

The Municipal Refuse Management Regulations

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Chapter E-10.2 Reg 4 (effective June 26, 1986).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER E-10.2 REG 4

The Environmental Management and Protection Act

Title

1 These regulations may be cited as *The Municipal Refuse Management Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Environmental Management and Protection Act* ;
- (b) “**dispose**” means to place, destroy by any means or otherwise get rid of;
- (c) “**garbage**” means putrescible animal and vegetable remains and by-products resulting from the handling, preparation, cooking and consumption of food;
- (d) “**liquid domestic sewage**” means any remains or by-products which contain animal, mineral or vegetable matter in solution or suspension;
- (e) “**modified landfill practices**” means practices that comply with subsections 7(2) and (4);
- (f) “**permit**” means a valid and subsisting permit issued pursuant to section 7;
- (g) “**putrescible**” means capable of being putrid;
- (h) “**refuse**” means:
 - (i) remains;
 - (ii) by-products; and
 - (iii) discarded materials;resulting from domestic, commercial, industrial or agricultural activities and includes garbage, rubbish, street cleanings and yard clippings but does not include liquid domestic sewage;
- (i) “**rubbish**” means nonputrescible remains and by-products, consisting of both combustible and non-combustible remains and by-products, and includes paper, cardboard, tin cans, wood, glass, bedding and crockery;
- (j) “**sanitary landfill practices**” means practices that comply with subsections 7(2) and (3);
- (k) “**scavenging system**” means a system for the collection of refuse;
- (l) “**transfer station**” means a site at which refuse is concentrated or accumulated for transportation to a waste disposal ground;
- (m) “**waste disposal ground**” means a site at which refuse is disposed of.

E-10.2 REG 4**MUNICIPAL REFUSE MANAGEMENT****Scavenging systems and waste disposal grounds required**

3(1) The council of every municipality other than a rural municipality or a northern settlement shall provide:

(a) a scavenging system for the collection and disposal of refuse within the municipality; and

(b) a waste disposal ground for the disposal of refuse mentioned in clause (a).

(2) The council of every rural municipality and the local advisory committee of every northern settlement shall provide:

(a) a scavenging system for the collection and disposal of refuse:

(i) from each hamlet or subdivision within the municipality or within the northern settlement, as the case may be; and

(ii) from each other area of the municipality or the northern settlement in which ten or more buildings are located, in the opinion of the minister, in close proximity to each other and are occupied from time to time for recreational purposes; and

(b) a waste disposal ground for the disposal of refuse mentioned in clause (a).

(3) The scavenging system and waste disposal ground mentioned in subsections (1) and (2) may be a joint scavenging system or a joint waste disposal ground operated jointly by more than one municipality.

11 Jly 86 cE-10.2 Reg 4 s3.

Compliance with regulations

4 Every municipality shall take those steps that are necessary in the circumstances to ensure that these regulations are complied with by any person with whom the municipality has entered into an agreement to provide a scavenging system or to operate and maintain a waste disposal ground.

11 Jly 86 cE-10.2 Reg 4 s4.

Prohibition

5 No person shall operate or establish a waste disposal ground:

(a) without a permit; and

(b) unless he is the owner of the land on which the waste disposal ground is situated or has acquired the right to use the land for that purpose.

11 Jly 86 cE-10.2 Reg 4 s5.

Permit applications

6(1) In this section, “**cell**” means the area of a waste disposal ground where spreading, compacting and covering of refuse is conducted.

(2) Every applicant for a permit shall apply on a form provided by the minister and shall forward with his application the information and material specified in this section.

(3) An application for a permit authorizing solid wastes to be disposed of in a waste disposal ground serving a municipality of more than 5,000 persons or a number of municipalities with an aggregate population of more than 5,000 persons is to be accompanied by one or more topographic maps of the proposed site at a topographic map scale of 1:5000 with a maximum of two metre contour intervals, and shall indicate:

- (a) the location and boundaries of the proposed site including the legal description of the land;
- (b) the proposed land fill area;
- (c) the projected life of the landfill;
- (d) any borrow area;
- (e) a typical cross-section of each proposed cell;
- (f) the access road;
- (g) the on-site road;
- (h) the grades for proper drainage;
- (i) the proposed fencing;
- (j) the site security, proposed hours of operation, method for control of litter on adjacent land or waterbodies;
- (k) the special drainage structures, if necessary;
- (l) the location and depth of any wells and the location of rivers, lakes, streams or other natural bodies of water within one kilometre of the proposed site;
- (m) the surficial geology, water table, hydraulic gradients, and baseline ground water quality in the area;
- (n) the location of any irrigation ditch or other irrigation works within one kilometre of the proposed site;
- (o) the location of any streets, roads, highways or railway rights-of-way within 100 metres of the proposed site;
- (p) any building or structure on or within 500 metres of the proposed site;
- (q) the existing and proposed utilities, pipelines or easements;
- (r) an estimate of daily volumes or weights of solid waste;
- (s) the existing or proposed land use activities within a one kilometre radius of the proposed site; and
- (t) any other information that is required by the minister.

(4) An application for a permit authorizing solid wastes to be disposed of in a waste disposal ground serving a municipality of fewer than 5,000 persons or a number of municipalities with an aggregate population of fewer than 5,000 persons is to be accompanied by a sketch plan showing:

- (a) the location and boundaries of the proposed site, including the legal description of the land on which the proposed site is to be located and of the proposed fencing for the site;
- (b) the general slope of the ground in the vicinity;
- (c) the location and depth of any wells within a one kilometre radius of the proposed site;
- (d) the location of any rivers, lakes, streams, irrigation works or other natural bodies of water within one kilometre of the proposed site;
- (e) the surficial geology, water table and hydraulic gradients in the area;
- (f) the location of any streets, roads, highways or railway rights-of-way within 100 metres of the proposed site;
- (g) any buildings or structures on or within 500 metres of the proposed site;
- (h) the existing or proposed utilities, pipelines or easements found on or traversing the site;
- (i) the existing or proposed land use activities within a one kilometre radius of the proposed site; and
- (j) any other information required by the minister.

11 Jly 86 cE-10.2 Reg 4 s6.

Issuance

7(1) Where the minister receives an application pursuant to section 6 and is satisfied that the applicant has complied with the Act and these regulations, he may issue a permit authorizing the applicant to establish, operate or maintain a waste disposal ground and shall state in every permit that authorizes the establishment, operation or maintenance of a waste disposal ground whether the waste disposal ground is to be operated in accordance with modified landfill practices or sanitary landfill practices.

(2) Where refuse is disposed of at a waste disposal ground, it is to be disposed of by:

- (a) spreading the refuse;
- (b) compacting the refuse in layers;
- (c) covering the layers with soil approximately one quarter of the depth of the refuse layer;
- (d) covering the soil mentioned in clause (c) with .5 metres of compacted material; and
- (e) using a cover material that shall be free of putrescible material and large objects.

(3) Where a permit authorizes the establishment, operation or maintenance of a waste disposal ground in accordance with sanitary landfill practices, the permit holder shall cause the procedures described in subsection (2) to be carried out not less frequently than three times per week.

(4) Where a permit authorizes the establishment, operation or maintenance of a waste disposal ground in accordance with modified landfill practices, the permit holder shall cause the procedures described in subsection (2) to be carried out not less frequently than the frequency specified in his permit.

(5) The minister may impose any terms and conditions on a permit:

- (a) at the time the permit is issued; or
- (b) at any time after the permit is issued;

and may amend, vary, revoke or replace those terms and conditions.

(6) No person to whom a permit is issued pursuant to this section shall fail to comply with the terms and conditions of the permit.

11 Jly 86 cE-10.2 Reg 4 s7.

Location of waste disposal grounds

8(1) In this section, “**highway**” means a road, parkway, driveway, square or place designed and intended for or used by the general public for the passage of vehicles, but does not include any area, whether privately or publicly owned, that is primarily intended to be used for the parking of vehicles and the necessary passageways on that area.

(2) Unless the permit states otherwise, a waste disposal ground is not to be located:

- (a) within 500 metres of:
 - (i) a restaurant, canteen, cafeteria or any other place where food is cooked or prepared for human consumption or is consumed;
 - (ii) motel, hotel, domestic residence or any other building occupied as a residence; or
 - (iii) a school, church, community centre or recreation facility or similar public building; or
- (b) within 100 metres of a highway or a cemetery within the meaning of *The Cemeteries Act*.

11 Jly 86 cE-10.2 Reg 4 s8.

Burning of refuse

9(1) Subject to subsection (2), no person shall dispose of refuse by burning at a waste disposal ground.

(2) Refuse may be disposed of at a waste disposal ground by burning where burning of refuse is authorized in the permit issued with respect to the waste disposal ground.

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(3) Where refuse is disposed of by burning pursuant to subsection (2), the burning shall be carried out in accordance with:

- (a) any conditions specified in the permit; and
- (b) any other applicable Act or law.

11 Jly 86 cE-10.2 Reg 4 s9.

Prohibition re disposal

10(1) Subject to subsection (2), no person shall, at a waste disposal ground, dispose of:

- (a) automobiles or other large metal objects;
- (b) pesticides and other hazardous wastes, or any material or thing treated with any of those substances, including the receptacles containing them;
- (c) petroleum, petroleum remains or by-products;
- (d) refuse that is the remains or by-product of slaughter house operations;
or
- (e) liquid domestic sewage.

(2) The minister may, in writing, authorize the disposal at a waste disposal ground, on any terms or conditions he considers advisable, of materials or things mentioned in subsection (1).

(3) No person who, pursuant to subsection (2), is disposing of materials or things mentioned in subsection (1) shall fail to comply with the terms and conditions specified by the minister.

11 Jly 86 cE-10.2 Reg 4 s10.

Transfer stations

11 No person shall establish, construct or operate a transfer station without the prior written approval of the minister.

11 Jly 86 cE-10.2 Reg 4 s11.

Blowing of refuse

12 Every person who holds a permit to establish or operate a waste disposal ground shall take all reasonable steps in the circumstances to:

- (a) prevent refuse from blowing away from the site; and
- (b) retrieve refuse that has blown away or otherwise left the site.

11 Jly 86 cE-10.2 Reg 4 s12.

Closure of waste disposal ground

13(1) Before a waste disposal ground is to be closed, the holder of the permit respecting the waste disposal ground shall:

- (a) submit a proposal to the minister with respect to closing the waste disposal ground that outlines the steps proposed to be taken to protect the environment; and

- (b) obtain the prior written approval of the minister to do so.
- (2) The proposal mentioned in subsection (1) is to be in the form and contain that information that the minister may require.
- (3) The minister may approve the proposal to close the waste disposal ground and impose any terms and conditions that he considers appropriate to ensure long-term protection of the environment on the approval.
- (4) A person mentioned in subsection (1) shall when closing the waste disposal ground:
 - (a) take whatever steps are necessary in the circumstances to protect the environment; and
 - (b) comply with any terms or conditions specified by the minister pursuant to subsection (3).

11 Jly 86 cE-10.2 Reg 4 s13.

Transportation of sewage

- 14(1) No person shall carry on the business of transporting and disposing of liquid domestic sewage without a permit issued by the minister authorizing him to do so.
- (2) An applicant for a permit pursuant to this section shall:
 - (a) apply on a form provided by the minister; and
 - (b) supply the minister with any information that he may require.
 - (3) Where the minister has received an application pursuant to this section and is satisfied that the applicant has complied with this section, he may issue a permit authorizing the holder to carry on the business of transporting and disposing of liquid domestic sewage.
 - (4) The minister may impose any terms and conditions on a permit issued pursuant to this section:
 - (a) at the time the permit is issued; or
 - (b) at any time after the permit is issued;and may amend, vary, revoke or replace those terms and conditions.
 - (5) No person to whom a permit is issued pursuant to this section shall fail to comply with the terms and conditions of the permit.

11 Jly 86 cE-10.2 Reg 4 s14.

Exemption

- 15(1) Notwithstanding any other provision of these regulations, and where the minister considers it to be not contrary to the public interest, he may, on his own initiative or on the application of any person who is in his opinion interested in the matter, by order exempt a person from all or any provision of these regulations.

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(2) The minister may impose any terms and conditions on an order made pursuant to subsection (1) that he considers appropriate.

(3) No person to whom an order made pursuant to subsection (1) relates shall fail to comply with any terms or conditions imposed on the order.

11 Jly 86 cE-10.2 Reg 4 s15.

Cancellation, amendment

16(1) Subject to subsection (3), where:

(a) a person to whom a permit or a permit issued pursuant to section 14 has failed to comply with the Act, these regulations or any provision or term or condition of his permit; or

(b) in the opinion of the minister, it is appropriate and in the public interest;

the minister may cancel the permit or the permit issued pursuant to section 14, as the case may be.

(2) Subject to subsection (3), where the minister considers it appropriate, he may amend a permit or a permit issued pursuant to section 14.

(3) The minister shall not cancel or amend pursuant to this section a permit or a permit issued pursuant to section 14 without giving the holder of the permit or the permit issued pursuant to section 14, as the case may be, an opportunity to be heard, unless, in the minister's opinion, it is necessary to cancel immediately in which case he:

(a) may immediately cancel or amend the permit or the permit issued pursuant to section 14; and

(b) shall give the holder of the permit or the permit issued pursuant to section 14 immediate written notice of the cancellation or amendment and give him an opportunity to be heard within 15 days of the cancellation or amendment.

11 Jly 86 cE-10.2 Reg 4 s16.