



Regulation Respecting Demolition Waste Recycling Operations in Kahnawà:ke

K.R.L. c. S-1-r.1

1. PURPOSE

- 1.1 The purpose of these Regulations is to regulate demolition waste recycling operations on the Mohawk Territory of Kahnawà:ke, including the process and requirements for obtaining permits and the conditions applicable to the operation and inspection of such operations.
- 1.2 These Regulations are adopted in accordance with sections 16.1 through 16.8, 17.1, 18.1, 19.1 and 20.1 of the *Kahnawà:ke Sanitary Conditions Law*, K.R.L. c. S-1.

2. APPLICATION

- 2.1 This Regulation applies to all lands on the Mohawk Territory of Kahnawà:ke intended to be used for a Demolition Waste Recycling Facility.

3. DEFINITIONS

- 3.1 All terms defined in the *Kahnawà:ke Sanitary Conditions Law*, K.R.L. c. S-1, shall retain the same meaning in the present Regulations.
- 3.2 For the purposes of these Regulations:

“Aggregate” means an industrial commodity term for sand, gravel, and crushed rock materials in their natural or processed state, used to provide bulk, strength and wear resistance in construction applications;

“Alteration” means partial replacement, addition, change or rearrangement in the structural parts of a building, which result in any change in the size, shape or height of the building;

“Baseline Soil Site Characterization” means establishing the existing soil quality of the development site prior to any new operations recognizing that natural soils can contain elevated levels of some metals. The characterization requires soil sampling and analysis to define target values for ultimate site reclamation if and when a demolition waste recycling facility ceases operations. The level of sampling effort required will be informed by the Phase I Environmental Site Assessment.

“Buffer Zone” means a ten (10) meter area between the property line of a Demolition Waste Recycling Facility and the active recycling area;

“Clean Demolition Waste” means solid, non-hazardous material generated from demolition, construction and/or renovation projects resulting from construction, remodeling, repair and demolition operations and includes only those materials listed in Schedule A;



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“Demolition Waste Recycling Facility” or **“Facility”** means a facility that is permitted to accept construction and demolition material to sort, disassemble, screen and make available for reuse or recycling using on-site processing. The Facility may be a Single Material Recycling Facility or a Mixed Material Recycling Facility;

“Environmental Impact Statement” means a written assessment completed by a Qualified Professional that describes potential environmental impacts anticipated from the proposed development application and potential mitigation measures written in a report;

“Hydrogeological Study” means a study for a proposed development to define the potential impacts of development on the ground water and interrelated surface water resources and, to outline mitigation and monitoring measures to ensure that the quantity and quality of the ground water resource is maintained for future use;

“Inspector(s)” means a person or persons who conduct inspections of a Facility;

“Member” means a person that is listed as a member on the Kahnawà:ke Kanien’kehá:ka Registry;

“Mixed Material Recycling Facility” means a Facility that recycles different types of material that must be sorted prior to recycling;

“Operator” means a person who operates a Facility;

“Permit” means the Permit issued by the Permit Authority that authorizes the operation of a Demolition Waste Recycling Facility in the Mohawk Territory of Kahnawà:ke;

“Permit Authority” means the body appointed by the Mohawk Council of Kahnawà:ke Executive Directive to review an application and issue Permits for a demolition waste recycling operation;

“Permit Holder” means a Member who is using or leasing their land to operate a Demolition Waste Recycling Facility and who applied and obtained a Permit from the Permit Authority;

“Phase I Environmental Site Assessment” means gathering information about past and present uses of the site, a site inspection by a qualified individual and preparation of a report identifying existing and potential sources of contamination on the property;

“Phase II Environmental Site Assessment” means targeted sampling of soil, water, sediment, soil vapours and / or any other relevant measurements as informed by the results of the Phase I Environmental Assessment. The purpose of this work is to determine the



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suitability of the site for the proposed use including if conditions on the site will or are likely to cause adverse effects and determine the need for a remedial work plan;

“Qualified Professional” means an individual with the appropriate education, training, and experience recognized by a professional association, who will perform a designated task;

“Remediation” means the process of correcting or counteracting the contamination of land or water to meet or exceed regulatory requirements;

“Safety Officer” means an employee of a Demolition Waste Recycling Facility Operator responsible for work site safety and compliance to these Regulations;

“Solemn Affirmation” means a written statement of facts signed and declared to be true by a person before a person with authority to take such statements, such as a Commissioner of Oaths;

“Storm Water Plan” means a management plan document that considers the change in the hydrology of a site pre and post development and determines the change in the quantity and quality of water leaving the site in the form of runoff, proposing mitigation measures to maintain existing conditions.

4. OPERATING PERMIT

4.1 No person shall, except under the authority of a Permit:

- a) carry on the business of collection, sorting or sale of recyclable material;
- b) operate a Facility; or
- c) identify himself or herself as an Operator of a Facility.

4.2 A Permit issued under these Regulations shall state:

- a) the date of its issue;
- b) date of expiry;
- c) the name of its holder;
- d) the nature of the operation;
- e) the operating hours;
- f) the site on which the operation is to be carried out;
- g) the type of material(s) authorized on the site and the maximum volume (length, width and height dimensions) of each type of material that can be stockpiled at any given time at the Facility;
- h) any specific conditions associated with each Facility;

4.3 The Permit Authority shall have the authority to:

- a) issue, suspend, revoke or renew a Permit;
- b) establish the conditions attached to Permits;
- c) rule on any matter concerning Permits;



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- d) determine a maximum number of Demolition Waste Recycling Facilities that can operate in the Territory at which time Permit applications will not be made available.

4.4 A Permit shall be valid for a period of three (3) years unless it is suspended, revoked or otherwise terminated.

4.5 With the exception of the procedure outlined in section 9.6 of these Regulations, a Permit may not be given, sold, or otherwise transferred in any way to any other person.

5. PERMIT APPLICATION REQUIREMENTS

5.1 A Permit applicant must:

- a) Obtain an application form;
- b) Provide a non-refundable application fee of one-hundred dollars (\$100.00) to submit a completed application form (Schedule B);
- c) Provide a description of the Facility and its operations in the form of a proposal (Schedule C).

5.2 The application and proposal must demonstrate that the Facility complies with the *Kahnawà:ke Sanitary Conditions Law* and these Regulations and that the operation will not disturb the environment or endanger the community of Kahnawà:ke and must include the following:

- a) A landholding verification document from the Mohawk Council of Kahnawà:ke Land Management Department for the land listed on the application;
- b) If the Application is in the name of a company, a verification of Kahnawà:ke ownership with submitted proof that 51% or more of the company operation ownership is held by one (1) or more Members as listed in the proposal requirements;
- c) If the Member leases his/her land to a company or another community member, a solemn affirmation to the Permit Authority that attests to an agreement that the land is being leased;
- d) A description of the material to be accepted on the site and the proposed maximum design quantity which specifies the maximum volume (length, width, height dimensions) of each type of material that will be stockpiled at any given time at the Facility;



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- e) An Environment Impact Statement that assesses environmental impacts stemming from both the construction and operation phases of the Facility and that considers all environmental and public health risks;
- f) A Phase I Environmental Site Assessment (ESA) which the Permit Authority will review in order to determine whether the Applicant must carry out and provide a Phase II ESA.;
- g) A Baseline Soil Site Characterization to establish existing conditions on the site for ultimate restoration.
- h) Site safety and security plans and site traffic plans prepared by a qualified professional to protect the employees and the public during both the construction and operation phases of the Facility;
- i) Site security statements that demonstrate that the Facility shall be attended by a sufficient number of personnel during operating hours and that the entrance to the Facility shall be closed and locked during non-operating hours to prevent unauthorized access;
- j) Plans indicating that the boundaries of the Facility site shall have the required setback distances and not be located less than 300 meters (984 feet) from a residence, school, place of worship, longhouse or other public institution within the Territory, and 30 meters (98 feet) from a watercourse, wetland, or species at risk habitat;
- k) If the proposed Facility site will be located in the vicinity of oil and gas infrastructure and/or pipelines, the applicant must consult with the owner of this infrastructure and the Mohawk Council of Kahnawà:ke to ensure adequate set backs are identified. A document identifying appropriate setbacks will be required;
- l) A description of the Facility that demonstrates that all incoming Clean Demolition Waste will be received within a constructed and impermeable containment area;
- m) A preliminary Hydrogeological Study prepared by a Qualified professional (Hydrogeologist/Water Resources Engineer) is required. This study should include, at a minimum, a determination of water table elevation, soil type, hydraulic conductivity and direction of flow across the entirety of the site;
- n) The applicant's submission shall demonstrate that best management practices are applied for any construction or facility operation to be conducted in proximity to a body of water including river, creek, pond, or wetland.



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- o) A preliminary decommissioning plan, this plan must include, but not be limited to, the plan for post closure controls, monitoring and maintenance programs for storm water, ground water, surface water and for erosion of the land. The Permit Holder will be responsible for all costs associated with decommissioning the facility;
 - p) Any other information that the Permit Authority may deem necessary to complete its review of the application.
- 5.3 Upon receipt of a complete Permit application, the Permit Authority shall post a public notice advising the community of Kahnawà:ke of the application and allow thirty (30) standard business days for feedback from any interested person living in Kahnawà:ke.
- 5.4 Once the Permit Authority has confirmed that the application is complete, the Applicant must also conduct a consultation process with landholders whose properties are located within 300 meters (984 feet) from the perimeter of the proposed Facility site.

The consultation process must include evidence that a notification has been sent to the landholders, include a description of the proposed Facility and its construction, and the types of material that are proposed to be recycled. The notification must also provide thirty (30) standard business days for the landholders to provide feedback to the Applicant either orally or in writing. The Applicant must record all feedback received and prepare a report on the community consultation to the Permit Authority in the form outlined in Schedule D. The notification must also include contact information for the Permit Authority and inform the landholders that they have the opportunity to directly contact the Permit Authority.

MCK Lands Unit can provide technical assistance in order to provide the Applicant with the necessary information to carry out the consultation process.

6. PERMIT APPROVAL

- 6.1 In determining whether to issue a permit, the Permit Authority must consider: the complete application as per Section 5.2 and the results of the community engagement processes outlined in Sections 5.3 and 5.4. The Permit Authority must weigh economic, environmental and societal benefits and impacts to determine whether issuing a permit is in the best interests of the community of Kahnawà:ke.
- 6.2 If the Permit Authority determines that issuance of the Permit is in the best interests of the community of Kahnawà:ke, the Applicant will receive notice that a Permit is ready to be issued, pending receipt of a Permit fee of fifteen thousand dollars (\$15,000.00) for the Permit's three year duration.
- 6.3 The Permit Authority shall issue the Permit (Schedule E) within ten (10) standard business days of receipt of the Permit Fee. Upon receipt of the Permit, the applicant may begin



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construction and operation of the Facility in accordance with the conditions outlined in the Permit.

- 6.4 Should the Permit Authority determine that it is not in the best interests of the community of Kahnawà:ke to issue the permit, the application will be denied and the Permit Authority will issue reasons for decision in writing to the applicant.
- 6.5 Appeals of any decisions made under this Section must be made within thirty (30) days of the decision being communicated to the Permit Holder in conformity with Section 14.

7. CONDITIONS OF OPERATION

- 7.1 In addition to any specific conditions determined and written by the Permit Authority for each Permit issued, the following conditions apply to all Facility construction and operation:
- a) The materials to be accepted at the Facility are restricted to those listed (Schedule A);
 - b) Alterations to the Facility require approval by the Permit Authority who will ensure Permit conditions reflect the alterations as necessary;
 - c) Open burning of any material at the Facility is strictly prohibited;
 - d) No residential structure can be located on the Facility site;
 - e) All incoming clean demolition waste must be received within a constructed and impermeable containment area;
 - f) A fire safety program will be developed in consultation with the Kahnawà:ke Fire Brigade once the Facility construction is completed. An attestation document from the Kahnawà:ke Fire Brigade will be provided by the Permit Holder or designate to the Permit Authority within sixty (60) days of the Facility construction completion;
 - g) The Permit Holder shall inform the Permit Authority immediately of any change to the Facility operation, any deviation from a Permit condition and for any environmental contaminants released into the air, surface water or ground, including details of mitigation actions carried out;
 - h) Only Clean Demolition Waste that has been screened and cleared of contaminants by the Operator or designate can be held in a constructed containment area (for example, cement or other material that protects the ground from ground water contaminants) for a period not exceeding ninety (90) days, as long as no nuisance or safety hazard is created;



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- i) If Clean Demolition Waste is held more than ninety (90) days in a constructed containment area, the Operator must inform the Inspector(s) of the remaining estimated time for material to be held before recycling;
 - j) Notwithstanding Sections 7.1 h) and 7.1 i), at no time can a Facility stockpile material in excess of the maximum volume established by the Permit;
 - k) For every truck load of Clean Demolition Waste brought to a permitted Facility, the Operator or designate must enter specific information in a log. The logs and their appendices must be maintained on the premises of the Facility for the duration of its operation and be made available to the Permit Authority or Inspector(s) as requested. The required information to log includes, but is not limited to the following:
 - i) The name of the carrier or company delivering the Clean Demolition Waste;
 - ii) The nature, the source and quantity of the Clean Demolition Waste accepted, expressed in weight indicating the date the material was accepted, this information must include the daily total number of trucks unloading Clean Demolition Waste, and total volume (in weight) transported by each truck;
 - iii) The type and disposal method of any materials that are listed as non-acceptable that are included in each delivery;
 - iv) A description of products that are removed from the Facility including recycled materials sold and waste sent for final disposal and where these products were sent.
- 7.2 The Operator of the Facility must remit an operating fee of two dollars (\$2.00) per ton of material accepted that is accounted for under Section 7.1 k) ii) to the Mohawk Council of Kahnawà:ke. This Operating fee will help offset the costs to the Mohawk Community of Kahnawà:ke associated with the operation of the facility, including the community infrastructure required for such operations (i.e. public roads) and the resources required for the implementation and monitoring of the Regulation.
- 7.3 After the Permit is issued, but before the Facility is permitted to begin operations, the Operator of the Facility must provide to the Permit Authority:
- a) A document from the engineer that the site has been constructed as designed in the Permit application proposal and that all facilities and systems are in place, functional and ready to receive Clean Demolition Waste. Any deviations from the original design and the rationale for those deviations will be included in the report;



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- b) Proof that all employees are covered by Mohawk Self Insurance;
 - c) Evidence that signs are posted at the entrance of the Facility, indicating name and purpose of the Facility, hours of operations, instructions for visitors, emergency contacts and general contact information. This signage shall be posted to direct flow of onsite traffic, warn of dangers and identify access restrictions, indicate parking areas to the reception/office areas and be written in an appropriate size to be legible from a public road;
 - d) A security deposit, in the amount of one dollar (\$1.00) per square foot of the total combined area of the Facility and any access roads to the Facility. The security deposit will be refunded upon final closure and completion of the decommissioning obligations outlined in section 12;
 - e) A certificate of insurance which evidences insurance coverage for the applicant's liability for bodily injury and for property damage arising from operations, including a contaminant being introduced into the environment for the minimum amount of \$10,000,000 coverage per occurrence.
- 7.4 Once the requirements of Section 7.3 are met, the Permit Authority will provide a Leave to Open letter which shall allow the Operator to begin operating the Facility.
- 7.5 For greater certainty, the obligations outlined in these Regulations apply to the Permit Holder and, when the Permit Holder is leasing the land for business to operate a Facility, to the Operator of the facility.

8. PERMIT MODIFICATION, SUSPENSION AND REVOCATION

8.1 A Permit may be:

- a) modified;
- b) suspended; or,
- c) revoked

by the Permit Authority for non-compliance with any applicable law, Regulation, permit condition and/or if deemed necessary to ensure the protection of the environment or public health and safety.



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- 8.2 If the Permit Authority determines that an immediate suspension is necessary to ensure the protection of the environment or public health and safety, the Permit shall be immediately suspended and a hearing will be held before the Permit Authority. At this hearing, the Permit Authority will provide the Permit Holder with all information pertaining to the grounds for the suspension along with an opportunity to make representations regarding the suspension and any potential additional permit condition modifications or sanctions.
- 8.3 Following this hearing, the Permit Authority will issue reasons for decision in writing outlining any modification of permit conditions and/or sanctions, including whether the suspension is being maintained and the conditions that must be met for the termination of the sanctions.
- 8.4 Should the Permit Authority determine that an immediate suspension is not necessary, a hearing will be held to determine the appropriate modification or sanction. At this hearing, the Permit Authority will provide the Permit Holder with all information pertaining to the situation, including any alleged breach along with an opportunity to make representations.
- 8.5 Following this hearing, the Permit Authority will issue reasons for decision in writing, outlining any modification of permit conditions and/or sanctions and the conditions that must be met for the termination of the sanctions.
- 8.6 Following any hearing held in conformity with this Section, the Permit Authority may also determine that the severity of the situation or breaches result in the revocation of the Permit and the permanent cessation of the Operations. Should a Permit be revoked, the Permit Holder shall be ineligible to apply for a demolition waste recycling permit for a period of three (3) years from the date of the revocation.
- 8.7 Appeals of any decisions made under this Section must be made within thirty (30) days of the decision being communicated to the Permit Holder in conformity with Section 14.

9. PERMIT EXPIRY AND RENEWAL

- 9.1 Between one hundred and twenty (120) and ninety (90) days prior to Permit expiration, the Permit Holder must submit to the Permit Authority a completed Permit renewal application (Schedule F).
- 9.2 The Permit Authority will then review the renewal application, all previous annual compliance reports and any other pertinent information and determine whether renewal of the permit is in the best interests of the community of Kahnawà:ke.
- 9.3 If a complete renewal application is received within the delays prescribed in Section 9.1, and the renewal is deemed to be in the best interests of the community of Kahnawà:ke, the



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Permit Authority will issue a new permit that will be valid for a period of three (3) years and the process and fees outlined in Sections 6.2 and 6.3 will apply to the renewed permit.

- 9.4 Should the Permit Authority deny the application for renewal, the process outlined in Sections 6.4 and 6.5 will apply.
- 9.5 Notwithstanding section 12.1, the Permit Holder's operations must cease upon expiry of the permit and the Permit Holder will be required to re-apply as a new applicant if no permit renewal application is submitted at least 90 days prior to the expiration of a Permit.
- 9.6 In case of death of the Permit Holder, the Permit Authority may exercise discretionary authority to allow for a temporary extension of the Permit provided there is sufficient evidence that a responsible person can continue operating the Facility on an interim basis and that this person has accepted to assume the rights and obligations of the Permit Holder until such time as a new permit is issued. The temporary extension will identify the duration of the extension and the process that must be followed for renewal of the Permit. If no temporary extension is granted, the Permit becomes null and void, and the Operations of the Facility must cease.

10. ANNUAL COMPLIANCE REPORTS

- 10.1 The Permit Holder must supply an annual compliance report at the end of every calendar year of operation.
- 10.2 The annual compliance report shall describe the past activities of the calendar year. The following are mandatory components of an annual compliance report:
 - a) copy of the log entries listed in section 7.1 k);
 - c) incident reports regarding any fires, accidents, including environmental or safety problems, along with the actions taken at the time of the incident and preventive solutions;
 - d) procedure change as a result of inspection recommendations or any complaint record;
 - e) any deviation to the operations manual or the facility operations and any other pertinent information related to the operation of the Facility;
 - f) a description of materials that were received, but not recycled, describing the reason for not being recycled, the method of disposal and disposal location of these materials;
 - g) a written attestation that compliance with each Permit condition has been observed and carried out.

11. FACILITY INSPECTION

- 11.1 All Facilities operating in the Mohawk Territory of Kahnawà:ke may be subject to random and/or scheduled inspections by an Inspector(s) identified by the Mohawk Council of



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Kahnawà:ke. The Inspector(s) will carry out inspections in areas listed, but not limited to Schedule G.

- 11.2 A Safety Officer must be appointed by the Operator. The Safety Officer will be capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous or dangerous to employees and who has the authorization to take prompt corrective measures to eliminate them. The Safety Officer will be the primary contact for an Inspector and will be responsible to provide documentation required by an Inspector.
- 11.3 Upon request, the Safety Officer must provide a site map to the Inspector. The site map will identify public thoroughfares, access roads, water courses or bodies of water, wetlands (marshes, swamps etc.) wooded sectors, dwellings and any structures within 300 meters (984 feet) of the Facility site.
- 11.4 Inspector(s) will issue a work order indicating areas of non-compliance to the permit condition(s) or contravention of these Regulations based on the inspection performed. Both the Mohawk Council of Kahnawà:ke Public Safety Unit and the Permit Holder of the Facility will receive written notice of the work orders.
- 11.5 The Permit Holder must ensure that all work orders received from an Inspector(s) are carried out within the prescribed timeframe. The Safety Officer shall provide a report to the Inspector(s) listing how the work orders were carried out that will be verified by an Inspector.
- 11.6 Any non-compliance issues identified by an Inspector(s) will be reported to the Permit Authority and may result in suspension, revocation or non-renewal of an existing Permit.
- 11.7 The Permit Authority may exercise its discretion to ban and/or refuse any contractor or provider of Clean Demolition Waste Recycling Material from conducting business in Kahnawà:ke if said contractor or provider has been deemed in contravention of the laws and/or regulations by the Permit authority.

12. SITE DECOMMISSIONING

- 12.1 Once it has been determined that the Facility will be closed, the Permit Holder or designate shall submit a site decommissioning plan to the Permit Authority no later than one hundred and eighty (180) days prior to decommissioning the Facility.
- 12.2 The decommissioning site plan shall describe activities to be undertaken including site cleanup, all notification procedures, engineering design details, and an outline of the post-decommissioning monitoring and/or maintenance of the site. This detailed plan shall



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elaborate on the preliminary decommissioning plan submitted in the initial application proposal.

- 12.3 Soil chemical analyses of the Facility site will be required by the Permit Authority prior to final closure of the Facility. Soil analysis results are expected to remain within the same criteria level as the soil analysis results carried out in the initial soil analysis provided with the application proposal.
- 12.4 The Permit Holder of the Facility is responsible to remediate any contaminated soil material if soil chemical results do not fall within the acceptable.

13. TRANSITIONAL PROVISIONS

- 13.1 If a Demolition Waste Recycling Facility is operating under written permission of the MCK when these Regulations come into force, the following transitional provisions will apply.
- 13.2 The facility will be permitted to continue operating according to the conditions and within the limits accorded by the written permission. The Operator will benefit from a transitional period to prepare and submit a Permit application that will not exceed one hundred and eighty (180) days from the date of coming into force of these Regulations.
- 13.3 If the Operator fails to file a complete application in accordance with Section 5 within the delay prescribed by Section 13.2, the written permission will be automatically null and void, and the Operator will no longer be permitted to operate a Facility.
- 13.4 In addition to the requirements of Section 13.2, the Operator must provide the following information within sixty (60) days of the coming into force of these Regulations:
- a) proof that a fire inspection from the Kahnawà:ke Fire Brigade has been conducted;
 - b) a ten (10) year operations activity report, particular to demolition waste accepted and processed and a market description. If the operation has been existing for less than ten (10) years, the operations activity report will be required for the total amount of time the Facility has operated.
- 13.5 For greater certainty, when a Permit is issued by the Permit Authority following the process outlined in this Section, the conditions of operation outlined in these Regulations and in the Permit shall replace and supersede any incompatible provision or practice of the Facility that was operating pursuant to a written authorization.

14. APPEAL



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- 14.1 An appeal to a decision related to Permit issuance, suspension or revocation, lies with the body identified by Mohawk Council of Kahnawà:ke Executive Directive.
- 14.2 An appeal must be filed within thirty (30) days of receipt of the decision of the Permit Authority.
- 14.3 An appeal does not operate as a stay or suspend the operation of the decision of the Permit Authority unless the judge hearing the matter decides otherwise.

15. COMING INTO FORCE

- 15.1 These Regulations shall come into force on the day that it is declared to be in force by Mohawk Council of Kahnawà:ke Executive Directive.

16. AMENDMENTS TO THE REGULATION

- 16.1 These Regulations shall be reviewed when the *Kahnawà:ke Sanitary Conditions Law* undergoes its five (5) year amendment review.
 - 16.2 If an amendment is necessary prior to the five (5) year amendment review, the Mohawk Council of Kahnawà:ke Lands Unit will request the amendment to proceed using a community process.
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SCHEDULE A: ACCEPTABLE MATERIALS AT A DEMOLITION WASTE RECYCLING FACILITY

The types of recyclable material to be accepted at a Facility are for the best end use and in a manner that protects human health and the environment. Materials not included in the list below are not to be stored or stockpiled in Kahnawà:ke under any circumstance. Acceptable Clean Demolition Waste is limited to:

1. metal pipe;
2. concrete and concrete block and aggregates;
3. asphalt from road construction;
4. wood including Oriented Strand Board (wood chips, sawmill waste, reclaimed wood or low quality wood products, standard particle board) or wood that has not been chemically treated (non-creosote wood);
5. stone, sandstone, slate, marble, limestone, granite with adhesive sealer removed;
6. brick;
7. steel reinforcement bars associated with construction
8. mesh wire;
9. hardwood wall panel or gypsum board;
10. softwood panel (pine, cedar, spruce, fir with adhesive sealer removed);
11. exterior plywood (from subfloor, furniture, siding, concrete forms, exterior application) and interior plywood (from cabinets, paneling);
12. wood sawn to which plastics or other materials have not been added;
13. siding, floor coverings and ceiling tile, conduit, building plastic, windows and glass;
14. ferrous metals (cut offs for steel studs, rebar, strapping, structural steel, steel framing members); non-ferrous metals (copper pipe cut offs, aluminum gutter and flashing trimmings, electrical cable cut offs);



SCHEDULE B: PERMIT APPLICATION

I certify that the information provided in and with this form pertains to the receipt, processing and recycling of demolition waste. I have reviewed the accuracy of the information and certify that the information is true and correct. A proposal is attached.

Name _____

Title _____

Signature _____

Date _____

This section is to be completed by the Mohawk Council of Kahnawà:ke Public Safety Permit Authority

Application has been: Approved Denied _____

Permit is issued on _____ for the duration of _____

Public Safety Permit Authority Signature. _____ Date: _____

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SCHEDULE C: PERMIT APPLICATION PROPOSAL REQUIREMENTS

An application for a Permit to operate a Demolition Waste Recycling Facility in Kahnawà:ke must include a proposal that will consist of the following:

1. A map of the location of the proposed Facility. The map will identify the lot(s) upon which the Facility will be built and show public thoroughfares, access roads, water courses or bodies of water, wetlands(marshes, swamps etc.) wooded sectors, dwellings and any structures within 300 meters(984 feet) of the proposed Facility.
2. The distance from the proposed active recycling area to the nearest property boundary, and to the foundation of the nearest off-site structure used for commercial, industrial, residential or institutional purposes.
3. Methods to manage or mitigate demolition waste recycling environmental nuisances for the surrounding neighborhood.
4. The verification of Kahnawà:ke business ownership with submitted proof that 51% or more of the business operation ownership is held by one or more Members. Proof of ownership includes, but is not limited to the following:
 1. Business registration number issued from Revenue Quebec;
 2. A certified copy of the business partnership agreement indicating 51% or more ownership by a Member.
5. A proposed operation description of incoming Clean Demolition Waste and inspection methods.
6. A projected “volume” of materials to be accepted for recycling, including a maximum “volume” of material that can be accepted based on Facility design.
7. A safety plan that is prepared in conjunction with the Mohawk Council of Kahnawà:ke Occupational Safety and that includes a hazard assessment method, potential mitigation measures, required training and areas for use of personal protective equipment for employees.
8. A site emergency response plan to deal with emergency issues including but not limited to fire, explosions and spills. This must include plans for the prevention and detection of potential threats. The method of handling of recyclable material, including indication as to the type and volume of contaminants liable to be emitted, discharged, issued or deposited into or in the environment, as well as their points of emission, discharge, issuance or deposit.
9. Traffic plan for incoming and outgoing trucks and onsite traffic flow plans that consider the environmental and public safety risks and minimizes land use conflicts with neighbors.
10. Plans for the acceptance, collection, storage, sorting, handling, packaging and transport of recyclable material that identifies the location where these activities will occur and that includes quality control and assurance aspects of the program, including tracking and auditing mechanisms.



SCHEDULE C: PERMIT APPLICATION PROPOSAL REQUIREMENTS

11. Storm water management plan or system that avoids or minimizes adverse effects resulting from changes to the quality and quantity of storm water runoff for the life of the operation to maintain pre-development runoff patterns from the Facility.
12. The current drainage pattern and general topography of the land within a radius of one (1) kilometer.
13. A preliminary decommissioning plan of the Facility site.
14. Plans and specifications of the Facility required to establish a demolition waste recycling operation including any operating equipment and physical works to prevent the deposit, release, emission or discharge of contaminants into the environment.
15. An Environmental Impact Statement is necessary. Air, ground, water and/or habitat protection, restoration or enhancement actions that address the permanent and temporary losses identified in the Environmental Impact Statement including all mitigation and conservation actions, shall be reviewed by the Permit Authority.
16. Soil chemical analysis results of the proposed site will be used to obtain background levels for comparison over time.
17. Plans for a buffer zone and maintenance of a strip of undisturbed natural soil and/or a buffer using existing plants and shrubs indigenous to this area located at least 15 meters (49 feet) from the property perimeter boundary and any on-site surface watercourses.
18. Demonstration that a market exists for the products being recycled by the Facility by describing companies who will buy the materials for a minimum duration of three (3) years.
19. A request for additional information may be determined necessary by the Permit Authority.



SCHEDULE F: PERMIT RENEWAL APPLICATION

Complete this form to for a Permit renewal. Please attach all required documents and submit to the Mohawk Council of Kahnawà:ke Public Safety Permit Authority, Box 720, Kahnawà:ke Mohawk Territory, J0L 1B0.
Telephone #: 450-632-0635

Part 1	<p>Business Name _____ Mailing Address _____ Telephone # _____ E-mail _____</p> <p>Renewal Year: _____ Lot # _____ Block _____ Size of Land _____ acres</p> <p>Have you submitted your annual compliance reports? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Have there been any changes in the materials being received and processed, or in any of the recycling methods used at your site? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, describe below: _____ _____ _____</p> <p>Have there been any changes in the business ownership structure? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, describe below: _____ _____</p> <p>Have you attached a letter of good standing from Mohawk Self Insurance office that confirms coverage for all employees? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
Part 2	<p>Provide the total amount of debris processed during the reporting year (tons) _____</p> <p>What is your current inventory on site? _____ _____</p> <p>Identify a contact person(s) from the Demolition Waste Recycling Facility from whom information can be obtained. Name _____ Position Title in the business _____</p> <p>Contact information: Telephone: _____ Cellular Number _____</p> <p>Additional Information: _____</p>

I certify that the information provided in and with this form pertains to the receipt, processing and recycling of demolition waste. I have reviewed the accuracy of the information and certify that the information is true and correct.

Name _____ Title _____
 Signature _____ Date _____

This section is to be completed by the Mohawk Council of Kahnawà:ke Public Safety Permit Authority

Application has been: Approved Denied _____
 Permit is issued on _____ for the duration of _____
 Appointed Permit Authority Signature. _____ Date: _____