

Agricultural Waste Control Regulation Notification of Review Process – October 2009

The purpose of this document is to inform stakeholders and the public of the Agricultural Waste Control Regulation review process.

Background

The Agricultural Waste Control Regulation (AWCR) came into force on April 9, 1992, under the *Waste Management Act* (WMA). In 2004, the *Environmental Management Act* (EMA) and the Waste Discharge Regulation were brought into force replacing the WMA.

Agricultural operations are a prescribed activity in Schedule 2 of the Waste Discharge Regulation (WDR). This means that agricultural waste discharges require authorization and can be regulated by a code of practice. Minor amendments were made to the AWCR in 2004. In 2008, the ministry amended the regulation to establish consistent rules for all boilers used in agriculture, as well as emission standards for biomass (wood-fired) boilers used in agriculture. Outside of these amendments, the AWCR has not been comprehensively reviewed.

The Ministry is reviewing the AWCR for a number of reasons. These reasons include

- i) to harmonize the standards in this regulation with other regulations,
- ii) to consider new technologies regarding handling and disposal of agricultural wastes, and
- iii) for compliance and enforcement issues.

Steps in the review process

The process for the Codes of Practice Development and Regulatory Review Project consists of five phases:

1. **Scoping Phase** — includes problem definition, a review of regulatory approaches in other jurisdictions, current best management practices, advances in science, law and the management of agricultural wastes.
2. **Development of the Policy Intentions Paper for Consultation** — development of a policy intentions paper outlining the Ministry's policy intent for the regulation, proposed content of the regulation, and any outstanding issues. The paper forms the basis of consultation with affected stakeholders and the general public.
3. **Consultation Phase** — with affected stakeholders and the general public, using the policy intentions paper and response forms posted on the ministry website, and other means, as required.

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4. **Drafting Phase** — preparation of legal language for consideration by the Minister and/or Lieutenant Governor in Council.
5. **Implementation Phase** — once the amendments to the regulation are approved and in force, training of ministry staff and external stakeholders, development of guidelines and/or best management practices.

For more information on the consultation process and the policy intentions papers, see [Consultation Process for Policy Intentions Papers](#). For information on the *Environmental Management Act* (EMA), authorizations under the EMA, the Waste Discharge Regulation (WDR) and Guide, and Minister's codes of practice, see [Environmental Management Act](#).

Identification of Issues and Expressions of Interest

We are currently in the scoping phase of the review process. To assist us in determining priority areas of the regulation that should be reviewed, we would like to know where the areas and issues of concern are. We are also developing a key stakeholders list and if you would like to be kept informed of consultation opportunities, and/or be updated on the regulation review, please provide your contact information and your comments on the attached form, and return the information to Margaret Crowley at:

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