

FAQ – WASTE MANAGEMENT FACILITIES REGULATION

What is a waste management facility?

A waste management facility means a landfill, a composting facility, a transfer station, a material recovery facility, or a remote seasonal waste facility.

Who is affected by the Waste Management Facilities Regulation?

Anyone who manages a waste management facility in Manitoba will be affected. This includes:

- *Municipalities*
- *Manitoba Indigenous and Municipal Relations communities*
- *Privately owned facilities*
- *Manitoba Sustainable Development owned facilities (Parks)*
- *Remote or seasonal use facilities (ie remote lodges or seasonal campgrounds)*

How are the new Waste Disposal Ground (WDG) classes going to affect facility owners?

The classification will change from population based to tonnage based. Due to the definition changes, some facilities will require a reclassification.

- *Class 1 WDG is a landfill that*
 - a) *receives more than 5,000 tonnes of solid waste in a year; or 400 tonnes in a 30 day period*
 - b) *receives solid waste from outside the province; or*
 - c) *is operated by anyone other than a municipality or regional waste management authority and*
 - i) *disposes of solid waste generated by the operator, or*
 - ii) *receives solid waste generated by others for commercial purposes.*
- *Class 2 WDG means a landfill other than a Class 1 WDG or a Class 3 WDG*
- *Class 3 WDG means a landfill that was the subject of an operating permit for a Class 3 WDG under the former regulation.*

What is required to develop a new Class 1 WDG?

Each new facility will be required to apply for an Environment Act Licence (EAL) and go through the public review process. The application fee is \$7,500 and is due with the application submission. The application form is available on the Department's [website](#).

What is required to obtain an Environment Act Licence for an existing Class 1 WDG?

Each facility will be required to apply for an EAL and go through the public review process. The application fee is \$7,500 and is due with the proposal. These facilities will have one year to submit the application from the day the regulation comes into force, unless a deadline is already required. The application form is available on the Department's [website](#).

What are the impacts for existing Class 1 WDGs with an Environment Act Licence (EAL)?

All existing EALs will remain in effect. A Notice of Alternation (NOA) may be required if additional work is required at the facility. The application fee for a NOA is \$500 and is due with the application submission.

What are the impacts to existing Class 2 and Class 3 WDGs?

The existing Class 2 and Class 3 WDGs will require a permit renewal with a proposed \$250 permit application fee. These facilities may require a classification change under the new definitions. For this reason, the permit renewals will be phased in over a four year period. The application forms are available on the Department's [website](#).

What is the renewal timeline for existing Permit and Environment Act Licence applications?

* The permit renewal timelines below are based on permits with no specified expiry date.

Type of Waste Management Facility	Permit	EAL	Deadline to apply for Permit or EAL
Operating an existing Class 1 WDG under an Operating Permit		X	July 1, 2017
Operating an existing landfill that will change to a Class 1 WDG		X	July 1, 2017
Accepts between 1,001 - 5,000 tonnes in a year	X		July 1, 2018
Accepts between 501 tonnes - 1,000 tonnes in a year	X		July 1, 2019
Accepts between 0 - 500 tonnes in a year	X		July 1, 2020

However, if the waste management facility has a permit with an expiry date, the permit renewal application must be submitted a minimum 90 days prior to the permit expiry. The application forms are available on the Department's [website](#).

What are the impacts for those facilities operating without a permit?

*If a material recovery facility or a remote seasonal waste facility are operating without a permit, the facility must apply for a permit before **July 1, 2018**. All other facilities must apply immediately for a permit to operate.*

When do I need a Permit to compost?

A Permit is required to compost if more than ten cubic metres or four tonnes of organic waste accumulates at the composting site at any time, or the compost facility is not a part of an agricultural operation.

How is the mass calculated for the WDG classification threshold?

Mass is calculated based on the weight of the waste buried at the site. This mass would include the ash from the burn area. Accumulative recycling and other waste that is diverted from the landfill are excluded from the calculation. (eg. tires, metals, plastics, organics, etc).

Calculating tonnage can occur in three ways:

- 1) Use scales at the waste management facility*
- 2) Conduct a qualified third party review or waste audit*
- 3) Use the existing WRARS calculations*

This method of using the weight of the disposed waste to determine landfill classification benefits those facilities that have aggressive recycling, composting and diversion programs.

Who is required to have a Certified Operator?

All Class 1, Class 2, and Class 3 WDGs will require a certified operator onsite while the facility is open to the public. Certification can be obtained through the Solid Waste Association of North America (SWANA). Other certifications may be authorized by the Director. This certification requirement will be in effect beginning July 1, 2019.

For more information on Operator Certification, see FAQ sheet – Landfill Operator Certification.

How will existing closed facilities be affected?

All closed facilities will require site monitoring. If requested, this information must be submitted to Manitoba Sustainable Development.