

Summary of Consultation Comments

Slaughter and Poultry Processing Industries (SPPI) Code of Practice: Intentions Paper

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Table of Contents

Summary of Consultation Comments Slaughter and Poultry Processing Industries (SPPI) Code of Practice: Intentions Paper

Section A: Background to the Consultation Process and Responses Received.....	1
Introduction and Background to the Consultation Process	1
Description of Responses Received.....	1
Section B: Comments on Discussion Issues	2
Discussion Issue 1: Scope of the proposed code of practice.....	2
Discussion Issue 2: Management of liquid wastes.....	4
Discussion Issue 3: Landfilling of wastes.....	7
Discussion Issue 4: Operating requirements	9
Discussion Issue 5: Management of fugitive dust and odours	11
Discussion Issue 6: Monitoring and recording requirements.....	11
Discussion Issue 7: Registration of slaughter and poultry processing facilities	12
Discussion Issue 8: Best Management Practices	13
Discussion Issue 9: Assuring compliance and implementation	13
Discussion Issue 10: Protection of human health and the environment.....	14
Section C: General Comments.....	16
Section D: Comments Regarding the Intentions Paper Addendum (June 2007).....	19

Section A: Background to the Consultation Process and Responses Received

Introduction and Background to the Consultation Process

This report provides a summary of comments received as part of the consultation process for a code of practice (minister's regulation) for the slaughter and poultry processing industries under provisions of the *Environmental Management Act* (EMA) and the Waste Discharge Regulation (WDR). The EMA and WDR were brought into force in July 2004. Under the legislation, introductions of waste from identified prescribed industries, trades, businesses, operations and activities require authorization (e.g., permit or approval) from the ministry. The proposed code of practice would apply across the entire province and can replace individually issued permits as the primary regulatory instrument for regulation of specified discharges to the environment.

An intentions paper and response form were posted for public review and comment on the ministry's website (www.env.gov.bc.ca/epdiv/ema_codes_of_practice/index) in May 2007. The intentions paper provided a summary of the ministry's mandate and objectives, background information, contents of the proposed code, and information on the development of best management practices and assuring compliance. The response form set out discussion issues and questions in relation to the ministry's intentions.

In response to comments received from stakeholders the ministry prepared an addendum to the intentions paper that was posted on the ministry's website in early June 2007. The addendum set out changes to the proposed scope of the code of practice, and revised requirements for the siting of incinerators and for subsurface application of treated wastewater and beneficial re-use of wastewater by irrigation.

This document has been prepared for the Ministry of Environment by C. Rankin & Associates, contracted by the ministry to independently receive, compile and review comment on the proposed code of practice. The summary does not reflect the ministry's position on any issue. It provides a synopsis of the responses that are being reviewed by the Ministry in considering development of the code – without specific attribution, except to the extent required to provide context for the comments. The summary follows the headings and questions contained in the ministry intentions paper and response form – with synoptic and detailed sections, as well as general, process related and supplementary comments from respondents. Section B summarizes comments on discussion issues, section C general comments made outside of response to discussion questions, and section D comments received regarding the addendum posted in June 2007.

All detailed comments have not been included in this document – but have been compiled as part of the comprehensive documentation of responses being reviewed by the ministry. All comments and references submitted through this process, through independent submissions and through direct consultations with stakeholders, will be reviewed and carefully considered by the ministry in developing the code of practice.

Description of Responses Received

Over forty responses were received (by e-mail, fax and mail) by mid-June 2007 and have been reviewed for this summary of consultation comments. Most of the respondents identified themselves as involved in the slaughter or poultry processing industries, farming or associated consultancies and associations. Other respondents included representatives of federal and local governments.

Many of the responses included specific and detailed comment and recommendations for the ministry to consider. This summary of consultation comments attempts to capture the tenor and content of comments with synopses and specific excerpts from representative submissions.

Section B: Comments on Discussion Issues

This section contains a detailed summary of responses to questions posed in the response form. It reflects the range of comments received, as well as excerpts of individual submissions with specific advice or recommendations. Direct excerpts from submissions are included in quotation marks (“ ”), and square brackets ([]) indicate inferred or contextual terms. The complete set of responses and submissions received through the consultation process has also been compiled and passed to the ministry for detailed review and consideration.

Discussion Issue 1: Scope of the proposed code of practice

The intentions paper describes a number of foundations for the scope of the proposed code of practice addressed in the questions below.

Question 1.1: Do you have any comments or suggestions regarding the ministry’s intention to review the code of practice for effectiveness in achieving environmental and human health objectives, and practicality, within five years of enactment?

Several respondents commented (both in response to this question and elsewhere) that before implementing the proposed code of practice the ministry should first determine that changes from existing practices (particularly with respect to “small scale” operations) are necessary for environmental protection, relative to the potential for impacting the economic viability of farming or raising cattle and poultry. For example, one respondent commented that “small scale local slaughter facilities are absolutely essential to the continued viability of small scale livestock on small mixed farms...implementation of these regulations, as now proposed, with drive some operations underground...and cause law abiding small farmers to move away from livestock and perhaps agriculture, to the serious loss of agricultural and social diversity, resiliency of the food system.”

With respect to reviewing the code following enactment, several respondents commented that it was a “good idea” – with one suggesting a review within three years to address “questions [that] arise as regulations are put into practice” and another commenting that “five years seems reasonable – it gives enough time to work out any kinks and find out what works and what doesn’t.” Another respondent commented that “[I] need to know NOW what the cost is so that I may continue or close my doors.”

Question 1.2: Do you have any comments or suggestions regarding the ministry’s proposed intention of establishing a common code of practice for the slaughter and poultry processing industries?

Most respondents who commented on this question supported the proposed approach “as the process is similar, a common code of practice is more simple and effective.” Several respondents noted that “differences in operations (size, practice, history, etc.)... [need to be recognized and] built into the system.” One respondent commented that “the cost of having a universal code which only recognizes one standard of technical details without recognizing the environmental impact of each situation will ruin the sustainability of small eco sensitive farms, in favour of factory farms, thus significantly reducing the sustainability of rural communities.”

Some respondents commented on the relative volumes of waste discharge between the slaughter and poultry processing industries, for example, “I question that slaughter industries have waste discharge issues as high as what might be found with poultry processing” and “poultry processing requires more water than meat facilities.”

Question 1.3: Do you have any comments or suggestions regarding the ministry's expectation that all facilities licensed to sell meat register under the code of practice?

Most respondents who commented on this question supported the proposed approach, noting (for example) that a common code of practice “keeps everyone on a level playing field,” provided that the ministry follows “science-based” assessment and comparison of environmental risks from different waste streams.

Several respondents commented that “flexibility needs to be built into the system.” One respondent also suggested that “if all facilities are required to register...then [the code] should encompass all places handling red meat and poultry (e.g., restaurants, grocery stores).” Another respondent noted that “there is a great deal of difference between slaughter for pet food or mink feed [and slaughter for human consumption]...to base water discharge on volume is very inaccurate.”

Question 1.4: Do you have any comments or suggestions regarding the proposed transition period for owners or operators of existing facilities?

Note that the policy intentions paper addendum posted in early June proposed that the two year transition period to achieve compliance with the code be removed “as all existing sites that are discharging wastewater to functioning subsurface discharge systems (i.e., tile fields) will be authorized.”

Several respondents expressed agreement with the proposed approach and time for transition, however, recommendations regarding an appropriate time period differed. One respondent felt that more time was required (“at least five years”), while another commented that “two years seems to be a long time...the transition would go a lot smoother if the MoE would work closely with the facilities from start to finish.”

A number of respondents commented that “[a] transition period should not be necessary for operators of existing facilities if they already meet the effluent requirements.” Other respondents expressed fundamental concerns about the proposed code, for example, “[it] doesn’t make sense to talk of transition before having sensible rules.”

Question 1.5: Do you have any comments or suggestions regarding regulation of the composting of slaughter and poultry processing wastes?

Several respondents supported inclusion of provisions for composting of slaughter and poultry processing waste under the Organic Matter Recycling Regulation (OMRR), commenting (for example) that “this would eliminate re-writing a whole regulation” and “good idea – at least we have the option of [composting] if we have room.”

Other respondents expressed reservations about inclusion of composting provisions for slaughter and poultry processing wastes, for example: “no need to include red meat within the OMRR,” “how can you regulate [different wastes such as SRMs] without testing” and “no composting – all waste material [should be handled by] West Coast Reduction.” In contrast, one respondent commented that “to dispose of waste anywhere but on our farm would in fact create a greater risk to the public [in transport and handling].”

One detailed response recommended that “for composting of cattle wastes which could contain Bovine Spongiform Encephalopathy (BSE) the OMRR should make reference to the Canadian Food Inspection Agency (CFIA) regulations / draft management strategies” and included comments for communicating the responsibilities and interrelationships between the CFIA and B.C. Ministry of Environment.

Question 1.6: Do you have any comments or suggestions regarding the regulation of mobile abattoirs under the proposed code of practice?

Several respondents commented that mobile operators “are needed to serve [smaller operations and rela-

tively isolated] areas” and that the code of practice should address these facilities in a consistent manner.

Specific suggestions from respondents included:

- “I feel that the definition of mobile is very misleading – the units are more ‘portable’ as they are restricted as to the places they are allowed to set up;” and
- “Holding tanks for liquids [should be] installed and be able to dump in a sani dump or lagoons – the offal could be left on the farm where the animal is butchered.”

Discussion Issue 2: Management of liquid wastes

The proposed code of practice would set standards for the discharge of wastewater from slaughter and poultry processing facilities that are typical of industry standards – in order to achieve the objective of protecting human health and the environment. The expectations for wastewater discharge in the proposed code would apply to all slaughter and poultry processing facilities, including those that employ a lagoon or manure pit and subsequently discharge to agricultural land. The proposed code would also prohibit direct discharge of wastewaters from slaughter and poultry processing into a watercourse or groundwater.

Note that the policy intentions paper addendum posted in early June proposed removal of the numerical standards for the wastewater discharge (10 mg/L fat, oil and grease; 130 mg/L carbonaceous biochemical oxygen demand; and 130 mg/L total suspended solids) for Category B facilities discharging via subsurface application and provision of these standards in a guidance document. Also, “Category B facilities with tile fields that are functioning as of September 30, 2007 will be authorized as long as the tile field does not show evidence that it has ‘failed’...After September 30, 2007 new tile fields for subsurface discharge from Category B facilities will be required to be designed by a qualified professional and installed according to the design...These systems will then be required to meet the criteria of no surfacing of the discharge and not causing the groundwater table to be raised to the surface.”

Question 2.1: Do you have any general comments regarding regulation of the discharge of wastewater from slaughter or poultry processing facilities under the proposed code of practice?

Several respondents provided detailed comments in response to this question. Issues raised by respondents included:

- Economic feasibility of constructing treatment facilities for “small scale” operations – “[professional] estimates for the construction cost for the treatment components described... would be a minimum of \$50-100,000 for the scenario with the lowest level discharge of less than 5 m³ per day... it should go without saying that costs of this nature will not be supported by any of [our association’s small scale] plants... if this requirement is imposed, not one will be left standing”;
- Appropriate means of achieving environmental objectives, for example – “what is the point of monitoring quality of wastewater when the real issue is whether or not there has been a negative impact to the environment?... the program must be designed to be outcomes based... if twice the amount of effluent is applied to a given area with no negative consequences, why would there be a restriction as to amount applied?”;
- Viability of wastewater treatment alternatives – “the two solutions the report puts forward are also fraught with problems: lagoons are costly to construct, influenced by weather, smell (probably triggering a litany of regulations and prohibitions from zoning authorities), and potential breeding grounds for mosquitoes (West Nile Virus fears); sequencing batch reactors are costly, take a skilled operator to eke out optimum effluent treatment, have potential for mechanical breakdowns and service complications, and in cold temperatures with a small design flow there are additional operational problems”;

- Nature of “small scale” slaughter and poultry processing operations – “we believe that the plants on our [association’s] list generate less than 20% of the estimated median flows [than estimated in the intentions paper]... we see an assumption that plants would operate 260 days per year... most [of the plants on our association’s list] operate only a few months a year at peak and occasionally in other months”; and
- Monitoring and reporting requirements – comments from respondents included: “we would suggest an annual report to the Ministry of Environment summarizing the discharge characteristics and impacts to the environment,” “since the waste water leaving a slaughter plant will be relatively consistent, bi-weekly testing seems to be unnecessary – bi-yearly testing may be more appropriate,” requirements for a nutrient management plan when irrigating with waste water seem vague... we would envision the[m]... being listed in a similar manner to the Land Application Plan (LAP) requirements of the OMRR, consider the requirement for a LAP equivalent in the application of wastewater.”

Question 2.2: Do you have any comments or suggestions regarding the proposed provisions for managing liquid wastes (wastewater) from Category A facilities?

Many respondents referred to question 2.1 (general comments regarding regulation of the discharge of wastewater) for subsequent questions relating to this discussion issue. Specific comments in response to this question, however, included:

- “60 tonnes of bio weight is a pretty low number – there won’t be too many facilities coming under”;
- “Same for all, not fair to ones under 130 tonnes”;
- “There is only so much liquid that comes out of a cow, so the more water used the more it is diluted, and when spread on the land the less there is per acre”; and
- “The septic systems required for Category A are totally unrealistic and there is no basis for water quantities – economically no one would be able to pay for a septic system (never mind the \$300,000 building) on 100 cows a year.”

Question 2.3: Do you have any comments or suggestions regarding the proposed treatment and monitoring provisions for subsurface application of treated wastewater from slaughter or poultry processing facilities?

Specific comments in response to this question included:

- “With respect to Category B facilities employing either drain/tile fields or landfilling as a waste disposal mechanism, we suggest there should be a blanket prohibition of either of these options above sensitive aquifers or within source water protection zones, as a precautionary measure given the uncertainties associated with the environment fate of livestock pathogens”;
- “\$178,000 – quote from Qualified Person – (over 60 tonnes but under 130 tonnes) – who’s going to pay?”;
- “It is not in the best in interest of a plant operator to have their septic/sewage disposal system fail – however the cost for us to have the content of waste water analyzed by a trained professional would without a doubt, consume the marginal profit that we may make processing our own product”;
- “The target numbers for effluent discharge are unreasonably low – why would CBOD and TSS be lower than domestic sewage?”;
- “What evidence is there to indicate that the present facilities are polluting? If they are not polluting with their present systems why do new slaughterhouses have to “overbuild” at extreme cost for no apparent reason?”; and

- “I would like to see something in [the code of practice] that requires maintenance of the drain tiles – if the drain tiles get plugged, the septic field is compromised as far as purification goes.”

Question 2.4: Do you have any comments or suggestions regarding the role and appropriate qualifications of a “qualified professional” in relation to subsurface application of treated wastewater?

Several respondents commented that many slaughter or poultry processing facilities are located in “out of the way places” or are small scale, hence the costs involved in hiring a “qualified professional” may be prohibitive. Respondents encouraged the ministry to consider alternatives, such as providing “a couple of example fields [for a facility operator] to follow.”

Question 2.5: Do you believe that exempting authorized wastewater treatment works in use prior to enactment of the proposed is appropriate? Do you have any questions or suggestions for the ministry?

Note that the policy intentions paper addendum posted in early June proposed that “Category B facilities with tile fields that are functioning as of September 30, 2007 will be authorized as long as the tile field does not show evidence that it has ‘failed’ ...After September 30, 2007 new tile fields for subsurface discharge from Category B facilities will only be required to be designed by a qualified professional and installed according to the design...These systems will then be required to meet the criteria of no surfacing of the discharge and not causing the groundwater table to be raised to the surface.”

Respondents who commented on this question generally supported the intention, with comments such as: “yes, provided that MoE is comfortable with the fact that the given authorizations were sound”; “if existing treatments are working, they should be exempt”; and “yes, unless you have specific indications on those properties that there is a problem.”

Question 2.6: Do you have any comments or suggestions regarding the proposed treatment and monitoring provisions for the beneficial reuse of treated wastewater by irrigation?

Note that the policy intentions paper addendum posted in early June proposed “another option that will allow low volume land application of slaughter wastewater in a farm setting... by a ‘farmer’ for irrigation and/or fertilization... [provided that] the wastewater [is] applied at an agronomic rate and the total volume not exceed 100 m³ annual discharge.”

Responses to this question often also related to use of a “qualified professional” (see responses to question 2.7 below). Specific comments included:

- “We as slaughterhouse operators should be able to take the sample ourselves and send it to a lab, and then send you the results – every time one hires a professional to take sample and write reports it probably will cost around \$4000 which gets a little expensive for us small operators”;
- “This has been done for a number of years so I’m sure that the Ministry has data available to show how attainable this is for the industry”; and
- “The intentions paper indicated that the treated wastewater not be used on crops for human consumption however it does not mention harvest, planting or animal grazing restrictions. Would these be included in the nutrient management plan? Is there the potential for SRM to enter the wastewater from cattle slaughter facilities? If so what is the risk of disease transmission from irrigation? We suggest that the requirements of the nutrient management plan (equivalent to a LAP) be clearly defined.”

Question 2.7: Do you have any comments or suggestions regarding the role and appropriate qualifications of a “qualified professional” in relation to preparation of a nutrient management plan for the beneficial reuse of treated wastewater by irrigation?

Several respondents who commented on this question expressed concern about the costs involved, for example:

- “I think it is way too costly – I believe when it is mixed with water and manure, and well diluted, and applied to the land appropriately it shouldn’t be any more harmful than applying manure”; and
- “Every added cost to the small slaughterhouses will be detrimental to their survival. The profit picture is very marginal and even if a few dollars a head is needed to cover each additional requirement, it no longer is cost effective for the consumer to buy local beef. Cost per head to large slaughterhouses could be spread over a greater number of animals giving them another advantage.”

Discussion Issue 3: Landfilling of wastes

Under the proposed code of practice, the operator or owner of a facility would include information concerning any proposed landfilling (burial) of slaughter or poultry processing wastes with registration submitted to the ministry. Any management or other plans or assessments would be prepared and documented according to the terms set out in the proposed code, available to the ministry within two working days of a request.

Question 3.1: Do you have any comments or suggestions regarding the proposed provisions for landfilling of slaughter or poultry processing wastes?

Several respondents provided detailed and technical comments in response to this question. A number of respondents provided short supportive comment, “I believe it is workable” or “I agree with your approach,” however more detailed responses raised concerns or provided suggestions for the ministry to consider, including:

- “Generally these requirements would seem to be directed at operations far larger than those used by [small scale] plant operators”;
- “The Code indicates no preference as to the method of solid and semi-solid waste disposal, for example landfilling vs. incineration. Have comparative environmental risks been considered for these options? If one/some method(s) prove generally more environmentally risky than other(s), then consideration should be given to placing significant conditions on the use of less desirable methods. Such conditions might be as stringent as only allowing less desirable methods where alternatives are unavailable”;
- “**Composting**... our understanding is that the Organic Matter Recycling Regulation (OMRR) will be extended to include red meat waste as well as poultry and that compliance with OMRR will be required regardless of how the proposed Code of Practice evolves into law...Our cursory review of the OMRR brings up parallel concerns to those expressed about waste water. It appears to be pitched to a scale and type of operation that is inappropriate for most of [small scale] plants... any of the three approved composting methods could be costly to construct. There will be an ongoing cost for sampling and monitoring. A Qualified person will be required to assist with any formal planning... In addition, the prescriptive approach re solid waste disposal under OMRR and other MoE legislation makes it virtually impossible to obtain approval for flexible, outcome based waste disposal systems (solid and/or liquid) that meet the intent of the EMA. One example of flexible, outcome-based options that industry is considering is ag-bagging (as used for

poultry during the Avian Influenza outbreak) and composting in wood chips...red meat plant operators, caught without cost-effective solutions for disposal of SRM wastes (collection agencies or landfills may fail them), may be driven to consider composting on the slaughter site as a last resort. Then they will encounter the issues with compliance under OMRR, which will have to link somehow with the restrictions on SRM composting applied by the CFIA. The combined cost and difficulty of this could easily become a ‘last straw’”;

- **“Landfilling (burial)** - The landfilling section of the intentions paper makes a useful start on analysis of slaughter solid waste. Although it applies to landfilling of a dedicated slaughter waste stream, it is not clear if these requirements apply equally to private or public landfills. Some of the requirements (specifically for operational procedures and closure) seem unduly prescriptive for burial sites on the farm of a plant operator or mobile processing site owner. We also question the feasibility of a burial trench never being re-used”;
- “For closure requirements... would it be beneficial to also add a topsoil layer and vegetation requirements, as this would further reduce exposure of the waste? This would be more in line with the minimum requirements in the B.C. Landfill Criteria for Municipal Waste. Adhere to existing regulations on landfills, consider a Landfill Plan that involves both the siting and operation of the landfill (i.e. daily cover, filling requirements etc.)”;
- “[The operator should] under operational procedures, [be required to] prevent surface runoff from entering the trench”;
- “With respect to Category B facilities employing either drain/tile fields or landfilling as a waste disposal mechanism, we suggest there should be a blanket prohibition of either of these options above sensitive aquifers or within source water protection zones, as a precautionary measure given the uncertainties associated with the environment fate of livestock pathogens”; and
- “Under landfill closure, the closure system should have a minimum permeability of 1×10^{-6} cm/s, the permeability indicated of 1×10^{-5} cm/s is not sufficient to significantly reduce leachate production and will lead to the bathtub effect if the underlying soil has a lower permeability (e.g. [the intentions paper] calls for base liner of 1×10^{-6} cm/s). The Landfill Criteria is 1×10^{-5} cm/s for a closure system, but based on modeling it is not low enough.”

Question 3.2: Do you have any comments or suggestions regarding the proposed provisions for proposed landfilling of slaughter or poultry processing wastes in areas with precipitation greater than 600 mm/yr?

One respondent requested clarification with respect to correspondence of the proposed provisions with proposed Canadian Food Inspection Agency (CFIA) requirements (i.e., whether an “engineered landfill” would be required) and recommended extending the scope (of requirements) to all landfills and “to include impact on other resources in addition to water.” Another respondent suggested that the ministry also “consider soil type” in establishing provisions for proposed landfilling of slaughter or poultry processing wastes.

Question 3.3: Do you have any comments or suggestions regarding the proposed provisions for facility landfilling of more than 5,000 kg/Ha/yr of slaughter or poultry processing wastes?

One respondent recommended that the size of landfill “should be 10,000kg/Ha/yr to allow small plants to be able to operate without unnecessary additional cost.” Another respondent provided detailed comments concerning ground water monitoring – “in my view a fairly toothless measure for environmental protection... [if a] ground water monitoring program is to be required it would be appropriate to specify what is expected in terms of mitigation measures in a situation where something is actually found... a better way of actually protecting the environment is to be very stringent in the site selection process and to have a good safety margin in required geological and hydrological criteria.” A respondent also

questioned the intent behind and the effectiveness of setting a fixed distance between trenches to protect groundwater.

Question 3.4: Do you have any comments or suggestions regarding the role or appropriate qualifications of a “qualified professional” in relation to the landfilling of slaughter or poultry processing wastes?

Respondents most commonly supported use of a qualified professional in relation to landfilling provisions, for example – “the requirement to have a qualified professional prepare plans and specifications will help ensure health and environment protection... provide training and workshops for qualified professionals in this area of waste management / environmental protection.” One respondent noted that “I would think that to be qualified one would have to have extensive experience in long-term testing...has long-term testing been done by anybody?”

Discussion Issue 4: Operating requirements

The proposed code of practice would include provisions for incineration of slaughter or poultry processing waste – providing that identified air emission standards, operating procedures and monitoring and recording requirements are met.

Question 4.1: Do you have any comments or suggestions regarding the scope of the proposed code for incineration of slaughter or poultry processing waste?

A limited number of responses to questions 4.1 and 4.2 were received. One respondent, commenting from the perspective of small-scale operators, noted that “[proposed or current] requirements may be overly onerous for many B.C. abattoirs.”

Question 4.2: Do you have any comments or suggestions regarding the proposed emission standards for incineration of slaughter or poultry processing waste?

One respondent, commenting from the perspective of small-scale operators, noted that “to our knowledge, hardly any of the plant operators... are considering incineration as a waste disposal option... incineration technologies [that the Livestock Waste Tissue Initiative] examined did not produce desired prion destruction results... [and]costs for small [non-prion destruction] incinerators is in the \$15,000 range plus installation and operating costs.” Another respondent recommended that “the code should also include emissions requirements equivalent to the best air emissions performance available for the activities to be covered by this code of practice.”

Question 4.3: Do you have any comments or suggestions regarding the proposed operating requirements for incineration of slaughter or poultry processing waste?

One respondent commented that “economically incinerators are out of reach for most small operators – I would think that the government should be part, if not all of the solution – we are meat processors not scientists!!”

Question 4.4: Do you have any comments or suggestions regarding the proposed provisions that any incinerator be located at least 1 km from any inhabited residence and 5 km from a business, school in session, hospital or continuing care facility?

Note that the policy intentions paper addendum posted in early June proposed “reducing the setbacks for the siting of incinerators to 250 m for neighbouring residences and 500 m for existing businesses, schools hospitals or continuing care facilities.”

Several respondents questioned the setback provisions in the intentions paper, for example:

- “Is there justification for these distances other than perception management?”;
- “We see the 1 km from [a] residence as impossible to meet... [not] practical”;
- “These kinds of requirements are... unworkable as well as financially impossible!”;
- “[The proposed intention] is significantly longer than the set back distances for open burning which is 100 m to a residence and 500 m to schools and care facilities – open burning is significantly more dirty than this type of incineration”; and
- “I suggest that the 250 meters be reduced for neighbouring residences ONLY to 100 meters. Also, if a new residence is constructed after an incinerator is constructed, then the 100 meters should not apply. The owners of the new residence must accept the incinerator as a condition of the building permit. I believe 500 meters is acceptable for existing businesses, schools, hospitals and continuing care facilities. However, if an incinerator is constructed first and a business, school, hospital or continuing care facility is constructed adjacent to the incinerator, then the 500 meters does not apply. The new facility must accept the incinerator as a condition of the building permit of the new facility.”

Question 4.5: Do you believe that any one or more of the options for ensuring that emission limits are met would not be appropriate for inclusion in the proposed code? If so, which one(s) and why?

The limited number of comments in response to this question included:

- “Leave the testing up to the manufacturer and get the info from them”;
- “As a meat cutter, incinerator emissions are not my area of expertise, however, any proposal that is unreasonable, not cost effective, or an over reaction to ‘what actually’ happens, should be deemed excessive and therefore disregarded. There is only so much any small business can do and remain afloat. All measures passed into law MUST be reasonable to work”; and
- “I don’t think that the second option is needed provided that the third option only recognizes track records where the stack tests have been performed by a reputable independent third party.”

Question 4.6: Do you have any additional comments or suggestions regarding appropriate avenues for ensuring that emission limits are met?

A limited number of comments were received in response to this question. One respondent did suggest that “the ministry could require continuous record keeping of the temperature in the after burner – the temperature is at least an indicator of the expected emissions and an indicator that the incinerator is running properly – temperature is normally logged anyway, so it would not be too much of a hassle to ask that those records would be made available on request.”

Question 4.7: Do you have any comments or suggestions regarding cumulative impacts of air emissions from slaughter or poultry processing facilities on an airshed-specific bases and/or provisions in the proposed code for incineration of slaughter or poultry processing waste in areas with airshed management plans or planning processes?

Comments from respondents included:

- “Continue to work aggressively with the port, the car fleet and agriculture to ensure that they continuously reduce their emissions (even though the volumes of cars, boats and farms may go up) – I am referring to real reductions not intensity based reductions. This would make room for new sources of particulates that may be necessary to solve pressing provincial problems, such as a slaughter industry in crisis and emergency management”;
- “The hotter the fire, the less time it burns and the less emissions it produces and over a shorter period of time – it would be wise to locate such a facility in an area that is not noted for long periods of low pressure weather systems, that would lessen the danger of cumulative emissions problems... let’s make reasonable, cost effective efforts to resolve the issues”; and
- “We have not had any complaints in 45 years of operations.”

Discussion Issue 5: Management of fugitive dust and odours

Owners and operators of all slaughter and poultry processing facilities will be expected under the proposed code of practice to satisfactorily manage fugitive dust and odour emissions. Inadequate control of fugitive dust and/or odour emissions could trigger a requirement for a qualified professional to prepare a fugitive dust or odour management plan.

Question 5.1: Do you have any comments or suggestions regarding provisions in the proposed code for the management of odours and/or fugitive dust associated with slaughter or poultry processing facilities?

Respondents who commented on this question commonly noted that the proposed provisions “sound reasonable” and/or should be “assessed [on the basis of] individual facilities... dust has never been a problem in our facility.” One respondent recommended including this requirement “in a Land Application Plan or similar vehicle that reviews management.”

Discussion Issue 6: Monitoring and recording requirements

The proposed code would include monitoring and recording expectations associated with production level, volume, and quality of wastewater discharged, landfilling and incineration. The code would require facility operators to: maintain the results of any sampling conducted for a minimum of ten years; report any sampling results at the request of a director within two business days of the request; and immediately report and take corrective action in the event of non-compliance. The proposed code would also include the provision that sampling and analysis be carried out in accordance with procedures set out in the most recent applicable provincial field sampling manual.

Question 6.1: Do you have any comments or suggestions regarding monitoring and recording provisions in the proposed code?

Many respondents commented that “testing” and monitoring programs need to be “reasonable” and “relevant” if they are to be effectively implemented by operators of slaughter and poultry processing facilities. Several respondents suggested that monitoring requirements be coordinated with those of the Canadian Food Inspection Agency in order to avoid duplication. Other suggestions included:

- Establishing requirements in consideration of small operations – for example, “if we can do the sampling ourselves and send it in to a lab on a yearly basis and don’t have to get a professional to write up a \$5000 report”;
- Providing clear and consistent direction – for example, “have the same [MoE] personnel so that everybody is treated on an equal basis”; and
- Technical recommendations – such as “testing prior to discharge to establish a baseline, and then testing periodically to monitor change in soils” and “[revisions to the] provincial field sampling manual... to adequately address these requirements – consider a cooperative Best Management Guideline (BMG) or BMG that references sampling and analysis in associated BMGs to minimize duplication, maintain consistency and [currency].”

Discussion Issue 7: Registration of slaughter and poultry processing facilities

Under the proposed code of practice, all slaughter and poultry processing facilities licensed to sell meat would register the facility with the ministry.

Question 7.1: Do you have any comments or suggestions regarding the proposed provisions for registration?

Respondents most commonly accepted or supported the proposed registration provisions while encouraging the ministry to ensure that any registration system is “simple” and coordinated with (if not incorporated in) the Canadian Food Inspection Agency registration requirements for “all processors of red meat and poultry.”

Question 7.2: Do you have any comments regarding annual fees as set out in the Waste Discharge Regulation?

Respondents urged the ministry to “keep [any fees] as low as possible,” recognizing that many costs for operators could be involved in complying with the code (and subsequently “passed on to the consumer-farmer” or pushing small-scale operators out of business).

Question 7.3: The ministry is supportive of efforts to reduce contaminate levels associated with slaughter and poultry processing facilities and is interested in comments regarding appropriate incentives (under the proposed code or by other regulatory means) to encourage the reduction of contaminate loading. Do you have any suggestions for the ministry in this regard?

Specific comments or suggestions for the ministry included:

- “Implementation of fees or overstrength surcharges is a common and effective tool for improving wastewater quality in sewer use permitting – unfortunately, this might require extra resources for audit sampling and enforcement”;
- “Anaerobic digestion would be suitable as a way to reduce contaminant loading”;
- “Our two large septic tanks are pumped out yearly – we have [had a hard] time finding a pumping

outfit to accept our product as no municipal sewer system will accept it”;

- “One incentive would be – the lower the contaminate level, less paperwork!”; and
- “We will certainly need incentives as it is clear that implementation of many of these practices will deter any new plant construction and hinder already existing facilities – trucking of animals longer distances to big plants that will have to deal with bigger volumes in a concentrated area will only contribute to the problems.”

Discussion Issue 8: Best Management Practices

The ministry intends to support development of best management practices (BMPs) that would provide information regarding how slaughter and poultry processing facilities can meet ministry goals for protection of human health and the environment and operate in a manner that is consistent with the *Environmental Management Act*, regulations and codes of practice.

Question 8.1: What comments or suggestions do you have for the ministry regarding the development of BMPs?

Respondents commonly supported development of Best Management Practices in concert with owner/operators and other federal and provincial regulatory agencies such as the Canadian Food Inspection Agency (CFIA). One respondent commented that owner/operators “should be involved in the development of the regulations from the beginning.” Another noted that “many codes of practice may take a long time to implement organizationally and may add additional costs to the slaughterhouses – we would be held ransom to any implementation added at a later date and may prove to be a cost that we could not absorb – what then?”

Other specific suggestions included:

- “Do some test drilling on old dump sites”;
- “[Development of BMPs should] address the code of practice in relation to other provincial and federal regulations, discuss the responsibilities of the facilities and the qualified professionals, provide guidance on the development of nutrient management plans, and specify best management practices for beneficial reuse of wastewater and landfilling, incineration and composting of slaughter waste”; and
- “The CFIA should be consulted and their management strategies reviewed in developing the BMPs. Select industry representatives and stakeholders should be invited to review and provide comment on the BMPs prior to final completion to ensure the needs of the end users are met. Once the BMPs are complete, the MoE should consider developing a training workshop to present the information to the stakeholders; industry, professionals and regulators.”

Discussion Issue 9: Assuring compliance and implementation

The intentions paper describes the ministry’s intended strategy and approach to assuring compliance with the regulation.

Question 9.1: What comments or suggestions do you have for the ministry regarding appropriate and effective means for assuring compliance?

Several respondents emphasized the importance of establishing a good working relationship between the ministry (and ministry staff) and the facilities addressed by the code of practice. Respondents encouraged the ministry not to use “heavy handed approaches but instead help facilities to comply or correct any non-

compliance.” “Random surprise inspections will promote a feeling of animosity – not a working partnership.” Respondents also commented, for example, that “development of BMPs and presentation of training sessions or workshops will reinforcement requirements of the code.”

One respondent commented that “the most important thing is to have sensible rules in the first place – the present proposals fall short for many smaller operations.” Other specific suggestions included “checks on a yearly basis,” “seek compliance only for known violations,” and “[ensure] that the compliance reviews are frequent enough or the fines high enough to discourage risk management on the part of the discharger.”

Question 9.2: What advice or suggestions do you have for the ministry that might support effective implementation and administration of the code of practice?

Additional specific suggestions from respondents included:

- “Workshops put on by the ministry with lots of support literature”;
- “The code should be clear and concise with little or no room for misinterpretation – the record keeping should be kept minimal to ensure that it is done”;
- “BE REASONABLE... if your agency deals fairly with the people who struggle to stay alive in this industry, compliance will be the least of your problems”;
- “This program would best be handled through a model similar to the Environmental Farm Plan program offered to the agricultural sector, where independent planning advisors meet with producers and assist in developing environmental farm plans, which on completion trigger up to 30% government funding for identified projects – the projects are voluntary and promote good environmental stewardship through careful planning and partnership in implementation”;
- “Provide training sessions in various regions of the province, perhaps in cooperation with other agencies or with the support of industry organizations – ensure the BMPs are readily available by posting them on the website – the Greater Vancouver Regional District had good success working with the industrial sector when they explained to them the downstream effects of wastewater discharge”; and
- “Come up with regulations which deal with real problems, and are seen by the industry to be real problems, not regulations which deal with standards on a totally theoretical basis.”

Discussion Issue 10: Protection of human health and the environment

Question 10.1: Are there any aspects of the regulation and management of waste discharges associated with slaughter or poultry processing that could significantly affect human health or the environment that are not, in your view, sufficiently addressed in the proposed code of practice? If “Yes”, what are they? What suggestions do you have for the ministry to improve the manner in which these concerns are addressed?

While no additional suggestions for addressing human health and environmental were made in response to this question, several respondents emphasized the importance of “reasonable” regulation, commenting, for example, that “if slaughter house waste is reasonably looked after... there is no risk to people’s health.”

Question 10.2: Do you have any other comments or suggestions for the ministry?

Many of the respondents provided additional comments expressing concerns about the proposed code of practice and its potential to severely impact the viability of small scale slaughter and poultry processing in the province, and consequently to affect farming and community access to local food sources. Respon-

dents raised concerns that the code of practice is being proposed at a time when the meat and poultry processing industry is in the process of implementing new meat inspection regulations involving both federal and provincial agencies. Concern was also expressed that the limited time available to communicate and understand the technical details of the proposed intentions limited substantive comments. Several respondents encouraged the ministry to work with other provincial and federal agencies, participants in the Meat Industry Enhancement Strategy of the B.C. Food Processors Association to review and receive comment on the proposed code of practice.

Specific examples of additional comments made by respondents (largely outside of the question in the response form) are listed in Section C of this summary of public consultation comments. Other specific comments included:

- “GVRD Regulation and Enforcement Division concerns regarding the Slaughter and Poultry Processing Industries Code of Practice Intentions Paper would be addressed providing that the following language (or something similar) is included in the Code of Practice: ‘Nothing in this Code of Practice (Regulation) limits or restricts the powers of: a) the Greater Vancouver Sewerage and Drainage District, its sewage control managers, or its sewage control officers; or b) the Greater Vancouver Regional District, its district directors, or its officers – as provided by Part III of the Environmental Management Act or by a bylaw made under that Part.’”

Section C: General Comments

This section contains a sample of general comments made by respondents in cover letters to the response form, or outside of the response form format. This summary reflects the range of comments received, as well as excerpts of individual submissions with specific advice or recommendations. Direct excerpts from submissions are included in quotation marks (“ ”) and square brackets ([]) indicate inferred or contextual terms. Many responses of a similar tenor were also made to Question 10.2 of the response form (“Do you have any additional comments or suggestions for the ministry?”) – see Section B of this summary.

A detailed submission regarding the proposed code of practice outside of the response form format was received from the Meat Industry Enhancement Strategy (MIES) Team in association with the B.C. Food Processors Association. This submission outlined current government agency and industry association efforts to “provide sufficient provincially licensed slaughter capacity in B.C. while increasing food safety and protecting public health by the deadline of 30 September 2007” and commented on the ramifications of the proposed code on these efforts. The submission raised concerns about both the contents of the proposed code of practice and the consultation time period and process. General comments about content included: “the scope [of the proposed code] is not comprehensive enough... [and should include] discussion of materials about composting or SRM... [and] other waste disposal options, such as ag-bagging”; [lack of clarity regarding] “link to the Sewerage Regulation... [and] which aspects of slaughter site liquid waste management will rest with MoE and which with Ministry of Health”; “[lack of] cost information [e.g., regarding waste water treatment options]”; “[lack of] evidence that [existing slaughter plants] are polluting now”; “assumptions [in the proposed code] that relate to plants far larger and busier than the majority of plants on the MIES list”; and concern about policy direction with respect to existing plants with MoE approval (for license with the B.C. Centre for Disease Control) potentially having to reapply to the ministry under any new code. Process concerns included: the technical language and complexity of the intentions paper; the use of internet posting with a long (10-page) response form and limited (45 day) response period; and the fact that the processors who will be affected by the proposed code are already in the midst of a long and complex exercise to understand and comply with other emerging government regulations, and struggling to get plans and facilities in place and approved in advance of their busy season.

General comments received from other individual respondents included:

- “In my opinion this is another set of rules to hamper rather than enhance the small operators in B.C. When this process began I was of the understanding it was for the greater good. Now with all the twists, adjustments and confusion I feel the grassroots of our Province are slowly being eliminated. I believe this to be detrimental to small businesses and the farming community in whole.”
- “The current meat regulations which will add more cost to the farmer for processing and now waste management being applied to the small meat processor at a cost of \$50,000.00 to \$100,000.00 will put a final nail in the coffin for Vancouver Island Farmers.”
- “The Intentions Paper does not promote waste reduction and recycling opportunities during processing of poultry and meat products. Where possible, these pollution prevention activities should be promoted within the Code of Practice or within Best Management Practices.”
- “I am opposed to implementation of new regulations in small slaughterhouses because undoubtedly this will be the demise of many if not most of such small operations. This to the detriment of smallholders and hobbyists who will then be forced to go underground or do the butchering themselves on their own premises which in turn will have the potential of creating greater problems than those which you think may exist or develop under the current system. There is no need for new rules as there have never been any problems that I am aware of in small plants. I raise about 50 or 60 birds every year for the exclusive use of myself and immediate family and will continue to do so even in the absence of a local slaughtering facility.”

- “For the Ministry’s information, the National Agri-Environmental Standards Initiative (NAESI) (http://www.agr.gc.ca/env/naesi_e.php) will establish voluntary standards for environmental quality in agricultural regions of Canada. The NAESI standards will specify desired levels of environmental quality for water, air and habitat. They are being developed by Environment Canada for delivery to Agriculture and Agri-Food Canada by the spring 2008. Although these standards are intended to apply to primary agriculture, and not agricultural processing, the NAESI will nonetheless introduce new, national standards for a series of relevant parameters including nutrients, sediments, and livestock pathogens in water.”
- “Owners and operators of slaughter and poultry processing facilities should be reminded that any direct discharges of effluent must comply with the federal Meat and Poultry Products Plant Liquid Effluent Regulations (MPPLER). It is our understanding that all slaughter and poultry processing facilities currently operating in B.C. do not directly discharge to surface waters. Please note that the MPPLER do not authorize the deposit of acutely lethal effluents, which is prohibited under subsection 36(3) of the *Fisheries Act*.”
- “It appears... that the entire basis for the law has been drawn from theoretical information, (out of a book), or information gathered from larger operations, many of whom have totally different circumstances than ANY small scale operation that this law targets. Most of the small operators targeted here have been operating for years with NO Health Risks, and NO Environmental Damage... The cost of most of the proposed changes is, without doubt, beyond the means of the largest percentage, if not ALL small operators. Put into effect in July as indicated, it will, I believe, effectively, put all the business done now by the small operators, into the hands of the big plants. That will create much devastation and grief for our local economy.”
- “I would like to express my very great concern... My wife and I have used the facilities of a small operator for years and I understand that because of the proposed changes this person who has been providing an invaluable service to small livestock producers will be forced out of business.”
- “The Kootenay Livestock Association ‘Strongly’ opposes the Ministry of Environment’s intention to implement a ‘Code of Practice’ to regulate waste management for slaughter plants... Please also accept this letter as confirmation of the Kootenay Livestock Association’s full support of the B.C. Food Processors Association’s position that the Proposed Code of Practice: will be extremely negative for the Livestock Industry, represents a significant shift in policy from the exemptions that have applied to small slaughter facilities up to now, will impose very significant additional costs on plants, [and] that the consultation process has been inadequate and inappropriate for industry needs.”
- “Both the B.C. Ministry of Environment and the B.C. Ministry of Health along with the Federal Gov’t are putting new rules on the Slaughter Processing Industries. I hope both agencies are talking to each other, the Gov’t of Canada and with the Ministry of Agriculture and Lands. The pressures being put on the Industry now are huge and reasonableness under all agencies Mandates is crucial. In other words, all the agencies should know what each agency is doing and be working together... Either a Third Category or an exemption needs to be put in place for operators that slaughter a dozen beef or less per year. The little guy needs to be consulted and consideration given to the small impact these little operations have on the whole scheme of things.”
- “The health risks that these requirements are intended to address have not accompanied small scale operations. The regulations are driven by health risks and standards for large scale industry. They are designed to mesh with their automated way of operating... I see this issue in part as a matter of perspective. A better and alternative perspective would seek to bring the large operators up to the standards of health and safety realized by the small farmers and abattoir operators of B.C., and to build upon the solid record obtained by them by encouraging others to emulate their sustainable way of operating.”
- “As it stands, there has been no analysis of the "problem" if one exists, nor any effort to put

provisions in place to minimise the negative and costly repercussions that will result. Don't enact any changes unless you have determined that they are strictly necessary from an environmental point of view and that you have provisions in place to minimise economic and social damage...It has not been shown that there are any environmental problems with smaller slaughter house operations. Why is the Ministry assuming that there are problems? ... [We] please urge the Ministry to engage in a more constructive analysis of the problem to be addressed and work with producers and local businesses to arrive at recommendations that ensure that local agriculture and food production can be sustained.”

- “We [are] always complying with rules and regulations [and] we realize that there are always changes. That is the nature of evolution, but please can you do it with common sense and can you realize when a small business has to invest money to comply with CFIA regulations that a 10 year transition time is not long enough for financial recovering.”
- “My primary concern is solid waste disposal. How can I operate my business without control over all phases of production? The other issue is: we may build a plant to current specifications but the Ministry can go ahead and change those specs at any time. Would you start a business without knowing all your costs?”

Section D: Comments Regarding the Intentions Paper Addendum (June 2007)

This section contains a sample of comments made by respondents in response to the questions associated with the policy intentions paper addendum posted on the Ministry website for comment in June 2007. Direct excerpts from submissions are included in quotation marks (“ ”) and square brackets ([]) indicate inferred or contextual terms.

Most of the responses received after posting of the addendum on the ministry website (about 10 up to the end of June 2007) did not specifically refer to the addendum – following the response form questions or providing stand alone comments. These responses have been incorporated in the summaries of comment on each discussion issue (see section B of this document).

Specific comments from respondents addressing the proposed changes outlined in the addendum included:

- “This seems much simpler. I have one question though, and that is about the use of the water for irrigation/fertilization. If my calculations are right, 100 cubic meters of water provides .925 inches of irrigation water to one acre of land. My fields need about 4 inches a month. They also need about 50lb of phosphorus, 50 lbs of potassium and 150 lbs of nitrogen fertilizer over the season if irrigated. For a reasonable sized farm, that amount of water is clearly insignificant. It would be nice to know the expected nutrient concentrations as that may be a limiting factor to how much it would be sensible to put on but I doubt it. As a farmer, my initial concerns would be pathogens and odor control. It would be very interesting to see a comparison between the solids and nutrients in agronomic rates of application of manure and of slaughterhouse waste. If limits in amount are to be set (other than just saying applied at agronomic rates), they probably should say how much per acre and per month, not just a flat number”;
- “The addendum does not change the Greater Vancouver Regional District (GVRD) comments”;
- and
- “The Addendum to the Intentions paper proposes the removal of specific numeric standards for oil and grease, total suspended solids and carbonaceous biochemical oxygen demand for discharges to tile/drain fields. These limits will be referenced in a guidance document. The removal of numeric standards from the code, in particular for TSS, could result in a risk of tile/drain failure or early fouling leading to potential surface breakouts or contamination of groundwater.”