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Tracking Number:

Authorization Number: 1714

REGISTERED MAIL

REGIONAL DISTRICT OF NANAIMO
6300 HAMMOND BAY RD.
NANAIMO BC V9T 6N2

Dear Operational Certificate Holder:

Enclosed is Amended Operational Certificate 1714 issued under the provisions of the *Environmental Management Act*. Your attention is respectfully directed to the terms and conditions outlined in the operational certificate. An annual fee will be determined according to the Permit and Approval Fees and Charges Regulation.

This operational certificate does not authorize entry upon, crossing over, or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority rests with the operational certificate holder. It is also the responsibility of the operational certificate holder to ensure that all activities conducted under this authorization are carried out with regard to the rights of third parties, and comply with other applicable legislation that may be in force.

Requirements may also be specified by the *Environmental Management Act* and regulations including, but not limited to, the Contaminated Sites Regulation, Environmental Data Quality Assurance Regulation, Hazardous Waste Regulation, Landfill Gas Management Regulation, Organic Matter Recycling Regulation, Ozone Depleting Substances and Other Halocarbons Regulation, Recycling Regulation, Spill Reporting Regulation, Storage of Recyclable Material Regulation, Waste Discharge Regulation and Codes of Practice.

When a spill occurs, or there is an imminent risk of one occurring, the responsible person must ensure that it is reported in accordance with the Spill Reporting Regulation. Additional information on spill reporting requirements is available at gov.bc.ca/reportaspill.

This decision may be appealed to the Environmental Appeal Board in accordance with Part 8 of the *Environmental Management Act*. An appeal must be delivered within 30 days from the date that notice of this decision is given. For further information, please contact the Environmental Appeal Board at (250) 387-3464.

Documents pertinent to the operational certificate are to be submitted by email or electronic transfer to the director, in accordance with the ministry Data & Report Submissions website at: <http://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization/data-and-report-submissions>, or as further instructed.

For more information about how the Ministry will assess compliance with your operational certificate please refer to gov.bc.ca/environmentalcompliance.

For more information about how to make changes to your operational certificate and to access waste discharge amendment forms and guidance, please refer to gov.bc.ca/wastedischarge-authorizations.

Yours truly,

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for Director, *Environmental Management Act*



MINISTRY OF ENVIRONMENT
AND CLIMATE CHANGE
STRATEGY

OPERATIONAL CERTIFICATE

1714

Under the Provisions of the Environmental Management Act

Pursuant to the Approved

Regional District of Nanaimo Solid Waste Management Plan

REGIONAL DISTRICT OF NANAIMO

**6300 HAMMOND BAY RD.
NANAIMO BC V9T 6N2**

Is authorized to manage waste and recyclable material from the Regional District of Nanaimo, environs and beyond, at the Facility located in Nanaimo, British Columbia, subject to the requirements listed below. Contravention of any of these requirements is a violation of the *Environmental Management Act* and may result in prosecution.

This operational certificate supersedes and replaces all previous versions of Operational Certificate 1714 issued under Section 28 of the *Environmental Management Act*.

1. AUTHORIZED DISCHARGES AND WORKS

1.1 Landfill

This section applies to the Landfill. The site reference number for this discharge is 0190290.

- 1.1.1 The maximum rate of waste discharge to the landfill footprint is:
 - (a) 125,000 tonnes per calendar year of the sum of the waste in sections 1.1.2(a) and 1.1.2(b) of this operational certificate,
 - (b) 80,000 tonnes per calendar year of Contaminated Soil,
 - (c) 1,500 tonnes per calendar year of International Waste, and,
 - (d) waste pursuant to section 1.1.2(e) of this operational certificate.

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- 1.1.2 The characteristics of the waste discharge to the landfill footprint must be:
- (a) municipal solid waste,
 - (b) controlled waste consisting solely of animal carcasses and/or semi-solid sludge,
 - (c) soil,
 - (d) International Waste, and/or,
 - (e) waste as authorized in writing by the director,
- but does not include:
- (f) hazardous waste except to the extent expressly authorized pursuant to the *Environmental Management Act* section 7(2), and,
 - (g) waste and recyclable material prohibited in writing by the director.
- 1.1.3 The waste discharge is authorized to the landfill footprint of the Landfill approximately located as shown on Site Plan A.
- 1.1.4 The authorized works are a landfill footprint with a maximum area of 25 ha including:
- (a) Cell 1 consisting of approximately 8.6 ha without a landfill base liner, with south leachate collection toe drain and finger/french drains, and,
 - (b) Cell 2 consisting of approximately 16.4 ha with a landfill base liner, leachate collection system, and,
- leachate conveyance pipes, leachate lift station, perimeter stabilizing berms/roads, final cover, and related appurtenances approximately located as shown on Site Plan A.
- 1.1.5 The operational certificate holder must collect and convey leachate from Cell 2 to the municipal sewage collection system, and convey any leachate collected from Cell 1 to the municipal sewage collection system.
- 1.1.6 The operational certificate holder must ensure that the authorized works are complete and fully operational in accordance with the most recent DOCP.

1.2 Stormwater Management

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This section applies to the management of stormwater from the Landfill and Facility Entrance.

- 1.2.1 The operational certificate holder must manage stormwater from the Landfill and Facility Entrance with the authorized works.
- 1.2.2 The stormwater must not include leachate.
- 1.2.3 The authorized works are ditches, pipes, north stormwater pond, southeast stormwater pond, and related appurtenances approximately located as shown on Site Plan A.
- 1.2.4 The operational certificate holder must ensure that the authorized works are complete and fully operational in accordance with the most recent DOCP.

1.3 **Facility Entrance**

This section applies to the Facility Entrance.

- 1.3.1 The authorized works are perimeter fencing, controlled access, sign(s), gate, weigh scale, scale house, waste and recyclable material drop-off and storage facilities, tire wash connected to the leachate collection system and/or leachate conveyance pipes, and related appurtenances approximately located as shown on Site Plan A.
- 1.3.2 The operational certificate holder must ensure that the authorized works are complete and fully operational in accordance with the most recent DOCP.

1.4 **Location of Facility**

This section applies to the location of the Facility.

- 1.4.1 The location of the Facility is PID 015-715-434 and PID 013-239-813, Lot A, Section 2, Nanaimo District, Plan 49841, except that part in Plan VIP58345 and VIP66090, AND, Lot 1, Sections 2 and 3, Nanaimo District, Plan 48020 except Plan VIP66090.

2. **GENERAL REQUIREMENTS**

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2.1 GLOSSARY

Capitalized terms referred to in this Authorization are defined in the Glossary below. Other terms used in this Authorization have the same meaning as those defined in the *Environmental Management Act*, applicable regulations, and the Landfill Criteria.

"Contaminated Soil" means soil in which the concentration of a substance is greater than or equal to the lowest applicable industrial land use standard referred to in section 41(1)(a) of the Contaminated Sites Regulation, B.C. Reg. 375/96;

"Facility" means the regional landfill including all facilities and works on the Facility Site including the Landfill, Stormwater Management Works, and Facility Entrance;

"Facility Entrance" means the authorized works in section 1.3.1 of this operational certificate;

"Facility Site" means the location of the Facility in section 1.4.1 of this operational certificate;

"Facility Site Boundary" means the perimeter boundary of the Facility Site;

"International Waste" means International waste as defined in the latest amended version of the Government of Canada International Waste Directive TAHD-DSAT-IE-2002-17-6, October 15, 2012;

"Landfill" means the authorized works in section 1.1.4 of this operational certificate;

"Landfill Criteria" means the LANDFILL CRITERIA FOR MUNICIPAL SOLID WASTE Second Edition June 2016;

"Province" means His Majesty the King in right of British Columbia;

"Regulatory Document" means any document that the operational certificate holder is required to cause to be prepared, prepare or submit to the director or the Province, pursuant to: (i) this authorization; (ii) any regulation made under the *Environmental Management Act* that regulates the Facility described in this authorization or the discharge of waste from that Facility; or

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(iii) any order issued under the *Environmental Management Act* directed against the operational certificate holder that is related to the Facility described in this authorization or the discharge of waste from that Facility;

“Stormwater Management Works” means the authorized works in section 1.2.3 of this operational certificate.

2.2 **General Provisions**

Where this Authorization provides that the director may require an action to be carried out, the operational certificate holder must carry out the action in accordance with the requirements of the director.

2.3 **Regulatory Documents**

2.3.1 The operational certificate holder must retain all Regulatory Documents for a period of at least 10 years after they are made.

2.3.2 If requested by a director or an officer, the operational certificate holder must submit the requested Regulatory Documents to the director or officer within 14 days of the request.

2.4 **Additional Requirements**

Subject to the provisions of the *Environmental Management Act* for amendments, the director may require the operational certificate holder to:

2.4.1 Conduct studies and report information including additional, amended or improved plans, specifications, reports, studies and information, specified by the director in the manner specified by the director.

2.4.2 Implement actions in accordance with the Regulatory Documents and additional actions as specified.

2.4.3 Repair, alter, remove, improve or add to existing facilities and works, or construct new facilities and works, at the Facility, as specified.

3. **OPERATING AND PERFORMANCE REQUIREMENTS**

3.1 **Design, Operations and Closure Plan (DOCP)**

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accordance with the Landfill Criteria Section 10.2 CONSTRUCTION REPORT(S).

3.3 Water Quality

3.3.1 The operational certificate holder must cause a Qualified Professional to include the following information in the Annual Operations and Monitoring Report required by section 5.4 of this operational certificate:

(a) Rationale and determination of the applicable water use(s), and the corresponding water quality criteria, for stormwater, surface water and groundwater, at and beyond the Facility Site Boundary, considering relevant Ministry guidance and the water quality criteria listed in the Landfill Criteria Section 4.1
GROUNDWATER AND SURFACE WATER QUALITY.

(b) Comparison of the monitoring data with the water quality criteria, assessment, and determination as to whether the water quality criteria, at and beyond the Facility Site Boundary, determined under (a), were satisfied.

(c) If under (b), it was determined the water quality criteria, at and beyond the Facility Site Boundary, were not satisfied, a plan that includes rationale and implementation schedule to consider and/or implement:

- (i) monitoring, reports, studies and/or information to determine the water quality effects from the Facility on the environment at and beyond the Facility Site Boundary, including whether pollution has occurred or is likely to occur,
- (ii) actions to mitigate water quality effects from the Facility on the environment, and/or to satisfy the water quality criteria, at and beyond the Facility Site Boundary, and,
- (iii) notification of affected neighbouring site owners.

(d) Implementation progress for the plan under (c) that was included in the preceding calendar year's Annual Operations and Monitoring Report.

3.3.2 If a plan is required by section 3.3.1(c), the operational certificate holder must implement the most recent plan.

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3.4 **Contaminated Soil**

If Contaminated Soil is accepted pursuant to section 1.1 of this operational certificate, the operational certificate holder must use the Contaminated Soil for beneficial uses within the landfill footprint including construction and operational uses such as intermediate cover, daily cover, internal berms, fire suppression, and roads. The operational certificate holder must not deposit Contaminated Soil above the final cover barrier layer.

4. **MONITORING AND SAMPLING REQUIREMENTS**

4.1 **Monitoring and Sampling Facilities**

The operational certificate holder must install and maintain, measurement, monitoring and sampling facilities for waste, leachate, stormwater, surface water, groundwater, and landfill gas, at specified locations, in accordance with the most recent DOCP.

4.2 **Monitoring and Sampling**

The operational certificate holder must carry out measurement, monitoring and sampling of waste, leachate, stormwater, surface water, groundwater, and landfill gas, for specified substances and at specified frequencies, in accordance with the most recent DOCP.

4.3 **Sampling Procedures**

The operational certificate holder must carry out sampling in accordance with the procedures described in the "British Columbia Field Sampling Manual for Continuous Monitoring and the Collection of Air, Air-Emission, Water, Wastewater, Soil, Sediment, and Biological Samples, 2013 Edition (Permittee)" or most recent edition, or by alternative procedures as authorized by the director.

A copy of the above manual is available on the Ministry web page at <https://www2.gov.bc.ca/gov/content/environment/research-monitoring-reporting/monitoring/laboratory-standards-quality-assurance>.

4.4 **Analytical Procedures**

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The operational certificate holder must carry out analyses in accordance with procedures described in the "British Columbia Environmental Laboratory Manual (2020)", or the most recent edition or by alternative procedures as authorized by the director.

A copy of the above manual is available on the Ministry web page at <https://www2.gov.bc.ca/gov/content/environment/research-monitoring-reporting/monitoring/laboratory-standards-quality-assurance>.

4.5 **Quality Assurance**

- 4.5.1 The operational certificate holder must obtain from the analytical laboratory(ies) their precision, accuracy and blank data for each sample set submitted by the operational certificate holder and an evaluation of the data acceptability, based on criteria set by such laboratory.
- 4.5.2 The operational certificate holder must submit samples to analytical laboratory(ies) that meet the definition of a qualified laboratory under the Environmental Data Quality Assurance Regulation.
- 4.5.3 The operational certificate holder must collect, prepare and submit for analysis by the analytical laboratory(ies) quality control (QC) samples for each parameter. As a minimum,
- The number of QC samples should be 20% of all samples collected (environmental + QC samples) within 48 hours of each other, and,
 - Include duplicate, field and trip blank samples for each parameter.

4.6 **Electronic Data Transfer (EDT) to Environmental Monitoring System (EMS)**

The operational certificate holder must cause the analytical laboratory(ies) to upload monitoring and analytical data, required by this operational certificate, via EDT to the Ministry's EMS database, using the correct EMS site identification number for each site, on or before 30 days after the data is available, or as further instructed by the director.

5. **REPORTING REQUIREMENTS**

5.1 **Reporting**

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The operational certificate holder must submit all data required to be submitted under this section by email to the ENV Authorizations Submission Mailbox (EASM) at EnvAuthorizationsReporting@gov.bc.ca or as otherwise instructed by the director. For guidelines on how to properly name the files and email subject lines or for more information visit the Ministry website: https://www2.gov.bc.ca/assets/gov/environment/waste-management/waste-discharge-authorization/datamart/rersm_naming_convention.pdf.

5.2 **Non-compliance Notification**

The operational certificate holder must immediately notify the director by email at EnvironmentalCompliance@gov.bc.ca, or as otherwise instructed by the director of any non-compliance with the requirements of this Authorization and must immediately take remedial action to remedy any effects of such non-compliance.

5.3 **Non-compliance Reporting**

The operational certificate holder must, within 30 days of any non-compliance event, submit to the director a written report that includes, but is not necessarily limited to, the following:

- (a) all relevant test results obtained by the operational certificate holder related to the non-compliance,
- (b) an explanation of the most probable cause(s) of the non-compliance, and,
- (c) a description of remedial action planned and/or taken by the operational certificate holder to prevent similar non-compliance(s) in the future.

The operational certificate holder must submit all non-compliance reporting required to be submitted under this section by email to the Ministry's Compliance Reporting Submission Mailbox (CRSM) at EnvironmentalCompliance@gov.bc.ca or as otherwise instructed by the director. For guidelines on how to report a non-compliance or for more information visit the Ministry website: <http://www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization/data-and-report-submissions/non-compliance-reporting-mailbox>.

5.4 **Annual Operations and Monitoring Report**

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- 5.4.1 The operational certificate holder must cause a Qualified Professional to seal and submit an Annual Operations and Monitoring Report, for the preceding calendar year, to the director on or before May 31 of each year.
- 5.4.2 The Annual Operations and Monitoring Report must include the following information:
- Operations Report:
- (a) Tonnage discharged to the landfill footprint of each of the categories of waste listed under section 1.1.1 of this operational certificate,
 - (b) Remaining volume and life of the Landfill,
 - (c) Leachate volume collected and conveyed to the municipal sewer system, and leachate quality,
 - (d) Summary of DOCP implementation,
 - (e) Summary of significant nuisances and complaints, relevant to this operational certificate, and actions implemented,
 - (f) Summary of non-compliance notifications and non-compliance reporting,
 - (g) For the next calendar year, summary of planned DOCP implementation,
- Environmental Monitoring Plan Report:
- (h) Site plan(s), sampling locations, stormwater and surface water flow paths, groundwater elevations, gradients and flow directions,
 - (i) Measurement, monitoring and sampling facilities, locations, frequencies, substances, sampling and analytical procedures, quality assurance and quality control,
 - (j) Data interpretation including information such as trend analysis, graphs and diagrams,
 - (k) Information required by section 3.3 Water Quality of this operational certificate,
 - (l) Results, conclusions, recommendations and changes to the environmental monitoring plan.

5.5 **Publication of Documents**

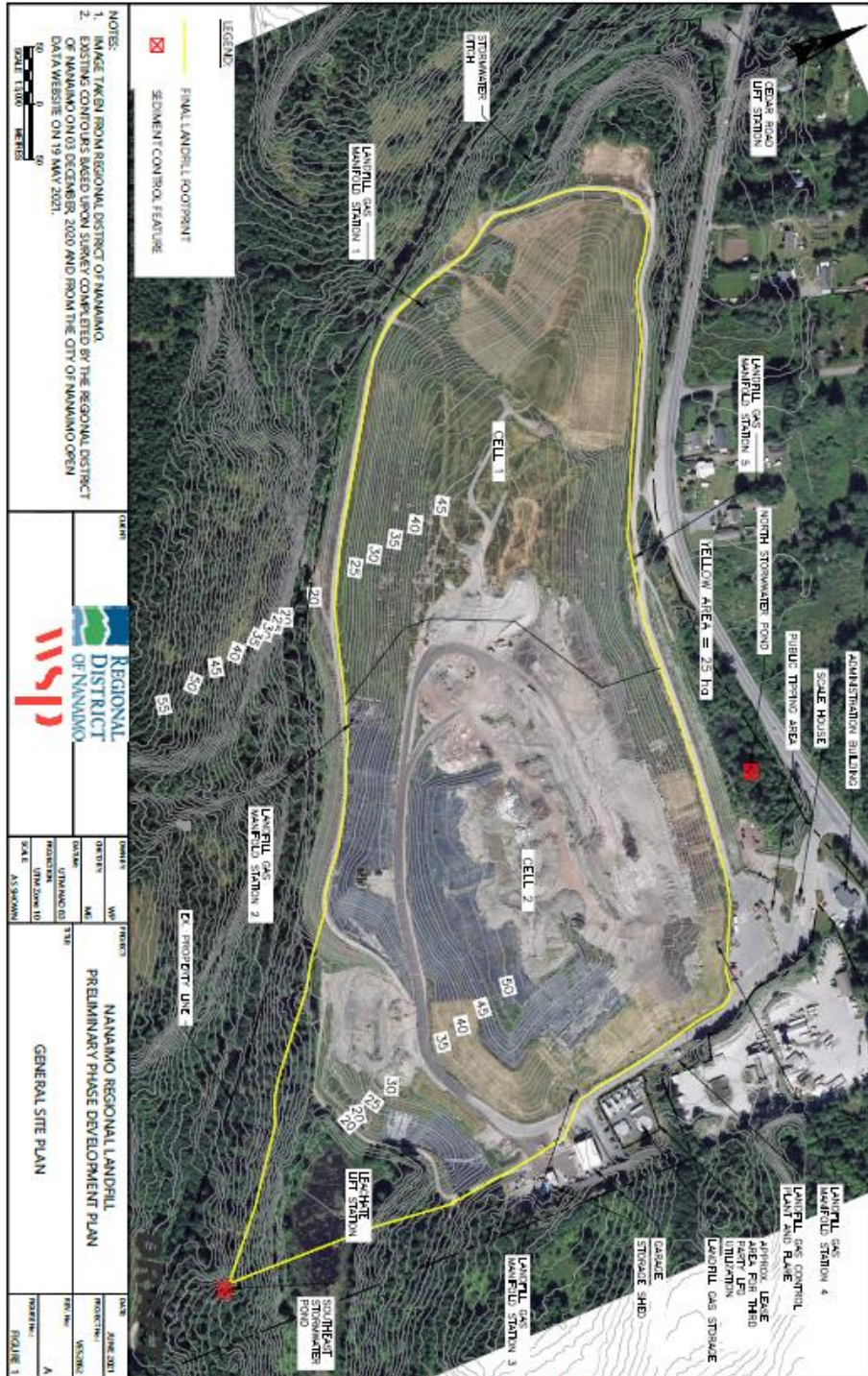
The Ministry of Environment and Climate Change Strategy publishes Regulatory Documents on its website for the purpose of research, public education and to provide transparency in the administration of environmental laws. The operational certificate holder acknowledges that the Province may publish any Regulatory Documents submitted by the operational certificate

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holder, excluding information that would be exempted from disclosure if the document was disclosed pursuant to a request under section 5 of the *Freedom of Information and Protection of Privacy Act*, and the operational certificate holder consents to such publication by the Province.

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Site Plan A



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