



ENVIRONMENT COMMISSION

SEPTEMBER 15, 2011
6:00 PM – CVRD Boardroom, 175 Ingram Street

AGENDA

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2. <u>ADOPTION OF MINUTES:</u>	
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3. <u>DELEGATIONS</u> – Work Plan Discussion - Jacob Ellis. Link to the Corporate Strategic Plan for preparation prior to this discussion: http://cvrld.bc.ca/files/books/1/index.html	
4. <u>BUSINESS ARISING OUT OF MINUTES:</u>	
B1 Update on the joint Economic Development/Environment Commission planning meeting	
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R1 Land Committee - David Polster	
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8. <u>NEW BUSINESS</u>	
NB1 Review of the Tri-Regional Waste Study prior to October 20 th meeting – Distributed by email to commission members in June. Z:\Environment Commission 2011\Tri-Reg Dist Solid Waste Study.pdf	
NB2 Appointment of new Environment Commission representative to the Economic Development Committee	

9. ADJOURNMENT:

NEXT MEETING: October 20, 2011

Distribution:

CVRD Director Gerry Giles (Co-Chair)	Peter Keber
CVRD Director Rob Hutchins	Judy Stafford
CVRD Director Tom Walker	Justin Straker (Co-Chair)
CVRD Director Phil Kent	Kevin Visscher
Bruce Fraser	Larry George, Cowichan Tribes
Rodger Hunter	Chris Wood
Dave Polster	Roger Wiles

As Well As:

Warren Jones, CAO, CVRD
Director Morrison
Director Duncan
Director Kuhn
Brian Dennison, General Manager, Engineering and Environment Services
Kate Miller, Manager, Regional Environmental Policy Division

Agenda Cover Only:

Director G. Seymour	Director T. McGonigle
Director M. Marcotte	Director B. Harrison
Director D. Haywood	Director K. Cossey
Director M. Dorey	Director L. Iannidinardo
Tom Anderson, General Manager, Planning and Development Services	

Minutes of the regular meeting of the ENVIRONMENT COMMISSION
held in the CVRD Boardroom, 175 Ingram Street, Duncan, on June 16,
2011 at 6:00 pm.

PRESENT:

Director Giles	Justin Straker – Chair
Dave Polster	Roger Wiles
Director Kent	Rodger Hunter
Alternate Director Paterson	Director Walker
Pete Keber	Chris Wood
John Morris	Bruce Fraser
Kevin Visscher	

ALSO PRESENT: Kate Miller, Manager, Regional Environmental Policy Div
Dyan Freer, Recording Secretary
Director Kuhn

REGRETS: Judy Stafford

APPROVAL OF AGENDA

It was moved and seconded that the agenda be approved with the addition of B3, an overview of the Private Managed Forest Lands presentation to the board and NB5, information on Sansum Point.

MOTION CARRIED

ADOPTION OF MINUTES

It was moved and seconded that the minutes of the May 19, 2011, Environment Commission meeting be adopted as presented.

MOTION CARRIED

DELEGATIONS

No delegations

BUSINESS ARISING OUT OF MINUTES

Ecostravaganza Wrap-Up - Chris Wood/Kevin Visscher

Steady stream of people – comments from the public are attached to the agenda. It would be good to plan now for future events and prepare a display of materials and banners to be available. We didn't reach any new people – we support the event but did it work for the EC? To reach new people might be better – and more regionally as well. Perhaps AG Fair in the Fall would be a bigger audience – or a Home Show, or a busy grocery store. Fewer distractions would make it more visible than a busy fair. Follow-up with organizer planned. Thank you to all the volunteers.

B2

Update on the joint Economic Development/Environment Commission planning meeting and proposed Agenda

Chris Wood met with the sub-committee and Phil Kent from the Economic Development Commission. They developed a proposed agenda – to formulate a common sense of principles. Plan for mid- July for first meeting.

It was moved and seconded

That the commission approve the proposed agenda for an upcoming joint meeting between the Environment Commission and the Economic Development Commission and extend the invitation to appropriate staff from municipal local governments.

MOTION CARRIED

B3

PMFL – Director Giles gave a presentation which had been presented to the Board by the Executive Director of Private Managed Forest Land Association. How do they manage their lands? Over 50% of our island forests belong to PMFL.

Action - Kate Miller will look into our taxation structure for forest zoned lands. Discussion ensued. Several directors plus the CVRD CAO, and General Manager, Planning and Development, will meet with Ministry of Forests to discuss changing the PMFL legislation to match the crown land logging legislation. Kate suggests sending a letter to watershed source committee re the PMFL practices asking for their support on this issue - **Action: Kate will email contact info to Gerry who will forward a letter to the watershed source committee.**

**CORRESPONDENCE
REPORTS**

None

R1

Land Committee – no report. Dave Polster said that he is glad to see the issues of the forest companies practices are being addressed by this Commission and the CVRD. Justin read an email he received in response to a request to the CAO on the status of our Motions to the Board – the CAO replied that they hope to respond to them by developing the Integrated Sustainability Plan. Once funding for this Plan is secured staff will appreciate dialogue with the Commission on how to proceed.

R2

Communications Committee - see B2

R3

Water Committee – Gerry Giles – discussed how the committee could have most value and how to make the biggest difference – looked at different models operating in the valley. Most advanced is Cowichan Watershed. The Cowichan Stewardship Roundtable group deserves a lot of credit in improving and highlighting issues. Would EC help to sponsor roundtables in Shawnigan Lake Watershed in order to develop a stewardship plan to help the Shawnigan system? We could use the roundtable model and the Cowichan Watershed Management Plan as good models to follow. Seed money would be available to get it off the ground and work systematically through all the watersheds of the Regional District. Will bring recommendations forward at a later meeting.

R4

Agriculture – Pete Keber

The Agricultural Advisory Committee has formed 3 working groups – 12 most prioritized action goals are settled and are being worked on.

Judy sends a request for funding for another forum in the fall for the Agricultural Committee. Judy will bring for discussion in next meeting. Do we have budget for it – to be determined. Decision after work plan is formulated.

- R5** **Climate Change, Energy and Smart Growth Committee** – no report except this committee should be part of the above 4 – it is a subject pertinent to all aspects in each of the committees. Future sea levels are a large issue. LiDar (mapping imagery) is being done for the region which would give key data and information about shore levels. Discussion ensued.

INFORMATION

None

NEW BUSINESS

- NB1** Review of Environment Commission's role. Are we being as strategic and effective as we could be – with our work and our interaction with the Board and staff of the CVRD? Chair presented an overview of the history and terms of reference of the Commission. Are we doing what we are mandated to do? Discussion ensued.

- NB2** Development of a work plan to achieve the Commission's mandate and to incorporate these goals: Should we:

- Revisit an Environmental Strategic Plan development?
- Integrate/assist with environmental aspects of the CVRD Corporate Strategic Plan?
- Integrate/assist with the CVRD Regional Sustainability Plan?
- Build on the State of Environment Report?
- Build our 2-way relationship with the Board and CVRD staff (i.e. could meet as a sub-committee to work with manager of Recycling and Waste Management and perhaps assist in some research/planning or developmental ideas.

Commission could give reflective, thoughtful referrals to the Corporate Strategic Plan and the Sustainability Plan. Or could look at outcomes and goals and work within those limits. Discussion ensued. Possible ways to participate in decision making are:

- Referral of Area D OCP - it is on the CVRD website
- Take the Corporate Strategic Plan and develop a work plan around each item in it – plan how can these items be achieved?
- Input in regards to the Integrated Sustainability Plan – identify gaps.
- Educate – inform community about what there is out there for them.

In September we will ask to meet with the General Manager, Planning and Development, and offer support and reference for the proposed Regional Sustainability Plan.

- NB3** **Action: Justin will distribute the draft work plan for review.**
New Members criteria – Two positions open by year end. Consensus is that the interviewing committee will make up the criteria for new members and we will advertise. Roger Wiles volunteered to be on the selection committee.

- NB4** Summer meeting schedule –. The joint meeting of the Environment Commission and Economic Development Commission will take place in mid-July and the August commission meeting will be a social B-B-Q.

NB5

The Land Conservancy (TLC) is raising funds to buy Sansum Point in Maple Bay. TLC has \$595,000 left to raise by June 30, 2011 in order to save this special place. The land is in the Coast Douglas Fir zone, and fits into our master plan for trails and parks. Discussion over whether the commission should donate money but decision was that the CVRD has already donated substantially.

It was moved and seconded

That the CVRD Environment Commission express its support and commendation of the acquisition of the Sansum Point property by the partnership of the Land Conservancy of British Columbia, the Cowichan Land Trust, and the Cowichan Valley Regional District, and note that this acquisition is a positive step towards achieving key environmental targets recognized by the Environment Commission, including protection of lands and biodiversity values.

MOTION CARRIED

ADJOURNMENT

The meeting adjourned at 8:55 pm.

NEXT MEETING

B-B-Q August 18th, 2011

Chair

Recording Secretary

Dated: _____



STAFF REPORT

CVRD ENVIRONMENT COMMISSION MEETING OF SEPTEMBER 15, 2011

DATE: Sep 6, 2011

FILE NO:

FROM: Kate Miller, Manager Environmental Policy Division

SUBJECT: Status of Commission 2011 Budget

Recommendation/Action: For Information purposes only

Relation to the Corporate Strategic Plan: Budget is provided to the Commission to support the Commissions objectives and mandate.

Financial Impact: (Reviewed by Finance Division: )

The Environment Commission is provided with their own allocation as a component of the Environmental Policy Divisions overall budget. The 2011 approved budget for the Commission is \$65,000. The CVRD Budget year is based on the calendar year. The Commission was provided with additional budget at their request in the 2011 year to cover additional communications programming.


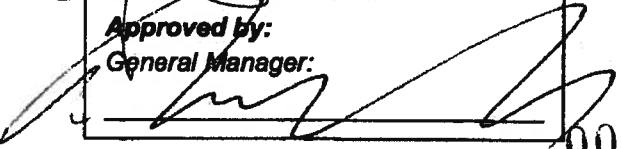
Background: The table below summarizes the Commissions proposed budget as discussed in previous meetings.

	2010	2011 working	Current
Advertising/Communications	\$5,000	\$26,000 (+13,000*)	\$ 2,070
Contract for Services	\$40,000	\$20,000	\$ 4,645
Meeting Expenses	\$5,000	\$ 5,000	\$ 3,445
Travel	\$1,500	\$ 1,500	\$ 365
Total	\$51,500	\$65,500	\$10,525

- * Discussed allocation to committees to undertake programming carry forward to 2011, Lands Committee (5,000), dangers of air contaminants public awareness campaign (5,000).

Submitted by,

Kate Miller, M.Sc. MCIP
Manager Environmental Policy Division

Reviewed by:
Division Manager: 
Approved by:
General Manager: 

Cowichan Valley Regional District
General Ledger Summary

GL5030 (\$)

Page : 1

Date : Sep 08, 2011 Time : 11:34 am



C.V.R.D

Fiscal Year : 2011

Account : 01-2-1125-???? To 01-2-1125-????

Period : 1 To 9

Account Code	CC1	CC2	CC3	Account Name	Opening Balance	Debit	Credit	Balance
FUND	1							
CLASS	2	EXPENSES						
CATEGORY	1125	GENERAL EXPENDITURES						
01-2-1125-2111	931	TRAVEL			0.00	400.40	-36.65	363.75
01-2-1125-2210	931	ADVERTISING			0.00	2,086.60	-15.89	2,070.71
01-2-1125-2338	931	CONTRACT FOR SERVICES			0.00	8,754.13	-4,109.13	4,645.00
01-2-1125-5121	931	MEETING EXPENSES			0.00	3,702.88	-258.21	3,444.67
Category Total					0.00	14,944.01	-4,419.88	10,524.13
EXPENSES Total					0.00	14,944.01	-4,419.88	10,524.13**
GENERAL REVENUE FUND Total					0.00	14,944.01	-4,419.88	10,524.13****
REPORT TOTAL					0.00	14,944.01	-4,419.88	10,524.13

Lynda Lee

Subject: FW: CVRD Commentary on OMRR Amendments

Hello everyone:

This note is in reference to a draft submission (see attached) the CVRD is making to the Province regarding proposed amendments to the provincial Organic Matter Recycling Regulation that regulates composting facilities. Below is a description of the process for submitting comments to the province, and we want to inform you that if you have concerns as a representative of an Improvement District, authority, agency or concerned citizens as to local composting facilities and/or the nature of the proposed amendments, that you make a submission to that affect. The more submissions the Province receives on this topic, on the issues that matter most, the greater the potential for improvements to the regulation.

As the deadline for submissions is quickly approaching, we and Chair Gerry Giles are available to meet and discuss this opportunity. Currently this Thursday the 8th is fairly open, and if we can meet as a group we can probably cover a lot of ground more quickly than simply with individuals. Any coordination you can provide to this end would be appreciated.

The Ministry of Environment is proposing amendments to the OMRR. The regulation governs the construction and operation of composting facilities, and the production, distribution, storage, sale and use or land application of biosolids and compost. The OMRR regulatory review process follows the ministry policy of continuous improvement and commitment to review regulations on a regular basis and update them as appropriate.

*The ministry's objectives and the proposed content of the amendments are provided in an intentions paper for consultation. The intentions paper is available for review on our web site at <http://wwwd.env.gov.bc.ca/epd/codes/omr/index.htm>. A response form to seek comments from stakeholders and the public is also available on the website indicated above. **Comments should be submitted by September 15, 2011.***

If you are an "association" we would appreciate your assistance in forwarding this correspondence and website address to your members. You are also encouraged to forward this information to others who you feel may wish to provide comment.

Information received will be treated with confidentiality by ministry staff and contractors. However, please note that information you provide and information that identifies you as a source of comments may be publicly available if a Freedom of Information request is made under the Freedom of Information and Protection of Privacy Act.

The ministry has contracted Cindy Bertram of C. Rankin & Associates to manage the information collection process. If you have any questions regarding the information-gathering process, please check the ministry website: <http://www.env.gov.bc.ca/epd/codes/index.htm> or contact Cindy Bertram at cindybertram@shaw.ca or by fax (250) 598-9948.

Please contact me directly at 250-746-2530 to arrange to meet or to discuss this issue. Rob Williams is no longer working on this file so please direct emails to me in the interim.

Thx Bob

Bob McDonald
Manager, Recycling & Waste Management
Engineering & Environmental Services Department
Cowichan Valley Regional District

009

September 8, 2011

File No. 5380-03-00/WMA/OMRR

Cindy Bertram
PO Box 28159 Westshore RPO
VICTORIA BC V9L 6K8

Dear Ms. Bertram:

RE: Revisions to the Organic Matter Recycling Regulation (OMRR)

Introduction

This letter is in response to comments being solicited by the Ministry of Environment (MoE) regarding the proposed amendments to the Organic Matter Recycling Regulation (OMRR).

As you may be aware, since 2007 the Cowichan Valley Regional District (CVRD) has regulated private municipal solid waste and recycling operations, including composting facilities, under CVRD Bylaw No. 2570 – Waste Stream Management Licensing. Although the CVRD's bylaw is comprehensive with regards to regulating general waste management facilities, it is limited with regards to the regulation of technical aspects of compost facilities. As such, the CVRD has found it quite challenging regulating private commercial compost facilities across the region. To help assist CVRD staff when regulating these facilities, staff has partially relied on the technical aspects of the OMRR for guidance. Through ongoing consultation with the OMRR, CVRD staff has identified areas for improvement with the regulation to ensure environmental protection and reduce social impacts.

The remaining content of this letter will provide comments and constructive recommendations to the various OMRR amendment topics. We offer these comments and recommendations within the following context, and respectfully request they be considered with the weight and importance they deserve:

- The CVRD is a provincial leader in Municipal Solid Waste (MSW) reduction;
- The CVRD banned commercial organics from disposal in 2002;
- Residential organics has been diverted within the CVRD since 2006, and the majority of the population will be provided this service by May 2012;
- The CVRD has been regulating commercial composting operations for five years;
- There are three licensed commercial composting operations within the CVRD;
- Legal proceedings are underway with two of the three existing commercial composting operations;

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- The CVRD endured and successfully defended a three-year multi-million dollar lawsuit involving a commercial composting facility;
- One of the commercial composting operations has four to seven times the allowable limit of nitrates in its on-site well, but is in full compliance with the OMRR;
- There has been years of deep unrest and growing disrespect for provincial authorities in the host community of one of the commercial composting operations due to a lack of active regulation;
- Groundwater contamination issues and concerns have been confirmed by local and provincial authorities including Vancouver Island Health Authority, Ministry of Natural Resource Operations, municipalities, improvement districts and several qualified professionals surrounding one of the local composting facilities; and
- The CVRD has spent millions of dollars and years of staff resources on studies, tests, reports, lawyers, consultants, consultations, town hall meetings, etc. regarding the regulation of composting facilities.

In short, we are a leading jurisdiction in waste reduction with aggressive plans for further diversion. As these efforts unfold, so does the establishment of private sector commercial composting facilities. This will be replicated with other jurisdictions across the province embarking on the same course of organics diversion. Our experience and example of constantly running up against ineffective provisions of the OMRR, and the vast consumption of money and resources spent, added to the community concerns and environmental risks involved, will only discourage further organics diversion, integrated resource management, and industry investment.

Without a dramatic change in the regulation of this industry, it will result in fewer local facilities and capacity. Those that are established will be the typical remote, dirty, smelly, poorly regulated facilities of yesteryear that still pose a risk to the environment. Greater Greenhouse Gas emissions due to the remoteness of such facilities will offset the benefits of local resource recovery, increase program costs, and compromise landfill diversion efforts.

Although provincial regulations are usually a baseline standard, which can be complemented by local bylaws requiring higher standards, our situation is one where existing and proposed provincial OMRR standards often fall far short of adequate, and even undermine our local bylaw – and we are an example of a jurisdiction willing to take on this role of supporting the Province. Nevertheless, one example of this (expanded upon below) is where OMRR allows Class A compost to be stored on native ground, yet studies and qualified professionals attest there is a significant potential of nitrogen contaminating drinking water from this material. Our licensing bylaw can only regulate MSW, yet Class A compost is no longer considered MSW under the OMRR. Therefore we would have to draft a separate bylaw to ensure the proper human health and environmental protection from Class A compost. The same situation occurs with odours from processing and storage of MSW. When local governments have to create a series of bylaws to protect communities and the environment from something allowed for under provincial legislation, the provincial baseline standard needs to be raised.

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Section 1 - Ministry Mandate and Objectives

We find that the objectives outlined in the intentions paper regarding the Ministry's goal of reviewing and amending the OMRR are sound in theory, however one may question how they will be measured. More specifically, the first objective is to protect the environment. The current regulation has several deficiencies with respect to protecting the environment. Most notably, and this will be echoed throughout this letter, the storage requirements for Class A compost, the definition regarding run-off and leachate, and the method to determine compost maturity (C:N ratio). In short, the regulation does not address the fact that bulk quantities of Class A compost stored on the natural ground surface is a risk to the environment, particularly groundwater, as the material is still very active and has the ability to impact groundwater from material run-off (leachate). Further, if the true mandate is to protect the environment a more comprehensive risk assessment must be conducted on Class A compost as it has been repeatedly noted by qualified professionals that the material has a greater environmental risk than the regulation implies.

The second objective is to provide clear and effective guidance for local governments and other compost and biosolids producers. While local governments have the ability to adopt local bylaws to help regulate local compost facilities, there needs to be greater leadership and support from the province. The concept of composting is great in principal as it helps divert waste from landfills and work towards sustainability, however for the industry to be effective and accepted by communities all stakeholders including all levels of government must work together to ensure the industry is meeting or exceeding social and environmental standards. While we understand that the MoE has limited staff resources the OMRR and Ministry are not currently supporting this type of leadership and engagement. When consulting with MoE staff the CVRD and the public are continually provided the same response - that local governments are in a better position to enact bylaws to deal with compost operations and that the industry is self-regulating and within compliance with the OMRR. Odour complaints have continually been dismissed as a major concern because the source of such odours is hard to confirm and that causing pollution would need to be proven in order to enforce. There is a clear lack of interest by the MoE to provide leadership with regards to the regulation of these operations and work with other stakeholders including local governments to ensure a viable industry. This has become very frustrating for both communities and local governments and does not provide assurance that environmental protection is a priority or being achieved by the MoE.

Section 2 - Organic Matter Suitable for Composting

The proposed definition amendments regarding clean wood waste and the addition of domestic composting toilet sludge, paper, and cardboard to the OMRR are supported. Diverting these materials from the waste stream through a viable option such as composting will ultimately help reduce the amount of material landfilled, reduce greenhouse gas emissions, and move towards sustainability. However, there are concerns regarding the regulation for composting of biosolids and untreated domestic septic sludge. The concern revolves around composition of biosolids and septic sludge and potential contaminants of concern (PCOC) in the material i.e. caffeine, ibuprofen, pharmaceuticals, etc. and the unknown short and long-term environmental effects from such contaminants. There are currently no safeguards in the regulation regarding PCOC.

It has been acknowledged in the Compost Quality Guidelines by the Canadian Council of Ministers for the Environment that persistent or bio-accumulating organic chemicals such as dioxins, furans, pesticides, polychlorinated biphenyls (PCB), polycyclic aromatic hydrocarbons (PAH) or herbicides (e.g. clopyralid) can be found in various compost feedstocks and that it is up to each province to implement appropriate thresholds and sampling requirements to test for these contaminants. There are no current measures in the OMRR that address this issue. It could be argued that the only human health and environmental protection aspect of the regulation is Schedule 1 – Pathogen Reduction Process which only sets a threshold for acceptable levels of disease causing pathogens i.e. fecal coliforms. Ideally there should be zero tolerance for such pathogens to ensure re-growth does not occur. Qualified professionals have indicated that re-growth of fecal coliforms is common with compost that has passed Schedule 1 of OMRR and can reach hazardous levels, but the material is currently granted unrestricted distribution under the regulation.

Section 3 - Leachate Management

The amendment to require all composting facilities to submit a leachate impact assessment report by a qualified professional in place of an environmental impact assessment report (if production tonnage exceeds a specific amount) is supported. However, there are concerns over the definition of leachate and the purpose of the leachate impact assessment reports. The OMRR definition for leachate only covers effluent that comes into contact with organic matter, understood to mean feedstock, and not from finished compost itself. Recent test results for run-off from Class A compost reported high levels of nitrogen compounds clearly indicating a potential risk to the environment, particularly groundwater. Furthermore the MoE has indicated that the leachate impact assessment reports will be submitted for informational purposes only, with no corrective or enforcement actions to take place if actual practices do not adhere to the report submitted. It is unclear how the Ministry's goal of environmental protection is being satisfied if such reports are not going to be evaluated and enforced. It is also unclear if the Ministry is still basing regulation on the Precautionary Principle. Nonetheless, to help eliminate the risk of leachate entering the environment from composting facilities the leachate impact assessment reports should require that all managed feedstock and Class A compost material be stored on an impermeable surface with leachate containment and that regular inspections be conducted to ensure compliance with such plans. Leachate impact assessment reports should be reviewed, evaluated, and enforced to ensure environmental protection.

Section 4 - Notification Requirements

The requirement of all composting facilities to submit odour management and operating plans is supported. However, as previously stated there are concerns over the purpose of such plans considering they are strictly for informational use. It is common for composting facilities to be sited in areas where they are surrounded by other businesses and residents – especially with the growing trend towards residential diversion of food wastes. Unfortunately odour incidents can occur due to various onsite practices at these facilities. Therefore it is imperative for their long-term sustainability within a community that they have sufficient plans in place to mitigate and manage odour and other social nuisances such as dust, litter, and vectors. Odour and operating plans submitted must be evaluated and scrutinized by MoE staff to ensure they are sufficient, and once accepted, regular inspections should be conducted to ensure compliance, with enforcement to follow if required.

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In addition to requiring odour management plans the MoE should consider amending the OMRR to adopt the California Greenwaste Compost standards (Rule 1133.3 Emission Reductions from Greenwaste Composting Operations). A current issue is the time and effort required to constantly turn non-aerated piles, as this is a cost to industry. Therefore, it is often avoided and difficult to enforce. Forced aeration provides greater assurance of a better product, faster maturity, less need for inspections and ultimately far less odour as the material does not go anaerobic. In short, these standards require that all outdoor windrow compost operations use forced aeration with ventilation, require an extended active compost phase, and use a Solvita maturity index to determine compost quality. All of these requirements are to help reduce nuisance odours and ensure that the compost material is stable.

Section 5 - Technical Standards and Record Keeping

The sampling and record keeping amendments proposed are supported. However, to ensure protection of the environment and human health all sampling documents should be submitted to the Ministry for review as per the required schedule in addition to being available onsite.

As previously stated, there are several technical revisions that should be considered for the OMRR. To summarize, these include amending the regulation to require that all Class A compost be managed and stored on an impermeable surface with leachate containment, adopting the California Greenwaste Compost standards, and changing the methodology for determining compost maturity to the Solvita test which will make it easier for industry and regulators.

Section 7 - Additional Housekeeping

The additional housekeeping changes in section 5.6 are supported. It is recommended that the housekeeping amendment regarding covering of stored, managed organic matter be revised to include Class A compost.

Section 8 - Best Management Practices

Using best management practices (BMP) in conjunction with the OMRR is supported. However, as protection of the environment and human health is a priority, a high level of operating standards must be the baseline in the OMRR. BMP's should go beyond the OMRR standard and should help showcase industry leaders. This will ultimately help ensure environmental protection and reduce social impacts.

Section 9 - Assuring Compliance

The notion of voluntary compliance with the OMRR is not supported. It is unclear how environmental protection can be achieved through voluntary compliance. At times industry has been guilty of not complying with the regulation and therefore regular scheduled inspections by MoE are required in order to confirm ongoing compliance and ensure protection of the environment and human health. Enforcement measures must be pursued for acts of non-compliance to help ensure compliance and prevent future incidents. Industry non-compliance can ultimately result in risk to the environment and cause human health and social impacts. Ensuring compliance is a key aspect of long-term sustainability of the industry and to help maintain the support of host communities for local composting operations.

Section 10 - Protecting Human Health and the Environment

There are significant concerns (significant gaps as per the response form) as outlined throughout this letter regarding the MoE's objectives for protection of human health and the environment with the OMRR. In summary, the main concerns with the OMRR and the Ministry's objectives include the lack of requirements for the storage of Class A compost, the OMRR interpretation that run-off from Class A compost is not considered leachate, the limited scope of the regulation regarding the environmental risk of Class A compost, the reliance on industry for self regulation, the lack of inspections and enforcement by the Ministry, and the lack of support and leadership by the province for local governments.

Sincerely,

Bob McDonald, Manager
Recycling & Waste Management
Engineering & Environmental Services

RW:dm/ll

pc: Brian Dennison, P. Eng., General Manager, Engineering & Environmental Services
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