



**EASTERN REGIONAL
SERVICE BOARD**

ANNUAL REPORT

2020

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Message from the Chairperson

I am pleased to present the 2020 annual report for the Eastern Regional Service Board (the 'Board'). This report covers the period January 1 to December 31, 2020.

The Board has been very active in the advancement of the Provincial Waste Management Strategy by continuing to implement a modern waste management system in the Eastern region. The Board continues to develop other services including fire and emergency protection and water/wastewater consultation.

The Board was pleased to collaborate with the Minister's office for much of 2019 to develop a plan to implement the Ministerial Directives that saw services withdrawn from "un-serviced roads in unincorporated areas" at midnight, December 31, 2019. Through 2020 the Board continued to update the list of roads as additional information was provided by the province.

During 2019 the Board met with officials completing the Provincial Waste Management Strategy Review and was pleased to provide feedback to the *Solid Waste Management in Newfoundland and Labrador: Finishing What We Started* report of December 31, 2019.

The Clarenville Transfer Station has been operational for three years and provides a great service to the communities in the Smith Sound area. The site also includes a waste recovery facility.

In addition, the construction of a maintenance depot in Whitbourne was completed this year. The depot is now the central base for the Board's fleet operations in the region. This site also includes a waste recovery facility.

The COVID-19 pandemic had considerable impact on our business, on the way work activities were performed, and on how the Board's meetings were held. To ensure compliance with public health guidelines, our main office as well as the waste recovery facilities were closed to the public to ensure the safety of staff and the communities we service.

The Board will continue to work closely with stakeholders and government to identify and improve on emerging operational issues.

Sincerely,

Harold Mallowney

Harold Mallowney, B.Sc., B.Ed., M.P.H.
Chairperson
Eastern Regional Service Board

OVERVIEW

The Eastern Regional Service Board (the “Board”) was charged with implementing the regional plan developed by its predecessor committee – Eastern Waste Management for the 163 communities and 270,000 people in the eastern region.

The plan was developed to accomplish three broad goals:

- advance the implementation of modern waste management practices,
- divert materials from disposal in the landfill, and
- close the 42 community landfills that operated in the region.

As of December 31, 2019, there is no community landfill operating in the eastern region. The landfill on Bell Island closed in 2018. In accordance with the Eastern Regional Plan, all 42 community landfills that were operational in the Eastern region have been closed.

The province has chosen the Robin Hood Bay facility to be the focus for landfill and diversion services/facilities. The City of St. John’s operates and manages the Robin Hood Bay facility for the benefit of the region.

While many of the larger urban communities have dedicated waste fleets, for the most part the smaller municipalities, local service districts and unincorporated areas have regional service delivery provided by the Board. The regional service allows for an efficient and effective collection, transport, and diversion of waste materials. The Board provides direct service to approximately 23,000 households and businesses. This equates to a 32% decrease in the number of households included in the service from 2019 when 31,000 properties were serviced by the Board.

This reduction is due to the Ministerial Directives that saw the Board withdraw services from un-serviced roads in unincorporated areas at December 31, 2019. In addition, the Towns of Clarendville and Old Perlican opted out of the regional service.

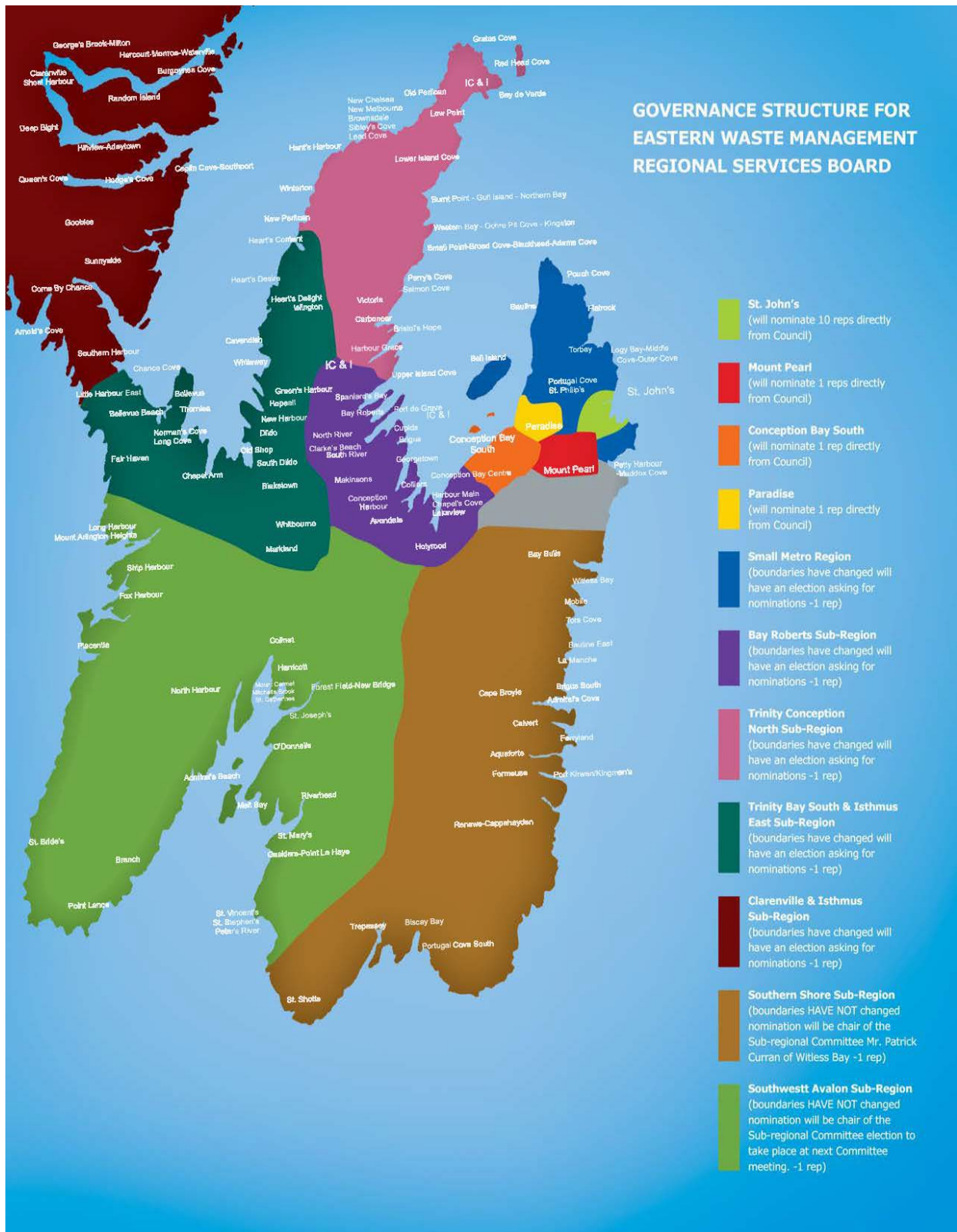
All properties in receipt of service from the Board receive weekly waste collection, biweekly recyclables collection (fiber and containers), and regular bulk garbage collection events.

In addition to the roadside/curbside collection, the Board also operates a series of waste recovery facilities throughout the region and a transfer station in Clarendville to ensure that residents have ready access to services and facilities to dispose of household bulk items. Throughout the year, household hazardous waste collection events take place to allow residents to properly dispose of these hazardous materials.

Operations are overseen by a board of nineteen municipal government representatives led by a chairperson. These twenty members are either nominated by their respective Council or are elected by the Councils in a sub region to represent the sub region on the Eastern Regional Service Board.

The map on the following page illustrates the representation for each area in the eastern region.

A list of Board members for 2020 is provided on page 6.



EASTERN REGIONAL SERVICE BOARD MEMBERS 2020		
Position	Name	Community
Chair	Harold Mallowney	Southern Shore
Vice Chair	Danny Breen	St. John's
Member	Lucy Stoyles	Mount Pearl
Member	Glenn Clarke	Trinity Conception North
Member	Bob Gammon	Clareville & Isthmus
Member	Peggy Roche	Metro Area
Member	Maggie Burton	St. John's
Member	Wally Collins	St. John's
Member	Gerald Snook	Trinity Bay South and Isthmus East
Member	Vacant	St. John's
Member	Gerard Tilley	Conception Bay South
Member	Dave Lane	St. John's
Member	Sam Whalen	Bay Roberts Area
Member	Sheilagh O'Leary	St. John's
Member	Deanne Stapleton	St. John's
Member	Sandy Hickman	St. John's
Member	Kevin McDonald	Southwest Avalon
Member	Jamie Korab	St. John's
Member	Ian Froude	St. John's
Member	Sterling Willis	Paradise



Revenue and Expenditures

The Board is accountable for the funds it receives from the Government and the funds that are generated through fees that are levied on property owners, occupiers, and users. Each year it has audited financial statements prepared.

EASTERN REGIONAL SERVICE BOARD

Statement of Operations

Year Ended December 31, 2020

	Budget 2020	Total 2020	Total 2019
REVENUES			
Clarenville transfer station	\$ 250,000	\$ 427,217	\$ 266,878
Government grants	80,000	115,213	90,074
Tipping fees	3,300,000	3,300,331	3,339,572
Waste management fees	4,590,000	4,138,718	5,132,320
Metals recycling revenue	75,000	105,382	3,325
Capital government grants	300,000	399,770	-
Fire and emergency services revenue	19,200	28,847	22,768
	8,614,200	8,515,478	8,854,937
EXPENSES			
Advertising and promotion	120,000	78,404	84,844
Amortization	-	408,074	574,461
Bad debts	90,000	303,156	372,722
Business taxes, licenses and memberships	-	27,881	13,995
Directors fees	100,000	78,076	89,140
Insurance	135,000	117,086	127,304
Interest and bank charges	40,000	22,835	23,576
Interest on obligations under capital lease	-	-	2,939
Office	121,000	38,961	45,439
Outreach program	-	57	50
Professional fees	151,200	191,575	186,932
Regional waste management operations	413,500	342,166	381,830
Rental	86,000	80,313	102,004
Repairs and maintenance	35,000	60,774	51,920
Salaries and wages	1,794,357	1,620,770	1,938,588
Telephone	80,000	38,342	40,163
Tipping Fees Clarenville	400,000	358,363	406,835
Training	68,000	11,806	23,300
Travel	55,000	9,992	45,024
Vehicle	769,143	716,834	899,659
Waste collection operations	4,030,000	3,546,385	3,289,966
Waste recovery facilities - site development	-	-	8,341
	8,488,200	8,051,850	8,709,032
SURPLUS FROM OPERATIONS	126,000	463,628	145,905
OTHER INCOME			
Gain (loss) on disposal of tangible capital assets	-	26,977	(33,061)
Interest income	60,000	221,516	329,044
Miscellaneous revenue	35,000	21,791	5,319
	95,000	270,284	301,302
ANNUAL SURPLUS	\$ 221,000	\$ 733,912	\$ 447,207

The staff complement for 2020 included a total of 18 full-time employees and 11 part-time employees. This reduction of 39% for full-time staff from 2019 is a result of the Ministerial Directives that led to the Board's Waste Collection Division being dismantled at the end of 2019. Eight (8) full-time positions were eliminated.

ERSB is governed by a board of 20 local municipal representatives.

Audited Financial statements are submitted to the Provincial Government on an annual basis under the requirements of our legislation – *Regional Service Boards Act, 2012*.

MANDATE

In accordance with section 3 of the *Eastern Regional Service Board Regulations, 2013*, the authority granted to the Eastern Regional Service Board is to:

Prescribed services

3. (1) The board has the power to construct, acquire, maintain, and operate a waste management system within the Eastern Region.

(2) The board has the power to provide operational oversight of water and wastewater systems owned by municipal authorities within the Eastern Region which have been identified through the Community Sustainability Partnership Initiative.

(3) The board has the power to provide fire protection services within the Eastern region.

The boundaries of the Eastern Regional Service Board are from St. John's in the East, Clarendville in the West and down the Burin Peninsula to Swift Current and Random Island.

These regulations can be viewed in their entirety on the following website:
<http://www.assembly.nl.ca/Legislation/sr/Regulations/rc130008.htm>

VISION

The vision of the Eastern Regional Service Board is to improve the quality of life, provide leadership and to protect the environment in the eastern region by ensuring cost effective, sustainable services.

LINES OF BUSINESS

1) Operation of Waste Facilities and Management of Waste Collection

The Board operates ten waste recovery facilities across the region – Bay Bulls, Renewals-Cappahayden, St. Joseph's, Placentia, Cavendish, Harbour Grace, Sunnyside, Clarenville, Whitbourne and Old Perlican. Construction began on the final waste recovery facility for the region at Bell Island and this facility is expected to be fully operational by early 2021. These facilities accept residential bulk garbage at no charge, including appliances, tires, construction and demolition materials, vehicles, and parts.

Collection services are provided by the Board to 23,296 homes and businesses on a weekly basis. This includes weekly waste collection; biweekly recyclables collection; and regular bulk pick up events. All properties in receipt of regional services have recyclables collection.

In addition, the Board provides household hazardous waste collection events throughout the region.

2) Education and Promotion of the Provincial Waste Management Strategy

Through its regular contact with municipal stakeholders, the Board supports the education and promotion of the Provincial Waste Management Strategy in the Eastern region. The Board continues to work on raising the participation of residents in the recycling program. In conjunction with other municipal organizations the Board continues to focus on the education of residents and the increase in recycling services offered by municipalities.

3) Regional Water and Wastewater Systems

The Board has hired an engineer to be an expert resource to 15 communities in the region. Many of these communities have been experiencing longstanding boil-water advisories and the assistance of an expert resource should help them address these issues and remove the boil water advisory.

In conjunction with the province and as part of the Community Sustainability Partnership, these communities across the region were chosen to be a part of this pilot initiative. This began as a three- year pilot project; however, the province has continued funding the program up to March 31, 2021.

4) Fire and Emergency Protection

Under the authority granted to the Board in 2016 it has contracted the Town of Holyrood to provide fire and emergency services to an unincorporated area along Salmonier Line.

In addition, a contract has been let with the Town of St. Joseph's to provide fire and emergency services to the neighbouring local service districts of Forest Field-New Bridge and O'Donnell's.

HIGHLIGHTS AND ACCOMPLISHMENTS

Regional Water/Wastewater Operator Pilot Program

The table below summarizes the status of the participating 18 communities for 2020 and the removal of Boil Water Advisories (BWA).

This program is scheduled to finish in March of 2021 and is currently being reviewed by the Department of Municipal Affairs and Environment.

With some revisions and additional activities, the program could become more valuable and potentially address the needs of more communities. A focus for the program should be on communities that express a desire to participate.

Regional Water and Wastewater Systems Operator Pilot Program

Participating Communities

2020

Cluster	Community Name	Community Type	Participating?	BW A?	Certification?	Remarks
Southern Shore	Aquaforte	Town Local Service	Yes	No	No	all is well
	Biscay Bay	District Local Service	No	Yes	No	not interested, dropped
	Brigus South	District	No	Yes	No	not interested, dropped
	Fermeuse	Town	Yes	No	Yes	new water supply 2018 is working well new WTP 2018 is working well
	Ferryland	Town	Yes	No	No	well
	Renews-Cappahayden	Town	Yes	No	No	cross-connections resolved
CBC	Avondale	Town Local Service	No	No	No	not interested, dropped
	Georgetown	District Local Service	Yes	No	No	new water supply 2018, both working well
	Marysvale	District Local Service	Yes	Yes	No	new WTP 2018, problem with Manganese
Isthmus	Garden Cove	District Local Service	Yes	No	No	all is well
	Goobies	District Local Service	Yes	Yes	No	Chair of LSD phone disconnected
	North	District Local Service	Yes	Yes	No	insufficient chlorine monitoring
	Harbour	District Local Service	Yes	Yes	No	LSD is considering alternative sources of water
	Swift Current	District	Yes	Yes	No	
South Coast	Portugal Cove					infiltration gallery to be installed this year
	South	Town	Yes	Yes	No	low Chlorine residuals near the end of the line
	Trepassey	Town	Yes	Yes	No	

St. Shott's	Town	Yes	Yes	No	infiltration gallery to be installed in the spring struggling to get first meeting efforts on hold, new tank to be installed
Gaskiers	Town	Yes	Yes	No	
St. Mary's	Town	Yes	Yes	No	

Waste Recovery Facilities

Waste Recovery Facilities (WRF) received materials from approximately 34,140 clients in 2020. This is a decrease of 18% from 2019; however, the facilities were closed for two months as the Board followed provincial guidelines for the COVID-19 pandemic. If the facilities had seen the average monthly clients through 2020 the numbers would have exceeded 2019.

Waste Recovery Facilities (WRF) received material from approximately 40,350 clients in 2019, which is a 4% decrease from 2018 and approximately 11% decrease from 2017. Please note that 2017-2018 is the first time a decrease in the number of clients has been seen. The material collected included household appliances, furniture, electronics, residential construction material, tires, metal, shingles, floor coverings, propane tanks (20 lbs. or less), trees, branches, etc.

Waste diversion activities in 2020 included:

- 1,340,360 kg of metal was diverted to an approved metal recycling versus 1,020,260 kg in 2019; (1,013,350 kg in 2018; 977,630 kg in 2017; 1,363,510 kg in 2016; and 249,770 kg in 2015).
- 13,932 tires as accepted by the Used Tire Recycling Program of the MMSB, versus 12,924 tires in 2019; (14,863 tires in 2018; 12,237 in 2017; 12,885 in 2016 and 14,113 in 2015).
- 200 pallets of electronic waste were accepted by the Recycle My Electronics Program of the Electronic Products Recycling Association (EPRA) versus 246 pallets in 2019; (248 pallets in 2018; 250 pallets in 2017; 263 pallets in 2016 and 192 pallets in 2015).

In 2020, 8,326,540 kg of waste was transferred from the various waste recovery facilities to the Regional Waste Management Facility located at Robin Hood Bay for disposal in the landfill. This is an increase of 5% more waste than in 2019.

In 2019, 7,908,400 kg of waste was transferred for disposal in the landfill. This was a decrease in the amount of materials moved from these facilities from 2018 that is partially due to a vacancy of one of the Highway Transport Equipment Operator's positions. These are the employees who transport the materials from the waste recovery facilities to Robin Hood Bay. In addition, there was a decrease in the quantity of materials received at the facilities in 2019.

In 2018, 9,961,889 kg of waste was transferred from the various waste recovery facilities to the Regional Waste Management Facility located at Robin Hood Bay for disposal in the landfill. In 2017, 6,273,770 kg was transferred from these sites to the regional landfill. The increase in removals in 2018 from 2017 is a direct result of the addition of a third grapple truck to remove waste from these facilities. In 2016, 6,226,318 kg of waste was transferred and in 2015, 5,781,784 kg was transferred.

In July of 2020 the tender was issued for the construction of the Bell Island Waste Recovery Facility. This is the last facility remaining to be built. Construction began in the fall of 2020 and the facility was completed by January 2021. The Bell Island Waste Recovery Facility became operational in February 2021.

Due to low usage and the high cost of snow clearing, the Sunnyside site was closed for winter from December 16, 2019 through April 4, 2020 and from December 14, 2020 through April 3, 2021.

Household Hazardous Waste (HHW) Events

In 2020, 15 events were held throughout the region in September to collect Household Hazardous Waste (HHW). Initially 20 events were scheduled for June and September, but the initial tender was cancelled as events could not be held earlier in the year in accordance with provincial COVID guidelines.

Approximately 734 residents participated in these events that resulted in 8,408 liters of liquid HHW, 30 paint boxes (approximately 6,400 liters of paint), 468 kg of batteries and 307 compressed gas tanks and 423 fluorescent light bulbs were collected.

Overall, the per event participation and per event waste collected was higher than in 2019. However, the overall attendance decreased by 17% and what was collected was lower than in 2018.

In 2019, 25 events were held throughout the region in June and September to collect HHW. Approximately 858 residents participated by disposing of their HHW materials at these events. Materials collected included 10,099 liters of liquid HHW waste; 38 paint boxes (approx. 8,100 liters of paint); 511 kg batteries; 408 compressed gas tanks; and 375 fluorescent light bulbs were collected.

Overall, for 2019 attendance decreased by 11% from 2018. In addition, the quantity of materials collected was lower than in 2018.

For 2018, 950 people took advantage of this service, which saw 13,600 L of liquid waste, 38 paint boxes (approximately 8,100 L of paint), 290 kg of batteries, 517 compressed gas tanks, and 200 fluorescent light bulbs collected. Overall, for 2018, the attendance and waste collected was similar to 2017.

School Recycling Pilot Program

The Recycle@School Pilot Program ended June 2017. Since then, services have been provided year-to-year with the hopes that a region-wide program would be implemented. In the 2019-2020 school year, schools throughout the region had access to fiber recycling.

In September 2017, the ERSB was engaged to provide garbage and recycling removal services to the following schools:

SCHOOL	COMMUNITY	SCHOOL	COMMUNITY
Dunne Memorial Academy	St. Mary's	St. Bernard's Elementary	Witless Bay
Crescent Collegiate	Blaketown	Baltimore School	Ferryland
Woodland Elementary	Dildo	Laval High School	Placentia
Stella Maris Academy	Trepassey	St. Anne's Academy	Placentia
Mobile Central High	Mobile	Random Island Academy	Hickman's Harbour

Note: School waste contracts that excluded recyclables were set to expire in June 2019 have been extended for one year. The new expiry is June 2020 with the option of another year extension.

Curbside Waste Collections

There was no significant change in curbside waste diversion rates between 2020 and 2019.

Summary of Properties in Each Contract Area at the End of 2020:

ACRONYM	AREA	PROPERTIES
BDGA	Bay de Grave Area (Clarke's Beach, Port de Grave, Bristol's Hope)	968
CBC	Conception Bay Center	1,923
SMITH	Smith Sound Area	1,498
ISTHMUS	Isthmus & South West Arm	3,461
SS	Southern Shore	3,370
TCN	Trinity Conception North	2,864
TBS/TBC	Trinity Bay South/Trinity Bay Center	2,896
SWA	Southwest Avalon and St. Mary's Bay	2,613
BELL	Bell Island	1,441
Carbonear	Carbonear and Area	2,262
		23,296

At the end of 2020, the number of properties in receipt of regional waste services was 23,296 or 32% less than the number of properties in receipt of services in 2019 when 30,673 were included. This reduction in the number of properties is a result of the Ministerial Directives of 2018/2019 that saw the Board withdraw waste services from all properties on un-serviced roads in unincorporated areas. In addition, the Towns of Clarenville and Old Perlican opted out of the regional waste services in 2020.

At the end of 2018, the number of properties in receipt of regional waste collection service was 30,988 or 315 more properties than at the end of 2019 (1% decrease). This decrease was a result of the Ministerial Directives that saw the withdrawal of waste services from approximately 300 properties on 14 un-serviced roads in February 2019. These roads were identified as difficult to provide year-round waste services. The impacted property owners were refunded any waste fees paid for 2019.

Clarenville Transfer Station

In 2020, 5,181,650 kg of waste and 323,690 kg of recyclables were received at the commercial portion or transfer station portion of the facility. This is a 6.5% decrease in waste and a 19.5% decrease in recyclables over 2019.

This year we saw a decrease in the amount of waste received at the transfer station which is most likely a direct result of the pandemic. Due to mandatory business closures such as grocery stores, restaurants, etc., the amount of waste generated would have been reduced.

In addition, the quantity of recyclables received was down significantly. During the pandemic there was an increase in non-recyclable one-time use products such as disposable face masks, gloves, etc. We hope that the quantity of recyclables received in 2021 is back to 2019 levels or higher.

In 2019, 5,520,840 kg of waste and 386,950 kg of recyclables were received at the commercial portion of the facility. This is a 1.7% increase in waste and a 4% increase in recyclables over 2018. This required 267 trips from the transfer station to the Regional Waste Management Facility located at Robin Hood Bay to transport this material for disposal.

For comparison purposes, in 2018, 5,426,310 kg of waste and 372,460 kg of recyclables were received at the commercial portion of the Clarendville facility. This required 282 trips from the Clarendville facility to Robin Hood Bay for final disposal.

For 2017, 5,421,190 kg of waste and 458,020 kg of recyclables were received at the commercial portion of the facility while in 2016, 5,106,250 kg of waste and 273,210 kg of recyclables were received at the commercial portion of the facility.

There was a decrease in recyclables received primarily due to a decrease in the OCC (old-corrugated cardboard).

Please see the Waste Recovery Facilities section of this report for residential drop-off information.

Fire and Emergency Protection Services

The Fire and Emergency Protection Services began in 2017 when the Board implemented this new program by partnering with the Town of Holyrood to expand its fire services boundary to include unincorporated areas outside its municipal boundary. The Board has taken on the responsibility of providing fire and emergency protection and through the contract has engaged the volunteer fire department of the Town to deliver the service.

This contractual arrangement began as a pilot to collect fees for a service that many municipalities have been providing to areas outside of their boundaries for several years without receiving any funding to contribute to the cost of the service.

The initial agreement included 600 properties along the Salmonier Line and all side roads; however, following the Ministerial Directives of 2018/2019, a new agreement has been put in place to collect these fees from the property owners on the Salmonier Line only which consists of approximately 120 properties. No side roads are included.

A second agreement was put in place in 2020 when the Board began collecting fire and emergency fees on behalf of the Town of St. Joseph's from the neighbouring local service districts of Forest Field-New Bridge and O'Donnell's. The agreement includes 109 properties.

MINISTERIAL DIRECTIVES

Following receipt of the Ministerial Directives of 2018/2019, the Board worked with the Minister's office for much of 2019 to reach an agreement on the implementation of the directives that would provide continuity in the waste service for all remaining customers and that would avoid litigation for breach of contract with the Board's contractors.

Ministerial Directives - Background

All letters of Ministerial Directives may be found in Appendix 1.

Letter #1: November 23, 2018: Directed the Board to “cease from advancing further court action against cabin owners until their voice is represented through the appropriate changes to the governance structure of the Eastern Regional Service Board.”

On December 20, 2018, the Board responded to the Minister's directive and provided an outline for the Board's rationale for the single fee for all properties and the provision of waste collection services in seasonal areas.

The submission reiterated the Board's strongly held view that \$180 for all property owners is both fair and reasonable. The amount is not particularly prohibitive, and it is the Board's view that any attempt to create a 'seasonal' rate will not resolve the small amount of criticism received. In addition, the Board believes such a move would create other inequities and unfairly shift the costs to other users, specifically municipalities and local service districts.

In addition, the selection for representation to the Board would be difficult when these unincorporated cabin areas have no form of governance. Furthermore, the province's announcement that the Government will move to reduce the representation on the Board of the City of St. John's and install a cabin owner on the Board lacked consultation with the Board and neglects the reality of the Board's current electoral process.

The Board noted it is amenable to discussions around the removal of properties located on 'unplowed roads.' The Board acknowledges that 1% of the properties in receipt of waste services may encounter winter delays or interruptions in service over a three-month period during winter annually; however, most properties included are in receipt of regular weekly service.

Letter #2: January 14, 2019: A letter of Ministerial Directives was received by the Board that directed officials in the Department to proceed with an independent review of the fee structure for waste management services. This review of service levels and fees will be incorporated into the recently announced comprehensive review of the Provincial Waste Management Strategy.

The Board responded that it looks forward to fully participating in the review.

Letter #3: February 8, 2019: A letter of Ministerial Directive was received by the Board that directed the Board to take the actions outlined below:

1. Cease the collection of waste on un-serviced roads, or where the services cannot be reasonably provided on a regular basis, as soon as possible. Based on past discussions, it is my understanding that officials with the ERSB have some idea as to the areas in question but a dialogue amongst our respective teams may assist in finalizing the approach. It is also my position that this action should not result in any increased costs to other clients of waste management services in the region for which you provide these services. I would appreciate an update on plans to discontinue this practice by February 20, 2019.
2. On a go forward basis, limit all outstanding fees and interest (i.e., or “back fees”) charged to individuals on their first invoice to a two-year period.
3. Improve the Board’s transparency, accountability, and engagement by publicly advertising the time and location of public meetings, posting minutes in a timely fashion, and ensuring that thorough consultations are completed in advance of the setting of an annual budget and fees and/or expanding service areas or other operational changes impacting the public.

The Board responded on February 20, 2019 (Appendix 2) that it was pleased to have received the Minister’s letter that clarified Government’s position on the Provincial Waste Management Strategy and that the Board would:

1. Amend its Service Delivery Policy to exclude roads that are un-serviced for the purposes of waste management collection as confirmed by the Provincial Government. This change affected approximately 300 properties located on the following roads:
 - Old Shoe Cove Road, Chance Cove;
 - Leah Wheeler’s Road, Lower Island Cove;
 - Western Bay Line, Western Bay;
 - Daniel’s Cove, Trinity Conception North;
 - Holiday Hill Road, Trinity Bay South;
 - Dam Pond Road, Brigus Junction;
 - Pigeon Inlet, Brigus Junction;
 - Twin Gullies Lane, Brigus Junction;
 - Old Witless Bay Line, Southern Shore;
 - North Harbour Pond Road, Goobies;
 - Rocky Pond Road, New Harbour Barrens;
 - Junction Pond Road, Placentia Junction;
 - Old Mill Road West of Second Bridge, Placentia Junction; and,
 - Station Pond Road North of Pond, Placentia Junction.

The Department of Municipal Affairs and Environment engaged their colleagues in the Department of Transportation and Works to review policies that they have in place with respect to un-serviced roads and if additional roads should be considered. If additional roads are added to the list by the provincial government, it would be published on the Board’s website and the impacted property owners would be notified.

In addition, the Board confirmed that any property owners on these roads that had paid their waste fees for 2019 would be refunded. The Board also confirmed that any invoices issued for these roads for 2019 were cancelled and a letter in this regard was sent to all property owners whose addresses the Board had on file.

The refunds were completed on March 8th with 80 cheques issued to property owners on these roads who had already paid their waste fees. The total amount refunded was \$13,579.81.

2. The Board's response of February 20th also addressed the second directive included in the February 8th letter that stated, *"On a go forward basis, limit all outstanding fees and interest (i.e., or "back fees") charged to individuals on their first invoice to a two-year period."*

The Board raised concerns that this directive would incentivize those that have not come forward to continue to defer identification despite being in receipt of weekly services. This would perpetrate the 'catch me if you can' approach to paying for services.

The Board suggested that January 1, 2017 as the date that all new invoices to newly invoiced property owners would be limited. This creates an incentive for those that have not self-identified to come forward.

3. Thirdly, the Board addressed the third directive by providing information that the Board holds monthly public meetings with the details of these meetings published on the Board's website so that the public may attend. All minutes of meetings are public once they have been adopted, normally at the next public meeting. Once adopted, all minutes of meetings are published on our website, and this has been done since 2013.

Further, the annual audit of the Board's finances and the presentation of financial statements are prepared by a licensed public accounting firm and are published on the Board's website upon adoption.

The Board recently completed a public consultation project (What We Heard – Appendix 5) in which all 32,000 properties in our service area were asked to participate in either an online survey or by telephone. Invitations were sent to seasonal and permanent property owners, online advertising and social media advertisements were placed as were traditional media advertising. The consultation resulted in 323 responses which were not even sufficient to make the results statistically representative. The Board then engaged a third-party firm to telephone another 200 property owners in the service area to receive sufficient feedback to make the sample statistically representative. This survey asked about our services, what services were important to property owners, how they thought the services should be paid for and what was their opinion of ERSB. We service 46 municipalities and 46 local service districts in addition to unincorporated areas. We consider the lack of response from our client base to be reflective of satisfactory service, albeit, we are constantly striving to make improvements.

Many of the critics of the regional service are simply not providing factual information regarding operations, accountability, and transparency.

The Board noted that the three directives outlined in the Minister's letter of February 8, 2019 required clarification for the public as social media discussions were interpreting the directives in many ways. It

was suggested that the Provincial Government and the Board issue a joint communication that details the outcomes of the work done to date to provide clarity.

Letter #4: February 27, 2019: Another letter was received from the Minister that:

1. Confirmed the list of roads that the board outlined as challenging to maintain collection services year-round were indeed un-serviced and should be removed from the waste collection service immediately and refunds provided.
2. Acknowledged that there has been significant confusion around the definition of an un-serviced road and how it pertains to other publicly owned roads that may be maintained through private arrangements. The Department has engaged our colleagues in Transportation and Works to review policies that they have in place with respect to un-serviced roads in an effort to determine if additional roads should be considered. It is expected that this internal review will be completed in the coming weeks and further guidance and direction will be provided to ERSB.
3. Regarding the issue related to back fees, the directive as written in my February 8, 2019 letter accurately reflects the fact that the onus is on ERSB to identify and adequately provide invoices to the property owners being serviced. Therefore, the suggestion by ERSB to utilize January 1, 2017 as the initial date of fee collection for all future identified property owners, regardless as to when the property is identified, is not acceptable.

Letter #5: March 8, 2019: The Board received another letter from the Minister of Municipal Affairs and Environment that provided the following directions:

1. I am directing the ERSB submit a plan by **April 1, 2019** to implement additional changes to its Service Delivery Policy for waste collection, such that **waste collection services and respective fees will no longer be mandatory for any individuals who own a secondary residence on any road that is not serviced, directly or indirectly, by a level of government.** It is my position that these property ownership criteria could be verified by the provision of a tax or fee invoice from a municipality or a local service district for the primary residence.
2. To further clarify, the directive does not apply to properties on roads maintained by the Provincial Government, a municipality, or a local service district, but would apply to roads maintained solely by other groups (e.g., cabin owners) on a voluntary basis.
3. In addition, I am also directing ERSB in its implementation plan for these Service Delivery Policy changes, to ensure that there is **no resulting fee increase for its remaining clients.**
4. At the same time, I am also ordering a special audit regarding ERSB's waste collection services and associated fee-setting practices, in accordance with section 34(3) of the *Regional Service Boards Act, 2012*. Department officials will provide further detail on how this audit will be conducted in the coming days.
5. Finally, I also acknowledge that these issues regarding service delivery and fee structures will be addressed on a provincial scale through the comprehensive review of the Provincial Solid Waste Management Strategy, announced in January 2019. Stakeholder consultation will be a part of the review, and I expect ERSB will participate fully in this review.

Following receipt of the March 8th letter, the Board requested an extension of the deadline of April 1 to June 30, 2019 as a comprehensive plan could not be completed by April 1, 2019. The Board has contracts for service and discussions were necessary with the contractors, legal counsel, etc.

The Minister agreed and extended the deadline for submission of an implementation plan to June 30, 2019.

Ministerial Directives – REVISED Plan for Implementation of Minister’s Directives of 2018/2019 at December 2020

Following ongoing collaboration with the Departments of Municipal Affairs and Environment as well as Transportation and Works, the Board was pleased to provide its final plan for implementation of the Minister’s Directives in 2019 that was accepted by the Minister.

The Departments of Transportation and Works and Municipal Affairs and Environment continued to provide updates to the list of un-serviced roads to the end of 2020. Those impacted were notified and all information was uploaded to the Board’s website.

The final plan at December 2020 for the implementation of the Minister’s Directives is provided in Appendix 4.

The Ministerial Directives and all additional information may be found in the Eastern Regional Service Board’s Annual Report of 2019.

RESPONSE TO THE PROVINCIAL WASTE MANAGEMENT STRATEGY REVIEW REPORT OF 2019

The provincial government conducted a review of its Provincial Waste Management Strategy in 2019 with the goal to ensure the protection of the environment and to support the delivery of high-quality waste management services at a reasonable cost. The Minister wanted to ensure that waste management was being delivered strategically and efficiently in the province.

The report entitled, *“Solid Waste Management in Newfoundland and Labrador: Finishing What We Started”* was released in January 2020.

The Board was pleased to provide feedback to the report and the Board’s submission may be found in Appendix 3.

PUBLIC ENGAGEMENT STUDY AND FEEDBACK

To actively engage residents of the Eastern region in the conversation regarding how waste management services are delivered in the region, and to understand perceptions on what would be a fair way for households to pay for such essential services, the Board undertook a public engagement initiative beginning in late 2018 and early 2019.

There were two key components to the study, including an online survey, as well as a telephone survey with residents. In total, 523 surveys were completed between October 2018 and January 2019, with 323 surveys completed online and an additional 200 surveys completed by telephone.

The results of this engagement study are interesting, and the Board prepared an information leaflet for the public entitled, “What We Heard” (Appendix 4) to communicate the outcomes. This information is on the Board’s website at:

https://easternregionalserviceboard.com/resources/ERSB_What_We_Heard_2019.pdf.

Permanent residents are generally satisfied, or at least neutral, with many of the key services provided, although there are clear opportunities for improvement. Overall, seasonal property owners are less satisfied with municipal services, and many residents describe such services as unavailable or irrelevant.

The Board understands that the cost of living is top of mind, but so is having access to high quality services. We are committed to the challenge of looking for ways to improve services and reduce costs to residents. We understand that we have work to do to earn the public’s trust; however, we are committed to taking this feedback and working to find solutions that benefit all the residents of the Eastern region.

The Board is committed to working with communities and municipal leaders to improve regional service delivery throughout the region and to ensure that residents are in receipt of the services they want and need.

OPPORTUNITIES AND CHALLENGES AHEAD

The Board is pleased to have reached an agreement with the Minister of Municipal Affairs and Environment to implement the Ministerial Directives of February and March 2019. The plan saw the Board withdraw services from all ‘un-serviced roads in unincorporated areas’ effective midnight, December 31, 2019. The Board will continue to collaborate with the province to ensure that all un-serviced roads in unincorporated areas in the Eastern region have been identified.

From the public engagement study, the Board learned it has work to do to earn the public’s trust. The Board is committed to taking the feedback and working to find solutions that benefit all residents. We are committed to innovating and working with communities to provide high-quality, essential services that they can depend on.

The Board has developed a conceptual model based on its work with the joint councils and municipalities as the basis for regional government. This concept has been presented to the province to leverage the regional service board model that is currently in place.

The support of the joint councils in the region has been well received and the work has delivered many benefits to the communities that are served by the joint councils. Advocacy on municipal issues has increased and several proposals have been developed for the provision of additional regional services including municipal law enforcement; regional water technician; and building inspections.

The Board continues to advocate to the province on the need to address some of the administrative tools that are not included in the enabling legislation for regional service boards. The Board is requesting that the Act be changed to provide the authority to place liens on properties for outstanding debt, similar to municipalities. This provides another option other than collecting debt through the court, which is the only option under the Regional Service Board Act.

The province does not have standards for waste collection; therefore, communities may choose to opt out of waste diversion programs and simply send all their waste to the landfill. This is not in line with the Provincial Waste Management Strategy that outlines clear diversion targets for the province.

The Board has identified the need for a mandatory property registry in the province so that property ownership may be easily identified not only for invoicing of services but to ensure the best possible response in case of an emergency.

SUMMARY

The Board will continue to work with its partners in regional service delivery including municipalities, local service districts, businesses, Provincial Departments, and others in the development of quality and cost-effective services to the Eastern region.

Appendix 1

NOV 23 2018

COR/2018/03918

Mr. Ed Grant, Chairperson
Eastern Regional Service Board
E-mail: info@easternwaste.ca

Dear Mr. Grant:

As discussed during our meeting of November 15, the Department of Municipal Affairs and Environment has been reviewing the concerns of cabin owners related to waste management services provided by the Eastern Regional Services Board. Thank you for taking the time to provide the Eastern Regional Service Board's perspective on these issues.

During our review, it was noted that due to the current structure of the Eastern Regional Service Board there is no representation for cabin owners or individuals in unincorporated areas on waste management services and fees that pertain to them. I was pleased to hear your receptivity to this discussion. I have recently met with representatives of cabin owners and this representation is very important to them. It is my intention to proceed with the necessary to allow this representation as quickly as possible, while continuing to consult with the Eastern Regional Service Board and with cabin owners to determine the final structure.

I believe that making progress on this issue requires compromise and collaboration by all parties. In that light, until this change can come into effect, I am requesting that as a show of good faith, Eastern Regional Service Board, cease from advancing further court action against cabin owners until their voice is represented through the appropriate changes to the governance structure of the Eastern Regional Service Board.

I am available to discuss this request if you would like to do so.

Sincerely,



GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

cc: COATT
ERSB Members

JAN 14 2019

COR/2019/00090-01

Mr. Ed Grant, Chairperson
Eastern Regional Service Board
255 Majors Path, Suite 3
St. John's, NL A1A 0L5
E-mail: info@ersbnl.ca

Dear Mr. Grant:



I am writing in response to your recent submission detailing the rationale for the Eastern Regional Service Board's (ERSB)'s fee structure for waste management collection services. Further to our recent meetings and discussions, please be advised that I have directed officials with the Department of Municipal Affairs and Environment to proceed with an independent review by an external firm.

I acknowledge the Board's request for input into the terms of reference for this review. To this end, I hereby request that ERSB review the attached Consultant Fee Request, which outlines the proposed scope of work and approach for the review. This review of service levels and fees will be incorporated into the recently-announced comprehensive review of the Provincial Waste Management Strategy. **Please ensure that comments are provided directly to my office by end of day, January 18, 2019.**

The overarching intent of this work is to engage and consult with the Board, and to work with all stakeholders towards collaborative solutions. In fact, this has been the intent for all of our meetings and discussions to date. I trust that you and the Board will participate in accordance with this spirit of collaboration and compromise going forward.

Sincerely,



GRAHAM LETTO
District of Labrador West
Minister of Municipal Affairs and Environment

cc: Honourable Premier Dwight Ball
ERSB Board Members

Enclosure

FEB 08 2019

COR/2019/00445

Mr. Ed Grant, Chairperson
Eastern Regional Service Board
255 Majors Path, Suite 3
St. John's, NL A1A 0L5
E-mail: info@easternwaste.ca

Dear Mr. Grant:

I write in follow-up to a meeting with yourself and Ken Kelly on November 15, 2018 and subsequently with the Eastern Regional Service Board (ERSB) on December 5, 2018, and further to your press release of February 1, 2019 regarding waste management collection services and fees for cabin owners in unincorporated areas.

As you know, my approach to this issue upon my appointment as Minister of Municipal Affairs and Environment in November was to seek to find common ground between cabin owners and the ERSB on these issues in a collaborative fashion. I had pursued this through meetings with the ERSB as well as representatives from the Cabin Owners Against Trash Tax (COATT) group. During our meeting in November, I specifically requested that you and Mr. Kelly develop a plan to implement seasonal rates or to remove un-serviced roads from your collection routes, for further consideration and deliberation. This approach was intended to engage the Board in working towards a solution, rather than receiving a directive from the Provincial Government. From the follow-up meeting with the ERSB board members and your subsequent correspondence, it had become clear that the Board was unwilling to take any such action. At that time, the preferred course of action was to pursue an independent review of waste management collection services and associated fees in this region.

In your recent public statement, I took great interest in the indication that the ERSB would take direction from the Provincial Government with respect to waste collection practices in these areas. I note ERSB's position in this regard, and as the Minister responsible for the *Regional Service Boards Act, 2012* (the Act), I am taking this opportunity to clarify our government's position and provide clear direction on waste management in the region.

First, I acknowledge that the Act and its associated regulations include unincorporated areas within the regions in which Regional Service Boards may provide services. I also acknowledge that determining the specific areas to be serviced are operational policy decisions that are within the jurisdiction of the local government representatives who serve on the respective Boards. However, our government firmly believes in the principle that fees should only be charged and collected where the service can be reasonably provided, in keeping with our vision to deliver better services and outcomes through The Way Forward. I would also expect that such service delivery considerations and logistics be considered in the Board's operational decisions.

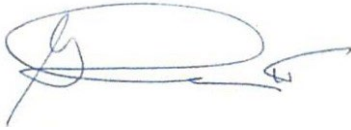
Therefore, I am hereby directing the ERSB to take the actions outlined below:

- 1) Cease the collection of waste on un-serviced roads, or where the services cannot be reasonably provided on a regular basis, as soon as possible. Based on past discussions, it is my understanding that officials with the ERSB have some idea as to the areas in question but a dialogue amongst our respective teams may assist in finalizing the approach. It is also my position that this action should not result in any increased costs to other clients of waste management services in the region for which you provide these services. I would appreciate an update on plans to discontinue this practice **by February 20, 2019.**
- 2) On a go forward basis, limit all outstanding fees and interest (i.e., or "back fees") charged to individuals on their first invoice to a two-year period.
- 3) Improve the Board's transparency, accountability, and engagement by publicly advertising the time and location of public meetings, posting minutes in a timely fashion, and ensuring that thorough consultations are completed in advance of the setting of an annual budget and fees and/or expanding service areas or other operational changes impacting the public.

In addition to the above, as you know the Province is undertaking a comprehensive review of the Provincial Waste Management Strategy, and direction on other issues pertaining to waste management may be conveyed upon its conclusion.

The ERSB plays an integral role in implementing the Provincial Waste Management Strategy and providing these services to the public in this region of the Province. The Province will continue to work with you in this endeavor.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'G' followed by a horizontal line and a small flourish.

GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

cc: Honourable Premier Dwight Ball
COATT

NEWS RELEASE

FEBRUARY 27, 2019

IMPORTANT CHANGES TO SERVICE DELIVERY POLICY

The Eastern Regional Service Board amended its Service Delivery Policy to exclude roads that are un-serviced for the purposes of waste management collection as confirmed by the Provincial Government. This change affects approximately 300 properties in the eastern region.

Any property owners on the roads below that have paid fees for 2019 will be refunded. Refunds will be sent via cheque on Friday, March 8, 2019, to the address that the Board has on file for the account. Any preauthorized debit agreements for property owners on these un-serviced roads will be stopped as of March 4, 2019. Anyone who has received an invoice for a property on roads below, please note that your 2019 invoice has been cancelled. A letter in this regard will be sent to all of those property owners whose addresses we have on file.

The list of un-serviced roads and the letter from the Minister of Municipal Affairs and Environment confirming the list of un-serviced roads are included below. Maps of the impacted roads are available by clicking on the road name.

The Department of Municipal Affairs has engaged their colleagues in the Department of Transportation and Works to review policies that they have in place with respect to un-serviced roads in an effort to determine if additional roads should be considered. If additional roads are added to the list by the Provincial Government, this website will be updated and property owners will be notified.

ROADS

- Old Shoe Cove Road, Chance Cove;
- Leah Wheeler's Road, Lower Island Cove;
- Western Bay Line, Western Bay;
- Daniel's Cove, Trinity Conception North;
- Holiday Hill Road, Trinity Bay South;
- Dam Pond Road, Brigus Junction;
- Pigeon Inlet, Brigus Junction;
- Twin Gullies Lane, Brigus Junction; **Revised March 5, 2019**
- Old Witless Bay Line, Southern Shore;
- North Harbour Pond Road, Goobies;
- Rocky Pond Road, New Harbour Barrens;
- Junction Pond Road, Placentia Junction;
- Old Mill Road West of Second Bridge, Placentia Junction; and,
- Station Pond Road North of Pond, Placentia Junction.

LETTER

- Letter 1 from the Hon. Graham Letto, Minister of Municipal Affairs and Environment (Friday, February 8, 2019)
- Letter 2 from the Hon. Graham Letto, Minister of Municipal Affairs and Environment (Wednesday, February 27, 2019)

FEB 27 2019

COR/2019/00701

Mr. Ed Grant, Chair
Eastern Regional Service Board
255 Majors Path, Suite 3
St. John's NL, A1B 4J6

Dear Mr. Grant:



Thank you for your draft response dated February 20, 2019, to my February 8, 2019 letter in which I provided direction to ERSB with respect to waste management collection services in unincorporated areas. I am pleased to see that ERSB is willing to comply with the direction provided.

With respect to the list identifying roads where you have experienced operational challenges in maintaining collection services year round, I am pleased to confirm that these are indeed un-serviced and should be removed from waste collection service immediately and refunds provided as per your suggested approach.

Further to this, I acknowledge that there has been significant confusion around the definition of an un-serviced road and how it pertains to other publicly owned roads that may be maintained through private arrangements. The Department has engaged our colleagues in Transportation and Works to review policies that they have in place with respect to un-serviced roads in an effort to determine if additional roads should be considered. It is expected that this internal review will be completed in the coming weeks and further guidance and direction will be provided to ERSB.

In regard to the issue related to back fees, the directive as written in my February 8, 2019 letter accurately reflects the fact that the onus is on ERSB to identify and adequately provide invoices to the property owners being serviced. Therefore, the suggestion by ERSB to utilize January 1, 2017 as the initial date of fee collection for all future identified property owners, regardless as to when the property is identified, is not acceptable.



I look forward to continue to engage with your board and staff as we work through this issue as well as the fulsome review of the Provincial Waste Management Strategy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Graham Letto", with a long horizontal flourish extending to the right.

GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

MAR 08 2019

COR/2019/00701-02

Mr. Ed Grant, Chair
Eastern Regional Service Board
255 Major's Path, Suite 3
St. John's, NL A1A 0L5
E-mail: info@easternwaste.ca

Dear Mr. Grant:

Ed.

Further to my letter of February 8, 2019, which provided direction with respect to cabins on un-serviced roads and my subsequent letter of February 27, 2019, regarding the discontinuation of waste collection services for roads where the Eastern Regional Service Board (ERSB) experiences challenges in delivering waste collection services, I am writing to provide further direction on this matter.

To this end, I am directing that the ERSB submit a plan by **April 1, 2019** to implement additional changes to its Service Delivery Policy for waste collection, such that **waste collection services and respective fees will no longer be mandatory for any individuals who own a secondary residence on any road that is not serviced, directly or indirectly, by a level of government.** It is my position that these property ownership criteria could be verified by the provision of a tax or fee invoice from a municipality or a local service district for the primary residence.

To further clarify, the directive does not apply to properties on roads maintained by the Provincial Government, a municipality, or a local service district, but would apply to roads maintained solely by other groups (e.g. cabin owners) on a voluntary basis.

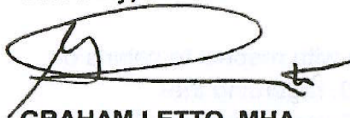
In addition, I am also directing ERSB in its implementation plan for these Service Delivery Policy changes, to ensure that there is **no resulting fee increase for its remaining clients.**

At the same time, I am also ordering a special audit regarding ERSB's waste collection services and associated fee-setting practices, in accordance with section 34(3) of the *Regional Service Boards Act, 2012*. Department officials will provide further detail on how this audit will be conducted in the coming days.

Finally, I also acknowledge that these issues regarding service delivery and fee structures will be addressed on a provincial scale through the comprehensive review of the Provincial Solid Waste Management Strategy, announced in January 2019. Stakeholder consultation will be a part of this review, and I expect ERSB will participate fully in this review.

Thank you for your attention to this matter, and I look forward to working with you to implement these next steps in the very near future.

Sincerely,



GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment

/jl

cc: Honourable Premier Dwight Ball

APPENDIX 2

Hon, Graham Letto, MHA
Minister of Municipal Affairs and Environment
Government of Newfoundland & Labrador
PO Box 8700
St. John's, NL, A1B 4J6

February 20, 2019

Dear Minister Letto,

The Eastern Regional Service Board (ERSB) is extremely pleased to have received your letter of February 8, 2019 clarifying your Government's position on the Provincial Waste Management Strategy. In our press release of February 1, 2019 the Board had requested just such a response and we now look forward to implementing this new directive.

In your letter there were three areas in which you focused your direction to the Board. We have structured our response to your letter around those directives.

Therefore, I am hereby directing the ERSB to take the actions outlined below:

- 1) *Cease the collection of waste on un-serviced roads, or where the services cannot be reasonably provided on a regular basis, as soon as possible. Based on past discussions, it is my understanding that officials with the ERSB have some idea as to the areas in question but a dialogue amongst our respective teams may assist in finalizing the approach. It is also my position that this action should not result in any increased costs to other clients of waste management services in the region for which you provide these services. I would appreciate an update on plans to discontinue this practice by February 20, 2019.*

Attached is a list of roads within the eastern region where we have experienced some operational challenges in maintaining a curbside/roadside waste collection service year-round. This list is based on the review of our Global Positioning System (GPS) fleet tracking data of the routes our vehicles travel. Discussions between ERSB and the Department of Municipal Affairs and Environment identified these areas and we acknowledge issues with access on a recurring basis. Service on these roads can be stopped immediately and a motion can be tabled at our next monthly meeting that will bring this change in operations into effect as of March 31, 2019 as per your directive.

In these areas we have augmented the summer curbside/roadside waste collection service with a series of winter waste drop-off locations to ensure that property owners have a means to dispose of waste in an appropriate manner. This practice was approved and operated under a Certificate of Approval. We suggest continuing with the winter drop off locations until March 31, 2019 as it

correlates with the posted removal dates for the winter drop off locations. This should provide sufficient time for communication of changes and mitigate any confusion of the public that use these sites that the service has disappeared without an alternative being put in place and avoid illegal dumping.

Further, we will advise these property owners that all service, both summer/winter will be discontinued and they should make alternative arrangements. We will arrange to very quickly refund anyone who may have paid for the 2019 service. At the same time we will strongly encourage all these property owners to utilize our nearest Residential Waste Recovery Facility for bulk household items, at no charge, to protect the environment from illegal dumping.

This change in operations will not necessitate any increase in fees charged to those remaining as recipients of the weekly curbside/roadside waste collection services delivered by the ERSB.

With your concurrence, the attached list of roads can be immediately removed from our service model, property owners advised, and refunds issued where necessary. Further, there is considerable confusion surrounding "un-serviced" roads which needs to be rectified. We suggest that a joint press release be issued clarifying exactly who is affected as we are getting calls for refunds, cancelling existing payment arrangements, who do they get to provide service and related issues.

- 2) *On a go forward basis, limit all outstanding fees and interest (i.e. or "back fees") charged to individuals on their first invoice to a two-year period.*

We acknowledge this directive and will now only back charge to 2017 or later if the service started thereafter. We are concerned that this directive to limit outstanding fees and interest to two years without qualifying the circumstances will incentivize those that have not come forward to continue to defer identification. I often refer to this as "Catch as catch can." We suggest we establish January 1, 2017 as the date that new invoices to newly invoiced property owners will be limited. This creates an incentive for those that have not self-identified to come forward. However, we further assert that by now all property owners in the eastern region know of the service and therefore the back charge period not be limited to two years going forward. We await your further clarification of this position.

Actions to recover funds from delinquent accounts will start again as of the date of this letter.

- 3) *Improve the Board's transparency, accountability, and engagement by publicly advertising the time and location of public meetings, posting minutes in a timely fashion, and ensuring that thorough consultations are completed in advance of the setting of an annual budget and fees and/or expanding service areas or other operational changes impacting the public.*

With regards to the last directive the ERSB holds monthly public meetings with the details of these meetings published to our Board's website so that the public can attend. This has been the practice for some time. All minutes of our meetings are made public once they have been adopted, normally at the following monthly meeting. This is the same practice for a municipality to adopt

minutes of the previous meeting at the next available opportunity. Minutes of meetings have been published to our website since 2013.

With regards to annual budgets these reflect the costs of the Board and are published on our web site. Information on our annual budget is sent to all of the municipalities and local service districts in the eastern region. Once adopted, it is posted to the Board website along with the minutes of all meetings since 2013. Further, the annual audit of the Board and the presentation of financial statements are prepared by a licensed public accounting firm and are also published to our website.

In addition, the Board recently completed a public consultation project in which all 32,000 properties in our service area were asked to participate in either an online survey or via telephone. Invitations were sent to seasonal and permanent property owners, online advertising and social media advertisements were placed as were traditional media advertising. The consultation resulted in 323 responses which was not even sufficient to make the results statistically representative. The Board then engaged a third party firm to telephone another 200 property owners in the service area to receive sufficient feedback to make the sample statistically representative. This survey asked about our services, what services were important to property owners, how they thought the services should be paid for and what was their opinion of the ERSB. We service some 46 municipalities and 46 LSD's in addition to unincorporated areas. We consider the lack of response from our client base to be reflective of satisfactory service, albeit, we are constantly striving to make improvements. Many of the critics of the service are simply not providing factual information regarding operations, accountability or transparency. They simply reject the service outright and, frankly, we are unable to find any accommodation for their position. Any suggestions you can offer would be appreciated.

As mentioned earlier your three directives require clarification amongst the public. We have been monitoring the social media discussions on your directives and they are interpreting the directives in many different fashions. A joint Provincial Government and ERSB communication that details the outcomes of the work done to date is required to provide clarity. Further, we could possibly outline steps and options for those that are displeased by this outcome to advocate during the Provincial Waste Management Strategic review.

Sincerely,



Ed Grant
Chairperson
Eastern Regional Service Board

cc. ERSB Board Members

APPENDIX 3



EASTERN REGIONAL SERVICE BOARD

RESPONSE TO THE PROVINCIAL WASTE MANAGEMENT STRATEGY REVIEW REPORT of December 31, 2019

RECOMMENDATIONS ERSB CAN SUPPORT

4.9 *Wherever feasible, a mandatory recycling program be implemented across the province, followed by enactment of a landfill ban after no later than one year's full implementation; further, that the order of priority of communities and regions to participate in the mandatory program ideally be determined according to the degree of waste diversion to be achieved or system efficiencies realized.*

4.10 *Appropriate mandatory recycling programs for the ICI sector...*

ERSB supports mandatory recycling, if feasible and viable. Any mandatory recycling program will require a public education strategy; an introduction period; enforcement policies; and the development of appropriate legislation.

At this time there is no requirement to provide multi-stream waste collection such as recyclables, etc., by waste haulers. This does not provide a level playing field for all stakeholders. The regional service boards must divert waste from the regional landfill while communities may continue to opt out of the regional service and provide black bag waste collection only with no waste diversion (recyclables collection). This is unfair.

The Board has had communities opt out of the regional service to save \$1 to \$5 per property annually by not providing waste diversion services to its residents.

4.11 *The MMSB conducts consultations with appropriate regional waste management authorities and the construction, renovation and demolition (CRD) sector with a view to developing a provincial approach for the management of the CRD waste stream.*

ERSB supports consultations with appropriate authorities; however, we note that the regional landfill at Robin Hood Bay is not included in the recommendation.

In the Eastern Region, the regional landfill is owned and operated by the City of St. John's. The ERSB and St. John's have a MOU to govern regional access to Robin Hood Bay. The Board feels that any provincial approach should be developed in consultation that includes Robin Hood Bay.

4.13 *The use of waste diversion as a key performance indicator for the Provincial Waste Management Strategy be replaced with the indicator measuring waste disposal per capita in kilograms, with a target set once more is known about the details associated with implementation of the recommendations of this report.*

ERSB supports changing the key performance indicator from waste diversion to measuring waste disposal per capita in kilograms. However, we note that this performance indicator is recommended for residential waste only and the Board feels it should be applied to ALL waste including commercial waste.

The Eastern Region receives the majority of commercial waste for the Province. In addition, most of the Board's contracts provide for waste collection from businesses in the communities that we service. This would again provide for a more accurate reporting.

5.1 *Subject to further (and timely) regional consultation, legislative amendments be drafted to replace the existing eight (8) waste management regions on the island portion of the province with two newly defined waste management regions: (1) Region 1 (Western/Central Waste Management Region)...; and, (2) Region 2 (Eastern Waste Management Region) covering the geographic areas of the Eastern, Burin Peninsula and Discovery Regional Service Boards.*

ERSB supports re-defining waste management areas only where necessary and only when it makes sense financially, i.e. Bonavista Peninsula being included with Eastern region makes sense as it does not have an active board and the transfer station built at Clarendville was designed to accept waste from the Bonavista Peninsula.

The Clarendville Transfer Station is not equipped or designed to handle the waste volumes from the Burin Peninsula. Adding waste from the Burin area would double the volume of waste accepted at the Clarendville facility; therefore, major renovations would be required to modify the facility to handle the increased waste.

ERSB notes that the Waste Management Strategy Review report completed by Maclaren Municipal Consulting Inc. in the spring of 2019 recommends that the Province work with the Burin regional service board with a view to developing an equivalent-to-lined landfill with a leachate treatment system that meets modern environmental requirements. In addition, the Burin Peninsula Regional Waste Management Study completed by Edwards and Associates Limited found that this approach could be financially viable. As well, it is our understanding that the Burin RSB is financially stable and addressing local needs.

ERSB would like the province to study this recommendation in more detail to ensure that the merging of any regions is viable and affordable for all stakeholders involved.

6.1 *More substantive and regular dialogue occur between regional service boards, and other waste management authorities to maximize opportunities from sharing best operating practices, establishing consistent customer service standards, and the identification and execution of collaboration opportunities.*

6.2 *Regional service boards and major waste management authorities, MMSB and MAE work together to develop measurable operational service standards covering all major components of modern waste management system.*

ERSB strongly supports a provincial 'standard' for waste management services, i.e. regional service boards must adhere to the tenets of the Provincial Waste Management Strategy by collecting regular garbage as well as recyclables while towns (or others who may opt out) may choose to contract the services of an independent waste hauler who may provide a better price to the them by collecting black bag garbage only (no waste diversion).

Without service standards, ERSB has seen several communities in the Eastern region opt out of the regional service to save a little money by not offering recyclables collection. In addition to incorporated towns having the ability to opt out of the regional system, apartment buildings, condominiums, businesses, government buildings, schools, unincorporated areas outside the regional service, etc., may opt out of waste diversion programs. This is unfair. Why have a provincial waste strategy if those entities outlined previously may opt out of diversion programs.

The Province must provide a level playing field for all waste haulers.

The report discusses environmental standards developed by CCME (Canadian Council of Ministers of the Environment). It would be prudent to ensure that any standards approved by the Province are in line with current waste management practices, standards, and/or initiatives as provided by other authorities, provinces, CCME, etc. In other words, we should learn from these groups by studying their policies, practices and experiences so as to avoid pitfalls and to implement the best system possible for the province.

6.5 *The Departments of Service NL and MAE jointly develop and implement an online central registry for all waste management related authorizations and enforcement activity.*

ERSB supports this recommendation. In addition, the Board would like to see:

1. An online registry for all registered waste haulers in the Province; and,
2. ERSB strongly supports the need for a mandatory property registry for NL.

6.6 *C&D landfills be authorized to accept benign or inert waste materials only*

ERSB does not currently operate a C&D landfill but could operate a C&D landfill at our Clarenville Transfer Station site as well as at Robin Hood Bay.

6.7 *All landfills approved to operate in the province (municipal and industrial) be required to track all waste volumes entering the site and undertake appropriate environmental monitoring, as approved by government.*

The ERSB's regional landfill as well as our transfer station at Clarenville tracks all waste volumes at the site and is compliant with environmental legislation.

6.8 *Service NL increase its use of technology, such as camera and video, to enhance its enforcement efforts related to indiscriminate dumping.*

6.10 *Service NL in consultation with MAE review the merits of adopting summary offence ticketing under the Environmental Protection Act, commencing with a review of ticketing for indiscriminate dumping.*

6.11 (A) *Concerning littering and indiscriminate dumping: Fines for offences under the Highway Traffic Act be increased to align with the Environmental Protection Act;*

8.1 *The Dept. of Education and Early Childhood Development consider adding waste management to the school curricula for all grades, kindergarten through high school.*

ERSB fully supports adding waste management to the school curricula. In addition, ERSB would like to see recycling offered at all schools. ERSB notes that the NL English School District does not provide universal recycling in its schools. This is unacceptable and not in accordance with the PWMS.

8.2 *The MMSB (lead), in collaboration with appropriate regional and local waste management authorities, indigenous groups, provincial government departments, and stakeholder groups representing key target audiences, develop a comprehensive, integrated provincial education and awareness strategy along the lines discussed in chapter 8.*

10.1(1) *MAE conduct a review of the RSB Act, Municipalities Act, and the various cities' statutes (St. John's, Mount Pearl, and Corner Brook) to: (a) address any unwarranted legislative inconsistencies in the authorities granted municipalities and cities versus the RSBs; and (b) ensure any legislative changes required to support the implementation of this report, if and as accepted, are incorporated.*

ERSB has been requesting legislative changes and supports a review and is focused on the following three areas:

1. Tools to create incentives to pay service fees and strengthen the collection process (application of interest on overdue accounts; options for collection, i.e. lien a property or Provincial Court; and, sale of an indebted property);
2. Tools to facilitate administration of the service (Certificates of Good Standing – tax certificates, notification of sale, ability to correct errors, ability to collect fees for past service); and,
3. Tools to attract Board members and incentives to be active Board members (control over Board remuneration).

The tools in these three areas are considered the highest priority for the ERSB; however, we have identified changes in other areas such as roles of staff similar to that in the *Municipalities Act* that require clerk and managers; ability to issue bonds for financing; ability to adopt by-laws such as a by-law that forbids illegal dumping in unincorporated areas or to set fines; etc.

ERSB again notes that the Province does not have a mandatory central property registry. Without this registry, the identification of all property owners is not possible. Newfoundland Power maintains a comprehensive database of property ownership; however, ERSB is unable to access that database despite legislation in place to allow for the sharing of that information.

10.1(4) *Service NL afford the same consideration to RSBs as municipalities and exempt them from paying Provincial vehicle licensing and registration fees.*

RECOMMENDATIONS OF CONCERN

5.5 *Regional service boards and waste management authorities be eligible to apply for cost-shared funding in support of capital needs beyond the initial core infrastructure requirements, the latter of which the provincial government should continue to fund fully as appropriate.*

Because the City of St. John's owns and operates the regional landfill, the ERSB would not be eligible to apply for cost-shared funding.

Both the City of St. John's and ERSB budgets to fund capital and operational reserve accounts. ERSB must ensure it can continue to operate in the event of unforeseen circumstances as municipal services must be delivered. ERSB operates in a fiscally responsible manner and has reserves for regional capital replacement as well as an operational reserve.

6.3 *Municipalities NL and Workplace NL, in consultation with other groups as appropriate, work together on occupational health and safety issues specific to the waste management sector.*

ERSB has concerns regarding Municipalities NL input on occupational health and safety when there is an existing agreement between Service NL and Workplace NL to ensure all workers have a fundamental right to a workplace that neither impairs their health or imperils their safety. The Occupational Health and Safety Division of Service NL works with employers and Workplace NL.

6.4 *The Department of MAE develop and execute a regular schedule of review for all legislation, regulations and standards related to the establishment and operation of waste management facilities, prioritizing, in the first instance, those most critical to the protection of public health and environment.*

Great proposed process but should include input from the regional service boards who have been mandated to implement and oversee the modernization of waste management in the Province.

6.9 *The Environment Protection Act and the Regional Service Boards Act be amended to enable regional service boards to use technology, conduct investigations and lay charges related to the illegal dumping of waste, with board's staff to undertake mandatory training to ensure proper and safe execution of his new role?*

6.11 (B) Concerning littering and indiscriminate dumping: Amendments to both Acts be made to include a mandatory requirement for the cleanup of discarded materials and restoration of the affected area, or the payment of equivalent costs in lieu into a government cleanup fund as part of Court judgments for violations.

Who determines the standards for restoration and who will determine if the level of restoration has been met? Who has the expertise? Will jurisdiction lie with Service NL?

6.11 (C) Concerning littering and indiscriminate dumping: Regional service boards allocate funds annually for cleanups

Regional Service Boards operate as not-for-profit; therefore, any monies allocated for cleanups has to come from waste fees collected from property owners or from the tipping fee at the regional landfill. Either way this drives costs up for ERSB. The Board no longer has a waste collection division and, therefore, does not have any waste collection equipment.

The proposed annual cleanups would have to be contracted and the costs passed on to our customers. This is unfair to the Board's customers as most illegal dumpsites are located in unincorporated areas where services are most likely not provided by ERSB. In addition, who pays for these cleanups in communities that have opted out of the regional program i.e. Trepassey, Spaniard's Bay, etc.? Who pays for cleanups on un-serviced roads in unincorporated areas such as Placentia Junction, Mahers, etc.? Who will be responsible for cleanups on Crown Lands?

To expect those who participate in the regional system to clean up areas that do not contribute is unfair.

ERSB does support communities in our region by allowing community-based volunteer groups an annual opportunity to access and dispose of waste collected during community clean-up events at the Board's network of waste recovery facilities. Community groups are encouraged to clean up public spaces such as parks, ditches, green spaces, beaches, walking trails, etc.

6.12 Regional service boards and waste management authorities develop and implement a comprehensive waste diversion enforcement regime and report on the effectiveness of same at their annual public reporting.

ERSB would support waste diversion enforcement but any such plan would have to be supported by all stakeholders including communities, Service NL, MAE, etc.

7.1 *The Dept. Tourism, Culture, Industry and Innovation and the MMSB co-lead the development of a provincial economic development and innovation strategy along the lines discussed in Chapter 7.*

ERSB would support an economic development and innovation strategy; however, we note that data provided in Chapter 7 of the report does not outline the true scope of economic benefit for the Eastern region. ERSB has concern with the statement from Chapter 7, pg. 121, 3rd para., that, *“The five active regional services boards on the island report a combined 114 permanent jobs and 66 part-time and contractual jobs. The MMSB reports over 250 persons are directly employed at 56 Green Depots.”*

This statement compares two different things. MMSB does not directly employ 250 persons, but their contractor does. If the author had included the Board’s employees and the employees of our contractors, the number of persons benefitting from employment by the implementation of the PWMS for the Eastern Region would include not only the Board’s 24 direct employees but the employees of the Board’s contractors. ERSB estimates that the waste contractors employ an additional 50 - 60 persons. The Board engaged the services of 62 contractors in 2019, whose employees provided goods and/or services to the Board. Over and above that, the regional landfill at Robin Hood Bay employs another 50 persons.

ERSB has always taken this part of its mandate seriously. The Board provides employment to 15 persons in the rural areas of the Eastern region. Prior to the Ministerial Directives an additional 5 positions existed in the Eastern region, 4 of those in the rural areas.

ERSB spends \$1.6 million annually on payroll and approximately \$9.5 million annually on goods and services. These jobs along with the purchase of goods and services through local businesses provides a great benefit to our local economy.

10.1(2) *MAE develop a Code of Conduct and Conflict of Interest Policy for all its RSBs and ensure the boards incorporate said policies as part of their governance procedures.*

ERSB has developed and adopted a set of by-laws and procedures for Board meetings that addresses items such as conduct of members, conflict of interest, etc.

RECOMMENDATIONS ERSB CANNOT SUPPORT

4.7 *The Multi-Materials Stewardship Board lead the development of a provincial organic waste management strategy along the lines discussed in Chapter 4.*

4.8 *Further to Recommendation 4.7, the organic waste management strategy be developed against the backdrop of implementing an appropriate provincial landfill ban for organic waste in five years.*

ERSB supports engaging technical expertise to study new technologies and/or processes used in other jurisdictions so as to determine the best organic waste management strategy for the Eastern region and the Province.

It has been demonstrated in other provinces that composting of organics is not necessarily the best way to divert organics from landfilling. ERSB conducted a study tour of organics processing several years ago and found in Nova Scotia and New Brunswick that they had processed tonnes of compost from their organics waste. However, the compost was useless for the commercial sector (farming) as it may contain plastics or other foreign waste. They could not sell the compost or give it away.

Furthermore, any strategy to remove organics from the regional landfill cannot be prescriptive and limit regions to one sort of technology, in this case composting. Doing so will not provide regions the option to come up with the best solution(s) or use the most current technology minimizing environmental impacts, costs, desirable end product, etc.

Once organics collection is implemented, ERSB would like to ensure that ALL organics including IC&I organics is included. This will ensure greater volume of material and should lead to better efficiencies when processing.

5.2 *Legislative amendments be drafted to support the new regional waste management and governance model for the island portion of the province, said framework to include a Regional Service Board consisting up to 18 members and Regional Advisory Committees being established for designated sub-regions.*

ERSB does NOT support legislative amendments supporting a Board consisting of up to only 18 members.

The current Board structure of 20 members plus 1 position for an independent Chairperson was adopted by the Board following the development of the Eastern Waste Management Plan (regional plan). The current Board structure provides for 50 percent representation for the City of St. John's as they have approximately one half of the population of the Eastern Region as well as owning and managing the regional landfill. Each of the remaining 10 members (see Addendum, pg. 14) represents a sub-region/ward of the Eastern region. In accordance with the *Regional Service Boards Act (2012)*, the Chair will be appointed by the Lieutenant Governor In-Council.

For a time, the Act provided the Board authority to determine its own Chairperson; however, in 2019 the Chairperson position was returned to an appointment position.

ERSB supports determining its own Chairperson either independently or from its ward (sub-regional) representatives. ERSB would like to retain the current Board structure with modifications to ensure inclusion of representation for any additional wards/areas.

Furthermore, we note that the report outlines a recommendation for a maximum number of Board members; however, there is no indication as to the size of the recommended regional advisory committees or even how many of those should exist in the Eastern Region. This will again increase costs to the Board.

Currently, ERSB works closely with five (5) joint council groups throughout the Eastern region to ensure that we are in regular consultation with local councils', LSD committees, community leaders, community groups, etc.

5.7 Amendments be made to the Municipalities Act and the Regional Service Boards Act (and any other affected legislation) to clarify that the order of authority for waste management lies firstly with municipalities and local service districts and then with regional service boards; further, that regional service boards have appropriate authority for waste management in unincorporated areas.

ERSB cannot support Recommendation 5.7 as written. Why have regional service boards if their authority will be for unincorporated areas only. ERSB supports the order of authority for waste management lies firstly with municipalities and secondly with the regional service boards. Many local service districts do not maintain an office, do not have staff and are loosely organized; therefore, ERSB feels the authority for municipal services should be provided through the regional service boards outside of municipalities.

That is not to say that ERSB does not recognize the authority of local service districts – ERSB always has and will continue to work with local service district committees to seek their participation before implementing any new contract in their area.

The recent agreement addressing the Ministerial Directives resulted in ERSB withdrawing waste services from 46% of properties in unincorporated areas of the Eastern region. At the beginning of 2019, ERSB serviced approximately 5,600 properties in unincorporated areas. Following December 31, 2019 ERSB continues to service about 3,000 properties located in unincorporated areas.

5.8 *Notwithstanding Recommendation 5.7, the Regional Service Boards Act (and Municipalities Act as necessary) be amended to permit the Minister of Municipal Affairs and Environment to issue directives on waste management matters to regional service boards, municipalities, and local service districts and any community should it be in the public interest to do so.*

ERSB does not support this recommendation as it seems to undermine the Board's authority (elected members) or the authority of an elected Town Council. Ministerial directives are typically used to articulate policy, not to change policy.

RSBs consists of elected municipal leaders from municipalities, local service districts and band councils, where applicable. ERSB supports this model and feels the level of expertise at the Board table is appropriate to deliver municipal services for all communities in the Eastern region.

5.9 *The Department of Municipal Affairs and Environment finalize a Provincial Policy Guideline respecting residential properties situated on un-serviced roads in unincorporated areas along the lines described in Section 5.4.2, with the Minister to issue said Guideline to all regional service boards for consideration pursuant to the new legislative authority recommended above in Recommendation 5.8*

ERSB does not support this recommendation; however, ERSB will continue to respect the agreement resulting from the Ministerial Directives of 2019.

ERSB notes that the Ministerial Directives of 2019 were directed at the Eastern region only. However, if recommendation No. 5.1 to include the Burin and Bonavista Peninsulas is implemented, the directives would be applicable to those areas as well. This will require the property owners on un-serviced roads in unincorporated areas in those regions to self-deliver their garbage to Robin Hood Bay. This will generate a lot of concern.

On Page 103, para. 1 of the report, *"...In the Eastern Region, for example, some communities are opting out of the regional collection services because recycling is not mandatory and single stream collections less expensive to deliver. Designating minimum levels of service like the proposal for mandatory recycling, will be important moving forward"*. ERSB, again, would like to see a 'waste management standard'/set of minimum standards for all licensed waste haulers that ensures the Provincial Waste Management Strategy is being followed.

On Page 103, Sect. 5.4.2, para. 1 of the report, *"In public consultations, no clear consensus emerged on how owners of properties situated on un-serviced roads in unincorporated areas (i.e. cabin owners) should be treated in terms of services they should or should not receive and fees they should pay."* ERSB would like to point out that properties located on un-serviced roads in unincorporated areas include more than "cabin owners". In some of these areas, 15 to 20 percent of the properties are permanent residences in need of services.

ERSB supports all property owners contributing to the services provided to them similar to other jurisdictions across the country. NL continues to be one of only two provinces without a provincial property tax system. In other jurisdictions there are no "tax-free zones" so that all property owners contribute to road maintenance, snow clearing, street lighting, etc.

ERSB supports a mandatory registry of real property for the Province.

9.1 *The MMSB be designated the lead agency with responsibility for overseeing, promoting, monitoring and public reporting on the PWMS.*

ERSB does not support or see the need for an additional agency to oversee, promote or monitor public reporting on the PWMS. Each regional service board reports directly to the Minister and to the public.

9.2 *The current interdepartmental Waste Management Technical Committee be re-constituted as the Waste Management Committee and chaired by the MMSB, and the mandate of the committee expanded to include provincial waste management strategy, planning and policy, and assessments of major program and funding proposals.*

ERSB does not support another level of governance for waste management. The Board feels that another level of governance does not promote fiscal responsibility as the additional costs would have to be borne by the users of the regional system.

ERSB is not in favour of raising fees to support another level of governance.

Furthermore, what representation would be provided to the regional service boards, Robin Hood Bay, etc.

9.3 *Each regional board or waste management authority, as appropriate, submit for the approval of the Minister of MAE via MMSB a comprehensive waste management strategy at five-year intervals, inclusive of key performance indicators, supported by annual implementation plans.*

ERSB submits for the approval of the Minister of MAE directly a strategic plan every five years as required under the RSB Act.

Again, ERSB does not see the need for (1) another level of governance, (2) additional costs it will require; and (3) the report linked to the Board's funding requests and subsequent funding support (as outlined on page 129).

ERSB operates in a fiscally responsible manner.

9.4 *The MMSB review the current financial and data collection and reporting requirements by regional service boards and other waste management authorities with a view to standardizing same wherever possible.*

ERSB has implemented a professional financial system and adopted a process for data collection and reporting. ERSB employs staff with financial expertise and is independently audited annually in accordance with the RSB Act. Again ERSB does not see the need for another level of governance and the additional costs.

9.5 *In light of the proposed expanded mandate of MMSB a corporate name change for the entity be considered, and the skills competency profile for its Board of Directors reviewed for continued relevance.*

9.6 *The interdepartmental Waste Management Committee lead development of an integrated provincial waste management systems plan, working in concert with other key stakeholders.*

ERSB does not support an integrated provincial plan as each region has its own unique strengths and challenges. In addition, each region has adopted a regional plan based on the specific needs of their area. A major element of the PWMS was establishing a regional approach to waste management.

Adopting an integrated plan may actually undermine decisions already made by the Board and how the Board's work is completed, i.e. management of the regional landfill, service delivery policies, etc.

10.1(3) *MAE include consideration of this matter as part of its municipal review, given that the governance framework prescribed in the RSB Act is modelled on the Municipalities Act.*

ERSB supports the RSB governance as provided in the current RSB Act. Those elected to serve in a municipality, local service district or on a band council, where applicable, may then be elected to serve on a regional service board. How can any regional service board fairly determine who would serve from an unincorporated area? Unincorporated areas are those without any organization or governance.

ERSB works closely with five (5) joint council groups throughout the Eastern region to ensure that we are in regular consultation with local councils', LSD committees, community leaders, community groups, etc.

Page 97, Para. 4, "...Further, aligning regions and operations by final disposal location can be implemented readily, and would be the operational path followed under a one region system in any event. Importantly, this model provides opportunity for each of the two regions to offer a suite of waste management programs and services at relatively consistent household fees for all.

This statement implies a province-wide waste management fee. ERSB is not in support of a 'one fee fits all' approach.

Each region should be able to focus their spending in areas that will improve the achievement of the goals outlined in the PWMS. As noted in the Maclaren report of 2019, *"There is concern in Newfoundland and Labrador concerning the differences in costs between regions, with pressure for an approach that equalizes waste disposal costs and/or fees between regions, perhaps across the island. The jurisdictional review found that responsibility for solid waste is generally with the regions and/or municipalities across all provinces reviewed. In each case the responsible region or municipality sets its own fees and determines how to charge those fees (e.g. as part of municipal taxes, as landfill tipping fees, or other user charges)."*

ERSB supports each region being responsible to set its own fees and manage its own costs. ERSB is strongly opposed to any region subsidizing another region. Each region should operate in a fiscally responsible way while meeting the objectives of the PWMS.

Page 111, Para. 2, "...Common service standards also enable the fair evaluation and comparison of the performance of all waste authorities."

ERSB does not support this statement as, again, it seems to support a 'one fee fits all' fee schedule.

The Board does not see how this will help in the Eastern Region where demographics, geography, etc. is quite different than the other regions. In addition, the Eastern Region has the most properties located on un-serviced roads in unincorporated areas. How will these properties fit into a common service standard? ERSB estimates that there were 7,000 secondary properties located in the Eastern Region in 2019. This is not an insignificant number of properties and this number will increase if the Burin and Bonavista Peninsulas are added to the Eastern Region. Again, how will these properties fit into a common service standard?

NOT APPLICABLE

ERSB notes the following as not necessarily applicable.

- 4.1 MMSB related
- 4.2 MMSB related
- 4.3 MMSB related
- 4.4 MMSB related
- 4.5 MMSB related
- 4.6 MMSB related
- 4.12 Government related
- 5.3 Labrador related
- 5.4 Labrador related
- 5.6 Labrador related
- 6.13 Guidance document GD-PPD-073...

ADDENDUM

Wards/Sub-regions of the Eastern Region:

The ERSB consists of the following wards/sub-regions and membership:

Sub-Region/Ward	Communities Included	No. Representatives
St. John's	St. John's	10
Mount Pearl	Mount Pearl	1
Paradise	Paradise	1
Conception Bay South	Conception Bay South	1
Metro Area		1
Bay Roberts Area		1
Trinity Conception North		1
Trinity Bay South and Isthmus East		1
Smith Sound and Area		1
Southern Shore		1
Southwest Avalon		1
Total		20

APPENDIX 4

PLAN FOR IMPLEMENTATION OF MINISTER'S DIRECTIVES



1. **Effective midnight, December 31, 2019 the Board will withdraw services from the following areas having un-serviced roads in unincorporated areas;**
 - a) Brigus Junction and all side roads **except for 1.6 km portion of road serviced by government* (Please refer to the map on page 4. The roads shown in red are serviced, and therefore, will continue to receive waste collection services).**
 - b) Cape Pond Road and all side roads
 - c) **Flat Rock Road (between Freshwater and Salmon Cove)***
 - d) Glen's Cove
 - e) Goulds Big Pond and Old Man's Pond and all side roads
 - f) Goulds Pond and all side roads
 - g) **Grassy Point Road (off Fair Haven Road)***
 - h) Hell Hill Pond and all side roads
 - i) **All side roads off Hodgewater Line***
 - j) Horse Chops and all side roads
 - k) **Island View Road (off Route 91)***
 - l) Line Road and Gunner's Road and all side roads (Carbonear area)
 - m) Mahers and all side roads
 - n) Middle Gull Pond and all side roads
 - o) Mobile First Pond and all side roads*
 - p) Ocean Pond, Hodgewater Pond and Leahy's Road and all side roads
 - q) Old Prison Camp Road and all side roads (off Salmonier Line)
 - r) Peak Pond and Reid's Pond and all side roads
 - s) Placentia Junction and all side roads
 - t) **All side roads off Route 73 - New Harbour Barrens Road***
 - i. **Old Track Road;**
 - ii. **Denny's Pond Road; and,**
 - iii. **Unnamed Road running along Gull Pond**
 - u) All side roads off Salmonier Line (excluding the LSD of Deer Park/Vineland Road):
 - i. Burry Heights Road (and all side roads)
 - ii. Way Points Wilderness Road
 - iii. Little Bull Pond Road (and all side roads)
 - iv. Bermuda Lake Road
 - v. Gilles Road
 - vi. Fern Hill Lane
 - vii. George Street West
 - viii. Fraser's Loop
 - ix. Governor's Park Road (and all side roads)
 - x. The Wild's Road (and all side roads)
 - xi. Penny Lane
 - xii. Hootersville Estate Road
 - xiii. Mill Lane
 - xiv. Pioneer Place
 - xv. Tobin's Pond Road
 - xvi. Belbin's Mill Pond Road (and all side roads)

- xvii. Jimmy's Run (and all side roads)
- xviii. Hender's Brook Road
- xix. Unmarked Road off Salmonier Line (located on right hand side located 0.3 km before Deer Park Road and 5.8 km from Vineland Road)
- v) Spread Eagle and all side roads
- w) Witless Bay Line including Old Witless Bay Line and all side roads

If additional un-serviced roads in unincorporated areas are identified, the Eastern Regional Service Board will review them with the Department Municipal Affairs and Environment to determine if they should remain in service.

****Denotes areas added or changed following initial plan as outlined in above paragraph.***

PLEASE NOTE FOLLOWING CHANGES:

- a) **Lamanche and all side roads** – *this area had been included as an un-serviced road; however, this area is in receipt of services and, therefore, waste collection will NOT be withdrawn at year end.*
- b) **Brigus Junction and all side roads except for 1.6 km portion serviced by government** – This area had been included as an un-serviced area; however, as per the map on page 4 of this document, **the roads shown in red on the map are in receipt of services**, and therefore, waste collection will NOT be withdrawn at year end from those roads.
- c) **Gull Pond Road (beyond Town of Witless Bay limits)** – this area is not in receipt of service; however, 78% of residents voted to reinstate waste collection services.
- d) **English Hill Extension including Old Highway and Gadden's Marsh Road (Carbonear Area)** – *this area had been included as an un-serviced road; however, this area is in receipt of services and, therefore, waste collection will NOT be withdrawn at year end.*
- e) **Warren Waters Lane, off Route 91-** will be removed from service effective July 17, 2020, as 70% of residents did not vote to receive waste collection services.
- f) **Mobile First Pond Road** – any properties outside the boundary of the LSD of Mobile.

2. Reinstatement/Continuation of Service(s):

The Board would provide services to any area noted above if 70 percent of the property owners identified in that area provides a request/response to have service(s) provided and/or continued.

If 70 percent of the identified property owners in any one area requests the service, the Board would provide the service to all property owners in the area and all property owners in the area shall pay for the service(s).

3. Fees Collection

For the areas listed in number one above, no further invoice for waste management services will be issued effective January 1, 2020.

The Board will not proceed to Small Claims Court to collect from those customers whose outstanding balance includes only 2019 fees and interest. For those customers the Board would set aside the 2019 accrued interest with payment in full of the 2019 fees.

However, those customers with an outstanding balance prior to January 1, 2019 are responsible to settle all outstanding fees and interest for services including 2019.

4. First Invoice for Newly Identified Property Owners

For newly identified customers the first invoice will begin at January 1, 2017 if service was available before that date or from the date of service implementation if later than January 1, 2017.



APPENDIX 5

What We Heard

ERSB PUBLIC ENGAGEMENT FEEDBACK

Creating a strong, vibrant community is everyone's responsibility. And decisions about important things, such as municipal services, need as many voices and perspectives as possible.

In fall 2018, we engaged permanent and seasonal residents living in our service areas to tell us how they felt about regional services.

Your feedback helped us identify several areas that will help us plan for the future and shape this region. We wanted to share what we heard with you.

349

permanent residents responded

226

seasonal property owners responded



Permanent Residents

We provide essential services to 29,000 households in the region—services that keep our communities clean and our residents safe.



There is always room for improvement and we're committed to finding new ways to enhance service through innovation and collaboration.

We asked, and you told us how we're doing:



Satisfied

88%

satisfied with waste collection

83%

satisfied with fire and emergency services



Needs Improvement

36%

satisfied with road maintenance

50%

satisfied with access to safe drinking water

Top three services requiring change:

1. road infrastructure/maintenance
2. waste management
3. water system, safe drinking water

We think regional services benefit our communities and so do a lot of the people we service:



94% agree that all households should have access to drinkable water



86% agree that all households should have consistent, standardized waste services



80% agree that everyone in the region should have access to the same level of municipal service



70% agree that a regional approach can lead to more services in smaller communities



62% agree that a regional approach delivers services more efficiently



60% agree that regional services can result in cost savings

Cost of living is top of mind, but so is having access to high quality services. We're up to the challenge of looking for ways to improve services and reduce costs to residents.



21% were willing to pay less for lower quality services



35% were willing to pay more for high quality services

We have work to do to earn your trust. We are committed to taking this feedback and working to find solutions that benefit all the residents in our service region.

59%

believe ERSB provides dependable services

54%

believe ERSB provides fair services

48%

believe ERSB is trustworthy

46%

believe ERSB acts in the best interest of residents

Seasonal Residents

We have also provided services to seasonal properties. These properties may be located within or outside a municipality or local service district.

Seasonal residents are divided in their opinions about core services. Most seasonal property owners are dissatisfied with (or simply don't want) services, but some see a lot of value in the same services. We're working with government to determine how to better balance the needs of part-time residents.

Differing opinions



Fire and Emergency Services

- 30% satisfied
- 18% neutral
- 23% dissatisfied
- 29% do not need this service



Weekly garbage collection

- 21% satisfied
- 5% neutral
- 26% dissatisfied
- 48% do not need this service

Seasonal property owners feel that they do not need most services and do not want to pay for service delivery at their part-time residences.



Did not name a new service they would like to access.

Seasonal property owners hold very different views on the delivery of regional services.



55% agree that all households should have access to drinkable water



35% agree that households should have consistent, standardized waste services



4% agree that everyone in the region should have access to the same level of municipal service

Comparison

What's important and how people want to pay for services isn't the same for everyone—especially when it comes to permanent and seasonal residents.

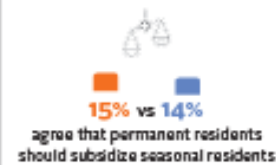
Legend

- Permanent residents
- Seasonal residents

A difference in opinion



Common ground



What's most important to residents?

- Ensuring a clean and healthy community
- Keeping costs down
- Ensuring access to all services
- Protecting the environment
- Boosting local economy



What's Next?

We know we have work to do. We are committed to working with communities and municipal leaders to improve regional service delivery and to bring more transparency to what we do.

We are ready to keep innovating and working with you to provide high-quality, essential services that you can depend on, and even be proud of.

Thank you again for providing your feedback. We value your participation and welcome the opportunity to hear more from you. If there's anything else you want to let us know about, don't hesitate to get in touch.

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