

Department of Environment and Local Government

Land Reclamation Site Siting and Application Guidelines

Rationale

In an effort to reduce the cost associated with the transportation of demolition wastes, a Land Reclamation Site may be approved for a building demolition project that is located a significant distance away from existing Construction and Demolition Debris (C&D Debris) Disposal Sites or Solid Waste Management Facilities. Although the department encourages the recycle and reuse of as much of the building materials as possible, it is recognized that this is not always feasible and therefore disposal locations are necessary.

Within the province, there are numerous locations where the natural landscape and its underlying soils have been adversely affected by industrial and construction activities. These sites could benefit from the use of low cost inert debris to infill these affected areas.

Demolition debris may be used, under certain conditions, to infill affected areas upon receiving an Approval to Operate from the Department of Environment and Local Government (Department). This option is referred as a Land Reclamation Site.

Objective

The purpose of this document is to clarify when a Land Reclamation Site is applicable, to specify siting requirements necessary to minimize the potential environmental impacts associated with its operation and give the information required by the Department in order to issue an Approval to Operate under the *Water Quality Regulation – Clean Environment Act*.

Definitions

In this guideline:

“Category A Land Reclamation Site” means a Land Reclamation Site project accepting more than 100 tandem truck loads of Demolition Debris.

“Category B Land Reclamation Site” means a Land Reclamation Site project accepting up to 100 tandem truck loads of Demolition Debris.

“Demolition debris” means

- a) concrete, brick and untreated wood,
- b) siding, ceiling tile, gypsum board, insulation,
- c) asbestos that is not friable asbestos,
- d) solid roofing materials only such as asphalt shingles, No cans, drums, or other packages (empty or otherwise) of roofing adhesives, tar, or waterproofing compounds

- e) glass from doors and windows,
- f) metal, wood, fibreglass and durable plastic structural materials,
- g) wiring and light fixtures that do not contain fluorescent lamp ballast or fluorescent tubing,
- h) toilets, bathtubs, wash basins, and plumbing fixtures,
- i) floor coverings attached to a building during demolition,
- j) broken and aged asphalt or chip seal pavement only, No cans, drums, or other packages (empty or otherwise) of sealers, adhesives, tar or waterproofing compounds or new asphalt product
- k) any mixture of (a) through (j)
- l) other inert material approved by the Department in writing that has been obtained during the demolition of a building or structure. Debris or other materials obtained from commercial, industrial and manufacturing sources is not acceptable. Debris: i) from a building that has or may have manufactured, contained, transferred or distributed contaminated or hazardous (such as a pesticide storage warehouse) products; or ii) that contains PCB's (polychlorinated biphenyls), or iii) that contains lead paint of a known concentration greater than 1000ppm (parts per million) or that has been deemed leachable toxic (exceeds 5 mg/L) or contains lead paint that is flaking/chipping/peeling is not considered Demolition debris.

“Disposal Area” means that portion of the Site meeting the guideline requirements and that is approved by the Department to accept Demolition Debris for disposal.

“Inspector” means an Inspector designated under the *Clean Air Act*, the *Clean Environment Act*, or the *Clean Water Act*.

“Land Reclamation Site” or “Site” means a parcel of land used for the disposal of Demolition debris generated as a result of a single demolition project involving the demolition of one or more buildings or structures

“Regional Solid Waste Management Facility” means a solid waste collection and/or disposal facility operated by the solid waste disposal service of a Regional Service Commission established under the *Regional Service Delivery Act*.

“Residence” means a building any part of which is used or is intended to be used for the purposes of human habitation but does not include a building without electricity, water and sewerage.

“Water Supply Well” means an artificial opening in the ground from which water is obtained but does not include a well which is not in use. Any water supply well not in use must be decommissioned in accordance with the Department’s *Guidelines for Decommissioning (abandonment) of Water Wells*.

Applicability

Approval to Operate

An Approval to Operate is to be obtained from the Department prior to the demolition of the building or structure and any debris being disposed. Should this not occur, the applicant may be advised that

the material is to be disposed of at a Regional Solid Waste Management Facility or an approved C&D Debris Disposal Site.

Number of approvals per site

This guideline pertains to a project consisting of a one-time demolition event only (e.g. residence, commercial building, industrial building, warehouse, institution, etc). Should a future request be made to use the Site again, the proponent must submit a second application form to the Department for approval prior to using the Site. A Site can't be intended for more than two Land Reclamation Sites approvals.

Location

Only sites where the natural landscape and its underlying soils have been adversely affected by industrial and construction activities and that will meet all the siting requirements of this guideline will be acceptable locations for Land Reclamation Sites.

Distance of the building from an approved facility

No Category B Land Reclamation Site shall be approved for the disposal of Demolition Debris generated from the demolition of a building located within 30 kilometres of a Construction and Demolition Debris Disposal Site or a Regional Solid Waste Management Facility but excluding Transfer Stations.

Time of the year

No Land Reclamation Site shall be approved in winter or when the proposed site is covered with snow.

Materials

Only waste defined as Demolition Debris in this guideline shall be accepted at a Land Reclamation Site.

Burned or partially burned materials are not acceptable for disposal at a Land Reclamation Site. Burned or partially burned materials should be disposed of at a Regional Solid Waste Management Facility.

No Demolition debris that originates outside of the Province of New Brunswick shall be accepted at a land reclamation site unless specifically approved by the Department following an evaluation under *Environmental Impact Assessment Regulation – Clean Environment Act*. Contact the Environmental Assessment Section at (506) 444-5382 for further information

Siting Standards

Separation distances are necessary in order to minimize potential environmental conflicts between non-compatible land uses. Some of these distances will be more stringent for category A Land reclamation sites. The boundary of the disposal area of the Land Reclamation Site shall not be located within the receptor setback distances listed in Table 1.

Table 1: Setback distances from receptors

	Receptor	Category A (metres)	Category B (metres)
a)	Water supply wells	300	200
b)	Institutional land use properties	300	200
c)	Residences	300	200
d)	Industrial/Commercial land use properties	100	50
e)	Watercourses (from the bank or the ordinary high water mark)	150	30
f)	Wetlands	30	30
g)	Right-of-way boundary of public highways	30	30
h)	Any other adjacent properties	30	30
i)	Protected areas as designated by Regulation 2001-83 of the <i>Clean Water Act</i> for drinking water supply watersheds	75	75
j)	Protected areas as designated by Regulation 2000-47 of the <i>Clean Water Act</i> for drinking water supply wellfields	75	75

Setback distances to property line, residence or water supply well may be reduced with the written permission of the landowner, the residence owner or the well owner. In cases such as a gravel pit, where the land has been disturbed up to the property line, the property line setback may be waived with written permission from the adjacent property owner. Any written permission must be submitted to the Department for approval on a form provided by the Department and be notarized.

The above setback distances may be increased if the Department deems it necessary to protect additional, more sensitive environmental receptors.

Other factors that must be considered during site selection include compatibility with adjacent land uses, truck traffic in residential areas, the location and condition of the access road, cover material availability, drainage and areas subject to flooding.

Application Requirements

Application form

The proponent is to submit a completed application form (copy attached) with all supporting documentation to the Department of the Environment and Local Government Regional Office four weeks prior to requiring approval for the Site.

Applications submitted with insufficient information may encounter processing delays. Site approval is based on an assessment of all components of the application.

Inspections

The proponent should arrange for an inspection of the proposed Site by an Inspector 10 working days prior to initiating the project.

Any building that is proposed to be taken to a Land Reclamation site for disposal must be inspected by an Inspector before its demolition. The material to be approved for disposal at the site must be verified to be free of hazardous wastes such as friable asbestos, PCBs, contaminated soil or other

objectionable materials present as a result of the building's use and/or occupancy. Hazardous wastes should be disposed at a facility that is approved by the Department to receive such waste. Contact the Industrial Processes Section at (506) 453-7945 for further information.

Disposal at a Regional Solid Waste Management Facility

Arrangements should be made in advance with the solid waste disposal service of the applicable Regional Service Commission for any disposal of debris at a Regional Solid Waste Management Facility.

Compliance with other by-laws, acts or regulations

The issuance of an approval to operate does not relieve the Approval Holder from compliance with other by-laws, federal or provincial acts or regulations, or any guidelines issued pursuant to regulations.

Supporting Documentation

A Scaled Drawing

An appropriately scaled drawing which indicates the property identification number (PID), the location of the proposed disposal area on the property and the applicable setback distances is to be included with the application. The scaled drawing should also include sufficient coordinates (GPS waypoints) to allow for accurate verification of the disposal area on the site.

Agreements with landowners, well owners or residence owners (if applicable)

A copy of a written agreement with the owner of the site is to be included with the application (not necessary if the site owner is the proponent), as well as any other agreements with landowners, well owners or residence owners to reduce setbacks.

Hazardous Material Assessment (if required)

If deemed necessary by the Department, an Hazardous Material Assessment prepared and/or approved and stamped by a member in good standing of the Association of Professional Engineers and Geoscientists of the Province of New Brunswick may be required.

Landowner Notification (only for Category A)

For Category A Land Reclamation sites, it is necessary that the proponent notifies, by registered mail, all landowners within 500 metres of the perimeter of the proposed Disposal Area, of his intention to operate a Land Reclamation Site and inform them of the types of wastes that are to be disposed at the site. The notification letter will include:

- A scaled drawing (same to be included with the application)
- Proponent's contact information.

A copy of the notification letters and confirmation of delivery of the registered letters must be submitted to the Department.

The proponent is also required to fill and submit the confirmation statement included at the end of this guideline.

If landowners within 500 m of the perimeter of the proposed disposal area have comments, the proponent should share those comments with the Department.

Operating Conditions

During the application process, proponents may wish to consult the Sector Standard for Land Reclamation Sites for typical conditions associated with the operation of land reclamation sites. It should be noted that other conditions may be added to the Approval if deemed necessary by the Regional Engineer. It should also be noted that a Land Reclamation Site is classified as a **Class 18** facility, pursuant to the *Fees for Industrial Approvals Regulation 93-201* filed under the *Clean Water Act* and the Approval Holder shall pay the appropriate fee specified in the Regulation.

For additional information, please contact the appropriate Department Regional Office:

Physical Address	Mailing Address	Phone and Fax #
Region #1 – Bathurst 159 Main Street, Room 202 Bathurst, NB E2A 1A6	PO Box 5001, Room 202 Bathurst, NB E2A 3Z9	p: (506) 547-2092 f: (506) 547-7655
Region # 2 – Miramichi 316 Dalton Avenue Industrial Park Miramichi, NB E1V 3N9	Same	p: (506) 778-6032 f: (506) 778-6796
Region #3 – Moncton 355 Dieppe Boulevard, Suite C Moncton, NB E1A 8L5	PO Box 5001 Moncton, NB E1C 8R3	p: (506) 856-2374 f: (506) 856-2370
Region #4 – Saint John 8 Castle Street, Saint John, NB E2L 4Y9	PO Box 5001 Saint John, NB E2L 4Y9	p: (506) 658-2558 f: (506) 658-3046
Region #5 – Fredericton 12 McGloin Street Fredericton, NB E3A 5T8	Same	p: (506) 444-5149 f: (506) 453-2893
Region #6 – Grand Falls 65 Broadway Boulevard Grand Falls, NB E3Z 2J6	PO Box 5001 Grand Falls, NB E3Z 1G1	p: (506) 473-7744 f: (506) 475-2510

Department of Environment and Local Government

APPLICATION FORM FOR A LAND RECLAMATION SITE

CLIENT INFORMATION

Legal Name or Corporate Entity: _____

Client Mailing Address – including postal station address, Civic address (if applicable), and postal code: _____

Contact Name: _____

Title: _____

Phone: _____

Fax: _____

Cell Phone/Pager: _____

E-mail: _____

INFORMATION ON THE BUILDING

Name of the owner of the building: _____

Address of the owner of the building: _____

Property Identification Number (PID #) on which the building stands: _____

Type of building (e.g. Residential, Commercial, Industrial, Institutional, etc.): _____

Age of the building: _____

General dimensions of the building: _____

Number of storeys: _____

PROJECT DESCRIPTION

Name of the landowner of the proposed site: _____

Address of the landowner of the proposed site: _____

Phone: _____

PID # of the proposed site: _____

Estimated quantity of material (number of tandem truck loads): _____

Types of material to be disposed of at the proposed site: _____

Proposed project start date: _____

Proposed completion date: _____

Describe the type of area being infilled (e.g. gravel pit): _____

SUPPORTING DOCUMENTATION

Here is a list of supporting documentation that should accompany the application (Please see the Land Reclamation Site Siting and Application Guideline for more information):

- Scaled Drawing
- Agreement with site landowner (not necessary if landowner is the proponent)
- Any other agreement with landowners, well owners or residences owner to reduce setbacks
- Hazardous Material Assessment (if required)
- Landowner Notification documentation (only for Category A Land Reclamation Sites)

CERTIFICATION

I understand it is an offence to make a false, misleading, or incomplete statement in this application, and **incomplete forms will not be processed.**

I hereby certify that the information submitted is correct.

Name of Applicant (Please Print)

Signature of applicant

Date

Confirmation Statement
Category A Land Reclamation Site

This is to confirm that I, _____ have, by registered mail, notified all current landowners, whose properties are located within 500 metres of the perimeter of the proposed Land Reclamation Disposal Area, of the intention to operate the Land Reclamation Site on the following property. I further confirm that I have disclosed the types of wastes that are proposed to be hauled to the Site and that I have included, in the letter, a map indicating the Disposal Area location.

Land Reclamation Site Property Owner: _____

Property Identification Number (PID#): _____

Site Address: _____

Indicate on the form below, the names, addresses and PID numbers for the current landowners contacted and attach a copy of the letters sent to the current landowners, confirmation of delivery of the registered letters and a transcript of any comments received by landowners within 500 m of the perimeter of the proposed disposal area. In addition, attach an appropriately scaled drawing which indicates the property identification number (PID), the location of the proposed disposal area on the property and the applicable setback distances. The scaled drawing should also include sufficient coordinates (GPS waypoints) to allow for accurate verification of the disposal area on the site.

Names	Address	PID #

Please attach an additional page if additional space is required

Signature: _____

Print Name: _____

Please mail or fax this signed statement, with all required attachments, to the local Regional Office