
TO: Board Meeting **MEETING:** October 16, 2018
FROM: Shelley Norum **FILE:** 5340-05
Wastewater Program Coordinator
SUBJECT: Organic Matter Recycling Regulation Intentions Paper, September 2018

RECOMMENDATION

1. That the Board submit to the BC Ministry of Environment and Climate Change Strategy a response (Attachment 1) to the proposed regulatory changes to the Organic Matter Recycling Regulation (Attachment 2).

SUMMARY

The Organic Matter Recycling Regulation governs the construction and operation of composting facilities and the production, distribution, sale, storage, use and land application of biosolids and compost. The Ministry of Environment and Climate Change Strategy (the Ministry) released an Intentions Paper (Attachment 2) proposing changes to the Organic Matter Recycling Regulation that have the potential to impact the management of biosolids and the operation of composting facilities in the Regional District of Nanaimo (RDN). A response to the proposed changes is provided in Attachment 1.

This Intentions Paper is the fourth in a series of OMRR policy intention papers, dating back to 2006, that are intended to guide amendments to the regulation, planned for 2019. The Intentions Paper focusses primarily on:

- Administrative changes related to registration requirements and First Nations engagement requirements,
- Additional materials suitable for composting,
- Compost facility and land application standards and best practices,
- Sampling and monitoring requirements,
- Consistency with other regulations.

The potential impacts on biosolids management are mainly administrative, and noted in the bullets below. Changes to the production of biosolids at the wastewater treatment plants are not anticipated.

- The Intentions Paper introduces a new registration process, however the timeline to complete the process may be inadequate. The RDN intends to request that the Ministry consider providing sufficient time to complete the new process.
- The cost to manage RDN biosolids may increase due to new requirements for analytical sampling that are unclearly stated in the Intentions Paper. The RDN intends to request clarification from the Ministry so we can adequately budget for the proposed changes.

The proposed changes to composting requirements are not expected to significantly impact the RDN or the firm contracted to compost RDN organics. The RDN does not currently operate a

composting facility; however, compost processing is provided under contract by a private company for residential food waste and yard waste. As per direction from the Board, staff are in the process of finalizing a 20-year contract to continue this service. The proposed changes to the Organic Matter Recycling Regulation are not expected to impact the contractor's operation because they already hold a site-specific authorization issued by the Ministry, their facility upgrades are consistent with best achievable technology, and they already process all organics indoors in an air controlled environment, as proposed in the Intentions Paper.

BACKGROUND

Biosolids are stabilized residuals of the wastewater treatment process that have a consistency like soil, are rich in nutrients, and provide an alternative to chemical fertilizers. The RDN produces roughly 4,500 bulk tonnes of biosolids every year and will produce more after secondary treatment is complete at Greater Nanaimo Pollution Control Centre. RDN biosolids are managed according to the Organic Matter Recycling Regulation. This regulation recognizes the value of biosolids as a beneficial resource.

The Organic Matter Recycling Regulation governs the construction and operation of composting facilities and the production, distribution, sale, storage, use and land application of biosolids and compost. In October 2016, the Ministry released an Intentions Paper stating the intent to revise the regulation. The RDN responded to that Intentions Paper as described to the [November 29, 2016 Board](#). In September 2018, the Ministry released another Intentions Paper (Attachment 2) incorporating feedback from the 2016 Intentions Paper and proposing further changes to the Organic Matter Recycling Regulation. The Intentions Paper proposes changes that have the potential to impact the management of biosolids and the operation of composting facilities in the RDN. A response to the proposed changes is provided in Attachment 1.

The Ministry is inviting feedback to the Intentions Paper until November 8, 2018 and has expressed the intent to amend and implement the revised regulation in 2019. A response to the proposed changes is provided in Attachment 1. The response emphasizes the importance of using biosolids beneficially; diverting this resource from the landfill; protecting the environment; keeping costs manageable; and improving odour controls and the regulatory framework around the management of composting facilities.

Key changes proposed in the Intentions Paper include:

- Replace the existing facility notification process with a registration process for biosolids land application and some composting facilities. No changes are proposed for larger composting facilities (of the size that the RDN contracts with), as they already require permitting.
- Requirements for proponents of composting and land application activities to notify First Nations of intent to register, and changes to registrations. The ministry plans to develop guidance documents for First Nations notification.
- Changes to requirements for sampling, monitoring and record keeping at compost facilities and land application sites

With respect to land application of organic matter, including biosolids, the Ministry proposes:

- Updated quality criteria.
- Labeling requirements for composted materials containing biosolids.
- Implementing best management practices and setback requirements for land application.

The potential impacts on biosolids management are mainly administrative, and noted in the bullets below. Changes to the production of biosolids at the wastewater treatment plants are not anticipated.

- The Intentions Paper introduces a new registration process and the timeline to complete the process may be inadequate. The RDN intends to request that the Ministry consider providing sufficient time to complete the process.
- The cost to manage RDN biosolids may increase due to new requirements for analytical sampling that are not clearly stated in the Intentions Paper. The RDN intends to request clarification from the Ministry so we can adequately budget for the proposed changes.

With respect to composting facilities, the Ministry proposes:

- Composting facilities will be required to have environmental management plans, including odour management plans.
- Including additional organic materials as acceptable feedstocks.
- Facilities will employ best management practices, including upgrading over time to composting in fully enclosed structures, and establish setback requirements.
- Updated weight limits on residuals in finished compost (rocks, plastics, foreign objects).

The RDN does not currently operate a composting facility; however, compost processing is provided under contract by a private company for residential food waste and yard waste. As per direction from the Board, staff are in the process of finalizing a 20-year contract to continue this service. The proposed changes to the Organic Matter Recycling Regulation are not expected to impact the contractor's operation because they already hold a site-specific authorization issued by the Ministry, their facility upgrades are consistent with best achievable technology, and they already process all organics indoors in an air controlled environment, as proposed in the Intentions Paper.

Should other commercial composting facilities set up operation in the RDN in the future, they will be subject to a higher standard of operation which is expected to reduce impacts of their operation to neighbours, particularly around minimizing odour.

ALTERNATIVES

1. That the Board submit to the BC Ministry of Environment and Climate Change Strategy a response (Attachment 1) to the proposed regulatory changes to the Organic Matter Recycling Regulation (Attachment 2).
2. Provide alternate direction to staff.

FINANCIAL IMPLICATIONS

There are no direct financial implications to the RDN in responding to the Organic Matter Recycling Regulation Intentions Paper. The proposed changes to the regulation may incrementally increase the administrative cost of managing of biosolids in the region. Additional costs will be incorporated into future operational budgets for Wastewater Services.

The RDN is currently finalizing a 20-year service contract for organics processing. In developing the contract details, the 20-year service fees were set out in a Term Sheet which has been endorsed by the Board. There will be no further changes to these fees, therefore, there is no impact to RDN costs for residential food waste and yard waste processing resulting from future changes to the Organic Matter Recycling Regulation.

STRATEGIC PLAN IMPLICATIONS


Participating in the Organic Matter Recycling Regulation review consultation process, with its goal of protecting human health and the environment, aligns with the 2016-2020 Board Strategic Plan vision for the environment.

LIQUID WASTE MANAGEMENT PLAN IMPLICATONS

Responding to the Organic Matter Recycling Regulation Intentions Paper and supporting the production and beneficial use of biosolids aligns with the Biosolids Program within the RDN's Liquid Waste Management Plan.

SOLID WASTE MANAGEMENT PLAN IMPLICATIONS

Diverting biosolids from the landfill and prolonging the lifespan of the Regional Landfill aligns with the Solid Waste Management Plan and its vision for Zero Waste.



Shelley Norum
snorum@rdn.bc.ca
October 9, 2018

Reviewed by:

- S. De Pol, Director, Water and Wastewater Services
- L. Gardner, Manager, Solid Waste Services
- R. Alexander, General Manager, Regional and Community Utilities
- P. Carlyle, Chief Administrative Officer

Attachments

1. Organic Matter Recycling Regulation Intentions Paper Response
2. Organic Matter Recycling Regulation Intentions Paper, September 2018