



COWICHAN VALLEY REGIONAL DISTRICT
CVRD Bylaw No. 2570 – *Waste Stream Management Licensing Bylaw*

Licence Application Guide
for New Licences and Major Amendments

This guide is provided to assist applicants in preparing a new licence application or a major amendment application to an existing licence under CVRD Bylaw No. 2570 – [Waste Stream Management Licensing Bylaw](#). This guide is not a substitute for Bylaw No. 2570. All applicants should review the Bylaw prior to applying. Any questions regarding the Bylaw or the application process may be directed to the CVRD Recycling and Waste Mangement Division 250.746.2540 or RWM@cvrd.bc.ca

1. Application Document Checklist

All applications should be accompanied by the following items:

- Application fee
- Application form (Form A)
- Title search and written statement from property owner (if applicable)
- Zoning confirmation
- Business licence (if applicable)
- Draft operating plan
- Draft closure plan
- Site plan
- Security (Form B)
- Draft public notice

The CVRD may also request additional documents.

Each of the above items is described in further detail in the following pages.

Incomplete applications will not be processed.

2. Application Fee

All applications must be accompanied by an application fee. Please see Schedule 'C' of Bylaw No. 2570 for a description of applicable fees. All fees must be made payable to the Cowichan Valley Regional District.

3. Application Form (Form A)

Ensure that all lines are completed in Form A.

4. Title Search (Site Ownership)

In order to verify ownership, the applicant is required to supply a title search of the property on which the facility is located. The title search must be performed by the applicant no more than 30 days prior to the date of application. Title searches can be done at any BC Access or BC Assessment office.

New Licence Applications: If the property is not owned by the applicant, the title search must be accompanied by a written statement from the owner of the property. This statement must acknowledge and approve the proposed use of the property and include current contact information for the property owner.

Major Amendment Applications: If the ownership has changed and the property is not owned by the applicant, the title search must be accompanied by a written statement from the owner of the property. This statement must acknowledge and approve the proposed use of the property and include current contact information for the property owner.

5. Zoning Confirmation

The application must be accompanied by a written statement from the senior manager of the land use planning department in whose jurisdiction the facility is located. The statement must verify that the proposed use is permitted by local zoning regulations. If the facility is located within a CVRD Electoral Area, the CVRD Landuse Services may be contacted for a statement at 250.746.2500.

6. Business Licence

Applicants that have a business licence should include a copy of the business licence with the application. Note that business licences are not issued in CVRD Electoral Areas.

7. Operating Plan

New Licence Applications: Applicants must submit a draft operating plan for CVRD approval. Operating plans must include all of the items described in section 6.1 and section 11.1 of Bylaw No. 2570. An operating plan template can be found on the CVRD website. Use the outline of the template when preparing the operating plan and provide facility-specific information. For example, provide details on how material is managed, the environmental protection measures that are in place, and how these are monitored and maintained over time to ensure proper functioning at all times.

Major Amendment Applications: If the applicant is making changes to their operations that requires updates to their operating plan, closure plan, environmental management plan, odour management plan, site plan, etc., these updated draft documents must be submitted for CVRD approval.

All staff at the facility are expected to be familiar with the approved operating plan and operate the facility according to the plan.

8. Closure Plan

The applicant must provide a closure plan detailing a temporary closure and a permanent closure.

The closure plan for a **permanent closure** shall include, but not be limited to:

- Length of time required for facility closure (closure period);
- Procedures and timelines for notifying haulers, customers, etc. of the pending closure;
- Procedures and timelines for removal, reuse and/or disposal to an authorized facility of all materials and equipment at the Facility, including but not limited to:
 - Removal of all equipment including processing and office equipment, tanks, liquids and any other materials;
 - Removal of all personal articles;
- Procedures, plans and timelines for restoring the surface of the facility as reasonably as may be possible to the condition prior to the commencement of Licensee's use of the area including any soil, surface, groundwater and/or soil vapour sampling and post-closure monitoring that may be required; and,
- Procedures to ensure compliance with all applicable regulations.

The closure plan for a **temporary closure** shall include, but not be limited to:

- Length of time required for facility closure (closure period);
- Procedures and timelines for notifying haulers, customers, etc. of the pending closure;
- Procedures and timelines for storing, removal, reuse and/or disposal to an authorized facility of all materials and equipment at the Facility;
- Procedures and timelines for site monitoring, including but not limited to equipment, material and environmental control systems left onsite; and,
- Procedures to ensure compliance with all applicable regulations.

In addition, it must be clear in the closure plan that the facility must notify the CVRD in writing of impending temporary or permanent Facility closure at least thirty (30) days before the closure is scheduled to occur.

9. Site Plan

A site plan prepared by a qualified professional is recommended. The site plan must identify the following items:

- Site boundary
- Location and approximate dimension of:
 - buildings, structures, shelters,
 - unpaved and paved/impermeable surface(s)
 - septic fields/tanks, wells, ponds, etc.
- Location of work(s), including but not limited to:
 - receiving, storage and processing areas
 - storm water drains, oil/water separators, retention units, etc.

- Flow direction of drainage (for the whole site)
- Distance to the nearest fire hydrant
- Distance to the nearest dwelling, serviced lot or recreational area
- Distance and location of domestic or irrigation water wells or reservoirs (e.g. within 0.5 km of the site)
- Distance to nearest watercourse
- North arrow
- Scale (e.g. 1:2,000)
- Site entrance(s)
- Date (when the plan was prepared)
- Name, signature and company name of person that prepared the plan

10. Security

All facilities must provide and maintain security in order to ensure compliance with the facility licence, and to ensure that sufficient funds are available to cover all costs required for a qualified third party to dispose or recycle all materials onsite. (The costs must be reflective of current market rates for transport and disposal).

Using Form B, calculate the total security required. Security is not required for processed (P) materials, or materials that otherwise have a positive value (e.g. metals), although these materials and their maximum quantities must still be listed on Form B. **Note that positive value materials cannot be used to offset the total security required.**

The CVRD may require security for facility closure, remediation and post-closure monitoring of the facility, or any other factor that the CVRD determines reasonable.

Security may be provided by way of cash, certified cheque or an irrevocable standby letter of credit issued by a Canadian Schedule I Chartered Bank. Irrevocable standby letters of credit must meet the following conditions:

- Partial drawings must be permitted;
- The CVRD must be able to draw down credit without verifying their right to do so, or the legitimacy of the claim, with the bank;
- The letter of credit must be extended automatically without amendment from year to year and have no future expiration date;
- A minimum of 30 days' notice, in writing, must be provided by the bank should the letter become non-renewable;
- Requests for any amendments (unless reductions in amount) must be directed to the facility operator.

Security must be provided in full before a licence will be issued.

11. Notification and Public Consultation

Applicants must participate in a 45-day public consultation prior to the approval of a facility licence. **The public consultation period may only be initiated with the approval of the CVRD;** applications that are incomplete or have not been fully reviewed by the CVRD will not be given approval to begin public consultation.

Prior to beginning public consultation, applicants must prepare a notice in accordance with Schedule 'D' of Bylaw No. 2570. **This notice must be approved by the CVRD prior to beginning public consultation.** A notice template that complies with Schedule 'D' requirements

is provided in Appendix A of this guide.

Once approved, the notice will be posted at the applicant's expense in the following places:

- a) In a conspicuous place at all entrances to the land fronting on a public road on which the facility is located or is proposed to be located; and,
- b) In a local newspaper that is published at least weekly in the area where the facility is located or proposed to be located. At a minimum, the notice must be posted in the paper on three separate occasions during the public consultation period.

The 45-day public consultation period will be considered to have started at the time of initial newspaper publication; all notices at the facility location must also be posted at this time and should be maintained throughout the 45-day period.

12. Application Submission and Inquiries

COWICHAN VALLEY REGIONAL DISTRICT
Recycling and Waste Management Division
175 Ingram Street, DUNCAN BC V9L 1N8
Phone: 250.746.2540
Email: RWM@cvrd.bc.ca
Website: www.cvrd.ca

Appendix A

Example of facility application notice

See Schedule “D” of Bylaw No. 2570 for more information on newspaper publishing and billboard requirements. Billboards should not be smaller than 91 cm x 91 cm.

Facility Licence Application Notice

By <<Company Name>>

Text must be a minimum of type size 8

Font must be a minimum of type size of 12 points

Company
Logo
Space

This is to notify all concerned parties that <company name>, operating as <facility name if other than company name> is applying for <a licence / an amendment to their licence> under Cowichan Valley Regional District's (CVRD) Bylaw No. 2570 – *Solid Waste Management Licensing Bylaw*. The following information is provided for public notification and to receive comments and concerns related to the application. <Company name> operates a <type of facility, e.g. recycling / composting facility> and have applied to <describe the essence of the application>, and the quantities of the below listed materials. All quantities are shown in metric tonnes.

Material Type	Current Licence Maximum Onsite	Proposed Maximum Onsite	Current Licence Maximum Annual Throughput	Proposed Maximum Annual Throughput
<List Material Type>				
EXAMPLE Drywall	EXAMPLE 10	EXAMPLE 20	EXAMPLE 100	EXAMPLE 200

OPERATIONS

<Company name> is proposing to <describe the operation / changes in operation>
<Provide the average / change in average number and types of vehicles per day>
<Describe the maximum hours of operation and hours of machine processing>

The date will be established after the CVRD has approved the notice

Written comments may be submitted to the CVRD no later than 4:30 PM <DAY, MONTH, YEAR>. Email: es@cvrld.bc.ca. Mail: 175 Ingram Street, Duncan BC V9L 1N8. All submissions become part of the public record and will be shared with the applicant. Personal information you provide is collected under the authority of the *Freedom of Information and Protection of Privacy Act* and the *Waste Stream Management Licensing Bylaw No. 2570* and will be used by the applicant to respond to you directly. Questions or concerns about the collection/distribution of your personal information for this purpose may be referred to the CVRD at 250.746.2530 or toll free at 1.800.665.3955.

FACILITY CONTACT INFORMATION

<Civic address of the facility>
<Landowner and address>
<Full name, address and contact (email / phone) of facility owner>