

EASTERN REGIONAL SERVICE BOARD

WASTE SERVICE DELIVERY POLICY

WHEREAS section 4(1) of the *Eastern Regional Service Board Regulations*, Nfld. Reg. 92/11 ("Regulations") provides the Eastern Regional Services Board with the power to charge user fees to a municipality in the Eastern Region, local service district in the Eastern Region, unincorporated area in the Eastern Region or other user of a facility or service provided by the Board;

AND WHEREAS section 4(2) of the Regulations deems an amount owing to the Eastern Regional Services Board to be a debt due to the Board and the Board may recover it by civil action in Court;

AND WHEREAS section 5 of the Regulations states that the Board may stop providing a service to a user of it where the user fails to comply with a policy of the Board respecting the service;

AND WHEREAS it is the consensus of the Eastern Regional Services Board to establish this policy to regulate the provision of waste management services, including the handling and collection of garbage and other waste materials, by the Board;

NOW THEREFORE the Eastern Regional Services Board establishes the following service delivery policy:

Definitions

1. In this policy,

(1) "Board" means the Eastern Regional Services Board established by the *Eastern Regional Services Board Order*, O.C. 2011-255 under the *Regional Service Boards Act*, RSNL 1990 c. R-89 ("Act").

(2) "Bulk Waste" – SEE "Oversize Items Collection"

(3) "Commercial Property" means a Developed Property capable of being used in whole or in part for small businesses, retail establishments, service establishments, recreational purposes, entertainment purposes, or offices.

(4) "Commercial Unit" means a Dwelling Unit or office space situated on Commercial Property.

(5) "Commercial User" means an owner of Commercial Property permitted by the Board to use a Transfer Station.

(6) "Developed Property" means property eligible for Waste Management Services as determined by the Board.

(7) "Dwelling Unit" means a building, apartment, cabin, in-law suite, or trailer that is habitable either seasonally or permanently, situated on Developed Property.

(8) "Eastern Region" is the geographic region defined in the *Eastern Regional Service Board Order*, O.C. 2011-255.

(9) "Electronic Waste" means all items of electrical and electronic equipment and its parts accepted by the Electronic Products Recycling Association (EPRA) program. The list of acceptable items may be updated by EPRA at any time. This waste is not permitted to be landfilled in Newfoundland and Labrador and must be recycled through the EPRA Program.

(10) "Garbage" means waste from private or public property, within the Eastern Region, but does not include the following as defined within this Policy or the Schedule 1 hereto:

- (a) Recyclable Materials;
- (b) Hazardous, Pathological and Hazardous Household Wastes;
- (c) Liquid Waste;
- (d) Electronic Waste;
- (e) Special Wastes as identified by provincial regulations
- (f) Building Materials; and
- (g) Unsuitable Items.

(11) "Garbage Collection Services" means those Services provided by the Board or its agent(s) for the removal of Garbage from public or private property.

(12) "Hazardous Waste" means those items which are or may be harmful to the environment, persons or property including, but not limited to, those items designated in Schedule 1 of this policy and shall include Household Hazardous Waste.

(13) "Household Hazardous Waste" means hazardous waste that would normally be used and kept in a household, which may include toxic substances or poisons that can result in illness and death; acidic or caustic corrosives that can cause severe burns to skin or mucous membranes; flammable and combustible substances which can pose a significant fire and burn risk at ambient temperatures or when exposed to a heat source; and items that are potentially explosive, e.g. gas cylinders or aerosol containers, and including, but not limited to, those items set out in Schedule 1 of this Policy.

(14) "Institutional Property" means a federal, provincial, or municipal government building, including, but not limited to, a hospital, library, school, town hall, or community center.

(15) "Liquid Waste" means any waste in liquid form.

(16) "Materials" means any Garbage, Recyclable Materials or Oversize Items (formerly Bulk Waste) as defined in this Policy.

(17) "Materials Recovery Facility" means a materials recovery facility approved by the Board.

(18) "Multiple-unit Complex" means a building used primarily for residential purposes which contains multiple Dwelling Units, and shall include a Personal Care Home, townhouse complex, in-law suites, apartments and a home-based business requiring a separate Service Unit.

(19) "Oversize Items Collection" (formerly bulk waste) means the following discarded materials but is not limited to: Furniture, mattresses, box springs; children's toys; fridge, stove, washer, dryer; Carpet, flooring, bathroom fixtures, and additional renovation debris. All loose materials must be packaged in bags or bundles that are less than 20 kg and less than 1.5 m in length. Metals are included.

(20) "Personal Care Home" means a premises, place, or private residence in which personal care is provided, for remuneration.

(21) "Property Owner" means an owner of a Dwelling Unit, Commercial Property, Institutional Property, Multi-unit Complex or Personal Care Home.

(22) "Recyclable Materials" means all non-Contaminated waste items which are recyclable or reusable, non-biodegradable and acceptable at the Materials Recovery Facility located at the Regional Integrated Facility at Robin Hood Bay.

(23) "Recycling Services" means those Services provided by the Board or its agent(s) for the collection of Recyclable Materials from public or private property.

(24) "Regulations" means the *Eastern Regional Service Board Regulations*, Nfld. Reg. 92/11. (25)

"Resident" means an occupant, lessee, or tenant of a Dwelling Unit.

(26) "Roadside/curbside" means within the road right of way, at the edge of the property or no more than fifteen (15) feet from the edge of the paved roadway.

(27) "Service Unit" means a Dwelling Unit, Commercial Unit, Multi-unit Complex, Personal Care Home or Institutional Property or part thereof eligible to receive Waste Management Services and subject to the annual Waste Management Fee.

(28) "Tipping Fee" means the fee to be charged at a Regional Facility to dispose of waste as determined by the Board. This fee may vary by waste type, service offered, location of facility, volume, classification of users (commercial, residential, institutional) or any other means the Board determines in its structure of user fees for regional facilities and services.

(29) "Transfer Station" means a Regional Facility in the Eastern Region where waste may be disposed of or transferred from one waste disposal vehicle to another at such times and upon such terms and conditions as the Board may determine.

(30) "Unsuitable Items" means waste items unsuitable for collection by virtue of their size, shape, weight or because they are potentially dangerous to the safety of those persons providing Waste Management Services in the Eastern Region.

(31) "Waste Services Fee" is the annual user fee established by the Board to be charged to a Service Unit or Commercial Property for Waste Management Collection Services. The Waste Service Fee is to be set by the Board by October 31 of each year.

(32) "Waste Management Collection Services" means those services provided by the Board under this Policy, including, but not limited to, Garbage Collection Services, Recyclable Materials Collection, and collection of Oversize Items.

(33) "Waste Recovery Facility" means a Regional Facility where waste may be disposed of by Residents at such times and upon such terms and conditions as the Board may determine. No commercial or institutional users.

Waste Management Services

2. (1) The Board, or the Board's agent(s), may provide Waste Management Services to all habitable properties in the Eastern Region including Dwelling Units, Commercial Property, Institutional Property, and Multi-unit Complexes.

(2) A Municipality will accept Waste Management Services to all habitable properties including Dwelling Units and Multi-unit Complexes; however, the Municipality may omit Commercial and/or Institutional Properties from this Agreement for Waste Management Services.

(3) The Board, or the Board's agent(s), shall provide Waste Management Services to all Property Owners on public roadways of a Class IV designation or higher providing those roads are not unserved roads in unincorporated areas in the Eastern Region as determined by the Department of Transportation and Works.

(4) The Board shall provide Waste Management Services to Property Owners in the Eastern Region

on those roads that are serviced as determined by the Department of Transportation and Works in the Eastern Region.

(5) Collection of Oversize Items shall be by special collection only at such times and upon such terms and conditions as the Board may determine.

(6) The Board shall provide Transfer Stations in locations to be determined by the Board. Transfer Stations may be used by Residents and Commercial Users. Commercial Users shall pay the Tipping Fee to use the Transfer Station and abide by all rules, guidelines, and policies for use of the Transfer Station. Commercial Users that fail to keep their account current and in good standing will be refused entry to the Transfer Station until they are in good standing as determined by the Board.

(7) The Board shall provide Waste Recovery Facilities in locations to be determined by the Board. Waste Recovery Facilities are for the exclusive use of Residents for the purpose of disposing of household bulk items generated under normal household conditions. Use of the Waste Recovery Facility is allowed under the rules, guidelines, and policies for use of the Waste Recovery Facility and anyone failing to abide by the rules, guidelines or policies for use will be refused entry. Waste Recovery Facilities do not accept commercial or institutional waste.

Exemption

3. (1) Property Owners in Local Service Districts and unincorporated areas may request an exemption from the provision of Waste Management Services.

(2) In order to qualify for an exemption Property Owners must demonstrate to the Board that the property is vacant (devoid of all contents) and is not habitable.

(3) A Municipality may request an exemption from the provision of Waste Management Services by demonstrating to the Board that the property is not habitable and is vacant (devoid of all contents).

(4) Factors the Board may consider in determining whether a property is habitable includes but is not limited to: a) it has no electrical connection, b) it has no water connection, c) it is boarded up, d) it is vacant, and e) it is not structurally sound.

(5) Any property approved for an exemption by the Board will be exempt from waste fees for the period of 18 months from the date of approval.

(6) All properties approved for an exemption will be re-visited in 16 to 20 months following the date of approval to ensure the property remains eligible for exemption from waste management fees. If the property remains exempt, a site visit will occur every 16 to 20 months to ensure continued compliance.

(7) If the property is inhabited upon the re-visit, then staff will work with the property owner to determine the date that the property became habitable by determining when (a) residents moved into the property; (b) electricity was re-established to the property; and/or (c) water was re-established to the property, etc.

Service Units

4. (1) Each Dwelling Unit situated on a Developed Property or in a Multiple-unit Complex (including in-law suites and apartments) is a Service Unit.

(2) Property Owners of more than one property in the Eastern Region will pay the Waste Management Fee for each Dwelling Unit situated on the Developed Property that they own that is provided Waste Management Services.

(3) Owners of Commercial Property in the Eastern Region will pay the Waste Management Fee for each Commercial Unit situated on the Commercial Property they own that is provided Waste Management Services.

Garbage Boxes

5. (1) Any Service Units sharing a garbage box must be adjoining properties and must have prior approval from the Board to share the garbage box. The garbage box must be clearly marked to indicate it is being shared.

(2) Permanent garbage boxes must be maintained in a state of good repair, kept clean, free of vermin, free of snow, and located on the Homeowner's property a distance of no more than 4.75 m (15 ft.) off the road right of way as measured from the edge of the pavement of the public road. The Board's staff or agents will not enter private property to collect waste.

(3) Permanent garbage boxes must not be refrigerators, freezers, or any appliances and/or containers in which a child or animal could become trapped.

(4) If the requirements of s.5(1), s.5(2), and s.5(3) are not met then Materials will not be collected from the garbage box but must be placed for collection in accordance with section 6 of this policy.

(5) The Board's staff or agents who collect waste are not responsible to close lids on garbage boxes.

Materials Collection

6. (1) Materials must be covered or enclosed. Residents may use nets, tarpaulins, blankets, bins or other covering or enclosure.

(2) All Materials contained in garbage bags, recycling bags, organic carts/bags, and/or contained in cardboard boxes or tied in bundles that are less than 20 kg (45 lbs.) and less than 1.5 m (4 ft.) in length and placed at roadside/curbside or contained in a bin will be collected.

(3) Effective January 1, 2024, all regular garbage must be in clear, colourless, transparent garbage bags except for one privacy bag (not transparent) each week.

(4) All Materials must be set out by 7 a.m. on the day of collection.

(5) Property Owners are responsible to clean up Materials from broken bags or animals.

(6) For regular garbage, standard-size garbage bags as determined by the Board must be used. They must be securely tied or closed at the top. Kitchen catchers or shopping bags will not be collected.

(7) For recyclables, standard-size recycling bags as determined by the Board must be used. They must be securely tied or closed at the top, transparent blue bags, non-biodegradable and acceptable at a Materials Recovery Facility at the Regional Integrated Facility at Robin Hood Bay.

(8) One opaque (non-transparent) garbage bag or privacy bag may be placed curbside each week for collection. The bag must be securely tied or closed at the top.

(9) Broken glass and sharps must be in a puncture-proof packaging marked as BROKEN GLASS or SHARPS and placed in a clear garbage bag for collection.

(10) Household Hazardous Waste, Liquid Waste, Electronic waste; animal carcasses, construction waste, tires, excrement, or small items shall not be placed for collection. For a complete list, see Schedule 1 hereto.

(11) Placement of Garbage or Recyclable Materials or Oversize Items Waste for collection not in a garbage box shall be within the right of way of the public road at roadside/curbside in a manner that is accessible and in conformity with the rules, guidelines and policies for materials collection as determined by the Board.

(12) Oversize Items Waste in excess of normal household volume as determined by the Board of no more than 500 lbs. or one pick-up truck load will not be collected. Individual oversize items that an individual collector cannot load without the aid of mechanical means will not be collected.

(12) The Board shall establish limits for the number or amount of bags, recyclables, organics, or oversize items waste materials that it will collect from any service unit from time to time.

(13) Where a household oversize item contains a door, lid, latch, or movable surfaces permitting access to the inside, the bulk item shall not be placed for collection unless the door, lid, latch, or movable surface has been removed by the owner.

SCHEDULE 1 - WASTE PROHIBITED FOR COLLECTION

The following items shall not be placed for collection:

1. 1. Hazardous Waste:

- (a) Hazardous waste chemicals;
- (b) Corrosive waste;
- (c) Hazardous Industrial waste;
- (d) Ignitable waste;
- (e) PCB waste;
- (f) Radioactive waste;
- (g) Reactive waste;
- (h) Toxic waste.

2. Pathological Waste:

- (a) bandages, poultices, dressings, drugs, vaccines, medicines, vials, vitamins. Other similar materials or substances which contain or could reasonably be expected to contain pathogenic bacteria or micro-organisms, or could reasonably be expected to be infectious, hazardous or dangerous.
- (b) Any part of the human body, including excrement, tissues and bodily fluids, but excluding extracted teeth, hair, nail clippings and the like that are not infectious.
- (c) Any part of the carcass of any animal infected with, or suspected to be infected with a communicable disease.
- (d) Non-anatomical waste infected with a communicable disease.

3. Household Hazardous Waste:

Any household product, material or item labelled as "corrosive", "toxic", "reactive" or "flammable" including, but not limited to, the following:

- (a) Chemicals: pool or photographic chemicals, laundry bleach, drain, oven, toilet and carpet cleaning solutions, paint thinner and paint remover;
- (b) pesticides: rat and mouse poison, flea collars and powders, insect killers, moth balls;
- (c) Herbicides: weed killers, fungicides;
- (d) Cosmetics: hairspray or other aerosol sprays;
- (e) Paints: wood preservatives, acrylic and latex paints;
- (f) Oils & Grease: engine oil, brake and transmission fluid, anti-freeze;
- (g) Batteries: automotive batteries, nickel-cadmium rechargeable batteries;
- (h) Gas Tanks: propane tanks, other gas tanks, including lighters.

4. Special Waste as identified in provincial regulations.
5. Building materials (including demolition debris) including, but not limited to the following: soil, sod, earth, plaster, drywall, masonry and tile, bricks, concrete or cinder blocks, paving stones, asphalt, wood, windows and window glass (See Section 6 (7)), shingles, and insulation (such as fibreglass or styrofoam).
6. Liquid waste, hay, straw, manure or animal excrement.
7. Swill or other organic matter not properly drained and securely wrapped.
8. Any material which has become frozen to or otherwise attached to its garbage bag, recycling bag or garbage box which cannot be removed by shaking.
9. Industrial waste.
10. Manufacturer's or Trade Waste.
11. Electronic Waste includes but is Not limited to:
 - a) Display Devices (televisions and monitors including various technologies such as Cathode Ray Tube (CRT), All-in-one, flat panel (LCD, LED, and plasma) and rear projection.
 - b) Phones (telephones, cellular and smart phone devices, pagers). Includes corded and cordless telephones, as well as telephone answering machines; cellular phones, including those offering camera, video recording and/or audio functions; smartphones (cell-enabled); cell-enabled PDAs utilizing touch-screen technology; cell-enabled handheld devices.
 - c) Home Audio/Video Systems. Includes VCRs, DVD and CD players, digital cable and satellite equipment, speakers, amplifiers, receivers, data projectors and similar audio/video systems.
 - d) Desktop Computers. Desktop computers (including those acting as servers) and all bundled keyboards, mice, cables, and internal components.
 - e) Portable computers. Includes portable computers such as laptops, notebooks, netbooks, and tablets.
 - f) Computer Peripherals. Includes both wired and wireless manual input devices such as keyboards, mice, and trackballs.
 - g) Desktop printers/multi-function devices. Printers designed to reside on a work surface, including laser and LED, ink jet, dot matrix, thermal, dye sublimation, and "multi-function" copy, scan, fax and print devices. Stand-alone desktop fax machines are also included in this category.
 - h) Personal/Portable Audio/Video Systems. Includes docking speakers, portable stereos, portable CD players, portable audio recorders, tape/radio players, headphones, digital media (MP3) players, voice recorders, and digital and video cameras.

- i) Home Theatre In-A-Box (HTB) Systems. Includes pre-packaged disc player/speaker/amplifier systems for use with video or television display to create a home theatre experience.
 - j) Vehicle Audio/Video Systems (after market). Includes amplifiers, equalizers, speakers, and audio/video components.
 - k) External Storage Drives and Modems. External hard drives, including home media network hard drives, and external optical disk drives as well as network-attached storage devices (NAS), external CD-ROM, DVD, and Blu-ray drives.
 - l) Global Positioning System (GPS) Personal Portable & Vehicle (after market). GPS devices both for personal portable use (sports, leisure, etc.) as well as aftermarket systems designed for use in vehicles.
 - m) Countertop Microwave Ovens. Countertop Microwave Ovens may include microwaves from households. Please note built-in or over-the-range microwave ovens and microwave/range hood combinations are excluded from the program.
 - n) Electronic Readers & Video Game Devices (Consoles, Handheld Devices & Controllers). Includes personal and portable devices designed primarily for reading digital books and periodicals, gaming consoles, handheld gaming devices as well as game controllers and both wired and wireless joysticks.
 - o) Small appliances;
 - p) Floor and carpet care appliances;
 - q) Garment care appliances;
 - r) Appliances for counter-top cooking;
 - s) Devices for cutting food items and opening or sealing containers or packages;
 - t) Devices for measuring time;
 - u) Personal care appliances;
 - v) Scales;
 - w) Portable air treatment appliances;
 - x) AND any electronic waste item(s) that has been banned from disposal at landfills in Newfoundland and Labrador and must be recycled through Electronic Products Recycling Association (EPRA) Program.
12. Unsuitable Items, except as otherwise may be designated by the Board from time to time.
13. Items which have been banned from disposal at landfill sites or for which reasonable alternative disposal methods are available, as determined by the Board.
14. Maggot infested garbage.