Resolution 5A

STRICTER REGULATIONS FOR DISPOSAL OF BIOSOLIDS (PASSED)

⇒ County of Pictou

WHEREAS the application of treated domestic sewage to forestry lands, agricultural lands, and reclamation sites is seen by the Province of Nova Scotia as an acceptable means of managing the disposal of this municipal by-product; and

WHEREAS the Province of Nova Scotia has adopted guidelines for the management of biosolids; and

WHEREAS the aforementioned guidelines place the onus on the approval holder for periodic monitoring of soil quality, water sampling and record keeping and provides the Department of Environment with discretionary powers to require additional sampling of domestic wells, the installation of monitoring wells for annual testing, and periodic inspection of the approval holder's records; and

WHEREAS there have been numerous instances where approval holders allowed shipments of biosolids to stockpile on their properties before carrying out the application process, to the disadvantage of surrounding property owners; and

WHEREAS it is generally believed that "regulations" provide a more structured program to ensure operational compliance, reporting and inspection than "guidelines";

THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities request that the Minister of Environment create Biosolid Regulations that include provisions for penalties on approval holders for non-compliance.

Forwarded to
Minister of the Department of the Environment

RESPONSE:

The Environment Act *provides the authority for Nova Scotia Environment to issue approvals under the Activities Designation Regulations (ADR). Approvals include site- specific terms and conditions, many of which are based on established regulatory standards and/or guidelines such as the "Guidelines for Land Application and Storage of Municipal Biosolids in Nova Scotia." It is the legal responsibility of the approval holder to meet the terms and conditions of their approval. Provisions are provided within our regulatory framework to penalize approval holders for non-compliance.*

Nova Scotia's regulation of biosolids is consistent with the "Canada-wide Approach for the Management of Wastewater Biosolids" recently approved by the Canadian Council of Ministers of The Environment (copy attached). It is this department's position that the current legislative framework for biosolids management and land application in Nova Scotia provides for the protection of human health and the environment. Based on the fact that Nova Scotia enforces the most stringent product quality standards for land application of biosolids in Canada, we do not believe there is a need to develop Biosolids Regulations at this time, as the current legislative oversight is sufficient.

The Honourable Sterling Belliveau
Minister
October 31, 2012