



Amendment to the Organic Matter Recycling Regulation (June 9 OIC)

Ministry of Environment
July 7, 2016



Outline

- Background
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- New requirements
- Exemptions
- Permitting process
- Questions



Organic Matter Recycling Regulation (OMRR)

- The OMRR under the *Environmental Management Act* (EMA) governs production, quality and land application of certain types of organic matter
- Sets requirements for compost facilities with respect to:
 - Construction and operation
 - Leachate management
 - Odour management
 - Capacity
 - Process and quality criteria



The New Requirements

- Affect compost facilities that:
 - Process food waste or biosolids, and
 - Have the design capacity to produce 5,000 tonnes or more of compost per year
- These facilities:
 - Must follow the OMRR requirements, and
 - Apply for a Permit within 60 days (deadline is August 8, 2016)



Objectives of Amendment

- With more compost facilities expected to come online we want to ensure effective protection of the environment and public health
- Establishment of site-specific requirements to:
 - Reduce environmental impacts
 - Address and reduce impacts from odour
- Improved compliance monitoring
- Increased transparency and address concerns regarding public notification
 - *Environmental Management Act*. Public Notification Regulation



Exemptions

- As per OMRR S.3.1, exemptions apply if the facility holds:
 - an approval*, or
 - an Operational Certificate (OC)**
- Agricultural Operations
 - On-farm composting in accordance with Agriculture Waste Control Regulation not affected by these changes

*An approval is issued by a director as described in S. 15 of EMA

**Operational Certificates are issued by a director as described in S. 28 of EMA

Approvals and OCs are not the same as confirmations of notification or waste stream management licences.



Other Authorizations

- Waste Management Plans
 - As per OMRR S.3.1, exemptions only apply for facilities operating under an operational certificate
 - As per EMA S.28, operational certificates are issued by the ministry to facilities operating under approved Solid Waste Management Plans (as per EMA S.24)



Other Authorizations

- Waste Stream Management Licences
 - S.25(3) of EMA gives regional districts the authority to make bylaws to regulate the management of municipal solid waste
 - Includes requirement to hold a waste stream management licence
 - As per OMRR S.3.1, facilities still require a permit
 - Exemptions only apply to facilities operating under an Operational Certificate
 - Regional Districts may still issue licences, however EMA S.25(2) provides primacy



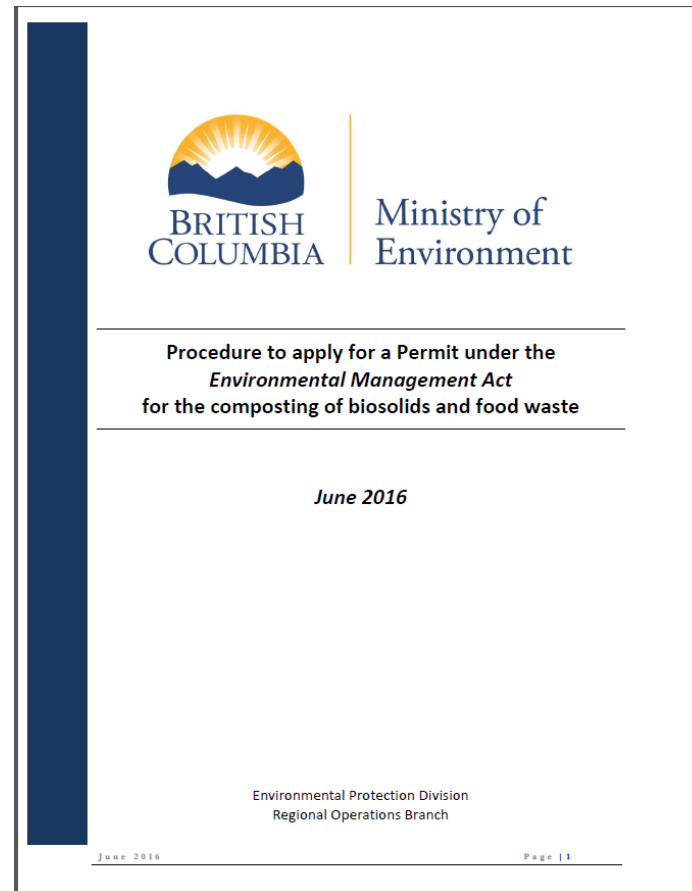
This change to OMRR does not apply to...

- Facilities that have a design production capacity of less than 5,000 tonnes of compost per year
- Facilities that do not process food waste or biosolids
- Food waste – defined in Schedule 12 of OMRR:
 - *“recyclable food for humans that has been diverted from residential, commercial or institutional sources”*
 - Does not include fish, meat, or poultry waste, or plant matter derived from processing plants
- Biosolids – defined in S.1 of OMRR:
 - *“stabilized municipal sewage sludge resulting from a municipal waste water treatment process or septage treatment process which has been sufficiently treated to reduce pathogen densities and vector attraction to allow the sludge to be beneficially recycled in accordance with the requirements of OMRR”*



The Permitting Process

- The following have been made available:





The Permitting Process

- In order to apply for a Permit under the EMA, the following must be undertaken:
 - A standard Permit Application form – completed and submitted.
 - Public Notification must be undertaken in accordance with the Public Notification Regulation
 - First Nation Engagement and Consultation must be undertaken where there is a potential to impact on First Nations Rights and Title
 - Supporting documents to the application must be submitted.



Public Notification

- Must meet requirements of the Public Notification Regulation
- At a minimum applicant must:
 - Give notice to First Nations, federal government agencies, provincial government agencies, municipalities, regional districts, and chairpersons of waste management planning committees;
 - Post Environmental Protection Notice on site;
 - Publish in the British Columbia Gazette;
 - Post in Post Offices serving the area; and
 - Publish in local newspaper(s)
- Additional details of what is required in the notification can be found at: <http://www2.gov.bc.ca/assets/gov/environment/waste-management/waste-discharge-authorization/consultation.pdf>



Public Notification

- Applicant is expected to respond to comments received from anyone who expresses concerns about the application.
- It may be necessary for the applicant to have a QP respond to technical issues and resolve concerns.
- Often public will desire more info than is available in the published Environmental Protection Notice, therefore it is desirable to have the technical assessment complete prior to publishing and posting so it can be made available upon request.
- The director may require the applicant to offer to meet with any person(s) who may be adversely affected by the proposed discharge.
- Reasonable effort must be made to resolve concerns.



Consultation Report (Public)

- Is required for the application to be accepted by the director.
- Shall include a referral list with:
 - Contact names
 - Copies of the agency response letters
 - Dates of posting
 - Publishing and distributing notices
 - Names and addresses of concerned persons
 - Copies of notices and tear sheets from publications
- All comments received must be documented in the consultation report with an explanation of efforts made to resolve the concerns.



First Nations Engagement

- Any party preparing for or making an application is encouraged to engage First Nations as early as possible to build relationships and for information sharing purposes.
- Proponents are the experts on their proposals and are requested to inform First Nations of the nature of their operation and its potential impacts.



First Nations Engagement Process

- Contact the Ministry for direction on which First Nation(s), communities and other groups that you need to engage with.
- Share the project information with the identified First Nations.
- Answer questions/concerns posed.
- Assist the Ministry in Consultation by answering questions about the project, mitigation etc.



First Nations Engagement Report

- Keep a record of the engagement action and responses to questions/concerns.
- Provide the Ministry with a detailed record of the engagement, concerns/questions and the responses to those concerns/questions.



The Permitting Process

- Supporting documents (prepared by a Qualified Professional) to be submitted with Permit Application include:
 - Environmental Impact Study (EIS)
 - An Operating Plan
 - An Odour Management Plan
 - A Leachate Management Plan



Environmental Impact Study

- Required for all facilities regardless of size
- Details the nature and scale of the composting facility and how the project will impact the physical, chemical and biological inhabitants
- Describes in detail what measures will be taken to reduce, alleviate, mitigate and monitor for impacts
- Conducted by a QP with expertise and experience in conducting environmental impact studies and assessments



Environmental Impact Study

- Must, in general, do the following:
 - Establish pre-facility conditions in the receiving environment;
 - Establish monitoring activities to occur before and after construction and/or operations commence;
 - Assess existing and potential uses of the receiving environment, including airshed, surface waters and groundwater;
 - Determine whether environmental quality guidelines will be met in the receiving environments;
 - Assess if the proposed operation will adversely affect human health or the environment; and
 - Provide recommendations to ensure the proposed facility will not impact human health or the environment.



Environmental Impact Study

- Key information requirements for the Environmental Impact Study:
 - Facility Information
 - Characterization of Local Environment and Nearby Receptors
 - Assessment of Potential Impacts
 - Proposed Mitigation Measures
 - Ongoing Monitoring
- **See “Procedure to apply for a Permit under the *Environmental Management Act* for the composting of biosolids and food waste” and Chapter 2 of the “Compost Facility Requirements Guideline” for more details.**



Operating Plan

- Details the operation of the composting facility
 - Intended to detail the day to day operation of the facility such that it will be operated in a safe and environmentally friendly manner.
- Contains mitigation measures the Operator is to undertake in the event of an upset or event that has the potential to alter or impair the usefulness of the environment or adversely affect human or ecological health in the area.



Key information requirements for the Operating Plan

- Contact Person(s)
- Source material(s) receiving procedure
- Proposed initial processing (blending/bulking):
 - C:N ratio and nutrient balance
 - Moisture content
- Active composting:
 - Time/temperature recording procedure
 - Moisture/temperature content monitoring and adjustment
 - Aeration method/proposed frequency
- Sampling/analysis plan
- Residual management (foreign material)



Key information requirements for the Operating Plan

- Animal attractant/vector control
- Contingency plan (fires, spills, complaints, dust)
- Screening/maturation procedure
- Intended distribution/use
- Composting Personnel Training Plan
- Closure Plan
- **More information is available in Chapter 9 of the Compost Facility Requirements Guideline.**



Odour Management Plan

- Details the various sources of odour from the facility and the potential impacts to neighbouring land uses.
- Include types of odours, conditions that may lead to odours releases and the various practices to mitigate and reduce the odour potential



Key information requirements for the Odour Management Plan

- Odour predictions for various activities in the process
- Procedures to minimize odours at each stage of the process
- Aeration process
- Mitigation methods
- Odour complaint procedures
- Contingency procedures in the event of ongoing odour issues.
- **More information is available in Chapter 5 of the Compost Facility Requirements Guideline.**



Leachate Management Plan

- Details leachate control and treatment
- Includes prevention of various forms of precipitation from generating excess leachate
- Leachate is to be minimized and should be reused when possible to minimize or eliminate effluent disposal.



Key information requirements for the Leachate Management Plan

- Roof/cover
- Impermeable surfaces
- Leachate collection/reuse
- Storm water management
- Leachate storage
- Leachate disposal/treatment/overflow prevention options
 - Note: subsurface disposal will likely require additional information to be provided.
- Groundwater protection
- **More information is available in Chapter 6 of the Compost Facility Requirements Guideline.**



The Permitting Process

- Information on the Permit Application Process is available at the following website:
 - www2.gov.bc.ca/gov/content/environment/waste-management/waste-discharge-authorization
- Some helpful documents on the above website include:
 - An application process flow sheet
 - Guidance on Notification and Consultation



Contact Information

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Questions and Discussion



[www2.gov.bc.ca/gov/content/environment/waste-management/recycling/organics/regulations-guidelines/composting-facilities-permit.](http://www2.gov.bc.ca/gov/content/environment/waste-management/recycling/organics/regulations-guidelines/composting-facilities-permit)