



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**
Prince Edward Island
Île-du-Prince-Édouard
CANADA

Docket: WM01304
Order: WM20-01

IN THE MATTER of an application by the
Island Waste Management Corporation to
change its rates and charges for waste
management services.

BEFORE THE COMMISSION ON Thursday, March 19, 2020

J. Scott MacKenzie, Q.C., Chair

M. Douglas Clow, Vice-Chair

Erin T. Mitchell, Commissioner

ORDER

IN THE MATTER of an application by the Island Waste Management Corporation to change its rates and charges for waste management services.

Order

UPON having received the application of the Island Waste Management Corporation (the “Corporation”) for approval of rate changes in collection and disposal fees;

AND UPON having published notice of the application on the website of the Commission and in local newspapers inviting written questions and comments from the public;

AND UPON reviewing the Corporation’s application and responses to interrogatories and reports filed with the Commission;

AND UPON reviewing comments received from the public;

AND UPON consideration of the factors prescribed by section 18.1 of the *Environmental Protection Act*, R.S.P.E.I. 1988, c. E-9;

NOW THEREFORE, pursuant to section 18.1 of the *Environmental Protection Act*,

IT IS ORDERED THAT

1. The proposed rate changes in residential collection fees are denied, and the current rates remain in force and effect:

Category	Current Rate	Proposed Rate	Lawful Rate
Regular Household	\$205	\$213	\$205
Cottage	\$95	\$115	\$95
Extended Cottage	\$120	\$140	\$120

2. The request to increase the residential min-max disposal fee from \$5 (min) - \$20 (max) to \$5 (min) - \$30 (max) is denied.
3. The requests to increase disposal fees for asphalt shingles and out-of-province contaminated materials are approved effective April 1, 2020, as follows:

Category	Current Rate	Proposed Rate	Lawful Rate
Asphalt Shingles	\$40/Tonne	\$50/Tonne	\$50/Tonne
Out-of-Province Contaminated Materials	\$230/Tonne	\$250/Tonne	\$250/Tonne

4. The request to establish a new category and set rates for the disposal of out-of-province contaminated soil is approved effective April 1, 2020 as follows:

Category	Current Rate	Proposed Rate	Lawful Rate
Out-of-Province Contaminated Soil	-	\$100/Tonne	\$100/Tonne

5. The lawful rates of the Corporation are hereby as follows:

Category	Lawful Rate
Regular Household	\$205
Cottage	\$95
Extended Cottage	\$120
Asphalt Shingles	\$50/Tonne
Residential Min-Max	\$5 (Min) - \$20 (Max)

Out-of-Province Contaminated Materials	\$250/Tonne
Out-of-Province Contaminated Soil	\$100/Tonne

6. Reasons for the findings as set out herein and this Order shall follow in due course.

DATED at Charlottetown, Prince Edward Island, Thursday, March 19, 2020.

BY THE COMMISSION:

(sgd) J. Scott MacKenzie

J. Scott MacKenzie, Q.C., Chair

(sgd) M. Douglas Clow

M. Douglas Clow, Vice-Chair

(sgd) Erin T. Mitchell

Erin T. Mitchell, Commissioner

NOTICE

Section 12 of the *Island Regulatory and Appeals Commission Act* reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it, or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13(1), 13(2), 13(3), and 13(4) of the *Act* provide as follows:

13(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.

(3) The Commission shall be deemed to be a party to the appeal.

(4) No costs shall be payable by any party to an appeal under this section unless the Court of Appeal, in its discretion, for special reasons, so orders.