

Environmental Perspective re Biosolids Utilization

Biosolids Utilization Symposium

June 28, 2005, Guelph

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Association

What is CELA

4 pitch for material patch
collBrill / Stead. Council
community level facilities
law program for
Boat Co.
Schools.

* - School field trip - we all have responsibilities / need solutions
best for community

- Ontario Legal Aid Specialty Clinic on the environment; province wide mandate
- Client / group representation, summary advice, brief legal services, public legal education, law reform, community outreach
- Related to today, extensive involvement in water protection, land use, including agricultural activities, as well as in municipal law and infrastructure issues

gr. 6/7
"quick
factor"
but
favor to
stop on
the
law!
STP!
deserting
boundary

What we hear on our phones

- Odour
- Concerns for water quality, especially if callers are using adjacent groundwater wells
- Concerns for environmental impacts
- Concerns about potential for health impacts on neighbours
- Concerns about notification
- Concerns about frequency of application

Source Water Protection

- Application of biosolids to vulnerable areas (proximate to municipal wells, surface water intakes, intrinsically vulnerable areas, recharge areas) noted as a threat of provincial concern in province's watershed based source protection technical experts committee
- Implication - may be prohibited or constrained in certain zones in the watershed

Municipalities protecting wellheads

- Melancton Township passed a by-law outlining areas where biosolids application was not permitted based on their wellhead studies
- CELA acts for Sierra Club of Canada who was granted standing as an Intervener in an application to court brought by Terratech Environmental Ltd. seeking declaration that the by-law is invalid

Municipal by-laws cont'd

- Case has not progressed beyond pleadings
- Since then, Ontario Court of Appeal has upheld City of Toronto's pesticides by-law based on the Hudson Supreme Court of Canada ruling
- No other law specifically deals with the topic of municipal by-laws controlling biosolids application

Biosolids Utilization Guidelines

- CELA concern that biosolids utilization should never be a waste disposal option
- Province and industry should be more actively pursuing options from a multi-disciplinary approach; e.g. for energy utilization / biomass

Biosolids Utilization Guidelines

- “Land application on agricultural lands should be pursued only when the material is of definite and significant benefit to agriculture, with a much more stringent definition of benefit, along with, of course all of the necessary safeguards, conditions and site-specific considerations”. (CELA’s submission on the biosolids utilization guidelines)

Concerns on Agricultural Lands

- As most sewer treatment plants and processes do not remove metals, there is a concern about metals accumulation in soils
- Tile drainage presents a major concern in the bulk of southern Ontario farmland, with potential for pathogens and nutrients to flow directly to surface waters

Setback distances

- Uniform setback distances from wells and surface waters are not reflective of the in-field conditions and geology
- Efforts to line up requirements with Nutrient Management Act regulations for manure application but these provisions are under-going revision based on June 22, 2005 announcement and EBR posting

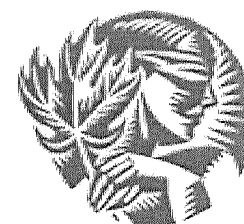
Overall approach

- Protection of environment and of human health must be paramount
- Approaches to date do not yet reflect these priorities in an integrated manner
- A great deal of research and regulatory / policy work still needed in Ontario to “get it right”

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Assessment Process

Collection of materials regarding Sutcliffe v. Ontario (Minister of the Environment)

Water Source Protection

Collection of materials about protecting drinking water sources

Energy Costs and Low Income Ontario Residents

Collection of materials related to energy conservation and affordable electricity pricing in Ontario

Nuclear Phase-Out

News & Events

Sep 29 2004

Women contaminated
toxic flame
retardants

Sep 28 2004

Report Undermines
Protection of Public
Health, Safety and
Environment, Groups Say

Sep 9 2004

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Group take Napanee
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