

Environment Canada's Municipal Wastewater Effluent Initiative

Presentation to

Canadian Pollution Prevention Roundtable

by

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Outline

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MWWE Context

- MWWE identified by CCME as a major source of contaminants in 1997 *Review of the Impacts of Municipal Wastewater Effluents on Canadian Waters and Human Health*. (Chambers, Kent, Servos et al)
- Human health risks from consumption of shellfish and other fish contaminated either by chemicals and pathogens contained in MWWE, or by toxins from algae fed by nutrients in MWWE
- In May 2001, MWWE is identified as one of 13 threats to sources of drinking water and aquatic ecosystem health in Canada by the National Water Research Institute..

MWWE Context

- In June 2001, the Ministers of Health and Environment published in the *Canada Gazette*, the final decision on the assessment of four substances associated with MWWE: textile mill effluents (TMEs), nonylphenol ethoxylates (NPEs), inorganic chloramine and ammonia.
- The publication provided notice on the intent of the Ministers to add the substances to the List of Toxic Substances in Schedule 1 of CEPA 1999.

MWWE Context

- Scientific evidence was the basis for chlorinated wastewater effluents (CWWE) being added to the List of Toxic Substances in 1993.
- Inadequately treated MWWE incurs economic costs:
 - income loss to fishermen and supporting industries,
 - loss in recreational and tourism opportunities because of beach closures and polluted water,
 - loss in property values.
- EC's MWWE strategy focuses on CEPA and *Fisheries Act* obligations, as well as financial and management issues.

EC's MWWE Strategy

Guiding Principles

- Environmental quality is the driver, with technology as a mechanism to achieve it.
- Optimal division of roles and responsibilities between jurisdictions.
- Economic and environmental sustainability - polluter pays, manageable costs.
- Suite of tools leading to legal certainty.
- Level playing field - consistent “standards” across Canada.
- Commitment to implement and enforce.
- Use of partnerships for compliance promotion and funding.

EC's MWWE Strategy

Components

- Develop CEPA instrument(s)
- Provide regulatory certainty under FA
- Influence sustainable infrastructure funding
- Work toward coordinated wastewater management across Canada

EC's MWWE Strategy

CEPA Preventive or Control Actions

CEPA Tools Include

- regulations
- environmental objectives
- environmental guidelines
- codes of practice
- pollution prevention planning
- environmental emergency planning
- information gathering

Requirements

- contain preventive or control measures
- reasonable expectation of implementation
- publish proposed instrument in *Canada Gazette* in 24 months
- final instrument published in *Canada Gazette* within an additional 18 months

EC's MWWE Strategy

Current Thinking

- Develop CEPA Pollution Prevention Plans for CEPA toxic substances found in MWWE as a first step to address these toxic substances and contribute to the broader MWWE issues.
- Explore possible federal/provincial/territorial arrangements to provide flexible management approaches for all substances in MWWE, while striving toward common environmental objectives.
- The outcome of F/P/T arrangements will inform the type of instrument to address legal certainty under the *Fisheries Act*.

EC's MWWE Strategy

CEPA Pollution Prevention Plans

- Generally accepted Pollution Prevention (P2) principles:
 - the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants
 - clear objectives and timeframes
 - measuring, tracking and evaluation of progress while striving for continuous improvement
- CEPA Pollution Prevention Plans:
 - CEPA P2 plans are a legislative instrument
 - will initiate early action
 - provides for flexibility in achieving results

EC's Current Thinking: on CEPA Pollution Prevention Plan Requirements

- Canada Gazette Notice (before June 2003) identifies
 - who is required to prepare and implement a P2 Plan
 - risk management objectives, factors to consider, scope of Plans
- Declarations (preparation and implementation)
 - specified time periods for reporting
 - report on current releases and actions planned/taken
 - how “factors to consider” specified in the Notice were considered
- Plans kept on site
- Required to submit plans upon request
- Penalties for not complying or providing false information

EC's MWWE Strategy

Consultation Processes

- CEPA National Advisory Committee is forum for Provincial, Territorial and Aboriginal Governments
- Cross-Canada consultations will be arranged in late summer and early fall with stakeholders seeking views on:
 - EC's current thinking on Risk Management Strategies to address the CEPA "toxic" substances found in MWWE
 - the choice and content of the proposed preventive and/or control instrument(s)
- Public comment period of 60 days after publication of proposed risk management instrument in *Canada Gazette* .

MWWE Summary

- EC's MWWE strategy includes CEPA P2 Planning as a first step in a series of phased-in actions to:
 - initiate early action and move towards longer- term environmental objectives,
 - meet federal obligations under CEPA, and
 - allow for flexible approaches while not compromising other policy options and instruments which jurisdictions may want to apply to the broader MWWE issue.

