

# Proposed Transfer Station Chapter of the Saskatchewan Environmental Code

What We Heard – 2021-22 Public Engagement

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## Table of Contents

Introduction.....	3
Why we consulted.....	3
How we consulted.....	3
Who participated.....	3
What we heard.....	5
General Requirements .....	5
Siting.....	6
Design.....	6
Operation .....	6
Closure.....	7
Qualified Person.....	7
Administrative Burden .....	8
Regional Waste Management.....	8
Waste Diversion .....	9
Record Keeping .....	9
Transition from Regulation to Code.....	10
Emergent Themes .....	10
Costs .....	10
Landfill Site Requirements .....	10
Further Guidance.....	11
Moving Forward .....	11
Appendix A – List of Participants.....	12

## Introduction

The Government of Saskatchewan is undertaking research and engagement to inform the development of a Saskatchewan Environmental Code Transfer Station chapter. Building on previous work, the Ministry of Environment initiated an online engagement on the proposed chapter in December 2021. This document is a summary of the feedback received from the online survey, virtual engagement sessions and written responses.

## Why we consulted

Transfer stations are currently regulated under *The Municipal Refuse Management Regulations* (MRMR) and applications must be submitted to the ministry for operators to receive a permit. A common message coming from previous engagement on both the *Saskatchewan Solid Waste Management Strategy* and MRMR was the need for consistent enforcement and application of rules and regulations to address matters related to landfill management in Saskatchewan. Support was expressed for establishing transfer station and composting code chapters to address concerns raised about ministry staff capacity and availability. Code chapters will reduce the time municipalities spend applying and reapplying for permits and submitting reports.

## How we consulted

1. A draft transfer station chapter was developed which incorporated current and best practice requirements to minimize the financial and time burden to develop a transfer station. This approach follows results-based principles to ensure those affected by the regulations are involved in the design.
2. In summer 2021, a focus group of seven municipal and industry experts reviewed a draft chapter to provide feedback.
3. The draft chapter was revised considering input from the focus group
4. Public engagement was carried out from December 2021 to February 2022. Virtual engagement sessions took place on December 14, 2021, January 13, 2022, and February 15, 2022.

To support the engagement, the ministry released the following documents on December 1, 2021:

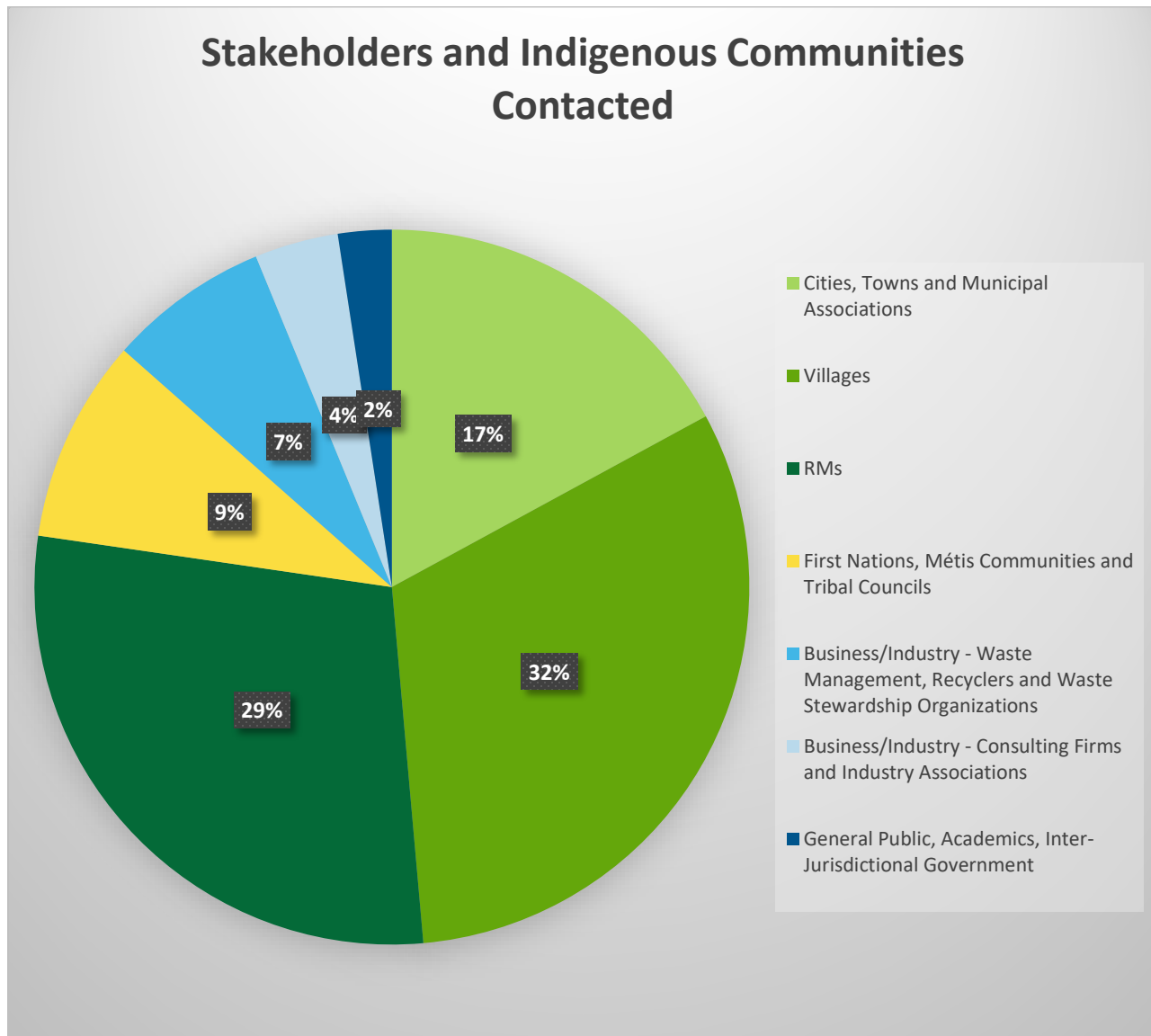
1. The draft transfer station chapter.
2. A discussion paper introducing and identifying considerations for the chapter.
3. A quick reference guide to briefly summarize changes and answer frequently asked questions.
4. An online survey.

The ministry accepted written and survey responses throughout the engagement period. The initial deadline for written and survey responses was February 5, 2022, but the deadline was extended to February 25, 2022, to allow additional comments from key stakeholders. Results from the public engagement will inform the finalization of the chapter, keeping public and stakeholder engagement as a key tenet of code development.

## Who participated

More than 1,000 stakeholders and Indigenous communities were canvassed including: municipalities, First Nations, regional waste management authorities, waste management firms, recyclers, consulting firms, industry associations, waste stewardship organizations, businesses that may use transfer stations and the public. Figure 1 shows the proportion of stakeholders and Indigenous communities contacted for engagement. There was a participation rate of 13 per cent.

There was a total of 174 engagement experiences with 129 stakeholders and Indigenous communities. Engagement experiences are the sum of persons present at virtual engagement sessions, the number of written responses and survey responses. Figure 2 shows the proportion of participants' engagement experiences, by sector. A total of 28 survey respondents out of 61 were unidentified, as they did not declare the sector they represent. The completion rate for the 38-question survey was only 23 per cent. Due to few participants completing the entire survey, numbers rather than percentages more clearly demonstrate survey responses. Written feedback received directly and responses during virtual engagement sessions supplement this information.



**Figure 1. Breakdown by sector of the 1013 stakeholders and Indigenous communities contacted for engagement.**

## Stakeholder and Indigenous Community Participants

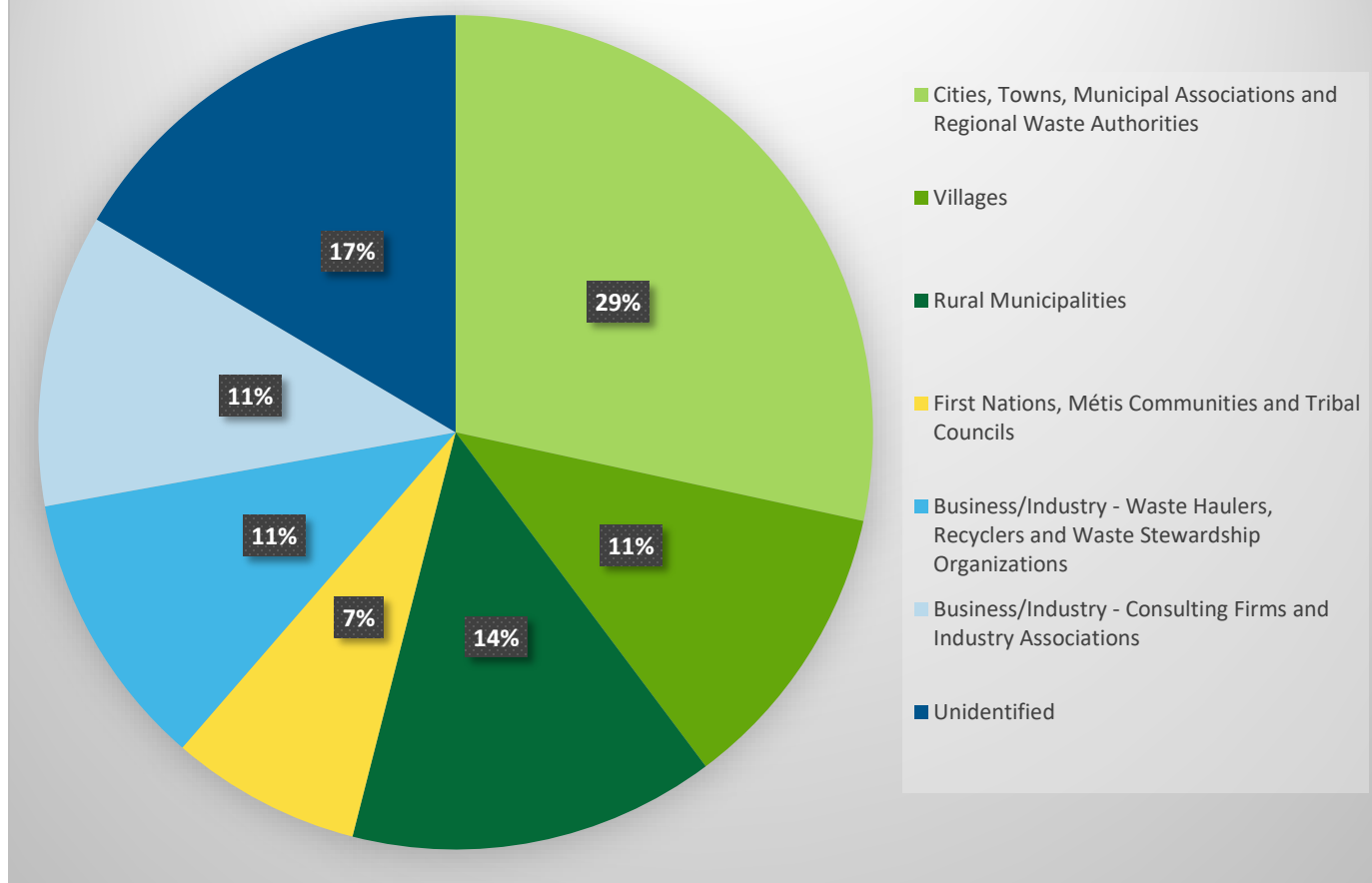


Figure 2: Out of 174 participant engagement experiences, participants grouped by sector.

## What We Heard

### General Requirements

The transfer station chapter will apply to facilities that temporarily store solid waste in receptacles, bins or containers and have other waste on the ground for the purpose of diversion at a future date.

**Sites with receptacles, bins or containers only do not need a permit to site, design or operate. Managing solid waste in receptacles, bins or containers is considered a low-risk and cost-effective method that does not require regulation.**

The acceptable solution describes siting, design, operation and closure requirements that most transfer stations will adhere to. Notification will be required through the online business service by uploading supporting documentation. Qualified Persons (QPs) will support applicants' efforts to meet most requirements in the code chapter, except preparing operating plans, emergency response plans and to meet closure requirements when there are no discharges to the environment. Operators may follow the alternative solution where the criteria for the acceptable solution cannot be met or where an innovative approach is preferred. The Ministry of Environment will inspect and audit transfer stations to ensure compliance with both the required information submitted upon registration and the transfer station code.

When asked if they saw any issues with the proposed requirements for transfer stations, most survey respondents did not see issues. Most of the feedback from virtual engagement sessions and written feedback was also supportive of managing transfer stations through the chapter. Most participants agreed that the important factors and considerations at transfer stations had been included. Comments received included ensuring the chapter and guidance are concise, there is an easy-to-use online notification system and that costs are minimized. All survey respondents supported the use of the alternative solution as proposed when there are increased risks or hazards on site. The acceptable solution for management of most sites was supported by most respondents. A concern was raised on setbacks and flood risk mitigation measures being too stringent, considering the temporary nature of waste management at transfer stations. While storage of waste at transfer stations is temporary, it is ongoing and may impact neighboring land uses or environmental receptors at the location of the site. With flood risks increasing due to climate change, the storage of waste on the ground still poses risks that must be managed. Many of the comments received will support guidance for sites that may be managed under the alternative solution in unique, urban or remote settings. Most survey respondents see no issues with transfer station registrations no longer being reviewed by ministry staff when a QP has certified the required documents.

## Siting

Transfer stations are often operated on closed landfill sites. However, previous landfill sites may have been developed in areas that pose risk to the environment and human health or where there are safety or nuisance concerns.

**Existing transfer stations will have no new requirements. Operators will simply register existing sites through the online business service.**

The acceptable solution minimizes the likelihood of adverse impacts by including requirements for siting a transfer station that reduce risk. Most transfer stations will qualify under the acceptable solution of the chapter. The chapter proposes that a QP will be required to develop a site suitability report for new transfer stations at closed landfills or elsewhere. A small number of respondents questioned if the requirement to identify waste management facilities within 30 kilometers would be a restriction to not develop or a requirement to develop transfer station sites. This requirement is not meant to restrict or mandate development, rather it is intended to encourage applicants to consider neighbouring sites as a sound business practice.

## Design

Transfer station designs are diverse. They can range from a bin and a small stockpile (e.g. metals) on the ground, to numerous bins and various segregated waste piles. The chapter provides considerations for low-risk transfer station design for the acceptable solution. The alternative solution allows for innovation and flexibility in design to achieve the intended outcome. The design will be consistent with previous requirements before the implementation of the transfer station code chapter such as preventing impacts to environmental and human receptors. All survey respondents supported the requirements for design. Several suggested additional design considerations for waste diversion and enclosed structures and reiterated support for the flexibility provided by the chapter. A guidance document will support the chapter and suggest best practices or important design considerations.

## Operation

The operating plan is a site-specific document that encompasses procedures the facility uses to achieve the desired operational outcomes.

**Operating plans and emergency response plans will not need to be prepared by a QP and will only be submitted to the ministry upon online notification and at the request of the Minister. Operators are expected to review plans annually but will not submit them to the ministry.**

Most survey respondents had no concerns with the operating plan and duties requirements. One person conveyed their experience that the operating plan should be considered at the design stage of a facility, to ensure design supports an efficient and safe operation. Another respondent also requested guidance include a clear and concise list of operational expectations. Once the chapter is implemented, the ministry will not review or approve operating plans for a transfer station, unless conducting an inspection or an audit of a facility. Previously, operating plans were submitted to and reviewed by ministry staff annually. Most survey respondents support a QP not being required to prepare operating plans. Some were concerned operators will not have some of the knowledge. In the event operators require support, a QP can be hired to assist in developing these plans.

## Closure

The draft chapter proposed that a closure report may be prepared without a QP. There are situations in which a QP would be required to evaluate the closure of the facility and complete decommissioning and reclamation work (e.g. discharges to environment). The closure report would be the final report indicating that the site has been returned to an appropriate end land use and confirm there are no known or suspected adverse effects due to operations. Most survey respondents agreed with the proposed closure report requirements and not needing a QP for site closure in most cases. Concerns were raised regarding sites with higher risk of discharges or where data recording was poor over the operational life of the facility. Some respondents thought a QP should always be required, and operators should always have to prove there has been no environmental damage.

## Qualified Person

Once the transfer station chapter is in force, the ministry will no longer routinely review applications for transfer stations that follow the acceptable solution. Qualified Persons (QPs) will support applicants in siting, design, closure and developing documentation such as environmental protection plans, site suitability reports, design and construction quality assurance and quality control procedures. When asked if participants had questions or comments on the requirements for a QP, most participants indicated they had none. Comments received included requests for clear guidance on QP certification. Of the survey participants who expressed concern about using a QP for siting, most were concerned about costs to municipalities. However, QPs should quickly and easily be able to determine if site suitability requirements for the acceptable solution are met and therefore, costs to certify a report should be minimal compared to design and construction requirements. The use of a QP to certify design and construction was accepted by most respondents. Again, there were some concerns expressed related to cost and some respondents wanted to be assured that QPs would have municipal experience and the expertise to provide high quality advice. In comparison to engineered landfills, transfer stations will continue to be an inexpensive alternative due to the reduced design, construction, operational, monitoring and closure requirements and the much smaller site footprint. Most participants supported not having QPs involved in certifying operations and emergency response plans. Participants explained that most operators have staff with the expertise needed to function safely and effectively. A balance between flexibility for registration of transfer stations and costs associated with a QP was expressed. Some municipalities were concerned that costs for QPs could push the effective, low-risk solution of transfer stations out of reach for their communities. In those cases where chapter requirements needed to ensure protection of the environment, human health and safety cannot be met, containers, bins and receptacles only are an option that does not require any regulation.

## Administrative Burden

The result-based objective of the chapter is to reduce administrative burden and provide flexibility for applicants to meet environmental compliance for transfer stations, while avoiding unacceptable adverse effects. Only half of survey participants indicated they would be more likely to establish a transfer station once the chapter is implemented. These mixed results and comments indicate that bins, containers or receptacles only may be a more cost-effective solution for many smaller communities. Participants were also asked if the chapter reduced administrative burden and many respondents believed it did not. The primary red tape concerns were identified as confusing language in the chapter, record keeping requirements and the need for a QP to certify documents.

Red tape is any government compliance requirement that hinders business or individual productivity by unnecessarily consuming their time and resources. The transfer station chapter is written in the standard format required to align with the Saskatchewan Environmental Code. A concise guidance document will accompany the chapter to assist registrants. Currently, recording of waste amounts and types is a requirement, but is reported infrequently upon inspection or audit. Recording waste information can help operators identify issues, is best practice, assists with environmental protection and will be essential to inform waste reduction programs in Saskatchewan. The source of waste generation is the only additional parameter proposed to be recorded. Records will not need to be reported but will be required upon inspection or audit. Guidance will clearly define parameters to be recorded and reduce uncertainty operators have had previously with this requirement.

One participant identified that the chapter reduces government administration while transferring this responsibility to operators. Feedback from engagement on *The Municipal Refuse Management Regulations* and the *Saskatchewan Solid Waste Management Strategy* demonstrated a need for flexibility and reduced timelines for transfer station applications, which the transfer station chapter will provide. Some perceived the chapter as unnecessarily complicated with requirements that are more stringent than the risk to the environment should require. While there are requirements to employ QPs in the absence of ministry review, this practice will reduce environmental and human health safety risks at transfer stations. Transfer stations in small communities will remain a much more cost-effective option compared to engineered landfills. Furthermore, bins, receptacles or containers only are options that do not require regulation.

Many respondents recognized the benefits of applicants having flexibility to prepare records at their own pace and provide notification via online submissions. Some operators agreed that the proposed acceptable solution will reduce the current permitting and approval timelines. Participants identified some inefficiencies with the current Ministry of Environment online business service and emphasized the utility of a more efficient and clearly communicated system for transfer stations. A noted concern was the potential for non-compliance without prior approval and the need for provincial support and communication to ensure communities are clean, safe and environmentally secure.

## Regional Waste Management

Participants were asked for their input on how regional waste authorities can support transfer station establishment and to identify any obstacles the chapter may pose in this context. Some participants identified opportunities created by regional waste authorities, such as providing the organizational structure required to obtain economies of scale. Also, regional waste management authorities can be helpful to retain institutional knowledge that can commonly be lost with staff turnover in smaller organizations. An important part of this institutional knowledge is to ensure infrastructure compatibility with receiving recycling services or landfills. Additionally, regional waste authorities maintain stakeholder contact information and act as a forum for communication. Some participants believed communities should have flexibility to decide on participation in regional systems, while others recognized the need for expertise to inform regions,



standardization and accountability in regional waste authorities and waste services, which does not occur with the ad hoc approach.

## Waste Diversion

Participants were asked to identify opportunities and barriers to waste diversion from landfills through recycling and reuse through salvage. Issues associated with necessary stockpiling to obtain marketable volumes were explored. Participants were asked for their best management practices and any guidance they need to support safe and efficient resource recovery.

Information about potential partnerships with regulated waste stewardship programs and private partners was requested to facilitate recycling. Communication to the public on acceptable uses and management practices for material recycled at transfer stations or elsewhere was emphasized. Participants requested guidelines to manage concrete, asphalt, metal, hazardous substances, appliances, mattresses, clean and contaminated wood, contaminated soils, and all regulated waste stewardship program products.

Additional clarity was requested on products captured under existing waste stewardship programs to ensure they can continue to be managed at transfer stations. The intention is that the transfer station chapter will not apply to these products, however, there will be no regulatory restriction on their management. Hazardous waste is a special case. It is prohibited from disposal in landfills and, by extension, transfer stations in mixed waste. Hazardous waste may not be accepted at a transfer station but will often still be received and should be segregated for responsible management. A separate permitting process is available to manage hazardous waste, which will be included in guidance. To address these concerns, revisions will be made to ensure it is clear that the chapter does not apply to the storage of material, which is regulated through other acts, regulations or code chapters.

Issues associated with waste diversion included the time required to collect marketable volumes or for contractors to be available for removal, site stability, contaminant control, traffic, and site control to ensure safety and segregation of resources. Some participants noted opportunities for waste diversion when communities can work together in a region to take advantage of haul routes, contacts and generate marketable volumes. Storage of waste on the ground for diversion is the factor that will classify most sites as transfer stations. Due to the number of respondents who indicated they may choose to manage waste in bins only, it should be noted that resources can also be recovered in bins and the site will not be classified as a transfer station. Concrete stockpiles are the one type of waste managed on the ground that will not trigger the transfer station chapter, as concrete is considered inert and low risk. Since waste diversion is a typical part of operations, most sites that stockpile for recycling or separate for reuse will be managed through the acceptable solution.

## Record Keeping

The amount and type of waste received are currently required to be recorded by waste facility operators. Collecting waste source information helps communities and government understand the complete picture of waste generation. As landfills are a significant source of greenhouse gases and the circular economy is an opportunity to retain value and prevent waste entering the environment, we must improve our understanding of waste to support solutions and grow our economy. Diversion of waste from landfills is a priority of the *Saskatchewan Solid Waste Management Strategy*.

Many survey respondents identified challenges with the required recording of metrics. This includes concerns that most transfer stations do not have weigh scales, it takes time to ask users about their loads, many loads have mixed waste and the source is sometimes very generalized due to systems of subcontracting. Recording source information was

considered redundant by some. Others identified that while record keeping is important, it seems excessive to retain waste data for the lifetime of the facility.

Waste amounts, types and sources will often need to be estimated. Understanding source information at transfer stations provides unique information on regional systems that is often lost if only recorded at landfills. Guidance will be developed to make the task of information collection easier. This will support consistent and accurate estimates by providing a suggested record format and define these parameters.

### **Transition from Regulation to Code**

The target to implement the code chapter by 2023 was proposed to participants. It was explained that the ministry will honour the permits to operate a transfer station that were issued prior to the implementation of the code chapter.

#### **Existing transfer stations will need to register in the new notification system, within a period of six months from proclamation of the chapter to ensure operational continuity.**

Most survey respondents agreed that six months should be sufficient to register their existing transfer stations in the notification system. The main issue identified was lack of staff to upload existing information. It should be emphasized that a QP will not be required, nor will there be any required changes to design, operations or additional documentation for existing sites once the chapter is implemented. Operators will simply need to upload existing documentation developed under the previous permitting process. If an operator anticipates not being able to meet the deadline, ministry staff should be contacted to request an extension. Once the deadline has passed, any outstanding transfer stations not having provided notification through the online business service will be contacted to determine if they are closed. Once six months has passed, transfer stations permits will cease to apply and those with sites not entered into the notification system will be out of compliance with the transfer station chapter.

### **Emergent Themes**

Participants were given the opportunity to provide written comments on the survey questions. Common themes emerged from these responses and the other written submissions.

#### **Costs**

There was caution or concern about costs associated with implementing transfer stations. Some participants see requirements for transfer stations and associated costs as important but anticipate costs will be too high. Suggestions for support through grants were made. Others recognized the role regional waste authorities play in the creation of transfer stations as a viable and cost-effective alternative to landfill development and management. Many respondents were supportive of reduced reporting and no longer needing a permit. However, most were unsure what costs would be associated with a QP and expressed a need to minimize these costs while protecting the environment. Some anticipate costs may increase due to inflation and site staffing. Having access to convenient waste management services at reasonable costs was recognized as important to preventing illegal dumping.

#### **Landfill Site Requirements**

Transfer stations are most often developed on previous landfill sites. Naturally, the topic of landfill requirements including closure and decommissioning came up often throughout the transfer station chapter engagement. To clarify, landfills and transfer stations on the same site will be managed as separate activities. Timelines for decommissioning and reclamation of landfills will be on a case-by-case basis.

## Further Guidance

On numerous topics, participants have asked for additional guidance to clarify what is expected and elaborate on ministry policy. Participants asked for comprehensive guidance, which may reduce costs by providing clearer expectations. However, guidance will be limited to providing helpful information and will not infringe on the requirements of the chapter. A QP will need to be consulted on site specific technical matters and for operational clarity beyond the listed requirements. Guidance will include further information on the requirements for transfer station establishment that are set out by the Transfer Station Code Chapter, and which focus on:

- Salvaging and best practices for waste storage and diversion.
- The responsibilities and use of QPs.
- Online business service notification by owners and operators.
- The site suitability, design planning and construction verification, operation, and closure needs.
- Environmental protection plans for transfer stations under the alternative solution.

## Moving Forward

Based on written feedback, the survey results, feedback from virtual engagement sessions and past engagement efforts on the *Saskatchewan Solid Waste Management Strategy* and *The Municipal Refuse Management Regulations*, it is clear there is strong support for a transfer station chapter as part of the Saskatchewan Environmental Code.

Responses highlight that a balance is needed between protection of the environment and human health and costs for risk management and review. Therefore, efficiencies must be found such as providing clear expectations, detailed guidelines to support policy and ministry staff availability to answer questions. The Government of Saskatchewan thanks participants for contributing constructive feedback to the development of the Transfer Station chapter.

While government considers the input received and makes any necessary revisions to the draft transfer station chapter, systems will be prepared to support an efficient notification process. The Government of Saskatchewan is committed to providing a robust and flexible regulatory system for waste disposal and management.

## Appendix A – List of Participants

A list of survey participants who self-identified are listed below:

\*Names of individuals have been removed to maintain privacy.

Associated Environmental  
Association of Regional Waste Management Authorities (ARWMAS)  
City of Regina  
City of Saskatoon  
Clifton Engineering Group  
KGS Group  
Last Mountain Regional Landfill  
Product Care Association of Canada  
R.M. of Blucher#343  
R.M. of Britannia #502  
R.M. of Edenwold #158  
R.M. of Fertile Belt #183  
R.M. of Hillsdale #440  
R.M. of Meota #468  
R.M. of Paddockwood #520  
R.M. of Reno #51  
R.M. Winslow #319  
Recycle Saskatchewan  
Resort Village of Manitou Beach  
SARCAN Recycling  
Saskatchewan Association of Rural Municipalities (SARM)  
Saskatchewan Association of Urban Municipalities Association (SUMA)  
Town of Balcarres  
Town of Churchbridge  
Town of Macklin  
Town of Wawota  
Turnor Lake  
Village of Ceylon  
Village of Marcelin  
Village of Sheho  
Village of Windthorst