Cottage Communities Express Concern With Septage Management: Where's the Plan?

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In the summer of 2015, concerns were heard again from lake associations in central Ontario about the need for safe and adequate management of septage. Specific concerns included whether the lands being used for land application were appropriate, whether site considerations were adequately addressed (setbacks, surface and ground water impacts, etc.) and particularly with the lack of transparency and public notice or information.

For our part, FOCA is anxious to continue to work with the on-site wastewater industry association (OOWA), and the association of haulers (OASIS) in their discussions with Ontario Ministry of Environment and Climate Change (MOECC) and others when it comes to resolving the outstanding concerns and the regulatory approach (and process) to land application of septage. Along with FOCA and our 500+ association members, these groups have a shared and collective interest in the proper installation, management and lifecycle (financial and environmental) of on-site systems.

Currently land application sites are regulated under the EPA and are approved by the MOECC District office, who regulate where, how and when you can dump on a site. Site considerations include sensitive features, overburden, water wells, surface water, slope, depth to the water table (must be >0.9m). Field officers review any proposed site prior to approval, and may set conditions about when or where on the site can be used for land application. Note, if a proposed spreading site is close to a municipal drinking water source (and therefore would constitute a "Significant Drinking Water Threat" under the CWA) a site would not be approved. These land application approvals have terms of 1 or sometimes 3 years. They must then be re-approved on some recurring basis.

Following on the concerns about septic systems and their management outlined in the Walkerton Inquiry, the former Ontario Minister of Environment, Leona Dombrowsky said, "We are taking the time to co-ordinate a number of initiatives that will provide Ontarians the assurances they need to have full confidence that their water is protected and is safe to drink... As part of this initiative, we are integrating our approach to septage management within a comprehensive source protection strategy." (speech to O.A.S.I.S. at Ambassador Hotel in Kingston, November 20, 2004)

Having been intimately involved with the Clean Water Act, and specifically the Trent Conservation Coalition Source Protection Plan over the past 6+ years (which includes much of the Kawartha and Haliburton watersheds), I can tell you the source water protection approach - while significant and in many ways, comprehensive - deals only peripherally with rural water issues, and almost not at all with anything beyond health issues related to municipal water systems.

Despite the politicians' and senior staff commentary discounting land application as a solution, practical and economic rationale seems to have thus far prevailed - e.g. "there's no better option."

The Provincial government has made a number of commitments to ban the land application of untreated septage in the past. In 2002, proposed draft regulations posted on the Environmental Bill of Rights (EBR) registry included the following components:

- An immediate ban on the land application of portable toilet waste.
- A five-year phase out of the issuing of Certificates of Approval for the land application of untreated septage.
- Requirement that municipalities prepare a strategy on how they will manage untreated septage produced within their area.

After a series of public and stakeholder consultations, the Ministry reconsidered their position, or at least the timing of these regulatory changes.

MOECC has in the past asserted that they are "committed to a phase-out of land application of all untreated septage"' although this commitment faces insufficient capacity at Ontario's 493 approved municipal wastewater treatment facilities to meet demand, and a lack of suitable treatment technologies for septage.

Technical staff from MOECC and the Ministry of Agriculture and Food have studied treatment technologies in other jurisdictions with a view to developing a workable regulation leading to beneficial reuse (land application) of septage in Ontario, to develop standards for treated septage and determine acceptable methods of septage treatment. The three main methods of septage treatment considered have been lagoon stabilization, lime stabilization, and composting. It is assumed that these three technologies were highlighted because they are all fairly economical, are generally suitable for use in rural areas and do not require high levels of operator expertise.

From a municipal responsibility perspective, there is supposed to be consideration for wastewater; in the Provincial Policy Statement (PPS) 2005 (and 2014; see S. 1.6.6.4, 1.6.6.6) the servicing of septic systems is specifically mentioned. This notwithstanding, it is our understanding that the type of comprehensive planning around managing wastes from septic systems described in the PPS does not exist in many rural municipalities.

A municipal septage plan could be an important tool and source of information for determining total septage generated currently, future treatment capacity needs, and how those needs will be met. It may be that a more sophisticated approach to managing hauled sewage, increasing regulatory controls and stricter standards will require improved treatment processes, and upgraded or enlarged facilities. Any increases in the costs for haulers to discharge their sewage to these systems will presumably be part of the overall homeowner costs to dispose pump, handle, and truck to an appropriate facility.

Municipalities, other Planning Act approval authorities, developers and haulers should be encouraged to work together to develop municipal septage plans including septage management solutions.

A municipal septage plan could be a useful tool for informing official plan reviews and approval authorities when making decisions on land use applications including:

- the development and review of official plans, comprehensive reviews and official plan amendments, such as for secondary or area plans and settlement area expansions; and
- approval of site-specific development plans, such as those for subdivisions and consents.

A municipal septage plan can also inform and educate residents about the true environmental (and financial) costs of their waste management, and can support environmental assessment requirements for facility expansions or alterations to serviced municipal areas. FOCA looks forward to improving the situation for the full lifecycle aspects of on-site waste water management, along with our members and our industry and government counterparts.

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