

# ***Municipal Sewage Regulation***

## **Review Process Information Update October 2007**

### **Background**

In April 2007, the Ministry of Environment posted an information paper outlining intentions to revise the Municipal Sewage Regulation (MSR) of the *Environmental Management Act* (EMA). The information paper described Ministry goals for the review process and included a response sheet for individuals wishing to be kept informed of Ministry intentions.

The regulation provides authorization (with minimum standards and requirements) for the treatment, reuse and discharge of domestic sewage, wastewater or municipal liquid waste. The Municipal Sewage Regulation applies to all discharges of domestic sewage except those regulated under the Sewerage System Regulation (under the *Health Act*) and those discharges from individual single-family or duplex dwellings. The Sewerage System Regulation generally applies to smaller domestic sewer systems. For more information about this regulation, see: [www.healthservices.gov.bc.ca/protect/lup\\_regulation.html](http://www.healthservices.gov.bc.ca/protect/lup_regulation.html).

The purpose of this document is to inform stakeholders and the public of progress regarding the Municipal Sewage Regulation review process.

### **Recent amendments to the regulation**

In October 2007, provincial Cabinet approved the following amendments to the Regulation:

- ◆ A two-year extension of the time-limited moratorium on discharges to Shuswap Lake (moratorium extended to November 1, 2009); and
- ◆ Clarification (or “housekeeping”) amendments:
  - Definition of BOD clarified as carbonaceous,
  - Definition of water well as for human consumption,
  - Registration process re-worded to replace reference to “approval” with registration,
  - Clarification that 300 m setback applies upgradient or within the zone of influence of the water well,
  - Clarification that a Qualified Professional must complete the flow calculation,
  - Clarification that Schedule 1 applies to the discharge as well as the disposal system,
  - Clarification of the requirements for the sign marking an outfall,
  - Rewording to apply disinfection standard at the edge of the dilution zone rather than outside the dilution zone,
  - Clarification that where required under Schedule 7 the minimum number of monitoring wells is four, and
  - Text edits to correct language and references.

The exact wording of the amendments is available through the amendments section of the MSR webpage:

<http://www.env.gov.bc.ca/epd/epdpa/mpp/msrhome.html>

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### **Expressions of interest in the review process – responses received to date**

The information note posted in April 2007 included a form for those who are interested in the review process to provide contact information and indicate areas of interest for consideration by the ministry. About forty responses have been received. Respondents include professional associations, non-government and government organizations and agencies, individuals and professional businesses (e.g., consulting engineers). Respondents to date are for the most part based in either the South Coast (Vancouver Island and Lower Mainland) or the Thompson-Okanagan regions. Most respondents highlighted all of areas of interest identified on the information form: effluent reclamation and reuse; effluent discharge to freshwater; harmonization with Ministry of Health; prescriptive, discretionary and outcome-based standards in the regulation; Environmental Impact Study; and security requirements. Additional areas of interest identified by individual respondents include: risk assessment (i.e., lake discharge); role, qualifications and training of qualified professionals; clarification and consistency of schedules in the regulation; roles of local governments and private developers; and governance, monitoring and audits. Many respondents expressed an interest in being kept informed of, and participating in, the review process as it progresses.

### **Issues identified to date for consideration in the review process**

Areas of the regulation identified to date for review include:

- ◆ Effluent reclamation and reuse;
- ◆ Effluent discharge to freshwater;
- ◆ Harmonization with the Ministry of Health and the Sewerage System Regulation (under the *Health Act*);
- ◆ Examination of the balance of prescriptive, discretionary and outcome-based standards in the regulation;
- ◆ Environmental Impact Study;
- ◆ Security requirements;
- ◆ Effluent discharge to ground (including shallow subsurface disposal);
- ◆ Monitoring and reporting;
- ◆ Design and construction, and management and operations (including commissioning, redundancy, seasonal discharge, new technology);
- ◆ Registration (including consultation and notification);
- ◆ Qualified Professionals
- ◆ Regional consistency in application of the Regulation;
- ◆ Local government use of bylaws to prohibit discharge;
- ◆ Endocrine Disrupting Chemicals (EDCs) and other “emerging” contaminants;
- ◆ Implementing the proposed CCME Canada-wide Strategy for management of Municipal Wastewater Effluent.

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### **Next steps in the review process**

The ministry is confirming priorities for review among the issues identified to date and will commission technical scoping reports within available resources and priorities. The Ministry will proceed with focus group meetings and prepare targeted Intentions Papers addressing major issues or sets of issues as appropriate.

The review process for each set of issues consists of five phases:

1. **Scoping** – including a review of lessons learned through implementation and of advances in science, law and the management of municipal sewage since the regulation was enacted in 1999.
2. **Policy Intentions Paper for Consultation** (intentions paper) – outlining the ministry's proposed revisions for the set of issues and any outstanding issues or questions.
3. **Consultation** – with affected stakeholders and the general public, using the intentions paper and response forms posted on the ministry website, and other means as required.
4. **Drafting** – preparation of legal language for consideration by the Minister and Lieutenant Governor-in-Council.
5. **Implementation** – informing ministry staff and external stakeholders, and developing guidelines and/or best management practices.

Further information about the Municipal Sewage Regulation can be accessed by clicking on the address below, or from the Ministry of Environment homepage, by following the Environmental Protection Division and Municipal Liquid Waste links. See: [www.env.gov.bc.ca/epd/epdpa/mpp/mpp\\_home.htm](http://www.env.gov.bc.ca/epd/epdpa/mpp/mpp_home.htm). Additional information concerning the regulatory review process is posted at: [www.env.gov.bc.ca/epdiv/ema\\_codes\\_of\\_practice/index](http://www.env.gov.bc.ca/epdiv/ema_codes_of_practice/index).

Additional information about the CCME Canada-wide Strategy for Management of Municipal Wastewater Effluent can be accessed by following links on the following web sites: <http://www.ccme.ca/whatsnew/> and [www.env.gov.bc.ca/epd/epdpa/mpp/wastewater\\_effluent.html](http://www.env.gov.bc.ca/epd/epdpa/mpp/wastewater_effluent.html).

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### **Contact Information**

In this scoping phase of the review process, the review team is seeking confirmation of stakeholder interests, as well as gathering technical background information.

If you wish to be kept informed through the review process please indicate your interest below and return the information to Cindy Bertram of C. Rankin & Associates, who has been contracted to manage consultation comments, at:

Email: [cindybertram@shaw.ca](mailto:cindybertram@shaw.ca)

Mail: PO Box 5293  
Victoria BC  
V8R 6N4

Fax: (250) 598-9948

<b>Municipal Sewage Regulation Review Process – Contact Information</b>	
Name:	
Affiliation (if applicable):	
Contact e-mail address:	
Additional contact information (phone, fax, mailing address):	
Do you have specific areas of concern related to the MSR?	<input type="checkbox"/> _____ <input type="checkbox"/> _____
Do you have any additional comments or suggestions for the MSR review team?	

Note that this information will be used by the Ministry of Environment only for contact or information dissemination related to the Municipal Sewage Regulation review process.

***Thank you for your time and interest!***