SUBJECT: Resolution from Township of Brock, Regional Municipality of Durham, Re: Pulp and Paper Biosolids - (PW08016) - (City Wide) Public Works Committee Outstanding Business Item

RECOMMENDATIONS:

(a) That the City of Hamilton support the Township of Brock Resolution No. 21-14 respecting Pulp and Paper Biosolids;

(b) That Report PW08016 be forwarded to the Township of Brock;

(c) That the item respecting “Resolution from the Township of Brock, Regional Municip. of Durham respecting Pulp and Paper Biosolids” be removed from the Outstanding Business List on the Public Works Committee Agenda.

On September 10, 2007 the Council of the Township of Brock passed a resolution concerning pulp and paper biosolids (attached as Appendix A) and forwarded it to Ontario municipalities. The resolution was referred to staff for review.

The Township of Brock would like the Ministry of Environment (MOE) to:

- Acknowledge paper fibre biosolids as a waste;
- Remove the exemption status for Sound-sorb and Nitro-sorb products;
- Impose the recommended regulatory control of a Certificate of Approval or legal instrument that provides equal or better protection for human health and the environment.
Currently, paper fibre biosolids are not deemed a waste by the MOE and do not require a Certificate of Approval. However, in January 2005, the MOE “Panel of Experts” concluded that “paper fibre biosolids are a waste”.

The Certificate of Approval process is used to protect both environment and public health by setting conditions of transport, disposal, volume of material on-site, testing obligations, reported and record keeping, hauling conditions, hours of operation and inspection rights.

Although the City of Hamilton has not been impacted by pulp and paper biosolids to date, it is recommended that the City of Hamilton support the Township of Brock Resolution No. 21-14 in effort to have the MOE establish a province-wide process for dealing with these materials.

**BACKGROUND:**

The information in this report has no implications for the City at the present time.

On September 10, 2007 the Council of the Township of Brock passed the resolution attached as Appendix A and circulated it to Ontario municipalities.

At its meeting of October 24, 2007, Hamilton City Council considered the resolution by the Township of Brock and referred it to the General Manager of Public Works for a report back to Public Works Committee (attached as Appendix A).

The MOE and major producers of paper fibre biosolids have a Pulp and Paper Biosolids Agreement that does not consider biosolids to be a waste. The agreement does not address major concerns associated with paper fibre biosolids and the products of “Sound-sorb” and “Nitro-sorb” nor does it address concerns with the stockpiling of and on-site mixing of the biosolids.

During the Environmental Assessment reform process the MOE report by the Panel of Experts in January 31, 2005 concluded that “paper fibre biosolids are a waste”.

The Township of Brock resolution also states the Panel of Experts recommend Sound-sorb and Nitro-sorb be subject to MOE Certificate of Approvals.

The Township of Brock requests that the MOE acknowledge paper fibre biosolids as a waste and remove the exemption status for Sound-sorb and Nitro-sorb. They also request that the MOE impose the recommended regulatory control of a Certificate of Approval or legal instrument that provides equal or better protection for human health and the environment.

**ANALYSIS/RATIONALE:**

The matter of pulp and paper biosolids has not been an issue in the City of Hamilton as yet, however future proposals cannot be precluded.

The acknowledgment of paper fibre biosolids as a waste and the requirement of the Certificate of Approvals may be beneficial to the City if proposals were to be entertained in the future. The Certificate of Approval process is used to protect both environment and public health by setting conditions of transport, disposal, volume of material on-site,
SUBJECT: Resolution from Township of Brock, Regional Municipality of Durham, Re: Pulp and Paper Biosolids (PW08016) - (City Wide) - Page 3 of 3

testing obligations, reported and record keeping, hauling conditions, hours of operation and inspection rights.

It is therefore recommended that the City support the Township of Brock resolution in effort to have the MOE establish an approval process for pulp and paper biosolids.

ALTERNATIVES FOR CONSIDERATION:

The alternative for consideration is not to support the Township of Brock’s resolution. Support for the resolution may encourage the MOE to address the concerns and to establish an approval process for paper fibre biosolids. The recommended alternative is for the City to support the resolution.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no financial, staffing or legal implications of the recommendation in this report.

POLICIES AFFECTING PROPOSAL:

a) Public Works Strategic Plan
The Public Works Strategic Plan recognizes the value of environmental sustainability. The Plan recognizes that “modeling the way” consistently and in everything we do will be essential for creating a city, a urban habitat in balance with nature.

b) Solid Waste Management Master Plan
Recommendation #14 that states:
“The City of Hamilton should continue to lobby the federal and provincial governments to do everything in their power to support municipalities with waste management programs with appropriate legislation, funding and fiscal policy.”

RELEVANT CONSULTATION:

The staff in the Water/Wastewater Division was consulted regarding the City’s Biosolids Master Plan and they have confirmed that the matter of pulp and paper biosolids has no relationship to the City’s biosolids management.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. □ Yes □ No

Environmental Well-Being is enhanced. ☑ Yes □ No
Encouraging the province to enact better controls over pulp and paper biosolids can ensure that human health and safety are protected.

Economic Well-Being is enhanced. □ Yes □ No

Does the option you are recommending create value across all three bottom lines? □ Yes □ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? □ Yes □ No
Appendix A
PW08016

THE CORPORATION OF THE TOWNSHIP OF BROCK
IN THE REGIONAL MUNICIPALITY OF DURHAM
1 Cameron Street East, P.O. Box 10, Cannington, Ontario LOE 1EO
705 432 2355

The Council of the Township of Brock at a meeting held on September 10, 2007 passed the following resolution and would appreciate your support in this regard.

Township of Brock Resolution No. 21-14

WHEREAS the Pulp and Paper Biosolids agreement between the Ministry of the Environment (MOE) and the major producers of paper fibre biosolids does not address major concerns associated with paper fibre biosolids and the products “Sound-sorb” and “Nitro-sorb”, nor does it address concerns regarding stockpiling of and on site mixing of pulp and paper biosolids on agriculturally zoned properties in the Township of Brock.

AND WHEREAS the Ministry of the Environment’s own “Panel of Experts” concluded in their January 31, 2005 report, that “paper fibre biosolids are a waste”.

AND WHEREAS the same “Panel of Experts” recommended both Sound-sorb and Nitro-sorb be subject to MOE control by means of a “Certificate of Approval”.

AND WHEREAS a Ministry of the Environment’s “Certificate of Approval” would protect both the environment and public health by setting conditions of transport, disposal, volumes of material on site, testing obligations, reporting and record keeping, hauling conditions, hours of operation and inspection rights.

THEREFORE BE IT RESOLVED that the Township of Brock request the Ministry of the Environment of the Province of Ontario adhere to the recommendations and conclusions of its own Panel of Experts by acknowledging paper fibre biosolids as a waste, by removing the exemption status for Sound-sorb and Nitro-sorb and by imposing the recommend regulatory control of a Certificate of Approval or legal instrument that provides equal or better protection for human health and the environment.

AND FURTHER that this resolution be forwarded to the Minister of the Environment (ON), Minister of Agriculture, Food and Rural Affairs (ON), local MP and MPP, all Ontario municipalities and any other individuals or associations as deemed appropriate.

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