects Interchange's performance in the consumer/DIY stream. Interchange has completed multiple studies to analyze the collection network, measure accessibility, and customize an accessibility approach that supports the user types. The past work done by Interchange to understand and develop a return network to service its specific user needs is unmatched by any program in Canada. Interchange's customized accessibility approach will be applied, providing an enhanced and aspirational level of service across BC.

In its Annual Report, Interchange will report accessibility performance, addressing any service gaps (e.g., remote areas) as determined appropriate.

6.2.1 Interchange Recycling Centers

In recent years, Interchange made significant changes to its consumer collection program to improve the consumer experience and environmental performance at the facilities. Interchange invested in new infrastructure such as modified sea containers with spill containment, collection tanks and consumer friendly signage and has developed standardized training for facility operators. Interchange also increased the Return Incentive (RI) rate provided to facilities for the litres of consumer oil/antifreeze collected.

Interchange offers Infrastructure Grants to registered local governments, private businesses, non-profit organizations and other sectors that require additional infrastructure for their public RCFs.

Interchange also intends to work with the residential curbside collection system in BC to ensure that the expected few automotive containers discarded by consumers at residential premises into the curbside system are collected and managed. It is preferred that consumers bring automotive containers to Interchange recycling centers as containers discarded in curbside systems may cause contamination and other environmental issues.

A current list of RCFs by municipality is provided in each Annual Report and the search tool on the Interchange website.

6.2.2 Additional Consumer Collection Approaches

Interchange offers mobile (to the household) collection services in specific areas where a permanent consumer collection site may be in transition or under development. Mobile collection options are communicated through the RCF search tool for specific communities, and individual collections are scheduled through Interchange's booking system.

Interchange also provides financial support for community collection events operated by Regional Districts, municipalities, and community groups. The events are often multi-material events that are supported by other stewardship programs and provide residents with an opportunity to recycle several products at the same location. Organizations are invited to apply for the Interchange Round Up Event Grant, offered with the goal to help increase the number of free collection events available to residents across BC.

These events are geared to communities that are interested in having an event in place of a facility, or as a consumer awareness initiative in communities that already meet the service level. Interchange's support of collection events is supplemental or community-optional to meeting Interchange's accessibility standard.

In a partnership with the Indigenous Zero Waste Technical Advisory Group (IZWTAG), and in addition to establishing permanent collection infrastructure in Indigenous communities, Interchange also supports one-off collection of Interchange materials in Indigenous communities. IZWTAG takes the lead in determining the appropriate approach and frequency for servicing these communities, and Interchange provides logistical and financial support to ensure the safe and timely collection of their program materials.

Each Interchange Annual Report will include a reporting of the community collection events supported by grants and will also describe the frequency and use of other collection methods used as alternatives to a physical location (e.g., mobile collections) in providing collection services to consumers.

6.2.3 Accessible Consumer Collection Calculation

The Interchange methodology for determining the percentage of the BC population adequately served by an Interchange accessibility standard is determined as follows:

1. All of the British Columbia population is assigned to a Census Subdivision (CSD) according to Statistics Canada (SC) definitions and data.
2. Interchange groups the CSD definitions into the following community types:
    a. City – as defined by SC
    b. Town – as defined by SC
    c. Village – as defined by SC
    d. Other – all other CSDs as defined by SC

3. City and Town are subdivided by Interchange into High Industrial and Low Industrial based on population and Industrial activity from select used material-producing sectors in the community (see table below).
4. The service standard is assessed for each community (see table below).
5. Collection facility locations are entered/maintained in the model on an ongoing basis.
6. The % of the BC Population that is adequately served by the RCF collection network is calculated by adding up the population total from the communities meeting the standard.

Community Type	Population Characteristics	Business Establishment Characteristics	Interchange Service Level for current Plan (see Notes)
City, High Industrial	> 5,000	> 20 per 10,000	One facility per 100,000 people
City, Low Industrial	> 5,000	20 or less per 10,000	One facility per 200,000 people or one facility within a 15-minute drive if the population is <200,000
Town, High Industrial	2,501 - 5,000	> 50 in total	Minimum one facility
Town, Low Industrial	2,501 - 5,000	50 or less in total	Minimum one facility or one facility within a 15-minute drive or collection event
Village	1,000 - 2,500	N/A	Minimum one facility or one facility within a 30-minute drive or collection event
Other	< 1,000	N/A	Minimum one facility or one facility within a 30-minute drive or collection event

Notes:

- When a facility is not within a 30-minute drive, communities with fewer than 1,000 residents will have the option of one collection event per year.
- Interchange will initiate, at a minimum, annual outreach to communities that have previously participated in collection events.

Key inputs to the Interchange model are updated as indicated below.

Input	Source	Update Frequency
BC Population Estimates	Statistics Canada, updated annually based on BC Stats data until new Census data becomes available	Updated annually based on BC Stats estimates until new Census data becomes available
Census Subdivisions	Statistics Canada	Updated when new Census data becomes available

Input	Source	Update Frequency
Community Types	Statistics Canada	Updated when new Census data becomes available
Google average drive times	Google	Reviewed and updated annually

7 Transportation and Processing

7.1 Incentive System for Province-wide Collection Coverage

Interchange has designated multiple collection zones across BC. Used oil, oil filters, antifreeze and automotive containers are regularly picked up from roughly 4,000 generators and consumer Return Collection Facilities by Registered Collectors. Collectors are required to ship the collected materials to an Interchange Registered Processor for an approved end use. Any approved end use must be environmentally sound and be in compliance with environmental requirements.

A map of the provincial zones and additional collection information is available on the Interchange website.

7.2 Registered Collectors and Processors

Interchange registers the collectors and processors before they are eligible to participate in the program. Under the Hazardous Waste Regulation, used oil, automotive antifreeze and oil filters are considered hazardous wastes. Containers also often contain a certain amount of new oil or antifreeze, and measures are required to ensure that proper equipment and vehicles are used for their transport. As a result, it is important that any collectors and processors handling used oil and antifreeze materials are doing so in compliance with the required environmental standards.

Interchange requires that, as a condition of registration and every two years thereafter, each collector and processor engage an independent third-party qualified professional to conduct an environmental audit of their operations and state in a Letter of Regulatory Compliance that the operation is in substantial compliance with all applicable provincial and federal environmental legislation and regulations. In addition, the collector and processor must submit a copy of a current Business Licence. If either of these two conditions is not met, Interchange registration will not occur.

7.3 Product Collection (Capture Rate Measurement)

As Interchange is a mature program, collection is projected to remain stable, consistent, and notably higher than the 75% identified in the Recycling Regulation. For reporting purposes, Interchange calculates product recovery as follows:

Product Sold – Consumed in Use – Re-purposed = Available for Collection

Collected / Available for Collection = Capture Rate

Interchange will demonstrate continuous improvement by further improving the precision of the measurements used in its methodology to determine the products unavailable for collection, and by continuing to investigate where uncollected material may be re-purposed by the user or disposed.

The total sales of each product, the products available for collection, and the product capture rates against provincial targets will be reported in Interchange's Annual Report. The oil, antifreeze, filters and automotive containers collected in a calendar year by Regional District/by collection stream will also be reported.

7.4 Product Management

In its Annual Report, Interchange commits to reporting on how collected products were managed in accordance with the Pollution Prevention Hierarchy (PPH). In annual reporting, end-of-life management will be reported on in accordance with these industry definitions:

Recycling: Any operation by which end-of-life products or materials are reprocessed into new products, materials, or substances (solids, liquids, or gases), whether for original or other purposes, to replace virgin equivalents of that material. This excludes the use of these materials as a fuel substitute or for energy production.

Energy Recovery: Any operation which converts end-of-life products or materials into useable energy in the form of heat, electricity, or fuel but causes them to lose their functionality as a replacement for virgin equivalents of that material. This would include landfill gas capture systems but only for the proportion of inbound material that is biogenic.

Interchange will ensure that its Annual Reports use definitions consistent with the PPH language set in the Regulation as applied and described specifically for the products in the EPR Plan.

An estimated 69% of used oil is turned back into new lubricating oil with the remaining 32% sold in the marketplace as a raw material commodity. All collected antifreeze is turned back into new antifreeze products. An estimated 98% of filters are recycled into metal products and 2% are used for energy recovery. All containers collected are processed and sold as raw material commodities.

The following global usage statistics were presented to the 2022 National Used Oil Material and Antifreeze Advisory Council Strategic Planning Session for the 2021 fiscal year (or most recent available).

Jurisdiction	Estimated % Used Oil Re-refining Uses*
World	34%
Europe	45%
United States	37%
Canada	33%
British Columbia	***69%***

* as reported by Kline & Company Inc.

Of Canada's UOMA members, only BC reports the end fate of used oil in its annual reports.

There are only 5 operating re-refineries in Canada, the one in North Vancouver being the third largest and generally operating at or near capacity.

7.5 Landfill Audits

Interchange participates in landfill waste audits with local governments and the Stewardship Agencies of BC (SABC) on an annual or semi-annual basis depending on local government scheduling. Interchange will continue to work with local governments on future audits and commits to reporting on audit findings that are relevant to Interchange's program materials.

8 Paying the Cost of Collection and Management

For all products including the additional automotive containers, Interchange pays the cost of collection and management by providing incentives to the marketplace to drive the desired outcomes. The registered participants own and have the ability to market the material, thereby being in control of their financial outcomes. They can enter and exit the program with minimal notice based on their own evaluation of the economics, logistics, and other factors resulting from their participation in the program.

This incentive system rewards facilities that collect more material. The system differs significantly from the payment systems used by some stewardship programs that set fixed rates for program service providers and retain ownership of the material, thereby pre-determining or limiting a program participant's financial outcome.

Interchange provides a RI to Registered Processors and Collectors based on the material type and the zones in the province (see section 7.1) where they get picked up. As noted in this section's introduction, the processors own the material they collect or receive from collectors and market this material for their own benefit. The variable RIs support economic and efficient collection of program materials across all of BC by offsetting the costs of collecting and processing materials at Registered Processing Facilities.

The incentives provided by Interchange are actively managed and reviewed by the association to ensure the desired outcomes are being achieved. Interchange is committed to ensuring that financial incentives are adjusted as required to meet the Plan's accessibility and recovery targets, through fluctuations in the market values of the materials which are collected and managed and the costs of collection and management.

Most residents and businesses have their vehicles serviced commercially (e.g., service station, lube shop) and negotiate service terms with the commercial operation. About 95% of program material is collected at commercial facilities.

Additional Consumer Return Collection Facility Incentives

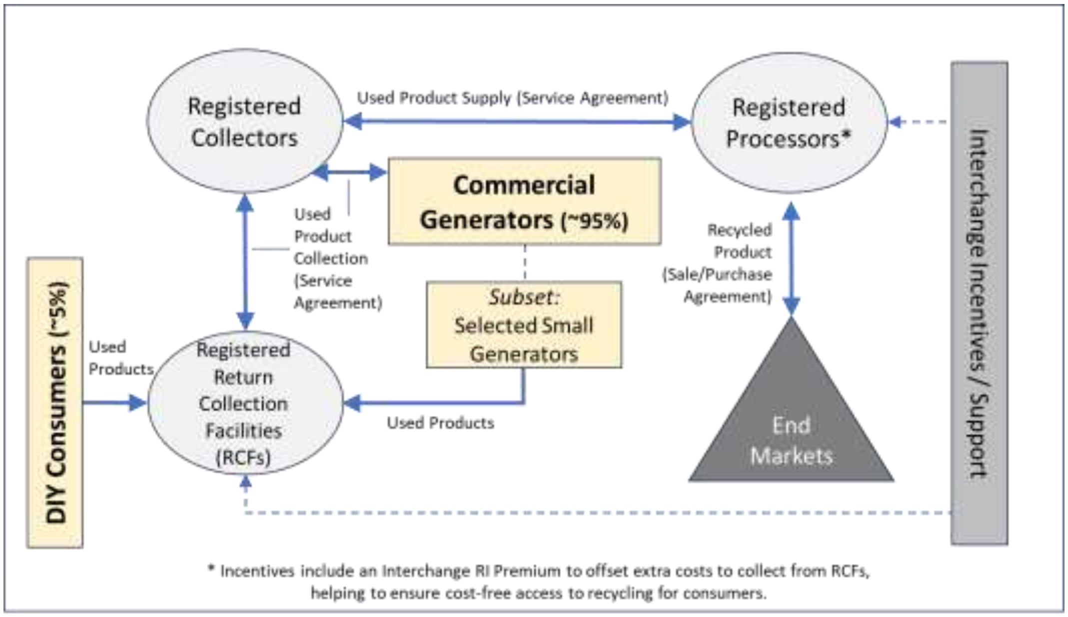
For consumers that choose to service their own vehicles, the used oil and antifreeze can be returned at a Registered RCF at no cost to the consumer. About 5% of program material is collected annually from consumers by these RCFs. To ensure that sufficient no-cost drop off options are available for these consumers, Interchange provides the additional financial incentives described below.

RCFs receive a direct financial incentive from Interchange based on the volumes of oil and antifreeze collected from consumers; this incentive supports the management of all program materials and RCFs are required to receive all program materials. The incentive is paid on oil and antifreeze as their volumes are easily measured at the generation site, while measurement of the weights of filters and automotive containers at the collection site is more challenging. Interchange has and will continue to regularly review the practicality of paying directly on each product type, but the complexity and inaccuracy of doing so has so far outweighed any possible benefits and the collector market, almost exclusively, offers "all product" collection services to RCFs to effectively attract and retain customers.

Interchange also pays a RI Premium on oil and antifreeze volumes collected at RCFs to Registered Collectors to reflect the additional costs of servicing RCFs and ensure there are sufficient no-cost drop off locations for consumers. In order to receive this incentive, collectors must collect all program materials at an RCF and not charge any additional collection fees to RCFs for the pick-ups.

Interchange also supplements the commercial arrangement with RCFs by providing infrastructure grants and marketing support such as signage to these facilities. RCFs can be retailers, depots, local governments or other business that choose to enter into an agreement with Interchange and to separately enter into a service agreement with an Interchange Registered Collector.

The following diagram illustrates Interchange's open market approach, which allows the program's key participants to determine their financial outcomes. The model reflects the approach for all products, including the additional automotive containers.



Local governments can choose to register as a RCF with Interchange and follow the same rules and procedures as private facilities.

The four cost/revenue components included in the Interchange Program Financial Framework are noted below along with the cost elements specifically considered and the financial incentives provided to ensure that program accessibility and recovery objectives are met.

Cost/ Revenue Component	Cost/ Revenue Elements Considered	Incentives Provided by Interchange for	
		Commercial Collection	RCF Consumer Collection
Generator Site Costs	Labour Space Equipment Materials Other	No incentive provided by Interchange – these costs are considered to be a cost of business for all commercial operators who derive used oil products as a by-product of their normal business operations	A per litre ***RCF incentive*** is provided by Interchange directly to the RCF operator to offset site operating costs in return for receiving used oil products at no cost to consumers ***Infrastructure grants*** available to RCF operators to support improved facility standards for RCF operators and collectors

Cost/ Revenue Component	Cost/ Revenue Elements Considered	Incentives Provided by Interchange for	
		Commercial Collection	RCF Consumer Collection
			and to allow RCFs to store products safely and in economic quantities
Market Value of Collected Materials	Positive or negative market value of the collected materials	No incentive provided by Interchange – these costs are considered to be a cost / revenue source for all commercial business operators who derive used oil products as a by-product of their normal business operations	A per litre ***Return Incentive Premium*** is paid to processors for collecting used oil products at RCF locations with a guarantee of not assessing additional pick-up charges to RCF operators RCF operators may benefit from revenue opportunities, where negotiated with collectors and/or processors
Transportation and Management	Fuel Labour Insurance Equipment Overhead costs Market price (cost) Other	A graduated ***Return Incentive*** based on defined collection zones and product type is paid to registered processors to offset the costs of transporting and managing products from the generation point to the processing facility	A graduated ***Return Incentive*** based on defined collection zones and product type is paid to registered processors to offset the costs of transporting and managing products from the generation point to the processing facility
Processing Costs / Revenue	Processing Costs	Graduated ***Return Incentives*** paid to registered processors also, when considered with the net revenues and/or costs of processing these materials, cover the costs of processing materials to Interchange approved processing standards	A per litre ***Return Incentive Premium*** is paid to processors for collecting used oil products at RCF locations with no additional pick-up charges to RCF operators RCF operators may benefit from revenue opportunities, where negotiated with collectors and/or processors

8.1 Inputs to the Financial Framework

To inform the Financial Framework under which the Interchange program operates (see 8 above), in 2019 Interchange joined the Canadian Electrical Stewardship Association (CESA)-led project along with Call2Recycle, the Outdoor Power Equipment Institute of Canada (OPEIC), and the Canadian Wireless Telecommunications Association (CWTA) that invited depot operators to present information about the costs associated with collecting and handling the respective materials at their facilities. This effort culminated in a report dated August 30, 2019 with the following results:

- 221 depots were invited to provide information for this project in the form of a survey response and where applicable a follow-up interview. An average of 2.95 contacts per depot were made to initiate engagement in the project. 5 completed and 27 partially completed surveys were received.
- The overall report and the associated time and motion study concluded that due to low voluntary participation by the depots, the sample size was inadequate to be considered statistically valid and the costing information received was insufficient to form a basis for estimating the actual and specific costs of managing Interchange related materials at depots. However, the study did provide a general conceptual activity-based costing model that was used to inform and validate the Interchange program Financial Framework.

In 2020, Interchange initiated a review of the RI program that provides incentives to registered program participants. The study was led by MNP and included surveys and interviews of registrants, and an analysis of the RI setting methodology. The results of the study were incorporated into the Financial Framework above. MNP provided three specific recommendations to which Interchange has responded.

Recommended Option	Interchange Action
Provide a fuel incentive on top of the existing RI to address the added cost of collecting in remote areas	Effective January 1, 2022, the Interchange zone model was realigned from 11 to 9 zones, which included the zones noted by MNP as requiring realignment, and RI rates were raised in rural zones across the province
Adjust the RI rate in reflection of market conditions for oil	The market price for oil rebounded from the historic lows occurring during the study period and have remained above the pre-study rates
Combine RI zones 3 and 5	Effective January 1, 2022, the Interchange zone model was realigned from 11 to 9 zones, which included the zones noted by MNP as requiring realignment

To inform future RI adjustments, Interchange initiated a Sustainability Review of program participants in 2023 to determine more accurately the costs of collection and processing across all product streams and to help delineate any cross-subsidization between products, recognizing that some products inherently have a positive market value and others have a negative market value.

By January 1, 2026 Interchange will submit the results of its next cost study to the Ministry. This study will gather relevant and up-to-date information from its Registered Collectors and Processors about their operating costs, and develop a clear and transparent methodology for the RI Premium that demonstrates the program adequately covers the costs of collecting and managing products covered by the Plan, as required by the Regulation, Section 5(1)(c)(i).

Interchange will continue to work with commercial generators and Registered Collectors and Processors to ensure the factors that dictate the cost of service are well understood by all parties so that efficient and timely collection is provided to all Registered Collectors, and that Processors receive high quality materials. Setting of standards for quality, contamination, minimum volumes and methods and location of stored materials will ensure that commercial operators can better manage their commercial agreements with collectors and processors.

Interchange began consultation on a pick-up standards framework aimed to complete by the end of 2023, with a target implementation of mid 2024.

8.2 Dispute Resolution

Interchange requires collectors, processors and collection facilities to register, accept terms and conditions, and follow the requirements to receive payment in the form of a financial incentive from Interchange. Interchange's requirements including manuals, registration forms and applications are posted on its website.

If there is a dispute between Interchange and a service provider or other stakeholder, the individual consumer or company can take the following actions:

1. Bring the dispute to the Chief Executive Officer;
2. If the matter is not resolved at the previous level, service providers can use normal commercial legal procedures such as BC's *Arbitration Act*.

Interchange's incentive system supports the competitive commercial market. Interchange has had very few disputes, if any, that would require a more complex dispute resolution system to produce a successful result. More complex processes are likely needed in systems where the financial outcomes of participants are pre-determined which, as highlighted earlier, is not the case with Interchange.

9 Program Marketing and Consumer Awareness

Interchange uses several different channels to ensure timely and relevant program information is always available to the public. Communications tactics include:

- Program website with RCF locator tool
- Social media accounts (Facebook, Instagram, Twitter, YouTube)
- Traditional media campaigns (TV and radio)
- Out of Home media campaigns (bus ads, billboards)
- Digital advertising including Google search
- Media releases and interviews
- Community event ambassadors

Additionally, Interchange works closely with several organizations to increase awareness and encourage positive recycling behaviours. These collaborations include:

- Provincial programs (UOMA) – Interchange is a member of the National Used Oil Material and Antifreeze Advisory Council (NUOMAAC) which coordinates the Canada-wide used oil and antifreeze materials recycling effort and encourages national standards.
- IZWTAG – Interchange was the first Associate Member this non-profit society dedicated to supporting zero waste systems in all First Nation communities in BC.
- SABC – this alliance of industry product stewardship organizations works with government, service providers and other stakeholders to ensure BC's extended producer responsibility model is successful and cost effective.
- RCBC – Interchange participates with other stewardship programs to fund RCBC's public hotline and Recyclepedia database

9.1 Consumer Awareness

Interchange prioritizes consumer awareness for those changing their own oil or antifreeze, requiring drop-offs at consumer RCFs. General consumer awareness is less critical due to high recovery rates and commercial facility contributions.

Surveys indicate most vehicle-owning British Columbians use licensed facilities within Interchange's commercial network for oil changes. Therefore, public awareness targets have been adjusted accordingly, with separate reporting for RCF user awareness.

To target RCF users, Interchange leverages social media analytics, industry and public surveys, and trade media advertising in sectors like logging, farming, and transportation. Additional outreach includes automotive events and support for Community Collection Events through municipal and Regional District grants.

Interchange participates in the biennial SABC consumer awareness survey and conducts its own annual survey to assess program awareness and information accessibility. Independent third-party providers ensure comprehensive demographic coverage across the province.

Ensuring easy access to program information remains a priority. Interchange will report on these three awareness targets in our Annual Report, aiming for continuous improvement throughout the EPR Plan.

10 Performance Measures, Targets and Reporting Commitments

The Performance Measures, Targets and Reporting Commitments for the term of the Plan can be found in APPENDIX A.

11 Consultations on Plan Implementation and Operation

The Consultation Processes, Attendance and Consultation Feedback for the term of the Plan can be found in APPENDIX B.

With respect to consulting on its ongoing operations, Interchange engages with its stakeholders in a variety of ways.

- Providing the opportunity bring forward questions or concerns to Interchange at any time by direct telephone, email or fax based on information published on the contact page of the Interchange website.
- Participating in external groups including: the IZWTAG initiative; SABC, which works with government, service providers and other stakeholders; RCBC, to ensure consumer access to Interchange information through its Hotline and Recyclepedia tool; and the National Used Oil Material and Antifreeze Advisory Council (NUOMAAC) for broader stakeholder perspectives.
- Annually surveying the public for feedback on Interchange program awareness.
- Attending community events throughout the province which enables one on one dialogue with the public.
- Regular partnership meetings with key service providers to assist in keeping current on any issues or developing threats to the operation of the program.
- Regular communication to Interchange members to provide key updates/messaging.
- As needed, targeted stakeholder consultations/surveys on specific program matters (e.g., potential program or process changes).
- Dialogue between Interchange member organizations and the director who represents the member on the board, allowing any member concerns to be conveyed to the board and staff.
- Staff attendance at key conferences which enables face to face dialogue with other stakeholders to discuss any specific issues.

APPENDIX A: Performance Measures, Targets and Reporting Commitments

Term: November 2024 – November 2029

Interchange commits to the following targets and reporting:

<table>
<tr><th colspan="4">Metric / Target</th><th>Reporting Commitment</th><th>Subject to 3rd Party Review</th></tr>
<tr><td colspan="6">I. ACCESSIBILITY</td></tr>
<tr><td colspan="4">Interchange's accessibility standard for adequate service:</td><td rowspan="9">Percentage of BC population with adequate service
Target = 95%

Reported in Annual Report (against target)</td><td rowspan="9">Yes</td></tr>
<tr><td>Community Type</td><td>Population Characteristics</td><td>Business Establishment Characteristics</td><td>Interchange Service Level for current Plan (see Notes)</td></tr>
<tr><td>City, High Industrial</td><td>> 5,000</td><td>> 20 per 10,000</td><td>One facility per 100,000 people</td></tr>
<tr><td>City, Low Industrial</td><td>> 5,000</td><td>20 or less per 10,000</td><td>One facility per 200,000 people or one facility within a 15-minute drive if the population is < 200,000</td></tr>
<tr><td>Town, High Industrial</td><td>2,501 - 5,000</td><td>> 50 in total</td><td>Minimum one facility</td></tr>
<tr><td>Town, Low Industrial</td><td>2,501 - 5,000</td><td>50 or less in total</td><td>Minimum one facility or one facility within a 15-minute drive or collection event</td></tr>
<tr><td>Village</td><td>1,000 - 2,500</td><td>N/A</td><td>Minimum one facility or one facility within a 30-minute drive or collection event</td></tr>
<tr><td>Other</td><td>< 1,000</td><td>N/A</td><td>Minimum one facility or one facility within a 30-minute drive or collection event</td></tr>
<tr><td colspan="4">Notes:
• When a facility is not within a 30-minute drive, communities with fewer than 1,000 residents will have the option of one collection event per year.
• Interchange will initiate, at a minimum, annual outreach to communities that have previously participated in collection events.</td></tr>
<tr><td colspan="4">Number/locations of Return Collection Facilities (RCFs) with the types of products and volumes accepted at each advertised RCF, and their minimum business hours.</td><td>Reported in Annual Report</td><td>Yes</td></tr>
<tr><td colspan="4">Frequency and description of the use of alternative collection methods rather than a physical location (e.g., mobile collections, collection events) in providing collection services to consumer.</td><td>Reported in Annual Report</td><td>No</td></tr>
</table>

Metric / Target	Reporting Commitment	Subject to 3rd Party Review
Dates, locations and results of collection events.	Reported in Annual Report	No

II. SALES, COLLECTION & CAPTURE RATES

The Capture Rates below are based on Interchange's 3-year rolling average performance for each material type (2021, 2022 and 2023 for the current term).

(volumes are rounded)

Product	Sold	Consumed in Use	Re-purposed	Available for Collection	Collected[6]	Capture Rate	Reporting Commitment	Subject to 3rd Party Review
a) Used Oil (Millions of Litres)	86.6	25.4[1]	16.2[2]	45.1	49.0	**109.1%**	Reported in Annual Report (Target is year over year improvement from a mature baseline)	Yes
b) Filters (Units)	6.5	n/a	n/a	6.5	6.1[5]	**93.9%**		
c) Containers (Million Kgs)	1.9	n/a	n/a	1.9	1.7	**93.5%**		
d) Used Antifreeze (Millions of Litres)	12.5	7.2[3]	n/a[4]	5.3	2.4	**45.7%**		

[1] Average percentage of used oil consumed through normal usage across major categories of use as supported by the most recent study – 29.3%

[2] Estimated number of litres of used oil directed to uses outside of the Interchange program annually as supported by the most recent study – 16.2 million litres (next study is scheduled for 2024/2025)

[3] Average percentage of used antifreeze consumed through normal usage across major categories of use as supported by the most recent study – (2023: 45.28% (as adjusted) / 2022 & 2021: 62.1%)

[4] Re-purposed antifreeze has not been estimated at this time but is anticipated (a further and more in-depth investigation is needed when the next unaccounted antifreeze study is completed in 2024/2025)

[5] Weight of filters collected is converted to units collected based on a conversion factor calculated in the latest filter conversion study – 2 filters per kg collected (next study scheduled for 2024/2025)

[6] Collected quantities and volumes include reallocations between product categories to more accurately reflect the collection of co-mingled materials, like antifreeze included in collected oil volumes. Reallocations will be based on estimates from product studies. There are no current reallocations that are being used in Interchange recovery statistics, but Interchange will be further investigating a national study which suggested quantities of

Metric / Target	Reporting Commitment	Subject to 3rd Party Review
antifreeze are recovered and processed as part of the oil collection stream in all provinces, and should be reallocated between material types. Other reallocations may be identified as necessary and will be supported by estimates from future studies.		
By Regional District – Total litres of oil and antifreeze, total filter units, and total kg of containers collected in a calendar year for both the commercial and consumer collection streams.	Reported in Annual Report	Yes
Provincially – Total litres of oil and antifreeze, total filter units, and total kg of containers collected in a calendar year for both the commercial and consumer collection streams compared to the previous year.	Reported in Annual Report	Yes
III. CONSUMER AWARENESS & EDUCATION		
Program Use – *General Public:* Have you used the program through a mechanic, lube shop or other facility to recycle your used motor oil and antifreeze in British Columbia? TARGET: 85%	Reported in Annual Report (against target)	Yes
Program Awareness – *RCF Users:* Are you aware there is a program that recycles used motor oil and antifreeze in British Columbia? TARGET: 68%	Reported in Annual Report (against target)	Yes
Information Source – *General Public:* If you needed to find information about how to recycle used motor oil and antifreeze, do you know where to go to find that information? TARGET: 65%	Reported in Annual Report (against target)	Yes
Description of educational materials and educational strategies used.	Reported in Annual Report	No
IV. PRODUCT MANAGEMENT		
Description of how the collected product was managed in accordance with the Pollution Prevention Hierarchy (PPH) compared to the previous year.	Reported in Annual Report	Yes
Efforts taken to reduce environmental impacts, to increase reusability and recyclability.	Reported in Annual Report	No
V. AUDITS		
Independently Audited Financial Statements.		Yes

Metric / Target	Reporting Commitment	Subject to 3rd Party Review
Independent Non-financial Information Review Report.	Included with Annual Report	
Results of landfill audit findings where relevant for Interchange products.	Reported in Annual Report (as audits occur)	No

APPENDIX B: Consultation Processes, Feedback and Attendees

Term: November 2024 to November 2029

Introduction

In 2022, Interchange held two separate consultation initiatives that contribute to the content of the February 2023 EPR Plan submission. Details of these separate consultations are presented in this appendix in the following sections:

B1. Consultations on Comprehensive EPR Plan

Consultation Process

An overview of the 2022 EPR Plan Consultation Process was posted on the Interchange website on September 7, 2022 for all stakeholders to review. https://bcusedoil.com/2022-epr-plan-consultation/

Public Consultation Period: September 7 to November 1, 2022

Interchange offered the following consultation opportunities over the period.

Virtual Consultation Sessions:
1: Wednesday, September 28, 2022
2: Tuesday, October 4, 2022
3: Tuesday, October 18, 2022 for BCPSC members

In-Person Consultation Sessions:
1: Thursday, September 22, 2022 for attendees at the Southern Interior Waste Managers Association (SIWMA) Conference in Salmon Arm, BC (for registered conference attendees only)
2: Wednesday, October 26, 2022 at the Coast Waste Management Association (CWMA) Conference in Victoria, BC

Other ways to provide feedback:

- Via Online Survey – LINK
- Via Online Forum on bcusedoil.com – LINK
- Via email to dlawes@bcusedoil.com

Consultation Feedback and Interchange Responses

The table beginning on the next page summarizes the EPR Plan feedback received through all components of the consultation process together with Interchange's responses, where applicable. While the content focuses on suggestions for change, Interchange was also commended in several areas including being a global leader in EPR programs, making improvements to its existing system (collection sites, compensation), including a member at large and a municipal representative on its Board, working with First Nation communities to improve collection infrastructure, offering infrastructure grants, and developing its own accessibility standard that is an improvement on the SABC model.

Note that some lengthy written comments received by Interchange have been condensed without the intent of distorting the original messaging. For transparency, the full text of all written responses is included in section B3 of this appendix followed by a listing of all consultation session participants.

Any comments made through the online survey are also included in the table. With seven survey responses received, the results were that 86% of respondents confirmed their support of the draft Plan. The one respondent that did not support the Plan provided no explanation for their opinion.

Themes in the consultation feedback include:

- Expanding representation on the Interchange Board
- Tying EHCs to material recyclability to drive change
- Gathering more data on the "bad behaviour" of consumers
- Getting a better understanding of unavailable products especially from re-purposing
- Increasing collection sites / accessibility
- Improving container labelling
- Encouraging material re-use and recyclability, eliminating burning
- Increasing participation in waste audits
- Recognizing the true costs of being a collector and compensating accordingly
- Increasing consumer awareness targets

Interchange acknowledges some comments that could not be addressed in this consultation process as they would require input from and the support of external entities or they are of an operational nature. A summary of these Other Comments is included below the table, broken down by:

- Decisions that would fall under the Ministry's authority
- Recommendations requiring collaboration with other agencies
- Operational matters for separate consideration

Consultation Feedback

Comments (by Plan Topic)	Comment Source(s) # Local Government	Comment Source(s) # Service Provider/Other	Interchange Responses / Actions
Legal Requirements (Products Covered) Comments below are from 2 unique Local Governments			
1. Regarding previous discussions on including additional containers in the program, is there anything in the new Plan to follow up on that?	**1** *Cariboo Regional District*		Interchange has amended this Plan to add automotive containers in response to the Ministry's suggestion.
2. We recommend Interchange clarify that it handles the residual material left in accepted containers, in addition to the residual oil.	**1** *District of Squamish*		Confirmed. The products covered are outlined in Section 5 of the Plan and oil left in containers is collected, managed and included in the performance reporting for used oil.
Governance & Financing (Board, EHCs) Comments below are from 2 unique Local Governments, 3 unique Service Providers/Other			
1. Interchange is commended for a member at large and a municipal representative on its Board. In addition to this, the Board would ideally represent a wider range of stakeholders including reuse and repair organizations, recyclers, other local governments, First Nations and environmental NGOs. (Alternately Interchange could form an advisory committee consisting of these types of members that would report to the Interchange Board.)	**2** (similar) *District of Squamish & Cariboo Reg District*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
2. Interchange should further develop variable EHCs based on certain criteria such as lifespan, use of refillables and reusable containers, use of easy to recycle materials (vs materials	**1**	**1**	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
wasted by being burned for energy), etc. to drive product design change as intended by the CCME. The program could incentivize reusable containers and then those that are actually recyclable, phasing out eco-boxes as well as PVC pouches and try to prevent biodegradable forms of packaging from being used with prohibitive fees. As the Desrosiers report notes, developing standardized containers with a focus on reuse is feasible.	*District of Squamish*	*Zero Waste BC*	
3. There is a troubling discrepancy between Interchange reporting and the DesRosiers findings regarding the recyclability of contaminated containers. Clearly, much of the Interchange packaging is not being recycled. In this case, EPR fees should be used to prohibitively price non-recyclable packaging, including “eco-boxes”. EPR fees should be used to incentivize Reuse containers.		**1** *Nanaimo Recycling Exchange*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
4. Interchange producers who are responsible for the oil filters that cannot be recycled, and must be incinerated, should be paying fees that are high enough that there is a real incentive for them to change their products.	**1** *Cariboo Regional District*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
5. The fees should also be set at a higher level to pay for the improvements needed in understanding collection rates, providing more comprehensive collection networks, enhancing awareness and fulfilling the mandate for redesign and reuse.		**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
6. Suggest there be a deposit on empty oil containers as they are messy to handle and take up a lot of space .		**1**	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
		Pender Island Recycling Society	
Product Available for Collection Comments below are from 4 unique Local Governments, 2 unique Service Providers/Other			
1. The program may wish to do user surveys to understand where and why materials may be uncollected. The 2018 BC survey noted that 39% of residents found recycling used lubricating oil, filters and containers very convenient and another 37% found it somewhat convenient. A target to raise this number as well as an annual survey to measure it would be useful. The survey also noted that up to 10% of respondents may throw program products in the garbage. When asked why these items may have been thrown in the garbage, 23% did not know the item was recyclable, 38% did not know where to take it and 17% said there was nowhere to take it or no way to get it there. This shows some key areas that this program plan should address.		**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
2. Looking at the recovery rates in the DIY sector vs. Commercial, it would be good to get more data on the bad behaviour of the general public (e.g., throwing away, pouring down the drain).	**1** *Metro Vancouver*		The challenge with the recovery rate on the DIY/consumer side is that we can measure the collection but not the sales. That's because we don't know for sure which side of the business (commercial/RCF) the oil purchased off the retailer's shelf will be collected from. We do know the consumer side is where we have more issues in terms of bad behaviour and

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
			we're working to educate the public better on what not to do.
3. The program could pursue disposal bans with local governments as a way to ensure consumers do the right thing but also that they are aware that throwing these products away is not appropriate. More research should be done on the portion of product that is not collected to understand who is not participating in the program and what marketing and behaviour change initiatives are needed.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
4. Lubricating Oil - the study on consumption in use is helpful and should be used to identify ways the program could minimize loss (such as leak detection and prevention). Used Oil - the program should also look at ways to minimize the other uses (repurposed oil) where the oil may be burned without proper environmental and health protections.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
5. 26% of used oil being re-purposed annually is a significant amount. Since fees are being collected on these liters that are not being captured, does Interchange have plans to gather further information on re-purposing and end-use of these liters and perhaps identify potential environmental concerns from improper re-purposing of used oil?	**1** *Cariboo Regional District*		Interchange Unaccounted Used Oil Study can be found on our website: https://interchangerecycling.com/app/uploads/2020/09/2018-Unaccounted-Used-Oil-Study.pdf
6. We appreciate that Interchange will conduct studies on what is "available for recycling" and feel that having third party oversight or verification of the process, definitions and standards used will enhance the trust in BC's EPR system.	**1** *District of Squamish*	**1** *Zero Waste BC*	We agree trust is important and are pleased to share that, based on survey results, Interchange has achieved a high level of public trust in its system (currently at ~85%).

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
7. How often are unavailable product studies done, and where can we find them? Also, if you're not sure about the unavailable volumes, is it appropriate to use the numbers you do?	**1** *Comox Valley Regional District*		Every 2 to 3 years. While some are conducted solely by Interchange, we often work with other used oil programs across Canada as our circumstances are similar. Reports from completed studies are posted on the Interchange website. https://interchangerecycling.com/participants/resources-reports/ We believe Interchange is using the best possible science based on available information.
8. Do you conduct consumed in use studies for antifreeze like you do for used oil?	**1** *Metro Vancouver*		Yes. While we're confident that the antifreeze not captured through our program is not being improperly managed, we recognize that we need to know more. Most of our past antifreeze studies have been conducted nationally but we are looking to do more BC-based studies so we can focus on what's happening here in the province.
9. What do you expect the impact of the increasing number of electric vehicles on the road to be on the Interchange program?		**1** *Nickel Bros*	We do think that in time we will have less oil coming from that stream, however we also expect the focus on older vehicles to shift and people will be working to keep them on the road for longer. That is something we will be monitoring closely.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
Collection (Commercial, Consumer/RCFs, Accessibility, Collection Events) Comments below are from 3 unique Local Governments, 3 unique Service Providers/Other			
1. If EHCs are collected for small container products (30L of used oil for example), that suggests the program is consumer funded. If that is so, then where do funds originate that Interchange provides to commercial collectors and processors “based on collection volumes and locations”?		**1** *Nanaimo Recycling Exchange*	An Environmental Handling Charge or EHC funds the recycling program. This fee is a charge paid by the first seller to help collect used oil, oil filters, oil, and antifreeze containers and used antifreeze from Interchange’s network of public collection facilities and generators around the province.
2. A survey of the collection network should be done to understand what areas could be improved from both a collector and customer perspective. This network is an asset and using the collective knowledge would be advantageous. Metrics on customer satisfaction and collector satisfaction should be added to the program with targets suitably high for such an established program. A secret shopper (or dropper) program should be implemented to understand the consumer experience and if the collection sites are welcoming of products. Research should also be done to understand what products are not accepted and how to minimize that (such as poorly labelled containers).	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
3. How do you react to dropping oil prices? Is there a way to make sure you react more quickly?	**1** *Metro Vancouver*		We are reluctant to be too reactionary to the market changes as we also need to focus on consistency. That said, the last major price drop led us to re-evaluate our public collection network and how we could create better

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
			resiliency and quality in those locations. As a result, we have invested in these facilities, providing infrastructure and support, to ensure they are more likely to stay in the program network.
4. Interchange has been doing well in improving its public collection sites and increasing the compensation. It has also been working with First Nation communities to improve its collection infrastructure. It is appreciated that Interchange has developed its own standard that is an improvement on the SABC one however, the target for coverage should be that 100% of the population has access to either a collection depot or a pick-up system to return the product and packaging (free of charge to the end user). Interchange's new standard should be developed in consultation with local governments, First Nations communities and the public, and meet the intent of the Recycling Regulation. Programs should provide service in all municipalities and if no service provider can be contracted, the program itself should set up the collection depot.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
5. Opening up more commercial and residential collection sites will help to reduce the demand on any individual site and make it easier for residents and businesses to find a convenient collection. Accessibility and equity should be a key factor in setting up new collection sites.	**1** *District of Squamish*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
6. Why doesn't Interchange work with the retailers who sell the product to create collection sites?		**1** *unknown-SWIMA*	Our focus is to seek out committed partners with high quality sites in effective locations including retailers, when appropriate.
7. Currently in the BC interior there is only one registered collector for Interchange. In the program plan there needs to be additional language on Interchange increasing the number and availability of collectors to build the capacity of the Interchange collection network.	**1** *Columbia Shuswap Regional District*		Interchange's Collection rate is high province-wide and absolute collection in the interior has remained stable. The program is designed so adjustments can be made to the incentive program should collection performance not meet our objectives
8. There are problems with the accuracy of the Google-based search tool when it comes to the RCF hours of operation.	**1** *Regional District of Bulkley-Nechako*		Interchange is aware that there have been issues and has stressed to the RCFs the importance of keeping their information updated to ensure its reliability.
9. When drawing the line between DIY and Commercial, where do the small repair shops fall in the data?		**1** *Product Care*	We see them falling in the middle. Sometimes they have their own relationship with a collector, but we also allow them to bring product to an RCF, as long as they follow the limits of their chosen RCF (maximum litres, etc.)
10. We encourage Interchange to share more broadly the Community Collection Event program, as this is not commonly known in many communities. The number and location of contracted sites by city and RD should be provided as well as a list of any municipalities that do not have a permanent depot.	**1** *District of Squamish*		Interchange is an active member of a working group of SABC and BCPSC members committed to sharing awareness of collection events and other program information. We also offer grants to help fund these events and offer promotional/advertising support as part of the grant program.

Comments (by Plan Topic)	Comment Source(s) # Local Government	Comment Source(s) # Service Provider/Other	Interchange Responses / Actions
11. Events should be used as marketing tools to raise awareness rather than counted as part of accessibility as people are unlikely to store the materials until an event (often irregularly and sporadically timed) may occur.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
12. The data on collected volume/units should be available to local governments, either by request or published in the annual report. As regional districts and municipalities are responsible for developing their own waste reduction and Zero Waste plans, this level of data is incredibly useful to identifying gaps.	**1** *District of Squamish*		This information is included with each annual report. The 2022 results are available at: https://interchangerecycling.com/wp-content/uploads/2024/01/BCUOMA-2022-Summary-of-Collection-Consumer-Returns.pdf
Transportation & Processing (Incentives, Collection Targets, Prod. Mgmt., Audits) Comments below are from 3 unique Local Govts., 2 unique Service Providers			
1. "The incentives provided by Interchange are actively managed and reviewed by the association to ensure the desired outcomes are being achieved." It doesn't seem that desired outcomes of Unaccounted For products are being achieved. It is 18.76M litres of lost product because the financial incentives for sending to a cement kiln have likely surpassed the financial incentives for actual recycling.		**1** *Nanaimo Recycling Exchange*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
2. Are there any changes planned for the incentive rates? Our location is struggling to receive service from our collector.	**1** *Thompson-Nicola Regional District*		The rates were increased last year and are reviewed regularly. If you are not getting adequate service, reach out to your service provider to work out a service schedule that meets your need. Service providers are currently facing scheduling challenges due to a shortage of drivers as well as supply chain

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
			issues that delay the delivery of new trucks/parts. If you are unable to reach an agreement with your service providers on an acceptable collection schedule, please reach out to our office and we can work with you and the service provider to resolve outstanding issues
3. We appreciate that Interchange is offering grants for infrastructure and think that the program should be paying 100% of the program-specific costs.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
4. The program is commended for having different collection zones. The plan notes this is part of an incentive system, but the plan makes no mention of how the incentives work, how they are different, if they cover all of the costs of collectors and if they are effective.	**1** *District of Squamish*	**1** *Zero Waste BC*	The Interchange incentives are intended to support the free market collection of materials and ensure no cost drop off locations are available to consumers. The high rates of recovery of available materials and low turnover of program registrants who receive these incentives have demonstrated the effectiveness of these incentives over the past 19 years or program operations. Rates are monitored regularly and adjusted as required to meet changes in market conditions.
5. Section 7.3 has a table labelled targets but the table seems to reflect existing collection levels. While the regulation does state 75% collection as a baseline it also notes the ability of the director to set higher targets which they should for mature	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
programs. The ultimate target for filters and containers should be 100%. Given that oil, antifreeze, and other products in containers may be consumed, other methods such as audits and surveys should be used to understand what products may be going uncollected. More detail on the "repurposed" aspect should be gathered and it should be included in the reporting. Work should be done to encourage reuse of the materials and discourage burning of them.			
6. The TNRD would like to see Interchange increase its capture rates over the term of the Plan. The draft Plan indicates that Interchange believes that it captures greater than 75% of its program materials. Why not increase that target in subsequent years to reflect increased capture rates? For example, if 75% is achieved over two consecutive years then increase the target capture rate to 80%? Once 80% is achieved over two consecutive years then increase the target capture rate to 85%, etc.	**1** *Thompson-Nicola Regional District*		Please see the Supplementary Document "Performance Measures, Targets and Reporting Commitments-Term: 2023-2027" linked from the draft Plan's table of contents. The target Capture Rates for the current term are projected from the 2019-2021 results and as such are substantially higher than 75% in all cases except antifreeze.
7. Section 7.4 Product Management - The Zero Waste Hierarchy should be used to develop systems for the products to be redesigned, reduced, reused and recycled. As noted above, reusable containers are preferable. It is good that antifreeze and lubricating oil can be recycled back into its original purpose but should there also be a system to reuse any residuals that are in their original state without refining being necessary. The programs should look to understand why some oil cannot be recycled back into lubricating oil and work to	**1** *District of Squamish*	**1** *Zero Waste BC*	The definitions used by Interchange are consistent with those used by the industry internationally and we report using those definitions annually. Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s) # Local Government	# Service Provider/Other	Interchange Responses / Actions
address those challenges with a goal to stop burning it. Similarly, can more filters be shifted to recyclable types and containers, when not reusable, be recyclable? The portion of oil that is used in burner units and as fuel for cement kilns needs to be reported separately and NOT counted as recycling. It should be phased out but until that time, it needs to be reported and accounted for separately as disposal. Similarly, "reuse" is for materials used in the same condition as they were returned while recycling is for materials that are processed to ideally be used for similar purposes. This use of language in the table under 7.4 must be rewritten and highlights the need to have the Ministry define these terms in the Recycling Regulation to avoid greenwashing and increasing consumer distrust. Work should be done to develop reuse systems for filters as well as research on how to design products to be less toxic, require less of the product or have it last longer.			
8. Oil Filters - The program should work to minimize the non-recyclable components of oil filters so that waste to energy is no longer used. Containers - We encourage Interchange to work with producers and large volume consumers to reduce the number of containers required for recycling, including refill options, and larger bulk containers to reduce the impact of these containers.	**1** *District of Squamish*	**1** *Zero Waste BC*	Our program works with producers and our program fees reflect the costs of managing the designated products. All waste to energy uses must be approved under provincial regulations and permits. We encourage our members to design products with end of life management in mind but recognize that the nature of the products and their usage requirements will also influence product and packaging design specifications.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
9. Section 7.5 Landfill Audits - The use of waste composition audits going forward is useful to see if the containers and filters are being captured by the program, and the program should partner with other programs to conduct composition studies annually across BC. The results should be published on the Interchange website, and the details of the studies should be included in the annual report to the BC Government and made public. This data should be used to understand the degree of success of collection given the challenges and estimates of what is available to collect noted in the plan. Any local government or First Nation's government who requests assistance in funding a waste audit that includes Interchange products should receive appropriate funds and not need to go through the SABC request system.	**1** *District of Squamish*	**1** *Zero Waste BC*	Interchange partners with other programs on annual waste audits through the Stewardship Agencies of BC (SABC). In the Plan, Interchange has committed to reporting on any findings that are relevant to its products.
10. In the EPR plan it states that Interchange participates in landfill waste audits with local governments. In 2021 the CSRD reached out to Interchange to participate in the Salmon Arm landfill waste audit and did not receive any funding or cooperation from Interchange. Will the Ministry be enforcing the Interchange's EPR approved Plans' commitment to participate in future waste audits?	**1** *Columbia Shuswap Regional District*		As noted in the EPR Plan, Interchange participates in waste audits conducted through SABC.
Paying the Cost of Collection & Management	Comments below are from 6 unique Local Governments, 1 unique Service Provider/Other		
1. Interchange has a unique approach that is suitable as long as the accessibility, collection rates and retention of collectors is high. For collection sites, the assumption that labour, space,	**1**	**1**	The Interchange program is unique in that 95% of the volume of materials collected are from commercial locations and that Interchange

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
equipment, materials and others is part of the cost of doing business may be true for some collection sites but not for others (particularly those for whom collection is the goal and not 5 other aspects like oil changes). The program needs to prove that all collection sites are being adequately compensated for their services and in particular, that local and First Nation governments are not subsidizing the program by offering staffed collection depots, storage, insurance, etc.	*District of Squamish*	*Zero Waste BC*	does not own the materials collected, leaving program participants to determine their own financial outcomes. The consumer collection component of the program leverages the economies of scale created by the commercial collection activities. Collection rates have been consistently high across all materials for total commercial and consumer collections. As noted in the plan, accessibility (free drop off) is considered the key performance metric for the 5% consumer portion of the program. We work with all RCFs, including local and first nation governments, by providing direct infrastructure support, return collection incentives and extra financial support to commercial collectors to offset the costs of RCF operations. These financial supports have resulted in low turnover and high satisfaction rates among these facilities. The rates and types of support are reviewed regularly to ensure that there are sufficient numbers and locations of consumer collection sites to continue to meet our accessibility targets while allowing the collection sites the ability to

Comments (by Plan Topic)	Comment Source(s) # Local Government	Comment Source(s) # Service Provider/Other	Interchange Responses / Actions
			determine their own methods and costs of operation.
2. Care also needs to be taken that the end fates of the materials are in line with the program plan and it is not clear if this is part of the agreement as if the collector owns the product, it is assumed they sell it to the market. It is also not clear how this may need to change for items of lower value such as the additional forms of packaging or how incentives are changed in the event that the market rates for collected items are no longer sufficient to justify the collectors continuing as collectors or processors as processors.		**1** *Zero Waste BC*	Interchange does not offer a differentiated incentive to drive end fates that are determined by the collectors and processors but only supports end fates that are approved uses as defined by provincial legislation and regulations. Financial incentives provided by the program recognize that all collected materials do not have a positive market value at the point of collection and are reviewed and adjusted accordingly to ensure that collection and recycling rates remain high.
3. The previous plan amendment noted challenges with local governments collecting other HHW but not Interchange products. The program should work with local governments to understand what the rationale is for not collecting Interchange materials and work to address them. This may be more important as the program expands its product suite.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
4. With the consultants and reports conducted to review the renumeration of the program, there never seems to be consideration on the true cost of being a collector. The CSRD operates three collection sites at our landfills that are in conjunction with our HHW depots. During operations of the HHW depot we still must have a site attendant to manage material even if no Interchange material comes in, but they	**1** *Columbia Shuswap Regional District*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
must be available even if material does come to the site. Also, staff manages material that comes in when the HHW depot is closed with program material that is pulled from the active face and/or left abandoned. More consideration needs to be given to the overall costs of managing EPR programs, which the small incentive CSRD gets for managing the Interchange material does not cover the true costs of operating. Also, there is quite a bit of administrative component to being a part of the program including: scheduling pickup, managing manifests and providing semi-annual reports of material collected that is not factored into the cost of managing the program.			
5. The CSRD is appreciative of the capital funding support received from Interchange to establish the hazardous waste depots at the CSRD's landfill facilities. However, Interchange now needs to conduct financial audits, similar to the work Recycle BC is doing, to understand the true costs of managing these depots. With the closure of so many historically operated receiving facilities (Canadian Tire, etc.) has resulted in the CSRD's hazardous waste depots becoming significant receiving facilities in our communities. As such, the funding model needs to be revisited.	**1** *Columbia Shuswap Regional District*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
6. The program may need to look more closely at its existing system to see if any changes are needed with the new suite of materials to collect regarding collection systems, processing, incentives and costs as well as looking to the future when electric vehicles are the norm.	**1** *District of Squamish*	**1** *Zero Waste BC*	Interchange monitors the system on an ongoing basis.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
7. You mentioned that Interchange has no ownership of the materials collected. Why is it that way and would changing it make a difference?	**1** *Regional District of Central Kootenay*		The system works better in a free market. If Interchange took ownership of materials collected from consumers, it would also have to market those materials. This would mean having two separate approaches (commercial vs consumer) which would be inefficient.
8. The TNRD is confident that the RCF network would benefit from improved service levels provided by the Registered Collectors if Interchange were responsible for managing its program materials and collection. It is in the interest of Interchange to ensure that the RCFs are receiving adequate service levels. Currently, Registered Collectors are offering adequate service levels if the RCF pays an hourly rate for the equipment used to service the Facilities. Or alternatively if the RCF stockpiles inordinate amounts of program materials that generate enough revenue to cover the Registered Collectors costs. A solution to inadequate service levels would also be if Interchange paid the Registered Collectors enough to cover the costs of servicing the RCFs. This is does not appear to be the case in the Interior of BC.	**1** *Thompson-Nicola Regional District*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
9. For remote and low volume collection facilities, in which containers and filters are not collected by the used oil collection vehicle, there should be a built-in payment in addition to the per liter price to compensate for transportation and drop off of containers at regional/centralized RCFs. Not once has a used oil collection truck picked up containers or filters from any of the Cariboo RD operated RCFs. The administrative burden of tracking the cost to load, transport and drop off these items from several facilities prevents the request for payment being made to Interchange, and the cost ends up being covered by the RD. If built-in payments are not feasible, then Interchange should identify other operators/contractors in the region that can be called to collect containers and filters and pay them directly for their services.	**1** *Cariboo Regional District*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
10. Would like a form to submit invoices for fees associated with the pickup of Interchange related products, and perhaps consider stipulating in the program plan that the collection site shall not incur costs, that the Collector shall submit the invoice directly to Interchange for additional costs associated with picking up material in those odd cases.	**1** *Comox Valley Regional District*		Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
Program Marketing & Consumer Awareness Comments below are from 3 unique Local Governments, 1 unique Service Provider/Other			
1. Are there any specific strategies for communications?	**1** *Regional District of*		Yes, Interchange will focus on better identifying and targeting the RCF users. This will include expanding communications to include trade media advertising in industries such as logging,

Comments (by Plan Topic)	Comment Source(s) # Local Government	# Service Provider/Other	Interchange Responses / Actions
	Fraser-Fort George		farming and transportation and capturing information at roundups/community collection events. This enhanced approach means there will now be 2 awareness strategy streams, one for the general public and the more focused one for RCF users.
2. For a program operating as long as Interchange has, it is surprising that the level of consumer awareness is not higher. The 2018 BC report noted above found only 60% of residents were aware that used lubricating oil, filters and containers could be recycled with only up to 46% recycling or returning them. That the Interchange study in 2016 found that 78% of British Columbians were aware of the program is interesting and shows the need for more regular and impartial surveys. If only 78% of the BC residents (2016 study) were aware of the program, it can be assumed that the collection rate is lower than that for consumers. The goal should be to get 95% of the population aware of the program by 2024 (and later 100%) with work done to increase awareness of the new range of products. To do otherwise is to continue to externalize costs to the public and the environment.	**1** *District of Squamish*	**1** *Zero Waste BC*	Most British Columbians take their vehicles to be serviced at a licensed mechanic or lube shop and are therefore recycling Interchange program materials without realizing it. We feel this is why our awareness levels in the general public have not grown despite increased communications efforts. We would like to focus more on improving awareness among those consumers who change their own oil (RCF Users) but will continue to report on program awareness in both groups.
3. Interchange should consider the need to provide information in multiple languages based on the make-up of the communities in BC. Programs may also need to connect with different audiences if there are different kinds of products used by different markets. Consider the 6 demographics of BC with	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.

Comments (by Plan Topic)	Comment Source(s) # Local Government	Comment Source(s) # Service Provider/Other	Interchange Responses / Actions
regard to languages and ensure the materials are produced in the suite of languages needed to reach multiple demographics.			
4. For all products collected, we encourage Interchange to encourage producers to include EPR labelling and recycling information on the containers. This would ensure all consumers and businesses are aware of the correct disposal procedure and decrease confusion about what is and is not included in the BCOUMA program. Putting the Interchange logo on accepted products packaging will also make it easier for depots to easily determine what is and what is not accepted in the program and help reduce the amount of non-accepted product in the program. Interchange should also encourage producers to create labels that will not be destroyed or ruined in the use of the product to reduce orphaned containers that are not accepted in the program.	**1** *District of Squamish*	**1** (similar) *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
5. The volume of residential collection of oil is low in comparison to commercial volumes. In terms of marketing and consumer awareness it would be beneficial to see more advertising in the interior of the province. Having more education at the retail locations would be beneficial.	**1** *Columbia Shuswap Regional District*		Over the past two years Interchange has increased its advertising efforts in the Interior and has seen the awareness numbers in those areas increase as a result.
Performance Measures & Targets Comments below are from 2 unique Local Governments, 1 unique Service Provider/Other			
1. Section 10 Performance Measures and Targets - These performance measures, targets and reporting commitments		**1** *Zero Waste BC*	The 3 supplementary documents are in fact a part of the proposed Plan for the upcoming 5-year term. The purpose of having them as

Comments (by Plan Topic)	Comment Source(s) # Local Government	Comment Source(s) # Service Provider/Other	Interchange Responses / Actions
should be included in the plan so that a permanent written record can be established.			separate documents is that their content will undoubtedly change from one term to the next, while the content of the final base Plan is expected to remain static (barring any significant program changes). This responds to the new 'evergreen plan' approach requested by the Ministry.
2. Accessibility - The target for accessibility should be for 100% of residents living in a municipality (or First Nation community that wishes it) to have access to a collection facility in their community (with more facilities for those living in cities). Collection events should be counted under marketing, not accessibility.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
3. Sales, Collection and Capture Rates - The criteria for what counts as available for collection should be defined by the Ministry and audited and monitored by a third party. Under capture rate, those numbers should be the baseline and the target should be 100% (especially as the plan notes incentives will be adjusted to reach the target so care must be taken to avoid reductions in incentive levels if a target were set too low). Ideally reporting is also given by community (and not just Regional District).	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your suggestion. Your comment is noted and will be provided to the Ministry as part of this plan document.
4. Consumer Awareness & Education - The targets should be 95% increasing to 100% for knowing what to do with these materials. It is not necessary to know the name of the program but rather that a program or system exists to responsibly	**1** *District of Squamish*	**1** *Zero Waste BC*	Most British Columbians take their vehicle to be serviced and are therefore participating in the program without even realizing it. Our focus is on ensuring that people who change their own

Comments (by Plan Topic)	Comment Source(s)		Interchange Responses / Actions
	# Local Government	# Service Provider/Other	
handle the materials. Consumers should know where to find the information, but this may vary - for example a local government may have a very strong communications program, or a business may advertise this, and this information should help to inform Interchange about what works and where gaps exist, but this section does not show what would qualify as a correct answer.			oil, antifreeze or filters know what to do with the product and responsibly recycle it.
5. Product Management - The definitions and corrections for the levels of the hierarchy should be made and the Interchange definitions should not be used.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
6. Audits - More information should be audited where possible.	**1** *District of Squamish*	**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
7. The table of the Community types should have a column showing what percentage of the BC population each segment is and where the remainder of the 2016 census population of 4,648,055 falls.		**1** *Zero Waste BC*	Thank you for your feedback. Your comment is noted and will be taken into consideration as part of program delivery.
8. I was wondering about the comment that RCF hours of operation are being added?	**1** *Cariboo Regional District*		The Ministry asked Interchange to include the information with its annual reporting. It is already included on the Interchange website (hours of operation and products accepted), but the Ministry asked that it also be reported on formally.

Other Comments

<u>Decisions that would fall under the Ministry's authority</u> (*1 comment from 1 Local Government; 7 comments from 2 Service Providers)*

- Increased transparency and understanding of the Interchange program would be achieved through a Ministry determined format for EPR plans and reports, with strict oversight of terms and evidence. *(Nanaimo Recycling Exchange)*

- The Interchange EPR Plan DRAFT highlights the need for updated Ministry definitions of all levels of the Pollution Prevention Hierarchy. "Enhanced" Pollution Prevention Hierarchy definitions is an understatement: there should be no entitlement for individual EPR plans or reports to use enhanced definitions. *(Nanaimo Recycling Exchange)*

- The Ministry should also require EPR plans and annual reporting to demonstrate product management in strict terms of the Hierarchy. This would prevent confusing and misleading use of terms. *(Nanaimo Recycling Exchange)*

- The outdated EMA definition of Recyclable Material seems to stand as the criteria for EPR Recycling, Recycled, and Recyclable. By coincidence, or by unfortunate lack of attention to current practices, the EMA definition of Recyclable Material defines the exact requirements of processing for acceptance at cement kiln markets. It is an environmental disaster that this definition has led to burning material (for revenue) in the making of cement. This market has out-paced value of materials for traditional recycling and has thereby replaced the traditional use of the word Recycling. *(Nanaimo Recycling Exchange)*

- The Ministry should provide clear updated definitions for the Recycling Regulations. NRES is promoting the concept of national standard definitions to harmonize, as recommended by CCME EPR programs in Canada, and that would apply to other programs such as the proposed new plastics registry and labelling programs in BC. *(Nanaimo Recycling Exchange)*

- The Ministry should define Stewardship to prevent latitude for application of the term as demonstrated by the Interchange hybrid program. It is not clear how Interchange claims stewardship over a product when 96% of the product is not actually being stewarded. *(Nanaimo Recycling Exchange)*

- We are pleased that the program covers all products defined in the Recycling Regulation but hope for completeness that the program would also handle empty oil containers over 30L as well as other forms of lubricating oil. Given that the last consultation in February 2022 was for containers to 210L, this is confusing. *(Zero Waste BC)*

(Interchange: Specific to containers, all automotive containers were subsequently added to this Plan at the request of the Ministry.)

- We would like to see Interchange handle empty oil containers over 30L as well as other forms of lubricating oil. *(District of Squamish)*
  (Interchange: Specific to containers, all automotive containers were subsequently added to this Plan at the request of the Ministry.)

Recommendations requiring collaboration with other agencies *(4 comments from 2 Local Governments; 1 comment from 1 Service Provider)*

- We would like to see BUCOMA and other similar EPR programs work together to produce communications materials that are multi-EPR. If the customers or users are anticipated to be the same, then we would like to see a more harmonized communication program. It is difficult for local governments to promote the multitude of different programs individually, especially with those that have similar products (e.g., HHW & BUCOMA). Labelling and collaboration with other EPR programs would assist in raising the profile of Interchange to ensure it is properly capturing all material. *(District of Squamish)*

- More policies are required to improve working relationships between the Stewardship Agencies of BC. Back in 2017 there were summer students who travelled the province promoting all programs in BC. This program has many benefits and needs to be reinstated. More partnerships for education need to be formed between all Stewardship Agencies. A repository of educational resources, social media posts, ads etc. needs to be developed and made available to all collectors, municipalities, and local governments with a common look, feel and messaging. Currently the stewardship agencies work in silos and more collaboration is necessary to advance EPR programs. *(Columbia Shuswap Regional District)*

- The program should also work with other EPR programs that have similar products or products that can be confused between programs, to ensure a resident or business can still easily recycle a product while both EPR programs guarantee that the products will still be recycled responsibly. Product labelling may help to remove this confusion, or there is an allowance for BUCOMA products to be returned through a similar program (ex. Product Care's HHW program), without any penalty to the collection site. *(District of Squamish & Zero Waste BC)*

- In all of the renewal of stewardship agencies plans a commitment to begin to transition to stewardship operated depots needs to be considered. This would not necessarily end the dependence on the collector network, but in communities with a large enough population depot could be set up and collect all EPR items, training would exceed industry standards and BC would be a model for other jurisdictions. *(Columbia Shuswap Regional District)*

- More participation from all the stewardship organizations when it comes to audits would be appreciated. *(Columbia Shuswap Regional District)*

Operational matters for separate consideration *(2 comments from 1 Local Government; 1 comment from 1 Service Provider)*

- Do you plan to streamline RCF claims? *(Cariboo Regional District)*
  (Interchange: We are working on this and have a 1-2 year timeline to achieve this with an e-claim system.)
- Automatic payments from Interchange to the RCF when used oil is collected would be appreciated, if this is in the works but some years off, then payment requests should be accepted by Interchange at any time during the year, not only at specific times. *(Cariboo Regional District)*
  (Interchange: We were working on this and have a 1-2 year timeline to achieve this with an e-claim system.)
- Please provide collectors with a better bung wrench that is made of metal, as the plastic one does not work. Also, a better "full" gauge, again the plastic one doesn't work. (It's a great plan and our experience as a collector has been very positive. Thanks!) *(Pender Island Recycling Society)*
  (Interchange: We will work with any registered collection site and provide bespoke equipment needed to facilitate safe handling of program materials. This request was subsequently resolved with the commentor.)

B2. Consultations on Automotive Container Expansion

Consultation Process

Interchange held stakeholder consultations on a proposed change to its current EPR Plan, as approved by the Ministry of Environment and Climate Change Strategy (Ministry) on February 18, 2021 and revised in December 2021.

The change would expand the eligible containers under Interchange's program to include all automotive containers (Table 1 below, and as further defined in a draft EPR Plan prepared specifically for the container consultation). The change was prompted by comments received through Interchange's annual stakeholder survey. Interchange has proposed to begin collecting all automotive containers within 8 months of the EPR Plan approval.

Table 1. Automotive Containers

Containers under Current Plan	Proposed Additions
• Lubricating oils • Antifreeze	• Diesel exhaust fluid (DEF) • Automotive additives • Windshield washer fluid (WWF) • Aerosols • Drums (up to 210L) • Others

In preparation for open consultations on including all automotive containers, Interchange engaged in the following due diligence initiatives to inform its change request to the Ministry.

- In 2021, Interchange received feedback through its Operators Survey, noting the following observations by its Registered Collection Facilities (RCFs):
    - Many containers are received that cannot be recycled with our normal plastics.
    - A better process is needed to handle new products not in the program, such as the plastic drums which are going into the landfill.
    - There needs to be less staff time dealing with incorrect drop offs and abuse.

- In 2021, Interchange completed a study of potential modifications to the current scope of program containers.

  Results: The general conclusion was that a container expansion would reduce the resources required by collection facilities to sort the included containers from those that are currently excluded.

- In 2020, Interchange participated with other Canadian used oil management associations (UOMA) in a life-cycle study (production-use-reuse/recycling) of lubricating oil and antifreeze containers, with a focus on single-use plastics.

  Results: One of the detailed findings was that a large number of plastic bottles and jugs—such as those for appearance products, additives, and windshield washer fluid—end up in the hands of recyclers who cannot justify the cost of processing them without incentives.

From January 18 to March 15, 2022, Interchange's open consultation process was conducted. The process details were published on the Interchange website, meeting the BC Recycling Regulation's requirement to solicit EPR Plan comments for a minimum of 45 days. Interested parties were invited to submit remarks in writing to Interchange by March 15, 2022 and were provided access to relevant materials to consider for their feedback. These materials included:

- Overview of Program Changes–expanded container category
- Proposed EPR Plan
- Current Approved EPR Plan
- Interchange Study and Service Provider Engagement on Container Category Expansion
- National Survey and Study of the Lubricating Oil and Antifreeze Packaging Circular Economy

Interchange also held two public webinars to provide highlights of the proposed Plan expansion and answer questions from attendees. The Overview of Program Changes–expanded container category as published on the Interchange website was presented at both sessions.

Session 1: Tuesday, February 22, 2022 at 10am PT

Attendees: 17 representatives of stakeholders that included auto dealerships, automotive product retailers, equipment suppliers and fluid heating services, as well as Product Care. A further 10 respondents registered but did not attend.

Session 2: Tuesday, March 1, 2022 at 10am PT

Attendees: 18 representatives of stakeholders that included local governments and environmental groups, as well as a major product manufacturer, the BC Product Stewardship Council (BCPSC) and Product Care. A further 3 respondents registered but did not attend.

Note that beyond the website posting, on January 26, 2022, Interchange also directly sent notice of these open consultations to the Recycling Council of BC (RCBC) and Coast Waste Management Association (CWMA), inviting both their members and those in their networks to participate in the process. Both organizations broadly communicated on the consultations in the impending issue of their respective newsletters.

Consultation Feedback and Interchange Responses

Table 2 below presents the consultation feedback on the automotive container expansion received through the open consultation process, together with Interchange's responses where applicable. Note that lengthy comments have been summarized without the intent of distorting the original messaging. For transparency, the full text of all written responses is included in section B4 of this appendix followed by a listing of all consultation session participants.

Themes in the comments received include:

- General support for the expansion by 4 respondents; not supported by 2 respondents
- Have concerns this would result in some duplication in product coverage across programs
- Will have to address potential confusion by users/collectors on directing the expanded products into the correct program
- Need assurance that producers will pay the full costs of the container expansion
- Need further details in some areas to make a fully-informed assessment of this change:
    - overall cost to the program
    - approach to appropriate collector compensation
    - extra collection space/staffing considerations
    - any changes to the haulers required, or the hauling frequency
    - potential for collectors to opt-out on products
    - approach to managing the residuals resulting from a container expansion

Interchange acknowledges some comments that were not directly relevant to the container expansion. A summary of these Other Comments, some of which were ultimately responded to in the subsequent comprehensive EPR Plan consultations (section B1 above), is included below Table 2.

Table 2. Consultation Feedback

Comments / Questions		Interchange Responses / Actions
1. BC Bottle and Recycling Depot Associations (BCBRDA)		
***Support expansion?* Yes** *Related comments:* - I would first like to congratulate you on your initiative to bring additional automotive containers into the system. Your move to	*Other relevant comments:* - Members believe Interchange has not met its regulatory requirements for the consultation: • stakeholder involvement in <u>design stage</u> of consultation plan, • ability for stakeholders to determine the implications to their interests by reading the wording in	

<table>
<tr><th colspan="2">Comments / Questions</th><th>Interchange Responses / Actions</th></tr>
<tr><td>collect and recycle these containers in support of a circular economy and with the growing number of vehicles on Canada's roads is encouraging, and we support it.</td><td>a document that is the subject of the consultation, and
• stakeholders receiving transparent and detailed information, including the methodology used to determine costs.
- Also missing is assurance that producers will pay the full costs of managing their materials.
- Ensure our members are compensated fairly for the services they provide.</td><td></td></tr>
<tr><td colspan="3">2. Canadian Vehicle Manufacturers Association (CVMA)</td></tr>
<tr><td>Support expansion? No

Related comments:
- WWFs are already included under Blue Box program so there is potential for duplication of effort and costs/EHCs.
- Similarly, aerosols are already included under Product Care so also has potential for duplication along with contamination from non-automotive aerosols.</td><td>Other relevant comments:
- Insufficient information provided on cost implications for the program as a whole.
- For container contamination in commercial settings (WWFs, DEFs), Interchange should be able to resolve issues through education and more fastidious collection.
- Clarify what the "other" containers category includes.</td><td>Automotive containers in the residential curbside program have been identified as causing contamination and other environmental issues. Interchange will work with the residential curbside program in BC and Product Care to collectively ensure that consumers are aware of their collection access options, the management of automotive containers is accurately reported and the economies of scale and collection efficiency is fully explored. The "Other" larger ICI containers such as drums are not included in this proposed amendment.</td></tr>
<tr><td colspan="3">3. District of Squamish</td></tr>
<tr><td>Support expansion? Yes

Related comments:
- We commend Interchange on committing to</td><td>Other relevant comments:
- There is no mention of how the residuals in the extended suite of program products will be handled nor if any of their containers will be handled any differently than the existing ones.</td><td></td></tr>
</table>

Comments / Questions		Interchange Responses / Actions
expanding the products it will include in the program.	- We would like to see Interchange partner with other EPR programs that have similar products or products that can be confused between programs, to ensure a resident or business can still easily recycle a product.	
4. Metro Vancouver		
Support expansion? **Yes*** (*interpreted from response) *Related comments:* - Simplifies recycling process for consumers of automotive related product containers and keeps them out of the garbage. - Increases exposure of Interchange program as more product types are accepted. - Potentially reduces contamination in other EPR programs, such as Recycle BC, Product Care.	*Other relevant comments:* - How will Interchange avoid potential confusion for consumers/staff at the collection facilities in matching materials to the proper program? Consider training/resource needs. - Additional staff and space may be required at collection sites, particularly to accept 210L drums. Will collectors be able to opt out of collecting selected containers? - What will the hauling frequency be to address potential space concerns? - How will Interchange ensure producers are paying the cost of managing and accepting the expanded containers? - What is the plan to help collectors manage residuals in containers, including secondary containment and leaky containers? - Will there be one hauler for all Interchange containers or will depots need to source additional haulers?	Automotive containers in the residential curbside program have been identified as causing contamination and other environmental issues. Interchange will work with the residential curbside program in BC and Product Care to collectively ensure that consumers are aware of their collection access options, the management of automotive containers is accurately reported and the economies of scale and collection efficiency is fully explored. The “Other” larger ICI containers such as drums are not included in this proposed amendment.
5. Regional District of Nanaimo		
Support expansion? **Yes*** (*interpreted from response) *Related comments:*	*Other relevant comments:* - Only concern is the continuing absence of some fluids from the collection program, esp. brake and power steering fluids. BCOUMA says these materials are intended to be	

<table>
<tr><th colspan="2">Comments / Questions</th><th>Interchange Responses / Actions</th></tr>
<tr><td>- n/a</td><td>used in their entirety and only residuals should remain. This does not address:
a) waste fluids that were drained from the automobile, or
b) expired and partially used containers.
Collectors do receive small volumes of these materials but get reduced rates for lubricating oil contaminated with non-lubricating hydraulic fluids. There are many benefits to customers /collectors/environment of collecting these fluids.</td><td></td></tr>
<tr><td colspan="3">6. Recycle BC</td></tr>
<tr><td>Support expansion?
No*
(*but taking no position on non-residential products – see ‘other relevant comments’)
Related comments:
- Recycle BC manages some products identified by Interchange. If these products are purchased by a BC resident, producers currently pay fees to Recycle BC to ensure their responsible management.
- Residents benefit from the convenience of placing most of these containers in their curbside recycling, plus</td><td>Other relevant comments:
- Recycle BC understands Interchange is primarily interested in collecting non-residential, institutional, commercial, or industrial products which are not used by residential consumers. Recycle BC takes no position on these non-residential materials as they are not covered by Schedule 5 of the Recycling Regulation/our Stewardship Plan.
- However, Recycle BC does not believe it is appropriate for Interchange to target products that already have a convenient/effective collection system.</td><td>Automotive containers in the residential curbside program have been identified as causing contamination and other environmental issues. Recycling Regulation Schedule 5 automotive containers are showing up in the Interchange collection system causing contamination and additional costs. Interchange will work with the residential curbside program in BC and Product Care to collectively ensure that consumers are aware of their collection access options, the management of automotive containers is accurately reported and the economies of scale and collection efficiency is fully explored.</td></tr>
</table>

Comments / Questions		Interchange Responses / Actions
Recycle BC has ~230 depots across the province that collect our materials.		

Other Comments

In summary, comments received that were not directly relevant to the container expansion include:

- That the Plan amendment should include updates on several deliverables identified in Interchange's existing Plan (e.g., the multiple studies undertaken).
- That variable handling fees should be developed to encourage environmentally desirable containers, and that producers should be penalized for using hard to recycle materials.
- That producers should be encouraged to include EPR labelling and recycling information on containers to clarify the correct disposal procedure.
- That Interchange should look at innovative ways to encourage new depots/collection points.
- That Interchange should share more broadly the Community Collection Event program.
- That the data on collected volumes/units should be available to local governments.
- That Interchange should work with producers and large volume consumers to reduce the number of containers to be recycled (e.g., refill options, larger bulk containers).
- That Interchange should aim for collection of 90% for all streams, and 95% for used oil.
- That the Zero Waste Hierarchy should be used to develop systems for the products to be redesigned, reduced, reused and recycled.
- That Interchange should engage in more annual waste audits and coordinate with other stewardship agencies (e.g., SABC) involved in local government waste audits.
- That BUCOMA and similar programs should work together to produce multi-EPR communication materials and have harmonized communication programs if customers are the same.
- That Interchange should set an ambitious goal to increase consumer awareness to 95% by the next Plan renewal.
- That communication materials should be available in languages other than French and English.
- That Interchange should regularly provide local governments and regional districts with updated lists of acceptable materials/depots so they can update their communication materials.

B3. Comprehensive EPR Plan: (a) Full Written Comments / (b) Session Attendees

(a) Full Written Comments

Cariboo Regional District
District of Squamish
Zero Waste BC
Columbia Shuswap Regional District
Nanaimo Recycling Exchange
Thomson-Nicola Regional District
Peace River Regional District
Comox Valley Regional District
Pender Island Recycling

Note: All other feedback recorded in the EPR Consultation Summary in section B1 is based on notes taken by Interchange staff at the in-person and virtual consultation sessions.

From: Tera Grady <TGrady@cariboord.ca>
Date: November 1, 2022 at 3:14:03 PM PDT
To: David Lawes <DLawes@usedoilrecycling.ca>
Cc: "Will Burrows (wburrows@usedoilrecycling.ca)" <wburrows@usedoilrecycling.ca>
Subject: EPR Plan Consultation- Cariboo RD Comments

Hi David, see below:

- It's nice to see that there is one member of the public and one local government representative on the BCUOMA Board; however, a broader representation from environmental NGO's, First Nations and additional local governments would better reflect the full range of stakeholders. Alternately BCUOMA could form an advisory committee consisting of these types of members that would report to the BCUOMA Board.
- BCUOMA producers who are responsible for the oil filters that can not be recycled, and must be incinerated, should be paying fees that are high enough that there in a real incentive for them to change their products.
- 26% of used oil being re-purposed annually is a significant amount. Since fees are being collected on these liters that are not being captured, does BCUOMA have plans to gather further information on re-purposing and end-use of these liters and perhaps identify potential environmental concerns from improper re-purposing of used oil?
- Producer paying the cost:
  -
    - For remote and low volume collection facilities, in which containers and filters are not collected by the used oil collection vehicle, there should be a built-in payment in addition to the per liter price to compensate for transportation and drop off of containers at regional/centralized RCFs.
    - Not once has a used oil collection truck picked up containers or filters from any of the Cariboo RD operated RCFs.
    - The administrative burden of tracking the cost to load, transport and drop off these items from several facilities prevents the request for payment being made to BCUOMA, and the cost ends up being covered by the Regional District.
    - If built-in payments are not feasible, then BCUOMA should identify other operators/contractors in the region that can be called to collect containers and filters and pay them directly for their services.
    - Automatic payments from BCUOMA to the RCF when used oil is collected would be appreciated, if this is in the works, but some years off, then payment requests should be accepted by BCUOMA at any time during the year, not only at specific times.

Tera D. Grady, BSc, RPF
Supervisor of Solid Waste Management
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http://www.cariboord.ca

SQUAMISH
HARDWIRED *for* ADVENTURE

To Whom It May Concern,

Thank you for the opportunity to comment on the draft plan. The District of Squamish is committed to a Zero Waste future and acknowledges that climate change is happening, and local governments play an important role in reducing greenhouse gas emission. The need to respond to climate change is urgent and achieving zero waste through diversion and waste reduction is a key component. Zero waste is the conservation of all resources by means of responsible production, consumption, reduction, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health. Our current resource consumption systems not only create waste but also generate a huge amount of greenhouse gases which constitute some of the discharges that threaten the environment and human health. EPR programs can play a key role in changing these consumption systems.

We recognize that BC is a global leader in EPR programs, and that the Province, through the Recycling Regulation, has supported their growth and development. Since their inception, the EPR programs have evolved, they are utilized extensively within our community and they are integrated into waste diversion programs/systems throughout the province. That being said, it is up to the Province to ensure that these Programs, BCUOMA included, are continually moving the dial to ensure they move beyond business as usual, which includes the following actions (but isn't limited to these) and the related targets (or the development of):

- Increase collection rates,
- Increase customer and industry awareness of all accepted products,
- Increase their support of the top tiers of the pollution prevention hierarchy, such as reduction.

Please see our comments by section below:

Sections 2 & 3 – Overview and Legal Requirements

We commend BCUOMA on committing to expanding the products it will include in the program. We recommend BCUOMA clarify that it handles the residual material left in accepted containers, in addition to the residual oil. As well, we would like to see BCUOMA handle empty oil containers over 30 L as well as other forms of lubricating oil.

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Section 4 – Governance and Financing

BCUOMA is commended for a member at large and a municipal representative on its Board. In addition to this, the Board would ideally represent a wider range of stakeholders including reuse and repair organizations, recyclers, other local governments, First Nations and environmental NGOs.

BCUOMA should further develop variable handling fees to encourage longer lasting, reusable or refillable containers, as well as the use of easy-to-recycle materials and PCR content in the packaging, to drive product producers to design change. BCUOMA should penalize producers for using non, or hard to, recycle materials, such as PVC pouches, or material that is burned for energy.

The programs should try to phase out the ironically named eco-boxes as well as PVC pouches and try to prevent biodegradable forms of packaging from being used with prohibitive fees. As the Desrosiers report notes, developing standardized containers with a focus on reuse is feasible. It should be a key aspect of this renewed program. BCUOMA is commended for conducting a study into how the circular economy could be relevant to these products.

Section 4 – Product Design and Use Trends

For all products collected, the District of Squamish encourages BCUOMA to encourage producers to include EPR labelling and recycling information on the containers. This would ensure all consumers and businesses are aware of the correct disposal procedure and decrease confusion about what is and is not included in the BCOUMA program. Putting the BCUOMA logo on accepted products packaging will also make it easier for depots to easily determine what is and what is not accepted in the program and help reduce the amount of non-accepted product in the program.

BCUOMA should also encourage producers to create labels that will not be destroyed or ruined in the use of the product to reduce orphaned containers that are not accepted in the program.

Section 5 – Product Available for Collection

Lubricating Oil -the study on consumption on use is helpful and should be used to identify ways the program could minimize loss (such as leak detection and prevention).

Used Oil -The program should also look at ways to minimize the other uses (repurposed oil) where the oil may be burned without proper environmental and health protections.

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Oil Filters -The program should work to minimize the non-recyclable components of oil filters so that waste to energy is no longer used.

We appreciate that BCUOMA will conduct studies on what is "available for recycling" and feel that having third party oversight or verification of the process, definitions and standards used will enhance the trust in BC's EPR system.

Section 6 – Collection

We believe BCUOMA has been leading the way in finding innovative solutions for collection, that acknowledges not every collection site looks or runs the same. We also appreciate and value the work BCUOMA has been doing with indigenous groups around the province.

It is also appreciated that BCUOMA has developed its own standard that is an improvement on the SABC one however, the target for coverage should be that 100% of the population has access to either a collection depot or a pick-up system to return the product and packaging (free of charge to the end user). BCUOMA's new standard should be developed in consultation with local governments, First Nation's communities and the public, and meet the intent of the Recycling Regulation. Programs should provide service in all municipalities and if no service provider can be contracted, the program itself should set up the collection depot. We encourage BCUOMA to look at new and innovative ways to encourage new depot and collection points in communities, including in Squamish. Additionally, the service levels seem quite broad, with one collection site per 100,000, this does not seem in-line with accessibility nor equity goals.

Collection sites often struggle with managing the large volumes of material received through this and other EPR programs. The loss of Canadian Tire as a collection site (several years ago) was notable in our community. Squamish now has one official BCUOMA collection site, and opening up more commercial and residential collection sites will help to reduce the demand on any individual site, and make it easier for residents and businesses to find a convenient collection. Accessibility and equity should be a key factor in setting up new collection sites.

We would like to see BCUOMA partner with other EPR programs that have similar products or products that can be confused between programs, to ensure a resident or business can still easily recycle a product. Product labelling may help to remove this confusion, or there is an allowance for BUCOMA products to be returned through a similar program (ex. Product Care's HHW program), without any penalty to the collection site. While both EPR programs guaranteeing that the products will still be recycled responsibly.

We encourage BCUOMA to share more broadly the Community Collection Event program, as this is not commonly known in many communities. The number and location of contracted sites by city and RD should be provided as well as a list of any municipalities that do not have a

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permanent depot. The population with access to collection should have a target of 100%, with all municipalities served as well as any First Nations locations as determined in conjunction with the First Nations. Mail-back or pick-up options should be available for those not living in the aforementioned locations. The commitments to work with RDs and IZWTAG are good steps.

The data on collected volume/units should be available to local governments, either by request or published in the annual report. As regional districts and municipalities are responsible for developing their own waste reduction and Zero Waste plans, this level of data is incredibly useful to identifying gaps.

A survey of the collection network should be done to understand what areas could be improved from both a collector and customer perspective. This network is an asset and using the collective knowledge would be advantageous. Metrics on customer satisfaction and collector satisfaction should be added to the program with targets suitably high for such an established program. A secret shopper (or dropper) program should be implemented to understand the consumer experience and if the collection sites are welcoming of products.

We appreciate that BCUOMA is offering grants for infrastructure and think that the program should be paying 100% of the programs-specific costs. Events should be used as marketing tools to raise awareness rather than counted as part of accessibility as people are unlikely to store the materials until an event (often irregularly and sporadically timed) may occur.

Section 6 – Transportation and Processing

The program is commended for having different collection zones. The plan notes this is part of an incentive system but the plan makes no mention of how the incentives work, how they are different, if they cover all of the costs of collectors and if they are effective.

We encourage BCUOMA to work with producers and large volume consumers to reduce the number of containers required for recycling, including refill options, and larger bulk containers to reduce the impact of these containers.

7.3 This section has a table labelled targets but the table seems to reflect existing collection levels. While the regulation does state 75% collection as a baseline it also notes the ability of the director to set higher targets which they should for mature programs. The ultimate target for filters and containers should be 100%. Given that oil, antifreeze and other products in containers may be consumed, other methods such as audits and surveys should be used to understand what products may be going uncollected. More detail on the "repurposed" aspect should be gathered and it should be included in the reporting. Work should be done to encourage reuse of the materials and discourage burning of them.

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The Zero Waste Hierarchy should be used to develop systems for the products to be redesigned, reduced, reused and recycled. It is good that antifreeze and lubricating oil can be recycled back into its original purpose but should there also be a system to reuse any residuals that are in their original state without refining being necessary. More filters should be shifted to recyclable types and containers, when not reusable, be recyclable. There is no mention of how the residuals in the extended suite of program products will be handled nor if any of their containers will be handled any differently than the existing ones.

7.5 Landfill Audits: BCUOMA should pay into more annual waste audits and coordinate with other stewardship agencies (usually through SABC) involved in local government waste audits. This should be equally spread across the province, not just focused on Metro Vancouver. SABC is currently only committing to two audits per calendar year, this is not adequate as local governments are the ultimate site/handler for BCUOMA's product that goes into the garbage and there should be a detailed awareness of how much of the regulated product ends up in that stream. Any local government or First Nation's government who requests assistance in funding a waste audit that includes BCUOMA products should receive appropriate funds and not need to go through the SABC request system. The results should be published on the BCUOMA website, and the details of the studies should be included in the annual report to the BC Government and made public. This data should be used to understand the degree of success of collection given the challenges and estimates of what is available to collect noted in the plan.

Section 8 – Paying the Cost of Collection & Management

This is a unique approach that is suitable as long as the accessibility, collection rates and retention of collectors is high. For collection sites, the assumption that labour, space, equipment, materials and others is part of the cost of doing business may be true for some collection sites but not for others (particularly those for whom collection is the goal and not other aspects like oil changes). The program **needs to prove** that all collection sites are being adequately compensated for their services and in particular, that local and First Nation governments are not subsidizing the program by offering staffed collection depots, storage, insurance, etc.

The plan also notes challenges with local governments collecting other HHW but not BCUOMA products. The program should work with local governments to understand what the rationale is for not collecting BCUOMA materials and work to address them. This may be more important as the program expands it product suite. The District of Squamish is one of such examples, and while it has been requested, the volume of work required by BCUOMA to set-up the program has posed an obstacle to becoming an official collection site.

The program may need to look more closely at its existing system to see if any changes are needed with the new suite of materials to collect regarding collection systems, processing, incentives and costs as well as looking to the future when electric vehicles are the norm.

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Section 9 – Program Marketing and Consumer Awareness

For a program operating as long as BCUOMA has, it is surprising that the level of consumer awareness is not higher. The 2018 BC report noted above found only 60% of residents were aware that used lubricating oil, filters and containers could be recycled with only up to 46% recycling or returning them. That the BCUOMA study in 2016 found that 78% of British Columbians were aware of the program is interesting and shows the need for more regular and impartial surveys. This is an opportunity for BCUOMA to improve their marketing.

We would like to see BUCOMA and other similar EPR programs work together to produce communications materials that are multi-EPR. If the customers or users are anticipated to be the same, then we would like to see a more harmonized communication program. It is difficult for local governments to promote the multitude of different programs individually, especially with those that have similar products (ex. HHW & BUCOMA). Labelling and collaboration with other EPR programs would assist in raising the profile of BCUOMA to ensure it is properly capturing all material.

We would like to see BCUOMA communication materials in languages other than French and English. The District of Squamish would like to see materials produced in Punjabi and Tagalog, in particular BCUOMA should provide local governments and regional districts updated lists of acceptable material and depot on a regular basis so they can update their own communication materials and ensure consistent and correct information.

Section 10 – Performance Measures & Targets

These performance measures, targets and reporting commitments should be included in the plan so that a permanent written record can be established.

I. Accessibility
The target for accessibility should be for 100% of residents living in a municipality (or First Nation community that wishes it) to have access to a collection facility in their community (with more facilities for those living in cities).
Collection events should be counted under marketing, not accessibility.

II. Sales, Collection and Capture Rates
As noted, the criteria for what counts as available for collection should be defined by the MOECCS and audited and monitored by a third party. Under capture rate, those numbers should be the baseline and the target should be 100% (especially as the plan notes incentives will be adjusted to reach the target so care must be taken to avoid reductions in incentive levels if a target were set too low).
Ideally reporting is also given by community (and not just Regional District).

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III. Consumer Awareness & Education
The targets should be 95% increasing to 100% for knowing what to do with these materials. It is not necessary to know the name of the program but rather that a program or system exists to responsibly handle the materials.
Consumers should know where to find the information but this may vary -for example a local government may have a very strong communications program or a business may advertise this and this information should help to inform BCUOMA about what works and where gaps exist but this section does not show what would qualify as a correct answer.

IV. Product Management
As noted before, the definitions and corrections for the levels of the hierarchy should be made and the BCUOMA definitions should not be used.

V. Audits
More information should be audited where possible.

The District of Squamish appreciates the opportunity to provide feedback and would like to reiterate that this is an opportunity to reduce environmental impacts and the efforts and initiatives in this area should be strengthened, alongside the creation of related targets for reuse, repair and refurbishment.

We hope to see increasingly ambitious goals for BCUOMA to further awareness and collection to ensure continued growth of the program.

Sincerely,

Shannon White
Integrated Solid Waste Specialist

ZERO waste BRITISH COLUMBIA

October 31, 2022

BCUOMA Draft Program Plan Feedback

To Whom It May Concern:

Thank you for the opportunity to comment on the draft plan. Zero Waste BC is a non-profit association dedicated to driving systemic change towards Zero Waste in BC. Zero Waste is the conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health. Our current resource consumption systems of linear take-make-waste not only create waste but also generate a huge amount of greenhouse gases which constitute some of the discharges that threaten the environment and human health. EPR programs can play a key role in changing these consumption systems. For more information on Zero Waste, please see the Zero Waste Hierarchy.[1]

We are pleased that BCUOMA will be submitting its plan which includes some improvements to its existing system. We submit these comments in hope that the program will show leadership in the realm of EPR to move it beyond mere recycling to actually changing the nature of the products and how the service is delivered, as envisioned in the Canadian Council of Ministers of Environment Canada-wide Action Plan for EPR.

Please see our comments by section below:

Section 3. Legal Requirements

We are pleased that the program covers all products defined in the *Recycling Regulation* but hope for completeness that the programs would also handle empty oil containers over 30 L as well as other forms of lubricating oil. Given that the last consultation in February 2022 was for containers to 210L, this is confusing. Also, the

Section 4. Governance and Financing

BCUOMA is commended for a member at large and a municipal representative on its Board. In addition to this, the Board would ideally represent a wider range of stakeholders including reuse and repair organizations, recyclers, other local governments, First Nations and environmental NGOs.

In regards to financing, BCUOMA should further develop variable environmental handling fees based on certain criteria such as lifespan, use of refillables and reusable containers, use of easy

[1] Zero Waste Hierarchy: https://zerowastecanada.ca/zero-waste-hierarchy/.

to recycle materials (versus materials that are wasted by being burned for energy), etc. to drive product design change as intended by the Canadian Council of Ministers of Environment. The program could incentivize reusable containers and then those that are actually recyclable. The programs should try to phase out the ironically named eco-boxes as well as PVC pouches and try to prevent biodegradable forms of packaging from being used with prohibitive fees. As the Desrosiers report notes, developing standardized containers with a focus on reuse is feasible. It should be a key aspect of this renewed program. UOMA is commended for conducting a study into how the circular economy could be relevant to these products.

The fees should also be set at a higher level to pay for the improvements needed in understanding collection rates, providing more comprehensive collection networks, enhancing awareness and fulfilling the mandate for redesign and reuse.

Section 5. Product Available for Collection

Lubricating Oil -the study on consumption on use is helpful and should be used to identify ways the program could minimize loss (such as leak detection and prevention).

Used Oil -The program should also look at ways to minimize the other uses (repurposed oil) where the oil may be burned without proper environmental and health protections.

Oil Filters -The program should work to minimize the non-recyclable components of oil filters so that waste to energy is no longer used.

Containers - We encourage BCUOMA to work with producers and large volume consumers to reduce the number of containers required for recycling, including refill options, and larger bulk containers to reduce the impact of these containers.

We appreciate that BCUOMA will conduct studies on what is "available for recycling" and feel that having third party oversight or verification of the process, definitions and standards used will enhance the trust in BC's EPR system.

Section 6. Collection

BCUOMA has been doing well in improving its public collection sites and increasing the compensation. It has been also working with First Nation communities to improve its collection infrastructure. It is appreciated that BCUOMA has developed its own standard that is an improvement on the SABC one however, the target for coverage should be that 100% of the population has access to either a collection depot or a pick-up system to return the product and packaging (free of charge to the end user). BCUOMA's new standard should be developed in consultation with local governments, First Nation's communities and the public, and meet the intent of the Recycling Regulation. Programs should provide service in all municipalities and if no service provider can be contracted, the program itself should set up the collection depot.

The program should work with the BC Product Stewardship Council and the Indigenous Zero Waste Technical Advisory Group to determine the underserved communities.

The program should also work with other EPR programs that have similar products or products that can be confused between programs, to ensure a resident or business can still easily recycle a product while both EPR programs guaranteeing that the products will still be recycled responsibly. Product labelling may help to remove this confusion, or there is an allowance for BUCOMA products to be returned through a similar program (ex. Product Care's HHW program), without any penalty to the collection site.

The program may also wish to do user surveys to understand where and why materials may be uncollected. The 2018 BC survey noted that 39% of residents found recycling used lubricating oil, filters and containers very convenient and another 37% found it somewhat convenient.[2] A target to raise this number as well as an annual survey to measure it would be useful. The survey also noted that up to 10% of respondents may throw program products in the garbage. When asked why these items may have been thrown in the garbage, 23% did not know the item was recyclable, 38% did not know where to take it and 17% said there was nowhere to take it or no way to get it there. This shows some key areas that this program plan should address.

A survey of the collection network should be done to understand what areas could be improved from both a collector and customer perspective. This network is an asset and using the collective knowledge would be advantageous. Metrics on customer satisfaction and collector satisfaction should be added to the program with targets suitably high for such an established program. A secret shopper (or dropper) program should be implemented to understand the consumer experience and if the collection sites are welcoming of products. Research should also be done to understand what products are not accepted and how to minimize that (such as poorly labelled containers).

We appreciate that BCUOMA is offering grants for infrastructure and think that the program should be paying 100% of the programs-specific costs. Events should be used as marketing tools to raise awareness rather than counted as part of accessibility as people are unlikely to store the materials until an event (often irregularly and sporadically timed) may occur.

Section 7 Transportation and Processing

The program is commended for having different collection zones. The plan notes this is part of an incentive system but the plan makes no mention of how the incentives work, how they are different, if they cover all of the costs of collectors and if they are effective.

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[2] BC Ministry of Environment and Climate Change Strategy (2018). Consumer Awareness Survey of Extended Producer Responsibility Programs in BC. Accessed at https://www2.gov.bc.ca/assets/gov/environment/waste-management/recycling/recycle/rel-res/consumer_awareness_survey_of_epr_2017.pdf.

7.3 This section has a table labelled targets but the table seems to reflect existing collection levels. While the regulation does state 75% collection as a baseline it also notes the ability of the director to set higher targets which they should for mature programs. The ultimate target for filters and containers should be 100%. Given that oil, antifreeze and other products in containers may be consumed, other methods such as audits and surveys should be used to understand what products may be going uncollected. More detail on the "repurposed" aspect should be gathered and it should be included in the reporting. Work should be done to encourage reuse of the materials and discourage burning of them.

7.4 Product Management. The Zero Waste Hierarchy should be used to develop systems for the products to be redesigned, reduced, reused and recycled. As noted above, reusable containers are preferable. It is good that antifreeze and lubricating oil can be recycled back into its original purpose but should there also be a system to reuse any residuals that are in their original state without refining being necessary. The programs should look to understand why some oil cannot be recycled back into lubricating oil and work to address those challenges with a goal to stop burning it. Similarly, can more filters be shifted to recyclable types and containers, when not reusable, be recyclable? The portion of oil that is used in burner units and as fuel for cement kilns needs to be reported separately and NOT counted as recycling. It should be phased out but until that time, it needs to be reported and accounted for separately as disposal. Similarly "reuse" is for materials used in the same condition as they were returned while recycling is for materials that are processed to ideally be used for similar purposes. This use of language in the table under 7.4 must be rewritten and highlights the need to have the MOECCS define these terms in the *Recycling Regulation* to avoid greenwashing and increasing consumer distrust.

Work should be done to develop reuse systems for filters as well as research on how to design products to be less toxic, require less of the product or have it last longer.

7.5 Landfill Audits

The use of waste composition audits going forward is useful to see if the containers and filters are being captured by the program, and the program should partner with other programs to conduct composition studies annually across BC. The results should be published on the BCUOMA website, and the details of the studies should be included in the annual report to the BC Government and made public. This data should be used to understand the degree of success of collection given the challenges and estimates of what is available to collect noted in the plan. Any local government or First Nation's government who requests assistance in funding a waste audit that includes BCUOMA products should receive appropriate funds and not need to go through the SABC request system.

Section 8 Paying the Cost of Collection and Management

This is a unique approach that is suitable as long as the accessibility, collection rates and retention of collectors is high. For collection sites, the assumption that labour, space, equipment, materials and others is part of the cost of doing business may be true for some collection sites but not for others (particularly those for whom collection is the goal and not other aspects like oil changes). The program **needs to prove** that all collection sites are being adequately compensated for their services and in particular, that local and First Nation governments are not subsidizing the program by offering staffed collection depots, storage, insurance, etc.

Care also needs to be taken that the end fates of the materials are in line with the program plan and it is not clear if this is part of the agreement as if the collector owns the product, it is assumed they sell it to the market. It is also not clear how this may need to change for items of lower value such as the additional forms of packaging or how incentives are changed in the event that the market rates for collected items are no longer sufficient to justify the collectors continuing as collectors or processors as processors.

The previous plan amendment noted challenges with local governments collecting other HHW but not BCUOMA products. The program should work with local governments to understand what the rationale is for not collecting BCUOMA materials and work to address them. This may be more important as the program expands it product suite.

The program may need to look more closely at its existing system to see if any changes are needed with the new suite of materials to collect regarding collection systems, processing, incentives and costs as well as looking to the future when electric vehicles are the norm.

Section 9 Program Marketing and Consumer Awareness

For a program operating as long as BCUOMA has, it is surprising that the level of consumer awareness is not higher. The 2018 BC report noted above found only 60% of residents were aware that used lubricating oil, filters and containers could be recycled with only up to 46% recycling or returning them. That the BCUOMA study in 2016 found that 78% of British Columbians were aware of the program is interesting and shows the need for more regular and impartial surveys.

If only 78% of the BC residents (2016 study) were aware of the program, it can be assumed that the collection rate is lower than that for consumers. The goal should be to get 95% of the population aware of the program by 2024 (and later 100%) with work done to increase awareness of the new range of products. To do otherwise is to continue to externalize costs to the public and the environment. The program could also pursue disposal bans with local governments as a way to ensure consumers do the right thing but also that they are aware that throwing these products away is not appropriate. More research should be done on the portion of product that is not collected to understand who is not participating in the program and what marketing and behaviour change initiatives are needed.

BCUOMA should consider the need to provide information in multiple languages based on the make-up of the communities in BC. Programs may also need to connect with different audiences if there are different kinds of products used by different markets. Consider the demographics of BC with regard to languages and ensure the materials are produced in the suite of languages needed to reach multiple demographics.

BCUOMA members should label their products so consumers know where to take them.

Section 10 Performance Measures and Targets

These performance measures, targets and reporting commitments should be included in the plan so that a permanent written record can be established.

I. Accessibility
The target for accessibility should be for 100% of residents living in a municipality (or First Nation community that wishes it) to have access to a collection facility in their community (with more facilities for those living in cities).
Collection events should be counted under marketing, not accessibility.

II. Sales, Collection and Capture Rates
As noted, the criteria for what counts as available for collection should be defined by the MOECCS and audited and monitored by a third party. Under capture rate, those numbers should be the baseline and the target should be 100% (especially as the plan notes incentives will be adjusted to reach the target so care must be taken to avoid reductions in incentive levels if a target were set too low).
Ideally reporting is also given by community (and not just Regional District).

III. Consumer Awareness & Education
The targets should be 95% increasing to 100% for knowing what to do with these materials. It is not necessary to know the name of the program but rather that a program or system exists to responsibly handle the materials.
Consumers should know where to find the information but this may vary -for example a local government may have a very strong communications program or a business may advertise this and this information should help to inform BCUOMA about what works and where gaps exist but this section does not show what would qualify as a correct answer.

IV. Product Management
As noted before, the definitions and corrections for the levels of the hierarchy should be made and the BCUOMA definitions should not be used.

V. Audits
More information should be audited where possible.

The table of the Community types should have a column showing what percentage of the BC population each segment is and where the remainder of the 2016 census population of 4,648,055 falls.

In conclusion

The program plan has a good basis but needs stronger targets and more ambition in achieving the outcomes intended by the CCME Canada-wide Action Plan for EPR. Some of the more ambitious direction could include more fully addressing some of the suggestions from the consultation for the previous plan. Another area that could be examined is the issue of the products entering the marine environment and oil containers used for boats ending up as shoreline litter. This plan renewal, at a time when BC is planning to develop a Circular Economy Strategy, is an opportunity to reduce environmental impacts and the efforts and initiatives in this area should be strengthened, alongside the creation of related targets for reuse, repair and refurbishment. That said, we look forward to continued improvement of this program.

Sincerely,
Sue Maxwell
On behalf of Zero Waste BC

Columbia Shuswap Regional District response to Draft Extended Producer Responsibility Plan BCUOMA

October 2022

6.2 Consumer Collection

- Currently in the BC interior there is only one registered collector (GFL) for BCUOMA. In the program plan there needs to be additional language on BCUOMA increasing the number and availability of collectors to build the capacity of the BCUOMA collection network.

7.5 Landfill Audits

- More participation from all the stewardship organizations when it comes to audits would be appreciated. In the EPR plan it states that *BCUOMA participates in landfill waste audits with local governments.* In 2021 the CSRD reached out to BCUOMA to participate in the Salmon Arm landfill waste audit and did not receive any funding or cooperation from BCUOMA. Will the Ministry be enforcing the BCUOMA's EPR approved Plans' commitment to participate in future waste audits?

8 Paying the Cost of Collection and Management

- With the consultants and reports conducted to review the renumeration of the program, there never seems to be consideration on the true cost of being a collector. The CSRD operates three collection sites at our landfills that are in conjunction with our HHW depots. During operations of the HHW depot we still must have a site attendant to manage material even if no BCUOMA material comes in, but they must be available even if material does come to the site. Also, staff manages material that comes in when the HHW depot is closed with program material that is pulled from the active face and/or left abandoned. More consideration needs to be given to the overall costs of managing EPR programs, which the small incentive CSRD gets for managing the BCUOMA material does not cover the true costs of operating. Also, there is quite a bit of administrative component to being apart of the program including: scheduling pickup, managing manifests and providing semi-annual reports of material collected that is not factored into the cost of managing the program.
- The CSRD is appreciative of the capital funding support received from BCUOMA to establish the hazardous waste depots at the CSRD's landfill facilities. However, BCUOMA now needs to conduct financial audits, similar to the work Recycle BC is doing, to understand the true costs of managing these depots. With the closure of so many historically operated receiving facilities i.e. Canadian Tire, etc., has resulted in the CSRD's hazardous waste depots becoming significant receiving facilities in our communities. As such, the funding model needs to be revisited.

9 Program Marketing and Consumer Awareness

- The volume of residential collection of oil is low in comparison to commercial volumes. In terms of marketing and consumer awareness it would be beneficial to see more advertising in the interior of the province. Have more education at the retail locations would be beneficial.

Columbia Shuswap Regional District response to Draft Extended Producer Responsibility Plan BCUOMA

Additional comments:

- More policies are required to improve working relationships between the Stewardship Agencies of BC. Back in 2017 there were summer students who travelled the province promoting all programs in BC. This program has many benefits and needs to be reinstated. More partnerships for education need to be formed between all Stewardship Agencies. A repository of educational resources, social media posts, ads etc. needs to be developed and made available to all collectors, municipalities, and local governments with a common look, feel and messaging. Currently the stewardship agencies work in silos and more collaboration is necessary to advance EPR programs.
- In all of the renewal of stewardship agencies plans a commitment to begin to transition to stewardship operated depots needs to be considered. This would not necessarily end the dependence on the collector network, but in communities with a large enough population depot could be set up and collect all EPR items, training would exceed industry standards and BC would be a model for other jurisdictions.

2

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Nanaimo Recycling Exchange Feedback to BCUOMA Draft EPR Plan, 2022

General response to BCUOMA DRAFT plan and reports.

Increased transparency and understanding of the BCUOMA program would be achieved through MOECC determined format for EPR plans and reports, with strict oversight of terms and evidence.

BCUOMA is one of the most confusing EPR programs to understand. It is not clear how EPR actually helps to lower environmental damage and impact of products when it appears that 96% of products collected are outside the EPR purview, and 4% seems to be within program control. How is it beneficial to have an EPR program to manage 4% of products accepted?

It is almost impossible to determine the relationship between BCUOMA and the commercial collection system. If EHC's are collected for small container products (30L of used oil for example), that suggests the program is consumer funded. If that is so, then where do funds originate that BCUOMA provides to commercial collectors and processors "based on collection volumes and locations"?

The BC Used Oil Management Association EPR Plan DRAFT highlights the need for updated MOECC definitions of all levels of the Pollution Prevention Hierarchy. "Enhanced" Pollution Prevention Hierarchy definitions is an understatement: there should be no entitlement for individual EPR plans or reports to use enhanced definitions.

The outdated EMA definition of Recyclable Material seems to stand as the criteria for EPR Recycling, Recycled, and Recyclable. By coincidence, or by unfortunate lack of attention to current practices, the EMA definition of Recyclable Material defines the exact requirements of processing for acceptance at cement kiln markets. It is an environmental disaster that this definition has led to burning material (for revenue) in the making of cement. This market has has out-paced value of materials for traditional recycling and has thereby replaced the traditional use of the word Recycling.

Environmental Management Act. Definitions 1. (1)

***"recyclable material"** means a product or substance that has been diverted from disposal, and satisfies at least one of the following criteria:*

(a)is organic material from residential, commercial or institutional sources and is capable of being composted, or is being composted, at a site;

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(b)is managed as a marketable commodity with an established market by the owner or operator of a site;
(c)is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process;
(d)has been identified as a recyclable material in a waste management plan;
(e)is any other material prescribed by the Lieutenant Governor in Council, or the minister under section 22 [minister's regulations — codes of practice]*;*

MOECC should provide clear updated definitions for the Recycling Regulations. NRES is promoting the concept of national standard definitions to harmonize, as recommended by CCME EPR programs in Canada, and that would apply to other programs such as the proposed new plastics registry and labelling programs in BC.

MOECC should also require EPR plans and annual reporting to demonstrate product management in strict terms of the Hierarchy. This would prevent confusing and misleading use of terms.

In fact, MOECC should define Stewardship to prevent latitude for application of the term as demonstrated by the BCUOMA hybrid program. It is not clear how BCUOMA claims stewardship over a product when 96% of the product is not actually being stewarded.

Collection
Typically, EPR programs demonstrate successful collection. Annual reports are meant to show year over year improvement in management of products. BCUOMA's "Unaccounted For products have been troublesome since 2006 reports, and not much seems to have changed.

The BCUOMA "Stewardship" model is unique at best and entirely misleading at worst. As noted in the proposed plan, "the processors own the material they collect or receive from collectors and market this material for their own benefit. The incentives provided by BCUOMA are actively managed and reviewed by the association to ensure the desired outcomes are being achieved." It doesn't seem that desired outcomes of "Unaccounted for" product is being achieved.

Instead, the enhanced definition of "Unaccounted for" has become "Re-Purposed" which sounds like one of those great "Re" words like recycle, or refurbish, or reuse. Except it's not. It is 18.76M litres of lost product because the financial incentives for sending to a cement kiln have likely surpassed the financial incentives for actually recycling. This not just the result of loose definitions: it also happens any time oil prices drop and remove the reason to purchase

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recycled oil. EPR is meant to cushion these market fluctuations with incentives, but BCUOMA has no EPR control over 96% of product and so doesn't provide incentives.

Recycling
How is it that consumers have to wash salad dressing out of a plastic bottle, but used motor oil containers contaminated with oil can be recycled? As it turns out, DesRosiers reports they aren't being recycled. There is troubling discrepancy between BCUOMA reporting and the DesRosiers findings:

BCUOMA Plan states,

- "while plastic oil and antifreeze containers are recycled into new oil containers, drainage tiles, and parking curbs," and
- "both used antifreeze and empty containers are processed and recycled at facilities right here in British Columbia."

The DesRosiers study reports, "

- Smaller package types such as bottles and jugs are intentionally made of HDPE with recyclability in mind but the issue of contaminants is a source of concern which reduces the recyclability and rate of reuse for these plastics
- Package manufacturers noted that their decision to use new plastic versus recycled plastic is generally cost driven with new plastic currently noted as the more economically viable option
- Do automotive fluid container manufacturers also purchase this recycled material? Participants in this study noted that the majority—if not all—of their recycled (reduced to resin, pellets, flaked) material is sold to other industries.
- Recyclers—according to package manufacturers—are deeply concerned with the amount of oil residue left within these HDPE containers once they reach their facilities. This contamination can make it impractical to recycle the plastic and can also negatively affect the quality of the recycled resin.
- However, as recyclable as HDPE plastic is on its own, the issue of contaminants presents a frequent speedbump
- As was mentioned by a number of recyclers, the current price of recycled resin sits somewhat higher than virgin resin, or at least they are similar in price. Package manufacturers make price-driven decisions when it comes to selecting a supplier for their plastic and a more expensive recycled product does not make for a good purchase.

Clearly, much of the BCUOMA packaging is not being recycled. In this case, EPR fees should be used to prohibitively price non-recyclable packaging, including the unfortunate "eco-boxes" out of the market. EPR fees should be used to incentivize Reuse containers. The barrier is not that producers are out of country. The barrier is BCUOMA failure to implement a fee schedule to change packaging design.

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Can we stop enabling the bending and twisting of definitions to pretend PRO's are managing products for their highest and best use, which everyone seems to believe is recycling. It is completely unfair to PRO's to expect magical recycling of non-recyclable products. Further research will not make a product recyclable, and it's a waste of eco-fee revenue. Why do we insist on perpetuating this faux EPR model when EPR was designed to remove polluting products from the system?

The suggestion by DesRosiers to develop an industry board to standardize packaging types and set recycling fees and incentives is disturbing: if an EPR provider is not able to implement EPR principles, then again, what is the benefit of EPR for these products?

In the DesRosier report, the Recycling industry is clear about refusing to recycle many containers without incentives. Whether this is a hostage tactic or a reflection of the truth about plastic, it's a lost cause. Contamination and competition from within the plastic industry will prevent achievement of recycling goals of BCUOMA plastic containers and other products.

Kind Regards,

Jan Hastings, MA
Executive Director
Nanaimo Recycling Exchange
jan@recycling.bc.ca

Thomson-Nicola RD (Survey Comments)

EPR Plan Consultation Survey - Fall 2022

Q6

Please describe the Plan revisions or clarifications you would like to see, indicating the relevant Plan section number before each recommendation.

8. Paying the Cost of Collection and Management
The TNRD is confident that the Return Collection Facility network would benefit from improved service levels provided by the Registered Collectors if BCUOMA were responsible for managing its program materials and collection. It is in the interest of BCUOMA to ensure that the Return Collection Facilities are receiving adequate service levels.

Currently, Registered Collectors are offering adequate service levels if the Return Collection Facility pays an hourly rate for the equipment used to service the Facilities. Or, alternatively if the Return Collection Facility stockpiles inordinate amounts of program materials that generate enough revenue to cover the Registered Collectors costs.

A solution to inadequate service levels would also be if BCUOMA paid the Registered Collectors enough to cover the costs of servicing the Return Collection Facilities. This is does not appear to be the case in the Interior of BC.

Q8

Do you have any further comments on the draft Plan?

The TNRD would like to see BCUOMA increase its capture rates over the term of the Plan. The draft Plan indicates that BCUOMA believes that it captures greater than 75% of its program materials. Why not increase that target in subsequent years to reflect increased capture rates? For example, if 75% is achieved over two consecutive years then increase the target capture rate to 80%? Once 80% is achieved over two consecutive years then increase the target capture rate to 85% etc.

Peace River RD (Survey Comments)

Q8

Do you have any further comments on the draft Plan?

Can't wait to see what kind of facilities we can get rolling with the PRRD

Comox Valley RD (Survey Comments)

Q6

Please describe the Plan revisions or clarifications you would like to see, indicating the relevant Plan section number before each recommendation.

As discussed via email 2021.02.23, a form to submit invoices for fees associated with the pickup of BCUOMA related products, and perhaps consider stipulation in the program plan that the collection site shall not incur costs, that the Collector shall submit the invoice directly to BCUOMA for additional costs associated with picking up material in those odd cases.

Q8

Do you have any further comments on the draft Plan?

We really appreciate the grant program, it makes our site safer!

Pender Island Recycling (Survey Comments)

Q6

Please describe the Plan revisions or clarifications you would like to see, indicating the relevant Plan section number before each recommendation.

A few small changes that wold be welcome:
- please provide collectors with a better bung wrench that is made of metal, as the plastic one does not work
- a better "full" gauge, again the plastic one doesn't work
- a deposit on empty oil containers, they are messy to handle and take up a lot of space

Q8

Do you have any further comments on the draft Plan?

It's a great plan and our experience as a collector has been very positive. Thanks!

(b) Session Attendees (EPR Plan)

	Full Name	Organization Representing	EVENT- 2022
1	Katrina Forrest	BC Ministry of Environment & Climate Change Strategy	Virtual #1 - September 28
2	Michael Wadeson	BC Ministry of Environment & Climate Change Strategy	Virtual #1 - September 28
3	Laura Zapotichny	Regional District of Fraser Fort George	Virtual #1 - September 28
4	Mannie Cheung	Product Care Association	Virtual #1 - September 28
5	Josie Abate	Volkswagen Group Canada Inc	Virtual #1 - September 28
6	Scott Boulton	Ford Motor Company	Virtual #1 - September 28
7	Wayne	N/A	Virtual #1 - September 28
8	Rob Au	BC Ministry of Environment & Climate Change Strategy	Virtual #2 - October 4
9	Michael Wadeson	BC Ministry of Environment & Climate Change Strategy	Virtual #2 - October 4
10	Leanne Koehn	Ridge Meadows Recycling Society	Virtual #2 - October 4
11	Tai Uhlmann	Let's Talk Trash	Virtual #2 - October 4
12	Subrena Vieglais	Yamaha Motor Canada	Virtual #2 - October 4
13	Fiona	NA	Virtual #2 - October 4
14	Mario Anda	Product Care	Virtual #2 - October 4
15	Adriana Mailloux	Thompson-Nicola Regional District	Virtual #2 - October 4
16	Ilse Sarady	Cowichan Valley Regional District	Virtual #2 - October 4
17	Tammy Giroux	General Motors of Canada	Virtual #2 - October 4
18	Alda Nicmans	BCPSC	BCPSC Session - Oct 18
19	Adriana Mailloux	Thompson Nicola Regional District	BCPSC Session - Oct 18

	Full Name	Organization Representing	EVENT- 2022
20	Andrea Patrao	Sunshine Coast Regional District	BCPSC Session - Oct 18
21	Avril Gilmour Ford	Capital Regional District	BCPSC Session - Oct 18
22	Carolynn Lane	Fraser Valley Regional District	BCPSC Session - Oct 18
23	Cynthia Coates	Central Okanagan Regional District	BCPSC Session - Oct 18
24	Gayle Short	East Kootenay Regional District	BCPSC Session - Oct 18
25	Graham Casselman	Columbia Shuswap Regional District	BCPSC Session - Oct 18
26	Graham Thornton	Regional District of Fraser Fort George	BCPSC Session - Oct 18
27	Ingalisa Burns	qathet Regional District	BCPSC Session - Oct 18
28	Janette Derksen	Regional District of Bulkley-Nechako	BCPSC Session - Oct 18
29	John Gillis	Peace River Regional District	BCPSC Session - Oct 18
30	Kieran Griffith	Kitimat Stikine Regional District	BCPSC Session - Oct 18
31	Marie Lou Leblanc	Squamish-Lillooet Regional District	BCPSC Session - Oct 18
32	Martin Dickson	Thompson Nicola Regional District	BCPSC Session - Oct 18
33	Sarah Willie	Comox Valley Regional District	BCPSC Session - Oct 18
34	Tera Grady	Cariboo Regional District	BCPSC Session - Oct 18
35	Travis Barrington	Regional District of Central Kootenay	BCPSC Session - Oct 18
36	Vanessa Lafontaine	Squamish-Lillooet Regional District	BCPSC Session - Oct 18
37	Andrew Doi	Metro Vancouver	CWMA - October 26
38	Paul Henderson	Metro Vancouver	CWMA - October 26
39	Michael Wadeson	BC Ministry of Environment & Climate Change Strategy	CWMA - October 26

	Full Name	Organization Representing	EVENT- 2022
40	Shauna Black	BC Ministry of Environment & Climate Change Strategy	CWMA - October 26
41	Bill Paton	MARR	CWMA - October 26
42	Mario Anda	Product Care Recycling	CWMA - October 26
43	Jeff McCord	Nickel Bros	CWMA - October 26

B4. Automotive Container Expansion: (a) Full Written Comments / (b) Session Attendees

(a) Full Written Comments

BC Bottle & Recycling Depot Association
Canadian Vehicle Manufacturers' Association
District of Squamish
Metro Vancouver
Regional District of Nanaimo
Recycle BC

33030 . 11198 - 84 Avenue . Delta. British Columbia . V4C 8E6

March 15, 2022

Mr. David Lawes
Executive Director, BC Used Oil Management Association
Suite 230, 830 Shamrock Street
Victoria, BC V8X 2V1

Re: BCUOMA Stewardship Plan – Expansion to Additional Automotive Containers

Dear Mr. Lawes,

Thank you for the opportunity to provide feedback on the BC Used Oil Management Association's (BCUOMA) proposed program changes and, through it, your proposed amendments to your current Extended Producer Responsibility (EPR) Plan.

On behalf of the BC Bottle and Recycling Depot Association (BCBRDA), I am writing to share some key feedback on behalf of those BCBRDA members who collect materials for BCUOMA. I hope you will consider our association's feedback and work with us to rectify concerns before submitting your EPR Plan amendments to the Ministry of Environment and Climate Change Strategy (MOECCS).

Before I share our association's feedback, I would first like to congratulate you on your initiative to bring additional automotive containers into the system. Your move to collect and recycle these containers in support of a circular economy and with the growing number of vehicles on Canada's roads is encouraging, and we support it.

This being said, we also want to ensure all regulatory obligations are met on the path to bring additional automotive containers into your program, including:

1. Your obligation to undertake satisfactory consultation, where "satisfactory" must reflect:
    - stakeholder involvement in the design stage of the consultation plan,
    - the ability for stakeholders to determine the implications to their interests by reading the wording in a document that is the subject of the consultation, and
    - stakeholders receiving transparent and detailed information, including the methodology used to determine costs; and
2. Producers' obligation to pay the full cost of managing their materials.

Our members' concerns are that BCUOMA has not met its consultation requirements, nor is consultation contributing to the required assurances that producers will pay their full cost for the additional automotive containers. This is particularly critical when it is our members' experience that producers are not currently paying their full cost when it comes to managing existing materials.

According to the *Recycling Regulation* and Recycling Regulation Guide, there is an overt relationship between PROs' consultation processes and their producers paying their full cost. The consultation process requires that stakeholders receive transparent, detailed documented information about the foci

BC Bottle & Recycling Depot Association

33030 . 11198 - 84 Avenue . Delta. British Columbia . V4C 8E6

of the consultation process, and how they impact stakeholders. It also requires that the foci include the methodology used to determine producers' full cost.

For our members, consultation on the methodology used to determine producers' full cost for additional automotive materials is imperative. The methodology is the path to arrive at a valid, transparent, fair financial model that demonstrates producers are paying their full cost, including a fair return to service providers. The financial model then becomes the basis for which service providers, like us, are able to negotiate fair compensation.

As an association, we have been working with our individual members to learn about and understand their concerns. One of the concerns that we've heard is that BCUOMA is not paying contracted depots fair compensation for services provided. Our members note that current compensation does not account for key requirements to manage program materials, including rising labour costs, insurance costs, future environmental liabilities related to land clean ups and remediation, and more. As BCUOMA proposes to expand its program to include more materials, we want to ensure producers are held to account for their full costs – which will also go a long way to help ensure the long-term viability of depots as collection services providers.

To be clear, our members are interested in a long-term, mutually beneficial partnership with BCUOMA. Our goal with this letter is to work with you to:

1. Ensure the EPR Plan that goes to the MOECCS is meets all regulatory requirements.
2. Our members are compensated fairly for the services they provide.

To move forward in a timely and efficient manner, I am requesting a meeting in the next 10 business days, with the purpose to outline augmented consultation that fulfills BCUOMA's regulatory requirements. Please contact me at jay@interiorrecycling.com with three possible dates, including available times, for a meeting with our representatives. I will be happy to work with our Board representatives to coordinate an online discussion with BCUOMA. I look forward to our meeting.

Sincerely,

Jay Aarsen
Board, Chair BCBRDA

cc:
Bob McDonald, MOECCS, Director, Extended Producer Responsibility
Will Burrows – BCUOMA, Director Consumer Collection & Sustainability

Canadian Vehicle Manufacturers' Association
Association canadienne des constructeurs de véhicules

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Suite 1404
Ottawa, ON K1P 5V9

Tel: 416-364-9333
info@cvma.ca
www.cvma.ca

March 15, 2022

Mr. David Lawes
Chief Executive Director
BC Used Oil Management Association
3rd Floor, 536 Broughton Street
Victoria, BC V8W 1C6

Subject: BCUOMA 2022 Consultation – Expansion to Additional Automotive Containers

Dear Mr. Lawes:

The Canadian Vehicle Manufacturers' Association, representing Ford Motor Company of Canada, Limited, General Motors of Canada Company and Stellantis (FCA Canada Inc.), appreciates the opportunity to comment on BCUOMA's consultation on expanding the program to include additional automotive containers.

While we recognize that BCUOMA wishes to be proactive and add all automotive containers to its program to keep up with the changes to the province's recycling regulation related to plastics and the recently published, 5-year EPR plan, we believe further information and discussion is needed before all automotive containers are added to the program. Our comments and concerns are outlined below.

First and foremost, adding all containers to the program has the potential to increase costs for the stewards. The proposal as outlined does not provide sufficient information on the cost implications for the program as a whole.

For the list of automotive containers, we are concerned that windshield washer fluid (WWF) containers are proposed to be added to the program when they are already being collected under the blue box program in British Columbia. We do not support the inclusion of the WWF containers in the BCUOMA programs as there is no information or data to demonstrate the extent of the problem and what if any efforts have been taken to mitigate and prevent the collection of WWF containers so that it does not contaminate the current collection stream. As WWF containers are collected under the BC Blue Box program and stewards are already paying for these containers, adding this to the BCUOMA program has potential added costs. We are working under the presumption that the WWF containers contamination is found in commercial settings and feel that BCUOMA should be able to resolve this issue through education and more fastidious collection. Efforts need to continue and likely be increased, to ensure the participants avoid the collection of products that are outside of the program scope. We note that BCUOMA's publications do not highlight that other automotive fluid containers are not accepted (https://bcusedoil.com/about-us/faqs/). Section 5 indicates that 96% of material collected is from commercial locations where contamination should be non-existent with proper education and enforcement, leaving only 4% from public collection sites. Furthermore, it is also unclear if BCUOMA has engaged in a discussion with the blue box program to determine if there are opportunities to see if the containers can be placed into their program for management as it will ensure there is no duplication of effort. BCUOMA must not create a situation where one product is being collected and EHCs charged under two programs.

On the issue of DEF containers, we are again presuming that these containers are seen in the same settings as to where the contamination is found for WWF containers. Again, similar to our views on the WWF containers, BCUOMA as a first step, needs to undertake education to ensure that those involved are aware that DEF containers should not be placed with the used oil program containers. Should BCUOMA decide to move forward with including DEF containers, then a harmonized approach which is in place in other provinces (add names of provinces) needs to be taken. This will provide consistency and clarity to our members.

We do not support the proposed collection of automotive aerosol containers in the program as there is potential for additional overlap. We suggest that BCUOMA examine the other programs already in place where these containers are collected (13 programs across the country). In BC, aerosols are categorized as flammable solvents and are already being managed by Product Care. We also caution BCUOMA that the collection of these containers has the potential risk of increased contamination of non-automotive aerosol containers. For example, products that are automotive-like, such as general-purpose lubricating oils (WD-40, 3-in-1, or silicone sprays), cans of spray paint, penetrating oils, etc. may also be brought to the collection point.

Slide 5 of the consultation material lists "additional automotive containers", the last one is "other". BCUOMA should clarify what this includes.

CVMA is pleased to see that the revisions to the program plan have been shared with stewards and highlighting where the proposed program changes are being contemplated. It is helpful as it allows our members to understand the changes and provide meaningful input. From our review of the plan, we noted that several of the previously planned activities have not been undertaken or have not been completed. It would be beneficial for BCUOMA to provide an update on the plan and its deliverables before changes are made. For example, Section 4.1 indicates that a new "consumed in use study" was to be completed in 2019. It is unclear why the update is not included in the proposed plan revision and if the new percentage or formula was changed. Similarly, it is unclear what the progress is on the "unaccounted used oil" study in section 4.1, "lost antifreeze" study in section 4.2 and "oil filter light-weighting" study in section 4.3. and the change to 6.3 on the collection rate and why this is being changed.

We trust our comments will be considered. We would welcome the opportunity to meet with you to discuss our input before the program plan is finalized. We will contact you to arrange a meeting at a mutually convenient time.

Yours sincerely,

Yasmin Tarmohamed.

Yasmin Tarmohamed
Vice-President, Environment and Engineering

SQUAMISH

HARDWIRED *for* ADVENTURE

To Whom It May Concern,

Thank you for the opportunity to comment on the draft plan. The District of Squamish is committed to a Zero Waste future and acknowledges that climate change is happening, and local governments play an important role in reducing greenhouse gas emission. The need to respond to climate change is urgent and achieving zero waste through diversion and waste reduction is a key component. Zero waste is the conservation of all resources by means of responsible production, consumption, reduction, reuse, and recovery of products, packaging, and materials without burning and with no discharges to land, water, or air that threaten the environment or human health. Our current resource consumption systems not only create waste but also generate a huge amount of greenhouse gases which constitute some of the discharges that threaten the environment and human health. EPR programs can play a key role in changing these consumption systems.

We recognize that BC is a global leader in EPR programs, and that the Province, through the Recycling Regulation, has supported their growth and development. Since their inception, the EPR programs have evolved, they are utilized extensively within our community and they are integrated into waste diversion programs/systems throughout the province. That being said, it is up to the Province to ensure that these Programs, BCUOMA included, are continually moving the dial to ensure they move beyond business as usual, which includes the following actions (but isn't limited to these) and the related targets (or the development of):

* Increase collection rates,

* Increase customer and industry awareness of all accepted products,

* Increase their support of the top tiers of the pollution prevention hierarchy, such as reduction.

Please see our comments by section below:

Sections 1 & 2 – Overview and Legal Requirements

We commend BCUOMA on committing to expanding the products it will include in the program. We recommend BCUOMA clarify that it handles the residual material left in accepted containers, in addition to the residual oil.

District of Squamish 37955 Second Avenue PO Box 310 Squamish British Columbia V8B 0A3
Ph: 604.892.5217 or 1.877.892.5217 squamish.ca

Section 3 – Governance and Financing

BCUOMA should develop variable handling fees to encourage longer lasting, reusable or refillable containers, as well as the use of easy-to-recycle materials and PCR content in the packaging, to drive product producers to design change. BCUOMA should penalize producers for using non, or hard to, recycle materials, such as PVC pouches.

Section 4 – Product Design and Use Trends

For all products collected, the District of Squamish encourages BCUOMA to encourage producers to include EPR labelling and recycling information on the containers. This would ensure all consumers and businesses are aware of the correct disposal procedure and decrease confusion about what is and is not included in the BCOUMA program. Putting the BCUOMA logo on accepted products packaging will also make it easier for depots to easily determine what is and what is not accepted in the program and help reduce the amount of non-accepted product in the program.

BCUOMA should also encourage producers to create labels that will not be destroyed or ruined in the use of the product to reduce orphaned containers that are not accepted in the program.

Section 5 – Collection

We encourage BCUOMA to look at new and innovative ways to encourage new depot and collection points in communities, including Squamish.

Collection sites often struggle with managing the large volumes of material received in this and other EPR programs. The loss of Canadian Tire as a collection site (several years ago) was notable in our community. Squamish now has one official BUCOMA collection site, however, opening up more commercial and residential collection sites will help to reduce the demand on any individual site, and make it easier for residents and businesses to find a convenient collection. Accessibility and equity should be a key factor in setting up new collection sites.

We would like to see BCUOMA partner with other EPR programs that have similar products or products that can be confused between programs, to ensure a resident or business can still easily recycle a product. Product labelling may help to remove this confusion, or there is an allowance for BUCOMA products to be returned through a similar program (ex. Product Care's HHW program), without any penalty to the collection site. While both EPR programs guaranteeing that the products will still be recycled responsibly.

We encourage BCUOMA to share more broadly the Community Collection Event program, as this is not commonly known in many communities. The number and location of contracted sites

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Ph: 604.892.5217 or 1.877.892.5217 squamish.ca

by city and RD should be provided as well as a list of any municipalities that do not have a permanent depot. The population with access to collection should have a target of 100%, with all municipalities served as well as any First Nations locations as determined in conjunction with the First Nations. Mail-back or pick-up options should be available for those not living in the aforementioned locations. The commitments to work with RDs and IZWTAG are good steps.

The data on collected volume/units should be available to local governments, either by request or published in the annual report. As regional districts and municipalities are responsible for developing their own waste reduction and Zero Waste plans, this level of data is incredibly useful to identifying gaps.

Section 6 – Transportation and Processing

We encourage BCUOMA to work with producers and large volume consumers to reduce the number of containers required for recycling, including refill options, and larger bulk containers to reduce the impact of these containers.

We congratulate BCUOMA on having surpassed the 75% capture rate identified in the Recycling Regulation and encourage BCUOMA on setting higher goals to push continual improvement in the oil EPR system and aim for collection 90% for all streams, and 95% for used oil.

The Zero Waste Hierarchy should be used to develop systems for the products to be redesigned, reduced, reused and recycled. It is good that antifreeze and lubricating oil can be recycled back into its original purpose but should there also be a system to reuse any residuals that are in their original state without refining being necessary. More filters should be shifted to recyclable types and containers, when not reusable, be recyclable. There is no mention of how the residuals in the extended suite of program products will be handled nor if any of their containers will be handled any differently than the existing ones.

BCUOMA should pay into more annual waste audits and coordinate with other stewardship agencies (usually through SABC) involved in local government waste audits. This should be equally spread across the province, not just focused on Metro Vancouver.

Section 8 – Program Marketing and Consumer Awareness

We would like to see BUCOMA and other similar EPR programs work together to produce communications materials that are multi-EPR. If the customers or users are anticipated to be the same, then we would like to see a more harmonized communication program. It is difficult for local governments to promote the multitude of different programs individually, especially with those that have similar products (ex. HHW & BUCOMA).

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We encourage BCUOMA to set an ambitious goal to increase consumer awareness from the current level to 95% by the next plan renewal. Labelling and collaboration with other EPR programs would assist in raising the profile of BCUOMA to ensure it is properly capturing all material.

We would like to see BCUOMA communication materials in languages other than French and English. The District of Squamish would like to see materials produced in Punjabi and Tagalog, in particular

BCUOMA should provide local governments and regional districts updated lists of acceptable material and depot on a regular basis so they can update their own communication materials and ensure consistent and correct information.

The District of Squamish appreciates the opportunity to provide feedback and would like to reiterate that this is an opportunity to reduce environmental impacts and the efforts and initiatives in this area should be strengthened, alongside the creation of related targets for reuse, repair and refurbishment.

We hope to see increasingly ambitious goals for BCUOMA to further awareness and collection to ensure continued growth of the program.

Jeff Wint – Sustainability Coordinator

Shannon White – Integrated Solid Waste Specialist

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From: Maria Lo Maria.Lo@metrovancouver.org
Subject: BCUOMA Expansion to Additional Automotive Containers - Metro Vancouver Comments
Date: March 15, 2022 at 8:53 AM
To: David Lawes DLawes@usedoilrecycling.ca
Cc: Andrew Doi Andrew.Doi@metrovancouver.org

ML

Hello BCUOMA,

Thank you for hosting the virtual consultation session on March 1 and for welcoming comments for the extended container category. Metro Vancouver staff attended the March 1 consultation session and reached out to our members for feedback on the proposed changes. Please see the comments below.

Program Benefits:

- Simplifies the recycling process for consumers of automotive related product containers and keeps them out of the garbage.
- Increases exposure of the BCUOMA program as more product types are accepted.
- Potentially reduces contamination in other EPR programs, such as Recycle BC, Product Care.

Implementation Concerns:

- How will BCUOMA avoid potential confusion for consumers and staff at the collection facilities in matching the materials to the proper program? The development of training and resources designed to address potential confusion needs to be considered.
- Additional staff and space may be required at collection sites, particularly with the acceptance of 210 L drums. Will collectors be able to opt out of collecting selected containers?
- What will the hauling frequency be to address potential space concerns?
- How will BCUOMA ensure producers are paying the cost for managing and accepting the expanded containers?
- Containers are sometimes returned with residual material. What is the plan for helping collectors manage residuals arriving at facilities, including secondary containment and leaky containers?
- Will there be one hauler for all BCUOMA containers or will depots need to source additional haulers?

Best Regards,

Maria Lo, P.Eng
Project Engineer
Solid Waste Services
Email: Maria.Lo@metrovancouver.org
C: 778-883-7968
Office: 4515 Central Boulevard, Burnaby, BC V5H 0C6
metrovancouver
SERVICES AND SOLUTIONS FOR A LIVABLE REGION

REGIONAL DISTRICT OF NANAIMO

March 14, 2022

RE: BCUOMA EPR Plan Amendment Consultation

The Regional District of Nanaimo would like to BCUOMA for the opportunity to comment on the EPR Plan amendment to expand the automotive containers collection program. We would also like to take this opportunity commend BCOUMA on their commitment to working towards an enhanced level of program accessibility.

Our sole point of concern is the continuing absence of some automotive fluids from the collection program, specifically brake and power steering fluids. BCOUMA addressed similar concerns during BCSPC consultation presentation by saying these materials are intended to be used in their entirety and there should be little more than residual amounts remaining. However, this does not address a) the waste fluids that were drained from the automobile and b) expired and partially used containers. While volumes may not present as significant relative to lubricating oil volumes, BCOUMA collection sites receive small volumes of these materials on a regular basis. We are aware of instances where collectors received reduced rates for their used lubricating oils that were contaminated with non-lubricating hydraulic fluids. We believe a future expansion to collect these fluids would help serve customers and collectors, reduce the frequency of contamination in municipal waste and wastewater infrastructures, and reduce the presence of these materials in illegal dump sites.

6300 Hammond Bay Road, Nanaimo, BC V9T 6N2

www.rdn.bc.ca

RECYCLEBC

Tamara Burns
Executive Director
Recycle BC

March 10, 2022

David Lawes
Executive Director
BC Used Oil Management Association
536 Broughton St, Victoria, BC
V8W 1C6

Subject: BC Used Oil Management Association (BCUOMA) plan to include additional automotive containers

Dear Mr. Lawes,

This letter is in response to the BCUOMA consultation regarding the expansion of its program to include additional automotive containers. The BCUOMA has identified the following containers it wishes to target as part of its expansion:

- Diesel exhaust fluid;
- Windshield washer fluid;
- Automotive additives;
- Aerosols, and;
- Other containers up to 210L.

Recycle BC operates a program for residential packaging and paper under Schedule 5 of the Province of BC's *Recycling Regulation*. As part of its government-approved Stewardship Plan, Recycle BC manages some of the products identified by the BCUOMA. Specifically, if these products are purchased by a British Columbia resident, producers currently pay fees to the Recycle BC program to ensure the responsible management of these materials.

Meanwhile, residents benefit from the convenience of being able to place most of these containers in their curbside recycling. In addition, Recycle BC has approximately 230 depots across the province that collect our materials, providing excellent access to recycling options for these materials.

Through discussion with the BCUOMA, Recycle BC understands the BCUOMA is primarily interested in collecting non-residential, institutional, commercial, or industrial products which, while often similar to residential materials, are not used by residential consumers. Recycle BC takes no position with regard to these non-residential materials, as they are not covered by Schedule 5 of the *Recycling Regulation* and our government-approved Stewardship Plan. However, Recycle BC does not believe it is appropriate for the BCUOMA to target products destined to be purchased by BC residents that already have a convenient collection system designed to manage them efficiently and effectively.

By way of this official response to BCUOMA's consultation, Recycle BC is copying the Ministry of Environment and Climate Change Strategy to provide notification of our position.

Sincerely,

Tamara Burns

CC:

Laurel Nash, Assistant Deputy Minister, Ministry of Environment and Climate Change Strategy
Sonya Sundberg, Executive Director, Ministry of Environment and Climate Change Strategy
Bob McDonald, Director, Ministry of Environment and Climate Change Strategy
David Lefebvre, Director, Public Affairs, Recycle BC

(b) Session Attendees (Automotive Container Expansion)

Feb 22 2022	Full Name	Organization Representing
1	Scott Boulton	Ford Motor Company of Canada
2	Shawn Dutton	Arpac Storage Systems
3	Larry Robertson	FCA Canada Inc.
4	Ruby Mendez	Mitsubishi Motor Sales of Canada Inc.
5	Eric Sasseville	Costco Wholesale Canada Ltd.
6	Amanda Lee	Costco Wholesale Canada Ltd.
7	Bob Banga	Wagonmaster Enterprises (BC)
8	Jordynn McMullen	Wagonmaster Enterprises (BC)
9	Chetan Patel	Kleen-Flo Tumbler Ind. Ltd.
10	Brian Fraser	Safety-Kleen
11	Kaman Cheung	Fastenal Canada
12	Melissa Santeramo	Acklands-Grainger Inc.
13	Mannie Cheung	Product Care
14	Fiona Shirran	Product Care
15	Shara Bonds	Product Care
16	Oge Moss	Vancouver Airport Authority
17	Brandy Deacon	Pat's Off-Road Transport Ltd.

Mar 1 2022	Full Name	Organization Representing
1	Sylvia Senroan	NCH
2	Jennifer Ivan	Comox Valley Regional District
3	Sue Maxwell	Zero Waste BC

Mar 1 2022	Full Name	Organization Representing
4	Mannie Cheung	Product Care
5	Shannon White	District of Squamish
6	Tera Grady	Cariboo Regional District
7	Alda Nicmans	BCPSC
8	Darren Murray	Reg District North Okanagan
9	Andrea Patrao	Sunshine Coast Regional District
10	Nathan Hartnett	Regional District of Fraser-Fort George
11	Marie-Lou Leblanc	Squamish-Lillooet Regional District
12	Abby McLennan	qathet Regional District/Let's Talk Trash
13	Travis Tanner	Regional District of Nanaimo
14	Janette Derksen	Regional District of Bulkley-Nechako
15	Amanda Kletchko	Cowichan Valley Regional District
16	Maria Lo	Metro Vancouver
17	Mark Bottomley	Lasqueti Island
18	Martin Dickson	Thompson-Nicola Regional District

APPENDIX C: Product Design and Use Trends

Term: November 2024 to November 2029

Interchange will continue to monitor the following and any other emerging product trends.

Lubricating Oil

- New vehicles are more efficient and require fewer oil changes. This trend could lead to lower sales of lubricating oil or less lubricating oil available for collection.
- The largest re-purposing application of lubricating oil is as burner fuel in shop heaters, a use that is currently acceptable to the Ministry of Environment and for which it provides guidance such as testing requirements.

Antifreeze

- No emerging trends currently noted.

Oil Filters

- Oil filters have typically been made of metal but in recent years more non-metals filters have been sold. Non-metal filters often have plastic and cardboard components that are lighter in weight than metal filters. Light-weighting of filters changes the recovery performance measurement methodology, and affects the estimate used to translate kilograms collected into units.
- Interchange is monitoring market trends in non-metal filters to identify any changes needed to the recovery measurement methodology. Findings on any changing trends in filters will be posted in the Resources & Reports section of the Interchange website.

Automotive Containers

- Containers have not changed in composition over recent years and the recycling methodology is well known. At times, manufacturers have used containers made of plastic that are difficult to recycle but this has not been the case of late.
- Interchange monitors the marketplace for new and growing trends in containers that could result in recycling challenges. These trends include "oil-in-a-box", where the oil is in a plastic bladder bag and packaged in a cardboard box with a spout.
- Findings on any changing container trends that could impact the program (such as a UOMA study conducted with other Canadian programs) will be posted in the Resources & Reports section of the Interchange website.

APPENDIX D: Recycle BC – Future State Overview

RECYCLEBC

BC USED OIL MANAGEMENT ASSOCIATION (BCUOMA)
Windshield Washer Fluid, Diesel Exhaust Fluid, and Automotive Additives Containers in Recycle BC System

POSSIBLE FUTURE STATE – OVERVIEW

Recycle BC is a not-for-profit organization delivering residential recycling services for packaging and paper product (PPP) to two million households across British Columbia. Recycle BC ensures that waste packaging and paper is collected from residents at households, through curbside and multi-family building collection, and recycling depots, and then sorted and recycled responsibly.

Recycle BC endeavours to have residents only use its blue box system for its stewarded packaging and paper; however, the reality is, some residents use the collection network for other stewardship program items such as the recycling of beverage alcohol deposit-return containers and beer & cider secondary packaging.

BCUOMA recently consulted regarding the expansion of its program to include additional automotive containers, some of which are currently managed through the Recycle BC program (e.g., windshield washer fluid, diesel exhaust fluid, and automotive additives containers). Today, producers pay fees to the Recycle BC program to ensure the responsible management of these materials and the residents benefit from the convenience of being able to place these containers in their curbside recycling; however, with the expansion of the BCUOMA program which includes IC&I containers, and the possibility of new regulatory changes creating an automotive program, it makes sense to consider a different arrangement.

Recycle BC is open to a commercial arrangement and offers a short overview of a possible future state.

Windshield Washer Fluid, Diesel Exhaust Fluid, and Automotive Additives Containers in Recycle BC System

Should BCUOMA wish to assume the obligation for the items currently in the Recycle BC program, it could be possible to maintain collection for residents through the blue box under a commercial agreement. Recycle BC already declares in its Annual Report both gross tonnes collected and net tonnes collected – the net tonnes collected and recovery rate reflecting the exclusion of tonnes collected by Recycle BC on behalf of other stewardship programs.

Recycle BC can calculate with a high degree of accuracy the quantity of material, by material type, collected across its system through an extensive and continuous monthly inbound composition audit (ICA) process that is conducted at its Centre for Material Intelligence in Surrey, BC.

To determine the quantities of BCUOMA containers, Recycle BC would use its monthly ICA process, which samples collection to a statistically provincially representative level, and add to this a secondary sort, count and record of the agreed-to BCUOMA containers for at minimum two sampling periods per year. The commercial financial arrangement would include a fee for the additional audit work and a price/tonne for the amount of containers collected and managed by Recycle BC. This procedure would

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RECYCLEBC

be conducted upon mutually agreed methodology, audit categories, and independent auditor oversight arrangements.

At a high level, the agreement design would enable Recycle BC to be paid for BCUOMA containers collected in its system and allow BCUOMA to claim the collection and recycling units and tonnage for these containers.

If BCUOMA is interested in Recycle BC's proposal as outlined at this high level, Recycle BC suggests the next step is for BCUOMA and Recycle BC to discuss timing with respect to the steward reporting/payment calendar and program plan approval timing, confirm details of an audit methodology (and visit Centre for Material Intelligence to observe the audit procedure), and draft an agreement to govern the commercial transaction for the specific containers.

RCBC Recycling Hotline and Recyclepedia 2024 Summary – RDCK

Total Hotline and Recyclepedia Inquiries = 2,126

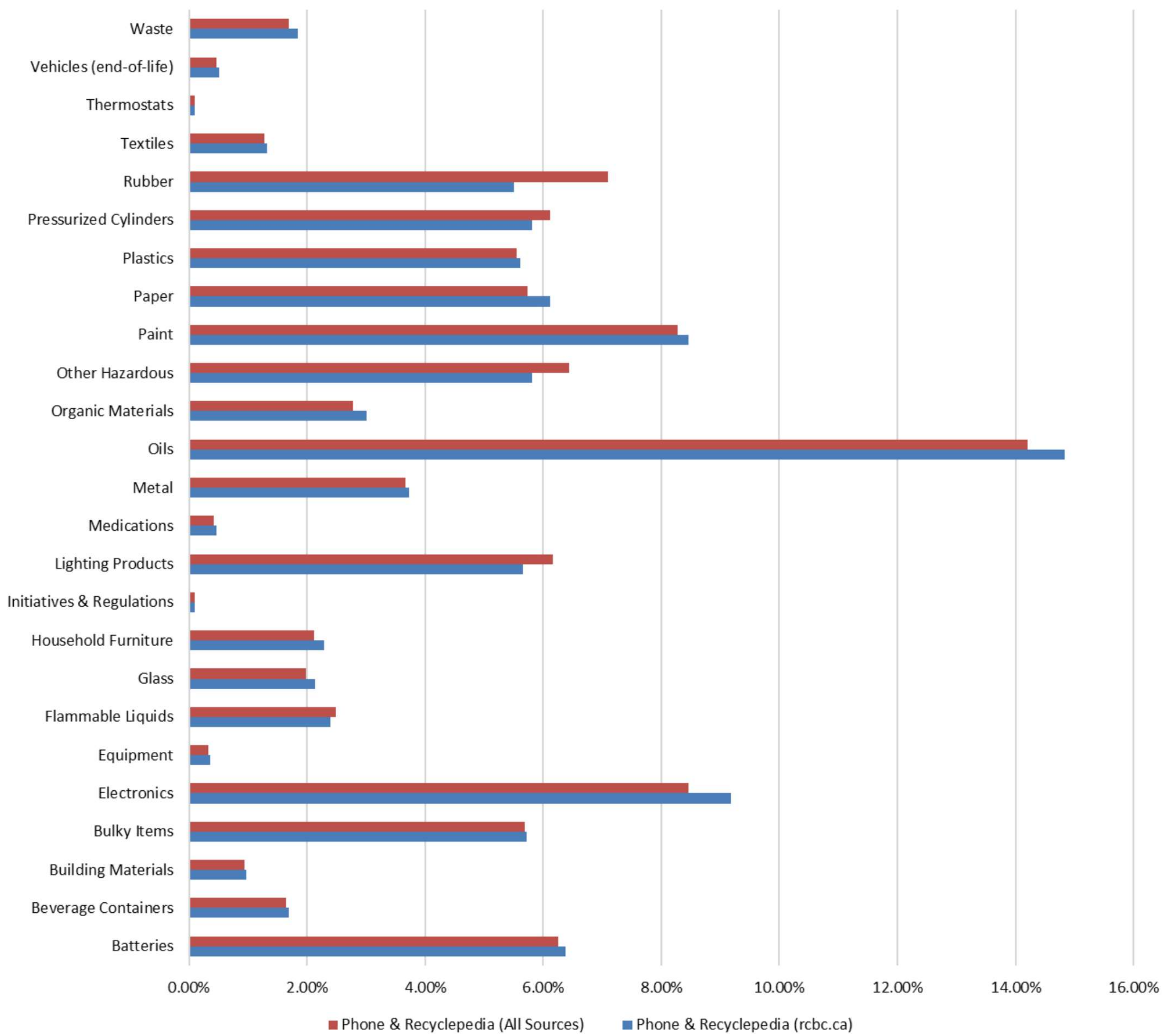
Total Number of Hotline Enquiries

The Recycling Hotline received 225 calls, representing 452 material requests.

Recyclepedia Web Searches

In 2024 there were 1,674 unique web searches on the Recyclepedia, 1,514 of which originated from www.rcbc.ca and 165 from externally hosted Recyclepedia widgets. Externally hosted Recyclepedia widgets include 8 local and regional governments, and 1 steward organization.

Summary of Material Requests for the RDCK: 2024

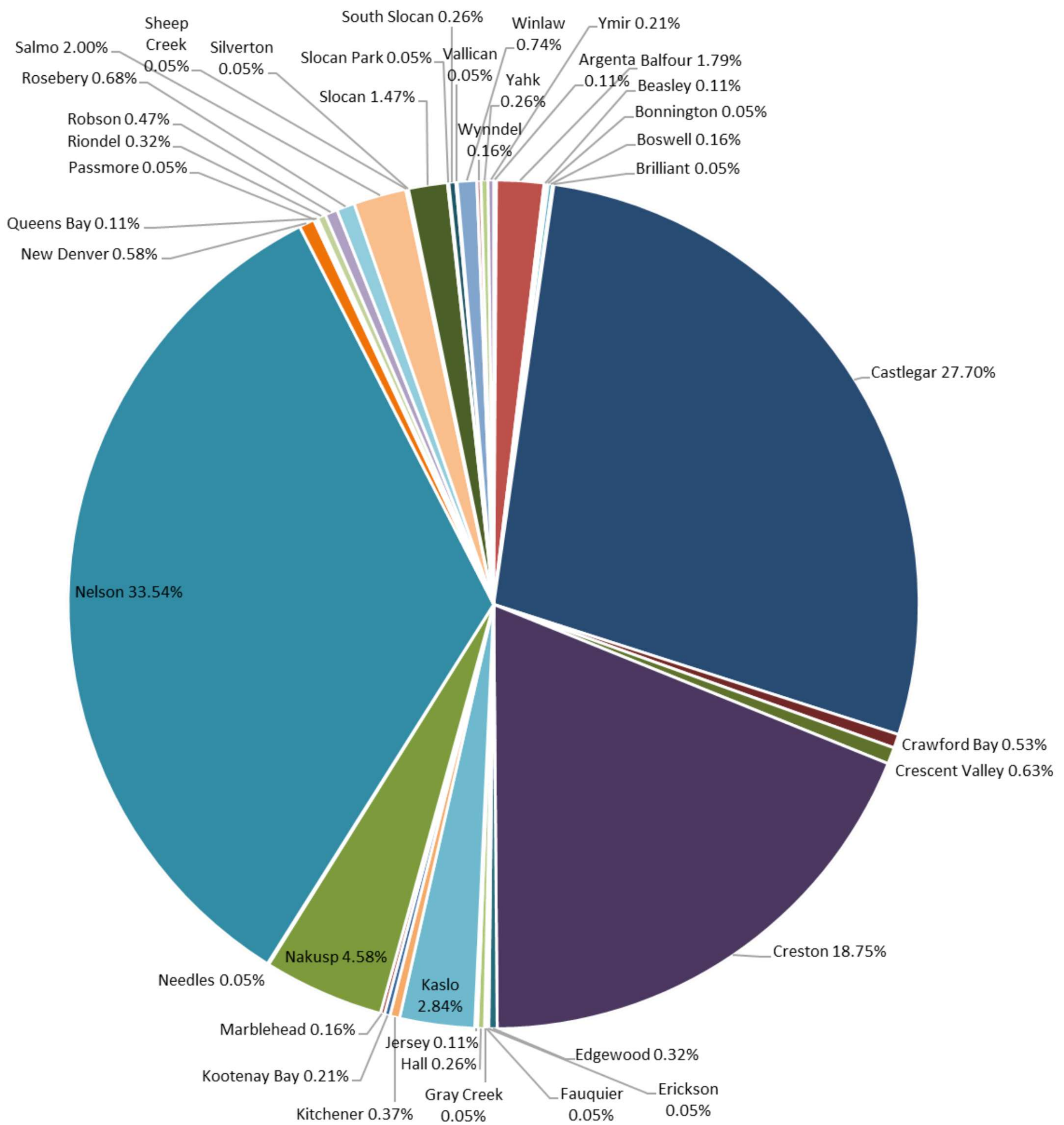


RCBC Recycling Hotline and Recyclepedia 2024 Summary – RDCK

Summary of Call Volumes for the RDCK: 2024

City	Number of Calls	Number of Web Searches (rcbc.ca)	Number of Web Searches (all sources)
Argenta	0	2	2
Balfour	7	25	27
Beasley	0	2	2
Bonnington	0	1	1
Boswell	1	2	2
Brilliant	0	1	1
Castlegar	49	440	477
Crawford Bay	0	9	10
Crescent Valley	2	10	10
Creston	22	292	334
Edgewood	0	6	6
Erickson	0	0	1
Fauquier	0	0	1
Gray Creek	0	1	1
Hall	0	5	5
Jersey	0	0	2
Kaslo	6	43	48
Kitchener	0	6	7
Kootenay Bay	0	3	4
Marblehead	0	2	3
Nakusp	21	60	66
Needles	0	0	1
Nelson	98	483	539
New Denver	3	8	8
Passmore	0	1	1
Queens Bay	0	2	2
Riondel	0	6	6
Robson	3	5	6
Rosebery	1	12	12
Salmo	3	32	35
Sheep Creek	0	1	1
Silverton	0	1	1
Slocan	9	19	19
Slocan Park	0	1	1
South Slocan	0	5	5
Vallican	0	1	1
Winlaw	0	13	14
Wynndel	0	2	3
Yahk	0	4	5
Ymir	**0**	**3**	**4**
Grand Total	**372**	**1514**	**2070**

Distribution of Enquiries by City RDCK: 2024



Recyclepedia App Searches - RDCK: 2024