

Wastewater System Effluent Regulations updates

A discussion with MNL members

January 11, 2022

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Communications, MNL



Purpose of the meeting

- Provide an update to members on the MNL wastewater file;
- Discuss any preliminary questions associated with the discussion document: Proposed Amendments to the *Wastewater Systems Effluent Regulations*;
- Hear from members regarding ongoing wastewater concerns in their municipalities.

What this meeting is not

- A public consultation;
- A technical briefing on the proposed amendments document.

Key takeaways

- Become familiar with the proposed amendments discussion document;
- Engage in the consultation process;
 - Take in the presentations from Environment and Climate Change Canada;
 - Fill out the online feedback form.
- Ask questions; work toward compliance.

At the end of this meeting I will ...

- share a link/links to:
 - the wastewater system effluent regulations;
 - the proposed amendments document;
 - the public consultation meeting invitations;
 - a NL specific consultation meeting;
 - the online feedback form.
- share the slides from this presentation.

Proposed Amendments to the *Wastewater Systems Effluent Regulations*

Discussion Document

- [1. Purpose](#)
- [2. The Regulations and the need to amend](#)
- [3. Proposed areas to be amended](#)
 - [3.1 Transitional Authorizations](#)
 - [3.2 Temporary Bypass Authorizations](#)
 - [3.3 Key Administrative Improvements](#)
- [4. Next Steps](#)
- [5. Providing Feedback](#)
- [Annex I](#)

Public consultation dates

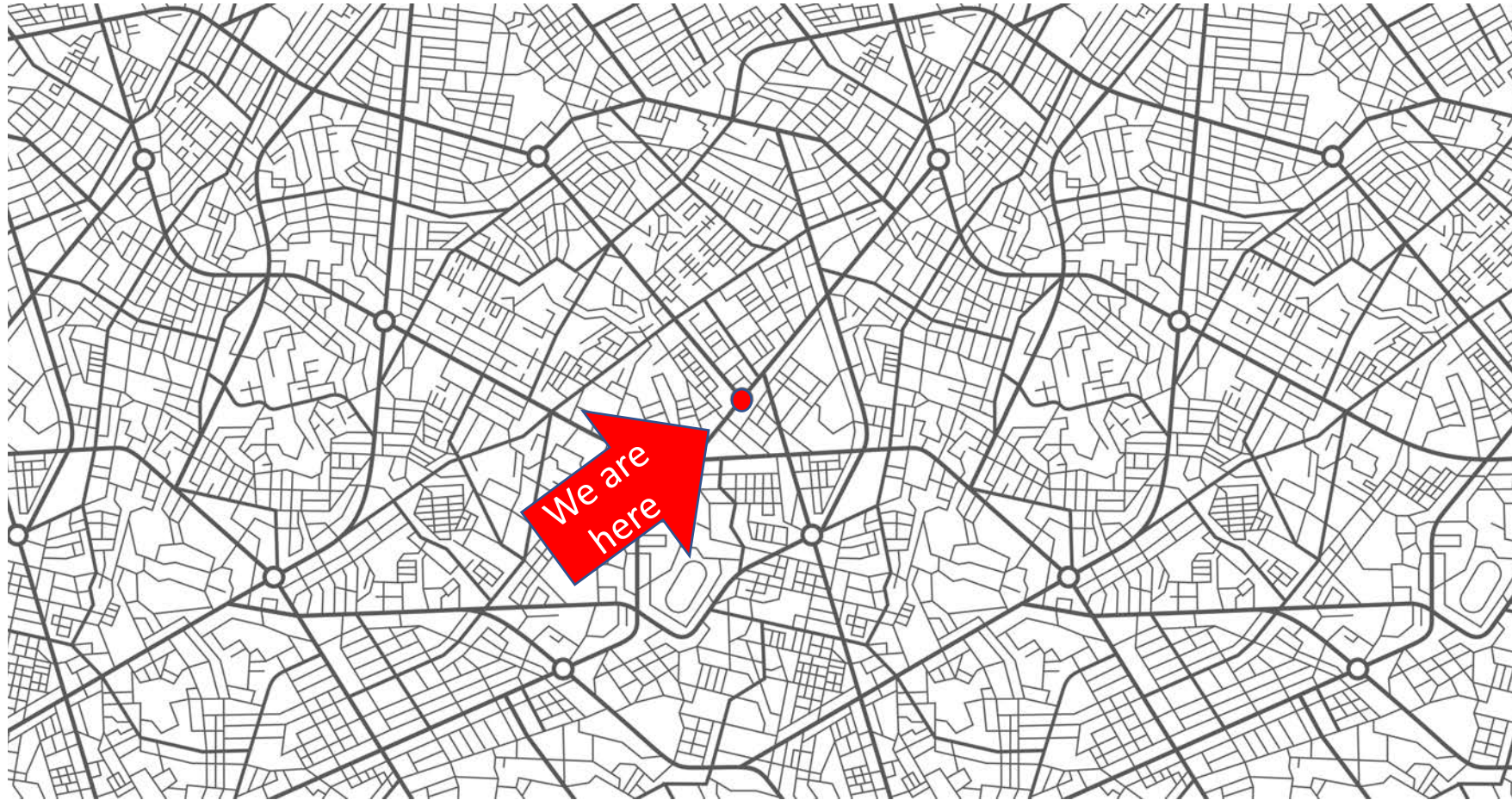
Language	Date	Time (EST)
English	January 12, 2022	1:30pm-3:00pm
English	January 25, 2022	1:30pm-3:00pm
French	February 10, 2022	1:30pm-3:00pm
English	March 1, 2022	1:30am-3:00pm



Consultation specifically for NL municipalities

Thursday, February 3
11:00 NT

How did we get here?



Partial Timeline

2012

WSER
registered
as law;
AGM
resolution

2015

Quality
standards
came into
force

2014

Deadline
to apply
for TA

2019

Emergency
meeting;
AGM
resolutions



Wastewater System Effluent Regulations

Issues and Solutions Background



Background
Current Status
Solutions Options
Policy Options

The municipal sector in Newfoundland and Labrador wants to do the right thing to manage wastewater. Municipalities require time. They require investment. Together, we need to make a plan on how to achieve these policy goals.

Without resources, time and a long-term plan, the policy goals set out in WSER cannot be met.



SOLUTIONS: Policy Options to Consider

Solutions to Managing the Wastewater System Effluent Regulations in NL



SOLUTIONS: Funding Options to Consider

Solutions to Managing the Wastewater System Effluent Regulations in NL



4-2019

Revising the Wastewater System Effluent Regulations Transitional Authorization Window

Therefore Be It Resolved that Municipalities Newfoundland and Labrador lobby the Government of Canada for a revising of the Wastewater System Effluent Regulations to extend the period of eligibility for applications to obtain Transitional Authorizations.

transitional authorization wastewater WSER

3-2019

Federal Government Wastewater Systems Effluent Regulations

Therefore Be It Resolved that Municipalities Newfoundland and Labrador approach the Federal Government and, on behalf of all municipalities in Newfoundland and Labrador, lobby for an amendment to the Wastewater Systems Effluent Regulations that would allow for the termination of monitoring of wastewater systems that have already been categorized as 'medium risk' and 'high risk' following the first year of data collection, which will reduce monitoring costs and allow those funds to be utilized towards future treatment solutions.

data collection high risk medium risk termination of monitoring treatment
wastewater WSER

Partial Timeline

2012

WSER
registered
as law;
AGM
resolution

2015

Quality
standards
came into
force

2020

Notice of
intent to
amend
WSER
published
in Canada
Gazette

2022

Public
consultations;
Feedback on
discussion
document

2014

Deadline
to apply
for TA

2019

Emergency
meeting;
AGM
resolutions

2021

Discussion
document
published

What we heard

- The monitoring burden is too great, especially for smaller communities where effluent levels are not changing;
- The cost of monitoring is excessive;
- The cost for new infrastructure will be prohibitive.

Quick facts from the municipal census project

- More than 75% of households are hooked up to municipal sewer systems;
- For the most part, systems are in excess of 20 years old;
- Over 40% of respondents indicated that their municipality does not have an operations/preventative maintenance schedule for their sewer system;
- Over half of municipal outfalls are going directly into the ocean;
- Slightly more than 60% of municipalities are monitoring their outfalls:
 - 45% own their monitoring equipment;
 - 43% rent their monitoring equipment;
 - 56% monitor by contracting out.
- The cost of monitoring ranges from \$3k to \$56k.
- Estimated costs to upgrade individual systems to meet WSER requirements range from \$75k to \$78m

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Proposal: new transitional authorization application process

ECCC is proposing to provide eligible owners/operators of wastewater systems another opportunity to receive a transitional authorization to the end of 2030 or 2040. This recognizes the level of effort, time, and investment that is needed to bring these systems into compliance. It would provide low to medium risk communities with the time to plan and finance upgrades to their wastewater treatment systems as originally intended under the Regulations.

Based on feedback received in early engagements, ECCC is proposing a flexible approach using an open application period (with no deadline to apply). This would enable the use of monitoring data already submitted under the Regulations (historical data) to apply for a transitional authorization where there is eligibility to do so. **More than 90% of communities that would be eligible to apply for transitional authorization are already reporting data under the Regulations.**

This approach also provides a **window of opportunity to any new systems requiring a transitional authorization in the future. For wastewater systems that are new to reporting and are eligible for a transitional authorization, they would monitor and report to ECCC for at least 12 months.** Figure 1 provides an illustrative example of how owners/operators would use monitoring data to apply for a transitional authorization using the proposed monitoring period.

Revising ammonia sampling requirements in the transitional authorization application process: proposal for un-ionized ammonia

ECCC is also proposing to modify the un-ionized ammonia provisions in the transitional authorization application provisions of the Regulations ([Sub-section 25\(1\)](#)). Between 2012 and 2014, wastewater systems were required to sample for un-ionized ammonia and these results were required for a transitional authorization application. Since 2014, sampling for un-ionized ammonia is no longer required under the Regulations and systems are not sampling for un-ionized ammonia.

ECCC is proposing to allow flexibility for owners/operators to demonstrate that ammonia is not a risk factor through either a limited number of tests for ammonia, the use of historical data submitted federally/provincially or from indirect factors that may indicate ammonia is not an issue (never failed acute lethality, naturally low pH, etc.).

Proposed Amendments to the *Wastewater Systems Effluent Regulations*

Discussion Document



3.3 Key administrative improvements

ECCC is also proposing to address various operational/administrative challenges that have arisen during the course of administering the Regulations.

Consolidated systems

Under the Regulations, owners/operators are allowed to consolidate 10+ outfalls as one “future” system. This allows owners/operators to sample and monitor at the single outfall that represents the largest environmental risk for the duration of their transitional authorization. ECCC is proposing to allow owners/operators to consolidate 2+ systems as one “future” system as long as those outfalls will become a single wastewater treatment plant. This will allow more owners/operators to use the consolidation provisions. It reduces administrative burden by focusing monitoring and reporting on the outfall with the largest volume and largest potential risk to the environment. Owners/operators could better allocate their resources to upgrade their system rather than monitoring multiple individual outfalls.

Monitoring and reporting provisions

ECCC is considering clarifying and simplify administrative provisions, including optimizing monitoring and reporting provisions for small systems holding a transitional authorization.

Under the current Regulations, systems granted a transitional authorization have the same monitoring and reporting requirements as any other systems. For example, small continuously discharging systems (releasing less than 2,500 m³ per day) are required to sample on a monthly basis and report on a quarterly basis whereas intermittent systems have to report on an annual basis. This monthly sampling frequency requires a significant level of investment in resources and finances for small communities. Harmonizing the monitoring and reporting requirements of continuously discharging systems with those of intermittent systems will help communities concentrate their efforts into upgrading their wastewater systems. ECCC is proposing that small systems granted a transitional authorization only be reporting on an annual basis, regardless if they have a continuously or intermittently discharging system.

ECCC is also reviewing other testing, monitoring and reporting provisions. This review is intended to streamline existing provisions and reduce regulatory burden.

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Annex I

Wastewater systems that may be eligible for a transitional authorization were assigned a potential transitional authorization date using the system of points in [Schedule 2](#), and where applicable [Schedule 3](#).

Systems with a 2020 deadline that are likely not eligible based on the proposed approach

Systems eligible and expected to receive a transitional authorization to the end of 2030

Systems eligible and expected to receive a transitional authorization to the end of 2040

Systems that may be eligible for a transitional authorization but have not provided enough data to be assessed

Next Steps: Key takeaways

- Become familiar with the proposed amendments discussion document;
- Engage in the consultation process;
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 - Fill out the online feedback form.
- Ask questions; work toward compliance.

Thank you

Questions/discussion

