

Reference: 391056

August 5, 2022

His Worship Mayor Malcolm D. Brodie and Councillors City of Richmond 6911 No. 3 Road Richmond BC V6Y 2C1

Sent via email: mayorandcouncillors@richmond.ca

Dear Mayor Brodie and Council:

Thank you for your letter of June 22, 2022, which was also addressed to my colleague, the Honourable Lana Popham, Minister of Agriculture and Food, regarding Montrose Industries Ltd.'s Design, Operations and Closure Plan (DOCP). As your enquiry falls under the jurisdiction of the Ministry of Environment and Climate Change Strategy (ENV), I am pleased to respond.

You have requested that the DOCP submitted to my ministry earlier this year be rejected or set aside because of inconsistencies with the Operational Certificate conditions. Your letter also notes that the maximum elevation and lifespan of the landfill as proposed in the DOCP exceeds what is set out in City of Richmond and Agricultural Land Commission approvals. I understand that Montrose Industries is working directly with the City of Richmond towards resolution of these issues.

The ministry review of the DOCP is not complete. Additional assessment and consultation is needed before a decision on the DOCP can be made. As part of the review, ministry staff intend to consult with the City of Richmond regarding the concerns raised in your letter. In the interim, before a decision on the DOCP is made, the current Operational Certificate requirements will prevail over anything in the DOCP that is inconsistent with the Operational Certificate.

I trust this addresses your most immediate concerns; if this is not the case, please let me know. You may also wish to contact ministry staff directly. Cassandra Caunce is the Director of South Authorizations, and this file is managed by her team. She can be reached by email at <a href="mailto:Cassandra.Caunce@gov.bc.ca">Cassandra.Caunce@gov.bc.ca</a>.

Thank you for again for taking the time to write and let us know of this issue.

Sincerely,

George Heyman

Minister

cc: Honourable Lana Popham, Minister of Agriculture and Food

Glogman

Telephone: 250 387-1187

### 392011 - Ecowaste Industries Open House - Saturday Sept 10th

From: Christian Dietrich <cdietrich@ecowaste.com>
To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>

Sent: August 17, 2022 4:58:47 PM PDT

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Minister Heyman,

Ecowaste Industries is pleased to invite you all to our annual open house being held on Saturday September 10, 2022, from 10 am to 2 pm at our landfill and recycling site at 15111 Williams Rd in Richmond. This is our ninth annual event where we open our site up to members of the public to show the services we provide to the community and how we operate our facility. We offer 30-minute guided tours of the site where we visit our main operational areas (wood recycling, concrete recycling and landfilling). We also have games and heavy equipment rides for children and offer a free BBQ lunch. Our last open house event (pre-COVID) in 2019 had over 500 people attend.

Given the involvement of the Ministry of Environment and Climate Change in our pursuit to avoid closure of the landfill, we think this open house would be a great event for you to see in more detail what we offer to the community in terms of the handling and recycling of construction and demolition waste.

We have invited local MLA's, City of Richmond Mayor & Council and City staff, Metro Vancouver Zero Waste Committee, ALC staff and Commissioners, and staff of the Ministry of Agriculture and Food.

I know Saturday's might not be the easiest time to visit, but we would be honored to have you join us on the day or any other day that works better for you.

Many thanks for your consideration.

Christian Dietrich
Vice President of Recycling and Waste Services
Ecowaste Industries

# **Ecowaste Landfill - Minister's Correspondence with Mayor of Richmond**

From: John Moonen <johnmoonen@telus.net>

To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>

Sent: August 24, 2022 4:39:30 PM PDT

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

I've forwarded to Kelly. No further action required. R Hi Kelly,

I'm working with Christian Dietrich and the Montrose team on various Ecowaste Landfill issues in Richmond.

Can you please send me a copy of Minister Heyman's letter to the mayor of Richmond confirming that our DOCP remains a draft and that MoE will be taking the City's views into account when it's reviewed? And a copy of the mayor's initial letter on the subject, too? It was dated June 22, 2022.

Many thanks.

John
John Moonen & Associates Ltd.
5330 Montiverdi Place, West Vancouver, BC V7W 2W8
(604) 921-6433 (office); (604) 786-7654 (mobile)
johnmoonen@telus.net
www.publicaffairsnetwork.com

width= Virus-free.www.avg.com

# FW: Ecowaste Landfill - Minister's Correspondence with Mayor of Richmond

From: Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>

To: johnmoonen@telus.net

Cc: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>, Carter, Elizabeth S ENV:EX

<Elizabeth.S.Carter@gov.bc.ca>, Caunce, Cassandra ENV:EX

<Cassandra.Caunce@gov.bc.ca>

Sent: August 26, 2022 1:36:48 PM PDT

Attachments: FW: Mayor M. Brodie - City of Richmond - Montrose Industries,

391056 Brodie FINAL SIGNED.pdf, image001.png

Hello John

Please find attached the correspondence requested. If you have further questions regarding this matter please contact Cassandra Caunce directly.

thanks

#### Laurel Nash (she/her). Assistant Deputy Minister

Environmental Protection Division Ministry of Environment & Climate Change Strategy (250) 953-4004 or (250) 508-1670

<u>Laurel.Nash@gov.bc.ca</u>

I acknowledge with respect the Lakwaŋan peoples on whose traditional territory I live and work and the Songhees, Esquimalt and  $\underline{W}SANEC$  peoples whose historical relationships with the land continues to this day.



From: John Moonen <johnmoonen@telus.net>

Sent: August 24, 2022 4:40 PM

To: Minister, ENV ENV:EX < ENV.Minister@gov.bc.ca >

Subject: Ecowaste Landfill - Minister's Correspondence with Mayor of Richmond

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# FW: Mayor M. Brodie - City of Richmond - Montrose Industries

From: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>

To: Correspondence Unit ENV:EX <Correspondence.Unit@gov.bc.ca>

Sent: July 6, 2022 12:10:38 PM PDT

Attachments: Mayor M. Brodie - City of Richmond - Montrose Industries.pdf

From: Murray, Emma ENV:EX < Emma. Murray@gov.bc.ca >

Sent: July 5, 2022 3:20 PM

To: Minister, ENV ENV:EX < ENV.Minister@gov.bc.ca >

Subject: Mayor M. Brodie - City of Richmond - Montrose Industries

#### **Emma Murray**

Administrative Assistant to
The Honourable George Heyman,
Minister of Environment and Climate Change Strategy
and Minister Responsible for TransLink
(250)940-8552 | Emma.Murray@gov.bc.ca



# MINISTER'S OFFICE - RECEIVED MINISTRY OF ENVIRONMENT Malcolm D. Brodie Mayor

JUL 0.5 2022

Richmond, BC V6Y 2C1

Min Reply Reply Direct DM Reply Info/FileTelephone: 604-276-4123

Seriel Info/FileTelephone: 604-276-4332

Fax No: 604-276-4332

www.richmond.ca

June 22, 2022

Hon. George Heyman Minister of Environment and Climate Change Strategy Room 112 Parliament Buildings Victoria, BC V8V 1X4 Hon. Lana Popham Minister of Agriculture and Food PO Box 9043 Stn Prov Govt Victoria, BC V8W 9E2

Dear Ministers,

Re: MONTROSE INDUSTRIES LTD. (ECOWASTE) DESIGN, OPERATIONS AND CLOSURE PLAN SUBMISSION BY MONTROSE INDUSTRIES LTD. TO THE MINISTRY OF ENVIRONMENT

This is to advise that Richmond City Council at its Council meeting held on June 13, 2022, considered the above matter and adopted the following resolution:

That the Mayor, on behalf of City Council, will sign and submit a letter to the Minister of Environment, Minister of Agriculture and local Members of Legislative Assembly (MLA's) indicating that the Design, Operations and Closure Plan submitted by Montrose Industries Ltd. to the Ministry of Environment in February 2022 is inconsistent with the Operational Certificate for the landfill and City Council and Agricultural Land Commission approvals granted to date, and should therefore be set aside or rejected.

On behalf of Richmond City Council, the purpose of this letter is to request the Design, Operations and Closure Plan (DOCP) submitted by Montrose Industries Ltd. in February 2022 to the Ministry of Environment (MOE) be set aside or rejected.

Montrose Industries Ltd., previously known as Ecowaste Industries Ltd., operates a landfill at 7011 No. 7 Road & PID 024-397-423 located within the Agricultural Land Reserve (ALR) and subject to the *Agricultural Land Commission Act* (ALCA). It has come to our attention that Montrose Industries Ltd. submitted a DOCP to MOE in February 2022 that is inconsistent with the Operational Certificate for the landfill, and City Council and Agricultural Land Commission (ALC) approvals granted to date. The applicant did not consult the City during the preparation of the DOCP.



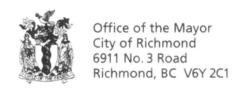
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We welcome the opportunity to discuss this matter with you in further detail and respond to any questions you may have. To make these arrangements, please contact my Executive Assistant, Gillian Baker, at 604-276-4242 or GBaker@richmond.ca.

Yours truly,

Malcolm D. Brodie

Mayor





Hon. George Heyman Minister of Environment and Climate Change Strategy Room 112 Parliament Buildings Victoria, BC V8V IX4



# RE: Ecowaste Landfill - Minister's Correspondence with Mayor of Richmond

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To: Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>

Cc: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>, Carter, Elizabeth S ENV:EX

<Elizabeth.S.Carter@gov.bc.ca>, Caunce, Cassandra ENV:EX

<Cassandra.Caunce@gov.bc.ca>

Sent: August 26, 2022 3:49:52 PM PDT

Attachments: image001.png

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Thank you Laurel.

John

From: Nash, Laurel ENV:EX
Sent: August 26, 2022 1:36 PM
To: 'johnmoonen@telus.net'

**Cc:** <u>Minister, ENV ENV:EX; Carter, Elizabeth S ENV:EX; Caunce, Cassandra ENV:EX</u> **Subject:** FW: Ecowaste Landfill - Minister's Correspondence with Mayor ofRichmond

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Environmental Protection Division Ministry of Environment & Climate Change Strategy (250) 953-4004 or (250) 508-1670

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johnmoonen@telus.net
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width= Virus-free.www.avg.com

### RE: Ecowaste Industries Open House - Saturday Sept 10th

From: Minister, ENV ENV:EX

To: Christian Dietrich <cdietrich@ecowaste.com>

Sent: September 8, 2022 10:37:12 AM PDT

Good morning Christian,

On behalf of Minister George Heyman, thank you for sending in this invitation. I am sending regrets as the Minister will not be available to attend.

Best regards,

#### **Caroline Hogg**

Administrative Coordinator

The Office of the Hon. George Heyman Minister of Environment and Climate Change Strategy and Minister Responsible for TransLink

From: Christian Dietrich <cdietrich@ecowaste.com>

Sent: August 17, 2022 4:59 PM

To: Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>

Subject: Ecowaste Industries Open House - Saturday Sept 10th

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Given the involvement of the Ministry of Environment and Climate Change in our pursuit to avoid closure of the landfill, we think this open house would be a great event for you to see in more detail what we offer to the community in terms of the handling and recycling of construction and demolition waste.

We have invited local MLA's, City of Richmond Mayor & Council and City staff, Metro Vancouver Zero Waste Committee, ALC staff and Commissioners, and staff of the Ministry of Agriculture and Food.

I know Saturday's might not be the easiest time to visit, but we would be honored to have you join us on the day or any other day that works better for you.

Many thanks for your consideration.

Christian Dietrich
Vice President of Recycling and Waste Services
Ecowaste Industries

# FW: Ecowaste landfill expansion IN and IB

From: Montgomery, Lauren ENV:EX

To: Lindsay-Baugh, Anna GCPE:EX <Anna.LindsayBaugh@gov.bc.ca>

Sent: March 3, 2023 10:43:07 AM PST

Attachments: IN\_Ecowaste landfill expansion.docx, IB\_EcoWaste removal from ALR\_FINAL.docx.pdf

Are you ok with the IN and KMs in this? Want to upload to his ipad when possible.

Thanks!

From: Patrick, Andrew GCPE:EX <Andrew.Patrick@gov.bc.ca>

Sent: March 3, 2023 9:41 AM

To: Montgomery, Lauren ENV:EX <Lauren.Montgomery@gov.bc.ca>

Cc: Lindsay-Baugh, Anna GCPE:EX <Anna.LindsayBaugh@gov.bc.ca>; Nash, Laurel ENV:EX <Laurel.Nash@gov.bc.ca>

Subject: Ecowaste landfill expansion IN and IB

Hi Lauren,

Final IN on the Ecowaste ALR decision is attached, as is the final IB via AGRIC, going out at noon today.

Thanks,

Andrew

Ministry of Environment and Climate Change Strategy – March 2, 2023

## **Ecowaste landfill expansion**

# **Key Messages:**

- The decision to remove the Ecowaste landfill from the Agricultural Land Reserve ensures the site will remain a significant part of the Lower Mainland's waste disposal and recycling infrastructure.
- This will allow the company to extend its operations until 2055, providing certainty to the operator and sectors that depend on it for many years to come.
- The Agricultural Land Commission has permitted its use as a landfill since the 1980s, which removes the potential for this site to be productive farmland once again in the future.
- Local First Nations and the Agricultural Land Commission were consulted, and had no objections to removing the Ecowaste landfill from the Agricultural Land Reserve.
- Closing the landfill would significantly impact the Lower Mainland's waste disposal and recycling infrastructure, resulting in increased illegal dumping and higher transportation costs to move material to another more remote facility.
- The landfill's recycling and recovery facilities are very important to B.C.'s ability to divert waste from our landfills and support a circular economy.

If asked about other landfills in the Agricultural Land Reserve (ALR):

- There are 28 active municipal solid waste landfills, including Ecowaste, in the ALR that take construction and demolition waste.
- As per B.C. regulations, municipal solid waste includes residential, commercial, institutional, demolition, land clearing or construction sources.
- While local or First Nation governments can manage the other active landfills in the ALR, the time constraints for the Ecowaste landfill required provincial government intervention.

#### Background

- Ecowaste operates an authorized demolition, land-clearing and construction landfill in Richmond. It has been in operation as a landfill since the 1980s, and plays a key role in the region's construction waste disposal and recycling program.
- A portion of Ecowaste's operation is located within the Agricultural Land Reserve (ALR). The Agricultural Land Commission (ALC) has approved landfilling activities on the site until 2035.
- The land was approved for use as a landfill in the 1980's by the ALC because of its poor soil quality, making it unusable as productive farmland.
- Ecowaste would like to expand the site's current recycling operations. The expansion depends on the ALC extending approval for landfilling activities beyond 2035.
- The ALC rejected the company's application to expand due to 2019 changes to the ALR Use Regulation, which prohibits the use of construction/demolition waste as fill in the ALR.
- Under current regulations and permits, the landfill will reach its capacity by 2025 and not be
  eligible to increase the volume of material it accepts. Extending operations is critical to
  providing landfill capacity for the region.
- In 2019, the City of Richmond approved the extension of the landfill and recycling operations at the property until 2055; this was rejected by the ALC.
- In 2022, the City of Richmond rejected forwarding an application to remove the land from the ALR. Instead, the city approved a letter be sent to the provincial government, requesting the landfill be allowed to operate in the ALR under a non-farm use approval.
- On Feb. 27, 2023, a decision to approve an Order in Council (OIC) under the *Environment* and Land Use Act to remove 60.8 ha of the EcoWaste landfill from the ALR went to cabinet.
- Removing it from the ALR will let the landfill continue to operate and accept construction, demolition and land clearing waste from local businesses for disposal and recycling. It will also clear the way for Ecowaste to invest \$50-100M in waste recovery and recycling facility upgrades, and work towards extending operations to 2055.
- If it remained within the ALR, Ecowaste would need to begin close-down procedures in 2023 due to height restrictions in its Operational Certificate under EMA.
- Ecowaste submitted an updated Design, Operations and Closure Plan for the landfill earlier this year. The plan assumes the landfill will eventually be authorized to operate post 2035.
- Consultations with 16 First Nations were held, with no concerns raised. The ALC was also consulted and has no objections to removing the landfill from the ALR.
- There are 28 active municipal solid waste landfills, including Ecowaste, in the ALR that take construction and demolition waste.
- As per B.C. regulations, municipal solid waste includes residential, commercial, institutional, demolition, land clearing or construction sources.

#### GCPE ENV - CONFIDENTIAL ISSUES NOTE

#### <u>Unintended consequences of revised ALR Use Regulation:</u>

- Section 36(2) appears to authorize the discharge of waste, which is the sole purview of EMA.
- The regulation falls under the Agriculture Land Commission Act, which specifies that the act and regulations are not subject to any other enactment, except the Interpretation Act, the Environment and Land Use Act and the Environmental Management Act.

s.13

Communications Contact: Laura Stovel

Program Area Contact: Cassandra Caunce (Authorizations)



# INFORMATION BULLETIN

For Immediate Release 2023AF0004-000255 March 3, 2023 Ministry of Agriculture and Food

#### Richmond landfill removed from ALR

RICHMOND – The Province is removing Richmond's Ecowaste landfill from the Agricultural Land Reserve (ALR), allowing the company to move forward with a new recycling facility for housing construction waste.

This removal will enable Ecowaste to continue to play an important role in the region's construction waste-disposal and recycling program.

Ecowaste plans to build a new, modern facility to recycle 65% of the waste it receives. This will support a sustainable circular economy that reduces waste and creates economic opportunity for British Columbians. The landfill's footprint will not increase.

The site was originally harvested for peat in the 1940s and has been used as an industrial landfill, primarily for construction and demolition waste, with permission from the Agricultural Land Commission (ALC), since the 1980s. The site has no history of soil-based agriculture.

Ecowaste must build and operate the new recycling facility before Jan. 1, 2029. Ecowaste can now extend operations until 2055, preventing it from having to begin shutdown procedures this year, and providing long-term certainty to both the company and the sectors that depend on it.

The Ministry of Environment and Climate Change, which will continue to oversee and authorize the landfill under the Environmental Management Act, as well as the ALC, have been consulted and agree with the decision to remove the land from the ALR.

#### **Quick Facts:**

- Ecowaste has operated in Richmond since 1971 and is one of three municipal solid waste landfills in the Lower Mainland.
- Ecowaste is a Canadian-owned company that operates a 61-hectare landfill for the disposal and recycling of 320,000 tonnes of construction, demolition and excavation materials annually.
- The removal of the industrial landfill from the ALR was completed by government through an order-in-council: <a href="https://www.bclaws.gov.bc.ca/civix/content/oic/?xsl=/templates/browse.xsl">https://www.bclaws.gov.bc.ca/civix/content/oic/?xsl=/templates/browse.xsl</a>

#### Contact:

Dave Townsend Ministry of Agriculture and Food Government Communications and Public Engagement 250 356-7098 250 889-5945 (mobile)

Connect with the Province of B.C. at: news.gov.bc.ca/connect



# MINISTER'S OFFICE - RECEIVED MINISTRY OF ENVIRONMENT Malcolm D. Brodie Mayor

JUL 0.5 2022

Richmond, BC V6Y 2C1

Min Reply Reply Direct DM Reply Info/FileTelephone: 604-276-4123

Seriel Info/FileTelephone: 604-276-4332

Fax No: 604-276-4332

www.richmond.ca

June 22, 2022

Hon. George Heyman Minister of Environment and Climate Change Strategy Room 112 Parliament Buildings Victoria, BC V8V 1X4 Hon. Lana Popham Minister of Agriculture and Food PO Box 9043 Stn Prov Govt Victoria, BC V8W 9E2

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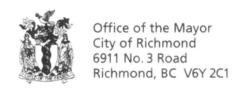
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Yours truly,

Malcolm D. Brodie

Mayor





CANADA POSTES
POST CANADA

100.92

100.92 V6Y 2C1 2022.06.29

Hon. George Heyman Minister of Environment and Climate Change Strategy Room 112 Parliament Buildings Victoria, BC V8V IX4





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You have requested that the DOCP submitted to my ministry earlier this year be rejected or set aside because of inconsistencies with the Operational Certificate conditions. Your letter also notes that the maximum elevation and lifespan of the landfill as proposed in the DOCP exceeds what is set out in City of Richmond and Agricultural Land Commission approvals. I understand that Montrose Industries is working directly with the City of Richmond towards resolution of these issues.

The ministry review of the DOCP is not complete. Additional assessment and consultation is needed before a decision on the DOCP can be made. As part of the review, ministry staff intend to consult with the City of Richmond regarding the concerns raised in your letter. In the interim, before a decision on the DOCP is made, the current Operational Certificate requirements will prevail over anything in the DOCP that is inconsistent with the Operational Certificate.

I trust this addresses your most immediate concerns; if this is not the case, please let me know. You may also wish to contact ministry staff directly. Cassandra Caunce is the Director of South Authorizations, and this file is managed by her team. She can be reached by email at <a href="mailto:Cassandra.Caunce@gov.bc.ca">Cassandra.Caunce@gov.bc.ca</a>.

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Sincerely,

George Heyman

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cc: Honourable Lana Popham, Minister of Agriculture and Food

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George Heyman

Minister

cc: Honourable Lana Popham, Minister of Agriculture and Food

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#### PROVINCE OF BRITISH COLUMBIA

#### ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

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, Approved and Ordered March 3, 2023

Lieutenant Governor

#### **Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) the following properties are excluded from the agricultural land reserve as defined in the Agricultural Land Commission Act:
  - (i) PID 024-397-407, Lot 1, Block 4 North, Plan LMP40687, Section 15, Range 5 West, New Westminster District;
  - (ii) PID 024-397-423, Lot 2, Block 4 North, Plan LMP40687, Section 15, Range 5 West, New Westminster District,
- (b) before January 1, 2029, Ecowaste Industries Ltd. must construct, or cause to be constructed, on one or both of the properties, a facility for recycling material that is diverted from disposal,
- (c) before January 1, 2029, Ecowaste Industries Ltd. must begin operating the facility or cause the facility to begin operating, and
- (d) Ecowaste Industries Ltd. is relieved from complying with paragraphs (b) and (c) if a permit or other authorization required under an enactment to construct or operate the facility is applied for but refused.

Minister of Agriculture and Food

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:

Environment and Land Use Act, R.S.B.C. 1996, c. 117, s. 7

Other:

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page 1 of 1