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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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6. *Deleted by Bylaw No. 2040, 2023*
7. All Persons entering the Landfill Site do so at their own risk. The District accepts no responsibility or liability for damage or injury to Persons or property that occurs during or as a result of entry to the Landfill Site.
8. Solid Waste transported to the Landfill Site shall be adequately covered or secured to prevent the materials from blowing or falling off the Vehicle or Trailer while in transit.
9. Any Person depositing Controlled Waste or Restricted Waste at the Landfill Site, must declare that intention to Site Personnel at the time of deposit.
10. Any Person operating a Vehicle within the Landfill Site must do so in a safe and prudent fashion, and must obey speed limits
11. No Person shall leave a Vehicle unattended at the Landfill Site.
12. No Person shall loiter at the Landfill Site.
13. No Person at the Landfill Site shall engage in conduct that is disorderly or offensive including but not limited to loud or excessive use of offensive language or intoxication.
14. Children under thirteen (13) years of age and pets are not permitted at the Landfill Site except when they remain within the confines of a Vehicle.
15. No Person, other than Site Personnel acting in the course of their duties, shall ignite a fire or cause a fire to be ignited, or bring any burning materials or hot ashes, or light or smoke any cigarette (tobacco or cannabis), cigar, pipe, vaping device, or similar thing within the Landfill Site.
16. No Person shall remove, scavenge, or salvage Solid Waste from the Landfill Site except pursuant to Section 7.10.4.b of this Division.
17. Every Person who deposits Solid Waste at the Landfill Site shall comply with all directions of Site Personnel, whether such directions are given in the form of signage, or verbal or written instructions.
18. No Person shall be within the Landfill Site except in accordance with this Division unless the Municipal Engineer or Site Personnel has authorized their presence.

PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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Subdivision 5 - Building Operations

*Repealed by Bylaw No. 2036, 2023*

Subdivision 6 - Excavated Material

*Repealed by Bylaw No. 2035, 2023*

Subdivision 7 – Solid Waste Receptacle

*Repealed by Bylaw No. 2037, 2023*



PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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Subdivision 8 – Controlled Waste, Restricted Waste, and Prohibited Waste

7.2.8.

1. *Deleted by Bylaw No. 2040, 2023*
2. *Deleted by Bylaw No. 2040, 2023*
3. *Deleted by Bylaw No. 2040, 2023*
4. Controlled Waste is subject to the regulations set out in Schedule C.
5. Restricted Waste is subject to the regulations set out in Schedule D.
6. Prohibited Waste is subject to the regulations set out in Schedule E.

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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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Subdivision 9 - Solid Waste Collection Fees

- 7.2.9.
1. *Deleted by Bylaw No. 2040, 2023*
  2. *Deleted by Bylaw No. 2040, 2023*
  3. *Deleted by Bylaw No. 2040, 2023*
  4. *Deleted by Bylaw No. 2040, 2023*
  5. Every Person who deposits Solid Waste, Controlled Waste, or Restricted Waste at the Landfill Site shall:
    - a. pay the applicable fees prescribed in Schedule A; and
    - b. pay the fees at the time of deposit.
  6. Section 7.2.9.5 and the fees prescribed in Schedule A shall not apply to the deposit of Solid Waste at the Landfill Site in the following circumstances:
    - a. where the Solid Waste is collected by the District or First Nation within the Service Area that pays a service fee to the District, or by a contractor on behalf of them, for purposes of a residential Curbside Collection Service.
    - b. where Municipal Engineer has authorized the deposit, without charge, of Solid Waste for purposes of encouraging voluntary clean-up initiatives.
  7. Notwithstanding sections 7.2.9.5.b. Charge Accounts may be established in accordance with Schedule B.

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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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Subdivision 10 - Miscellaneous

7.2.10 Tampering with Containers

1. *Deleted by Bylaw No. 2040, 2023*

Administration of Bylaw

2. The Municipal Engineer is authorized with the administration of this Division and with the supervision, control and direction of the Landfill Site.
3. Without limiting the generality of section 7.2.10.2, the Municipal Engineer is hereby authorized to do the following:
  - a. authorize the deposit of Solid Waste where not otherwise permitted at Landfill Site;
  - b. establish form for the Controlled Waste Application; and
  - c. prohibit the deposit of waste at the Landfill Site by Persons with an overdue Charge Account in accordance with Schedule B.
4. Without limiting the generality of section 7.2.10.2, the Municipal Engineer is hereby authorized to do the following:
  - a. process Controlled Waste Applications, and where appropriate issue and cancel authorized Controlled Waste Applications in accordance with Schedule C; and
  - b. authorize Persons to remove, scavenge or salvage waste from the Landfill Site at defined locations.

Subdivision 11 - Abandoned Vehicles

- 7.2.11. 1. *Deleted by Bylaw No. 2040, 2023*
2. *Deleted by Bylaw No. 2040, 2023*

Subdivision 12 – Violations and Penalties

- 7.2.12. 1. A Person who contravenes this Division may be refused or prohibited re-entry to the Landfill Site.
2. A Person who contravenes this Division shall, in addition to any other penalty imposed, pay any costs incurred by the District, or its agents, to remediate or rectify that Person's act or omission.

PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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Subdivision 13 – Appeal

- 7.2.13.
1. A Person directly affected by a decision made under this Division may deliver a written notice of appeal with the Municipal Engineer.
  2. A notice of appeal under section 7.2.13.1 must be delivered to the Municipal Engineer no later than thirty (30) days of the date of the decision being appealed.
  3. Upon considering a decision under appeal, the Municipal Engineer may:
    - a. confirm, reverse or vary the decision under appeal; or
    - b. make any decision that the Municipal Engineer considers appropriate.

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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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**Schedule “A”**  
**Fees**

1. Schedule A sets out the fees for deposit of Solid Waste, Controlled Waste, and Restricted Waste at the District’s Landfill Site.
2. The minimum charge to deposit waste applies to all instances where waste is deposited as set out in Schedule A.1. Additional fees may apply as per Schedule A.2. Fees for Commercial Waste will be applied as per Schedule A.2.
3. Any waste listed in the table classified as Controlled Waste under Schedule C, the fee is only applicable where the solid waste has received permission for disposal at the Kitimat Landfill Site.
4. Any person or Commercial Premise submitting an Application for Credit shall pay an application fee of \$25.00 at the time of application.
5. Despite Schedule A:
  - a. the minimum charge for depositing Dead Animals and Parts is \$110.00
  - b. the minimum charge for depositing Asbestos is \$165.00
  - c. a surcharge of fifty (50) percent will be applied to Mixed Loads
  - d. a handling fee of \$75 will apply to dispose of Auto Hulks
  - e. a handling fee of \$10 will apply per Mattress (any size)
  - f. \*Septic Sludge will be accepted free of charge from residential premises in the Cable Car Neighbourhood and from 1846 to 2727 on Kitamaat Village Road.

PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

**Schedule A – Fee Schedule****Schedule A.1**

<b>Solid Waste Category</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Minimum charge (less than 100kg)	NA	\$5.00	\$10.00	\$10.00	\$10.00

**Schedule A.2**

<b>Solid Waste Category</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Garbage	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Construction and Demolition Waste	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Land Clearing Waste	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Mixed Load	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
<b>Controlled Waste</b>					
Asbestos	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Asphalt	\$25.00 per tonne	\$37.50 per tonne	\$50.00 per tonne	\$55.00 per tonne	\$60.00 per tonne
Concrete - no rebar	\$25.00 per tonne	\$37.50 per tonne	\$50.00 per tonne	\$55.00 per tonne	\$60.00 per tonne
Concrete - with rebar	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Dead Animals and Parts	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
Septic Sludge*	\$20.00 per tonne	\$30.00 per tonne	\$40.00 per tonne	\$50.00 per tonne	\$50.00 per tonne
Soil Suitable for Onsite Use	\$25.00 per tonne	\$37.50 per tonne	\$50.00 per tonne	\$55.00 per tonne	\$60.00 per tonne
Soil Not Suitable for Onsite Use	\$50.00 per tonne	\$75.00 per tonne	\$100.00 per tonne	\$110.00 per tonne	\$120.00 per tonne
<b>Restricted Waste</b>					
Appliances (Ozone Depleting Substances (ODS) Containing Product)	No Charge				
Automotive Batteries	No Charge				
Clean Wood	No Charge				
Propane Tank and Compressed Gas Cylinder	No Charge				
Scrap Metal	No Charge				

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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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Tires on rims	\$20/tire	\$20/tire	\$20/tire	\$20/tire	\$20/tire
Tires (rimless)	No Charge				
Yard Waste	No Charge	\$20.00 per tonne	\$20.00 per tonne	\$20.00 per tonne	\$20.00 per tonne

## Schedule “B”

### Charge Accounts

1. Schedule “B” forms part of the Division, unless the context requires otherwise, the following words and expressions have the following meanings:
  - 1.1. “**Account Holder**” means a person that holds a Charge Account;
  - 1.2. “**Applicant**” means a person who has submitted an Application for Credit;
  - 1.3. “**Application for Credit**” means an application for a Charge Account in the form established by the Municipal Engineer;
  - 1.4. “**Arrears**” with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) days after the date of invoice;
  - 1.5. “**Billing Address**” has the meaning assigned in Section 5 of Schedule B;
  - 1.6. “**Charge Account**” means an account held by a user of the Landfill Site at the District whereby the user is permitted to pay disposal fees on a monthly basis instead of paying at the time of disposal;
  - 1.7. “**Delinquent**” with respect to a Charge Account means that an amount owing remains unpaid more than thirty (30) after the date of a Notice of Arrears;
  - 1.8. “**Notice of Arrears**” means a written notice from the District to an Account Holder indicating that a Charge Account is in arrears.
2. A Person wishing to establish a Charge Account must submit a completed Application for Credit to the Finance Department.
3. The Finance Department shall examine and verify the references and credit history of the Applicant, and shall advise the Municipal Engineer of the creditworthiness of the Applicant.
4. Upon receipt of the report from the Finance Department under section 3, the Municipal Engineer may approve or deny an Application for Credit. The Municipal Engineer may deny an Application for Credit in any of the following circumstances:
  - 4.1. Where the Finance Department has advised that the Applicant is not creditworthy;
  - 4.2. Where the Municipal Engineer has reasonable grounds to believe the Applicant intends to deposit Prohibited Waste at the Landfill Site, or to deposit Solid Waste at the Landfill Site in a manner contrary to this Division; or



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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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- 4.3. Where the Applicant, or any principal, partner, director or officer of the Applicant has had a Charge Account cancelled within the previous five (5) years.
5. Invoices for amounts owing on Charge Accounts will be generated by the District on a monthly basis and delivered to the address provided by the Account Holder on the Application for Credit, or to such address as the Account Holder may from time to time furnish for that purpose (the “**Billing Address**”). The onus is upon the Account Holder to notify the District of any change in Billing Address.
6. The total amount owing on any invoice must be paid in full by the Account Holder to the District within thirty (30) days of the date of the invoice.
7. Any amount not paid to the District within thirty (30) days of the date of the invoice is in arrears and must be paid immediately, along with interest pursuant to Section 13 of Schedule B.
8. Where a Charge Account is in arrears the District shall deliver a Notice of Arrears to the Account Holder at the Billing Address.
9. Any amount not paid to the District within thirty (30) days of the date of a Notice of Arrears is delinquent and must be paid immediately, along with interest pursuant to Section 13 of Schedule B.
10. Any Charge Account that is delinquent shall be suspended until such time as all amounts owing, including interest, are paid in full. During the period of suspension, the Account Holder must pay all disposal fees at the time of disposal.
11. Any Charge Account that becomes delinquent more than once shall be subject to immediate cancellation.
12. The District may refer any delinquent Charge Account to a third party collection agency at any time.
13. In addition to any other penalty imposed under the Division, any amount owing on a Charge Account that is not paid within thirty (30) days of the date of invoice shall bear interest at the rate of eighteen percent (18%) per year, calculated and accruing daily, from and including the first date upon which the account falls into arrears, and such interest shall form part of the amount in arrears.
14. The Municipal Engineer may, in addition to any other penalty imposed under the Division, cancel a Charge Account where the Account Holder has deposited Prohibited Waste at the Landfill Site, or has deposited Solid Waste at the Landfill Site in a manner contrary to the Division. As may be determined, in the sole discretion of the Municipal Engineer. During an investigation the charge account will be held in abeyance.

PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

**Schedule "C"**  
**Controlled Waste**

1. Schedule C lists Controlled Waste and applicable specifications and restrictions for disposal at the Landfill Site:

<b>Controlled Waste</b>	<b>Specifications and Restrictions</b>
Asbestos- Friable	<ul style="list-style-type: none"> <li>- Approval of completed Controlled Waste Application required.</li> <li>- Hauler will be given a disposal time. Failure to show up at the correct time, or failure to notify the Site Operator may result in a penalty or refusal to dispose</li> <li>- Forty-eight (48) hours prior notice must be obtained before disposal</li> <li>- Material must be manifested or documented as required by the <i>Environmental Management Act</i></li> <li>- Material must be disposed of, transported and contained as required by the <i>Environmental Management Act</i></li> <li>- Failure to contain material as required by the <i>Environmental Management Act</i> may result in refusal to dispose</li> <li>- Site Restrictions may apply</li> <li>- Special handling Fees may apply</li> </ul>
Asbestos- Non Friable	<ul style="list-style-type: none"> <li>- Approval of completed Controlled Waste Application required.</li> <li>- Hauler will be given a disposal time. Failure to show up at the correct time, or failure to notify the Site Operator may result in a penalty or refusal to dispose</li> <li>- Forty-eight (48) hours prior notice must be obtained before disposal</li> <li>- Material must be disposed of, transported and contained as required by the <i>Environmental Management Act</i></li> <li>- Site Restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>
Auto Hulks	<ul style="list-style-type: none"> <li>- Auto Hulk must have the following removed prior to disposal: tires, antifreeze, lubricating oils, brake fluids, transmission fluids, ozone depleting substances, gaseous and liquid fuels and batteries</li> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>
Concrete	<ul style="list-style-type: none"> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>
Dead Animals and Parts	<ul style="list-style-type: none"> <li>- Material must be deposited three (3) hours prior to closing</li> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>
Gypsum Board or Wallboard	<ul style="list-style-type: none"> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>
Recyclable Materials	<ul style="list-style-type: none"> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>

PART 7     - PUBLIC HEALTH  
Division 2   - Solid Waste Disposal

Controlled Waste	Specifications and Restrictions
Septic Sludge	<ul style="list-style-type: none"> <li>- Approval of Controlled Waste Application may be required for several or more loads from a single site.</li> <li>- Material must be residential pre-digested septic waste</li> </ul>
Sharps	<ul style="list-style-type: none"> <li>- Approval of Controlled Waste Application required.</li> </ul>
Soils Suitable for On-site Use and Soils Unsuitable for On-site Use	<ul style="list-style-type: none"> <li>- Approval of Controlled Waste Application required.</li> <li>- Forty-eight hours (48) prior notice must be obtained before disposal</li> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>
Wood ash from commercial operations	<ul style="list-style-type: none"> <li>- Site restrictions may apply</li> <li>- Special handling fees may apply</li> </ul>

### General Regulations

2. Where an approved Controlled Waste Application is required to dispose of Controlled Waste, the following requirements apply:

2.1 The Person who has generated the Controlled Waste must complete a Controlled Waste Application and submit it to the Municipal Engineer for approval as per Schedule C;

2.2 Controlled Waste must not be deposited unless the Municipal Engineer has approved the Controlled Waste Application which may include any terms and conditions of deposit the Municipal Engineer deems necessary or desirable to ensure compliance with this Division, the Operational Certificate, and any other applicable law;

2.3 Subject to the terms and conditions of the applicable Controlled Waste Application, an appointment for deposit must be made with the Site Operator a minimum of forty-eight (48) hours prior to deposit of Controlled Waste;

2.4 The Person depositing Controlled Waste must produce the applicable Approved Controlled Waste Application to Site Personnel upon arrival at the Landfill Site;

2.5 Controlled Waste must be inspected and accepted by Site Personnel prior to being deposited;

2.6 Loads of Controlled Waste must be of one type only and from no more than one source unless the Approved Controlled Waste Application specifies otherwise;

2.7 Controlled Waste must be kept separate from any other type of Solid Waste;

2.8 If the terms and conditions of an approved Controlled Waste Application are not met, Site Personnel may refuse to allow deposit;

2.9 Any deposit of Controlled Waste must be conducted so as to minimize health and safety risks;

2.10 The amount of Controlled Waste deposited on any occasion must not exceed the operational capacity of the Landfill Site, and the Municipal Engineer may refuse to authorize a Controlled Waste Application where the type or quantity of Controlled Waste sought to be deposited would be contrary to the terms of the Operational Certificate;

2.11 Notwithstanding the above, in cases of an emergency or hardship, the Municipal Engineer may permit the deposit of Controlled Waste before the applicable application period elapses, without a minimum of forty-eight (48) hours' notice, and outside regular appointment hours.

3. Where a Controlled Waste Application is not required to dispose of Controlled Waste, the following apply:

3.1 The Person disposing of the Controlled Waste is required to contact the Site Personnel to arrange for disposal

3.2 Controlled Waste must not be deposited unless the Site Personnel has approved the disposal, which may include any terms and conditions of deposit the Site Personnel deems necessary or desirable to ensure compliance with this Division, the Operational Certificate, and any other applicable law;

3.3 Controlled Waste must be inspected and accepted by Site Personnel prior to being deposited;

PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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- 3.4 Loads of Controlled Waste must be of one type only;
- 3.5 Controlled Waste must be kept separate from any other type of Solid Waste;
- 3.6 If the above conditions are not met, Site Personnel may refuse to allow deposit;
- 3.7 Any deposit of Controlled Waste must be conducted so as to minimize health and safety risks;
- 3.8 The amount of Controlled Waste deposited on any occasion must not exceed the operational capacity of the Landfill Site, and the Site Personnel may refuse to allow deposit where the type or quantity of Controlled Waste sought to be deposited would be contrary to the terms of the Operational Certificate;
- 2.11 Notwithstanding the above, in cases of an emergency or hardship, the Municipal Engineer may permit the deposit of Controlled Waste before the applicable application period elapses, without a minimum of forty-eight (48) hours' notice, and outside regular appointment hours.

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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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**Schedule “D”**  
**Restricted Waste**

1. Schedule D lists Restricted Waste:

<b>Recyclable Materials</b>	<b>Specifications and Restrictions</b>
Appliances (Ozone Depleting Substances (ODS) Containing Product)	- Appliances must contain no food products and be empty - Site restrictions may apply - Special handling fees may apply
Automotive Batteries	- Site restrictions may apply - Load restrictions may apply
Corrugated cardboard	- Site restrictions may apply
Industrial Camp Waste	- Site restrictions may apply - Special handling fees may apply - Authorization required
Industrial Waste	- Site restrictions may apply - Special handling fees may apply - Authorization required
Organic Material	- Site restrictions may apply
Propane Tank (Compressed Gas Cylinder)	- Site restrictions may apply - 1 propane tank per visit - Propane tank must be empty - Only 20 lbs propane tank accepted
Polystyrene Foam Packaging	- Site restrictions may apply
Scrap Metal	- Site restrictions may apply - Special handling fees may apply
Tires	- Passenger and Light Truck tires, medium truck tires and off road vehicle tires - Special handling fees may apply - Site restrictions may apply
Yard Waste	- Site restrictions may apply - Special handling fees may apply
Recyclables (as defined in Schedule F)	- Site restrictions may apply - Special handling fees may apply - Load restrictions may apply

**Restricted Waste Regulations**

2. Restricted Waste is recyclable or compostable and must be kept separate from other types of Solid Waste when deposited at a Landfill Site, and must be deposited in the designated location at the Landfill Site.
3. Tires from cars and light trucks are accepted for recycling through the Tire Stewardship BC program. Tires on rims have a surcharge for handling.

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PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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**Schedule “E”**  
**Prohibited Waste**

**Definition**

1. Schedule E lists Class A Prohibited Waste and shall not be disposed of at the Landfill Site:
  1. Alum pond or lime sludge in dewatered form
  2. Automotive Batteries except as permitted within this Division
  3. Cattle Carcasses
  4. Empty steel and plastic drums, unless they are crushed, shredded, or similarly reduced in volume to the maximum practical extent
  5. Explosives
  6. Fencing wire
  7. Fuels
  8. Hazardous Waste as defined in *Hazardous Waste Regulation*
  9. Household batteries
  10. Ignitable Waste
  11. Industrial chemical waste
  12. Lithium-Ion batteries
  13. Free Liquid as defined in *Hazardous Waste Regulation*
  14. Used Oil and Lubricants
  15. Material that is on fire or smouldering
  16. Material that was previously on fire and has not been extinguished for at least thirty (30) days except with a letter from the Kitimat Fire Department stating it has been fully extinguished and is ready for disposal
  17. Ozone Depleting Substances except as permitted within this Division
  18. Paints and solvents
  19. Radioactive Waste as defined in *Hazardous Waste Regulation*
  20. Reactive Waste as defined in *Hazardous Waste Regulation*
  21. Grease from restaurants and mobile food vendors
  22. Septic Sludge, except as permitted within this Division
  23. Wire rope

**Prohibited Waste Regulations**

2. No person shall deposit or attempt to deposit Prohibited Waste at the Landfill Site.

PART 7 - PUBLIC HEALTH  
Division 2 - Solid Waste Disposal

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**Schedule “F”**  
**Recyclables**

1. Recyclables are Extended Producer Responsibility (EPR) Materials accepted for deposit under a Product Stewardship program.
2. Site restrictions and special handling fees may apply.