August 6, 2008

Food Safety and Environmental Policy Branch
Ontario Ministry of Agriculture, Food and Rural Affairs

Waste Management Policy Branch
Ministry of the Environment

Dear Sir/Madam:

The purpose of this letter is to inform key stakeholders of proposed amendments to be made to the General Nutrient Management Regulation (O. Reg. 267/03) under the Nutrient Management Act, 2002 (NMA). The proposed amendments will affect stakeholders involved in the generation, transport or land application of “non-agricultural source materials” (NASM) as defined in the Regulation. NASM includes municipal sewage biosolids, food processing residuals and other materials not generated by an agricultural operation.

According to our records, you or your company, organization, agency or municipality may be involved in one or more of the activities identified above. This may include direct participation or it may include participation in the preparation of nutrient management strategies for non-agricultural operations that generate NASM.

With the implementation of the General Nutrient Management Regulation in September 2003, haulers, brokers, land applicators and receivers of non-agricultural source material may be subject to overlapping requirements under Part V of the Environmental Protection Act (EPA) and the General Nutrient Management Regulation made under the NMA.

The Ministries of the Environment and Agriculture, Food and Rural Affairs are developing a revised regulatory framework for the management of NASM which will address the regulatory overlap. As you may be aware, a plain language document outlining the proposed revised NASM framework was posted on the Environmental Bill of Rights Registry for a 120-day comment period from September 7, 2007 until January 5, 2008.

At this current time, the ministries are proposing amendments to the General Nutrient Management Regulation to extend the phase-in dates for some NASM generators and receivers required to have approved nutrient management strategies and plans.

Amendments are proposed to the General Nutrient Management Regulation to:

A) Extend the phase-in date by one year to December 31, 2009 for NASM generators who would currently have to comply with the requirements of the regulation and have nutrient management strategies by December 31, 2008; and

B) Extend the period to December 31, 2009, during which phased-in farms, (i.e., farms that are required to have a nutrient management strategy) that are between 5 and 300 nutrient units, are able to apply NASM to agricultural lands under a Certificate of Approval without the need to have a separate nutrient management plan under the Nutrient Management Regulation.
It should be noted that, if any part of the phased-in farm is located within 100 metres of a municipal well, the operation is already required to have a nutrient management plan and the extension described above is not applicable.

Extending the dates will allow the two ministries time to draft the regulatory amendments and implement the revised training and certification of stakeholders.

The current proposal that outlines the changes is posted on the Environmental Bill of Rights registry for 45 days for public comment until September 19, 2008. You can view the proposal at http://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTAzMzI4&statusId=MTU0Mzgw&language=en.

Your involvement and input is appreciated as we continue working toward the government’s goals of protecting the environment and keeping our drinking water safe and clean, without placing undue burdens on producers or the industry.

Sincerely,

[Signature]

Ling Mark
Director
Food Safety and Environmental Policy Branch
Ministry of Agriculture, Food and Rural Affairs

[Signature]

John Vidan
Director
Waste Management Policy Branch
Ministry of the Environment

OFFICE OF THE CITY CLERK

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RE: CO BY DATE
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