

Guidance for Compost Facilities Following an Alternative Solution

General

This guidance document outlines the requirements for compost facilities accepting more than 15,000 tonnes of materials of feedstock and/or amendment annually, or facilities following an alternative solution under the Saskatchewan Environmental Code's Compost Facility Chapter. The alternative solution can be followed when some or all requirements of the acceptable solution cannot be met or an innovative approach is preferred.

For general guidance information for compost facilities, see the Compost Facility General Guidance document.

Requirements

Part 1 and Part 2 of the Compost Facility Chapter apply to compost facilities accepting more than 15,000 tonnes of materials of feedstock and/or amendment annually, or those following an alternative solution. Part 1 details the general requirements all compost facilities must follow. Part 2 details the requirements for a facility following an alternative solution, including the results-based objectives and the requirement for an environmental protection plan.

Non-municipal or privately owned composting facilities may require a financial assurance as required by the *Environmental Management and Protection (General) Regulations*, sections 8(2)(o) and 9(1).

Compost Facilities Acceptable Feedstock and Amendment Standard

The Compost Facilities Acceptable Feedstock and Amendment Standard is used concurrently with the chapter. Facilities following the acceptable solution and wishing to accept materials not on the list may contact the Ministry of Environment to ensure they can accept those materials without using the alternative solution.

Results-based Objective

The goal of the alternative solution is achieved by reducing the chance of potential environmental impacts. Each site will have unique challenges and advantages, and the plans to lessen negative impacts will be tailored accordingly. Some common factors that may require an alternative solution include:

- Site considerations such as setbacks to environmental and human receptors, places of concern, topography, hydrology, geology or hydrogeology;
- Limiting nuisance to adjacent land, disease vector attraction and wildlife attraction;
- Minimizing direct or indirect exposure of staff and the public to composting operations to ensure safety;
- Employing appropriate environmental controls and providing adequate environmental protection;
- Managing surface water run-on and run-off discharge; and

- Environmental monitoring and protection.

The alternative solution accounts for Saskatchewan's diverse landscapes and natural features.

Part 2 of the chapter describes the requirements for siting, designing, constructing and operating a compost facility to meet the results-based objective of the alternative solution. Please note that the requirements for the closure of a compost facility are described in Part 1 of the chapter and apply to every facility.

Note: As per 1(5) of the chapter, an owner of a compost facility that is operating a permitted compost facility on the day on which this chapter comes into force is not required to comply with the siting, design and construction requirements set out in the chapter, unless the owner of the compost facility is expanding the compost facility or the operation of the compost facility on this site may cause an adverse environmental effect, but all other requirements apply.

Environmental Protection Plan

Following the alternative solution, every owner of a compost facility must prepare an environmental protection plan (EPP) that sets out the methods used to meet the results-based objective described in Part 2 of the chapter. Facilities accepting more than 15,000 tonnes of materials of feedstock and/or amendment annually, or those that are following alternative solutions must meet the same standard of defensibility as acceptable solutions, and all methods used should be scientifically justified.

A qualified person, as defined in Section 1-5 of the chapter, must certify the EPP and append a qualified person certificate that states that, in the professional opinion of the qualified person, the methods and components in the EPP, if carried out in accordance with that plan, will satisfy the results-based objective described in Section 2-1(1) of the chapter. The EPP must then be submitted to the Minister of Environment for review and acceptance.

The Minister of Environment will evaluate the proposed alternative solution for acceptance. On receipt of the plan, the Minister may:

- Accept the plan;
- Accept the plan with terms and conditions; or
- Refuse to accept the plan.

Please note that the Minister will only evaluate the activities that pertain to their mandate. It is the proponent's responsibility to ensure all other ministry and jurisdictional requirements are met.

What documents should be submitted to the ministry as part of an EPP?

An EPP may contain multiple plans and reports to meet the chapter's requirements. Owners and operators can adapt Part 3 of the chapter or use best management practices to meet the requirements listed in Part 2. Part 1 applies to every compost facility and its details can be included in the operations plan or a separate operating procedure referenced in the EPP.

EPP submission requirements:

- Table 2 outlines the reports to submit for review and acceptance.
- The contents of this list and the reports can be adapted for specific needs.
- Include the Compost Facility Notification Form in the submission.

Table 2 – Reports that are part of an EPP

Report	Purpose of the report	Certified by a qualified person?
Environmental protection plan, main report	<p>The main report of an EPP is often compared to a customized permit that accounts for every aspect of a facility. It presents the alternative solution and can reference some of the reports listed in this table and other standard operating procedures or maintenance documents.</p> <p>An accepted EPP will speak to the science-based solutions, compliance with the requirements of the chapter under the alternative solution and mitigation measures intended to manage possible environmental disturbances from the siting to the closure stages of the compost facility. It will also outline post-closure care for the site. An accepted EPP is a commitment to ensuring that both best-management practices and regulatory compliance are met.</p>	Yes
Site suitability report	Presents the location and setbacks and describes the site-specific design required for protecting the environment. Includes engagement or consultation with adjacent landowners, stakeholders and anyone that may be impacted by the operations of the facility. This information may be included in the design plan.	Yes
Design plan	Outlines the design intent and includes, if necessary, construction specifications, site plans and site maps with appropriate contours. It summarizes the design components that fulfill the site-specific requirements to meet the objectives in Section 2-1(2). Facility owners must ensure all applicable regulations are followed, including but not limited to this chapter, building codes, local by-laws, etc. Additionally, this report details the quality assurance and quality control (QA/QC) testing that will be performed. All drawings must be certified by a qualified person. Before beginning construction, Acceptance of the Site Suitability and Design Plan is required.	Yes
Construction verification (if applicable for the design)	Describes the infrastructure constructed at the site as per the design plan. Once construction is completed, the facility owner must notify the ministry by submitting the construction verification report. The report must include quality assurance documentation and interpretation, which must be accepted by the ministry before starting operations.	Yes
Environmental monitoring plan (if applicable for the design)	Outlines procedures for detecting potential releases of substances that may cause environmental impacts. These procedures are overseen by a qualified person and tailored to site-specific conditions. The plan may include the installation of monitoring systems (e.g. groundwater monitoring wells) or other environmental controls (e.g. for surface water run-ons, run-offs, discharge or ponding, or stormwater controls), environmental sampling to be conducted (e.g. the parameters, frequency and interpretation of results) and reporting to the ministry.	Yes

Operations plan	Describes compost facility procedures and protocols for day-to-day operational activities, including checklists and other forms for record keeping. Specific contents for this plan will depend on the operations of the compost facility and the design plan to minimize impact on the environment and surrounding communities. Windrow dimensions and overall pile height must be managed in accordance with the operations plan and emergency response plan.	No
Emergency response plan	Outlines the emergencies and incidents that may occur at the compost facility for any activities that may potentially harm people or cause environmental deterioration and the course of action to mitigate the impacts of those activities. This report can also be included as part of an operations plan, rather than as a separate plan. Windrow dimensions and overall pile height must be managed in accordance with the operations plan and emergency response plan.	No
Preliminary decommissioning and reclamation plan	Municipally owned facilities are required to submit a preliminary decommissioning and reclamation plan within 60 days of completion of construction. Privately owned facilities are required to have a preliminary decommissioning and reclamation plan and financial assurance in place prior to construction. Includes calculations of associated financial assurance if applicable. It also summarizes work needed to decommission the site, including removal of relevant infrastructure and materials, general site clean-up, final contours of the site and returning the site to the intended end use, and any expected post-closure work.	No (see closure sub-section)
Financial assurance	For non-municipal or privately owned composting facilities, documentation demonstrating that a financial assurance is in place if required.	Not applicable

How is an EPP submitted for review?

Submit the EPP to the Environment Business Services portal. If you need assistance with your submission, please contact the Ministry of Environment's general inquiries line.

How long will it take for the Minister to review the EPP?

The Minister will provide a written response within 45 days, as identified in Section 27(8) of *The Environmental Management and Protection Act, 2010* (EMPA). However, there could be conditions or requests for more information that would add further delays to the start of the project. Allow ample time between the submission of an EPP and the start of construction to accommodate any necessary adjustments to the EPP. Please reach out to the ministry early in the process.

Can work at a site begin before the Minister accepts the EPP?

No. The EPP must be submitted to the Minister as an application to construct (not as notification) for review and acceptance **before** beginning any physical activities to establish and operate a compost facility.

How can an EPP be amended?

Amended EPPs require resubmission and a new qualified person certificate. Amended EPPs due to facility-requested changes or to meet ministry terms and conditions must be uploaded to the Environment Business Services portal. Ministry correspondence will be provided during the review and approval process so that compost facility owners can understand the next steps.

How can an operations plan be amended?

If the operations plan is part of the EPP, it must be re-submitted along with a new qualified person certificate for review and acceptance. For this reason, the ministry suggests frequently updated documents such as the operations plan, the emergency response plan, standard operating procedures and training manuals be referenced in the EPP but managed as separate documents. This will prevent the resubmission of these plans for acceptance every time they are updated.

Are there other required reports to submit to the ministry?

The reports referred to in Part 1 of the chapter apply to every compost facility following an alternative solution. These reports and their reporting schedules are listed in Table 3.

Table 3 – Report submission schedule for every compost facility following an alternative solution

Report	Purpose of the report	Reporting schedule
Annual report	Provides information about the operations based on data from the previous calendar year. See subclause 1-9(e)(iv) for specific content.	Submit on May 31 for the preceding 12-month period ending on April 1
Environmental monitoring report	This report is based on the environmental monitoring data from the previous calendar year, including data interpretation, trend analysis and a qualified person certificate. See subclause 1-9(e)(i) and Section 1-7.	Submit on May 31 for the preceding 12-month period ending on April 1
Amended environmental monitoring plan	Includes a qualified person certificate. See subclause 1-9(e)(ii) and Section 1-5.	Submit 60 days before implementing changes
Report following the replacement, abandonment or decommissioning of a groundwater monitoring well	Includes a qualified person certificate if the change will modify the environmental monitoring plan. See subclause 1-9(e)(iii) and Section 1-5.	Submit within 60 days of completion of work
Notice of expansion	Notifies the ministry of the expected expansion date. See clause 1-9(d).	Submit at least 90 days before expansion of the facility

Notice of closure	Notifies the ministry of the expected closure date. See subsection 1-11(2).	Submit at least 90 days before the closure of the facility
Closure report	Summarizes the reports and accounts of the facility during the operational phase, as well as the work completed to decommission the site, including removal of infrastructure; general site clean-up; final contours of the site and returning the site to the intended end use; and any post-closure work expected. See subsection 1-11(5) for specific content.	Submit within 90 days after the closure of the compost facility
Incident reporting	Informs the ministry of an incident involving spills or discharges of substances that may cause or is causing an adverse effect or meets the criteria set out in the Discharge and Discovery Reporting Standard, including unforeseen or unintended fire. See clauses 1-9(a) to (c).	Immediately report

Record Keeping

Subsection 1-8(1) of the chapter outlines the general records a compost facility owner must retain for at least seven (7) years from the creation date. Subsection 1-8(2) outlines the general records that must be retained over the lifetime of the facility. Table 4 summarizes the record-keeping requirements at a compost facility following an alternative solution.

When the compost facility changes ownership, the new owner will receive all the records that must be maintained according to this chapter.

After the facility closes, all records, including the closure report, must be retained for seven (7) years.

Table 4 – Summary of required record keeping based on retention times

Subsection 1-8(1)	Subsection 1-8(2)
Records to be kept for seven (7) years	Records to be kept for the lifetime of the facility
Description and characterization for each of the feedstock and amendment types received and processed	Up-to-date site plan showing all major features of the compost facility
Annual mass or volume and types of feedstock accepted at the facility	Inspection records or compliance audits
Annual mass or volume and types of amendments accepted at the facility	Any discharges or discoveries
Annual mass or volume of compost produced by the facility	Any releases not covered under discharges or discoveries
Annual mass or volume of compost that is used, sold or given away by the facility	Environmental risks
Annual mass or volume of residuals and overs removed from the site	A verified monitoring plan if implemented at the site
Volumes and chemical analysis results of process water removed from the site if applicable	Public complaints and resolutions
Environmental monitoring plan, (see clause 1-8(1)(f) for specific content)	Any regulatory documents for the compost facility

Any certificate received from a qualified person	A copy of any notification, environmental protection plan, application or proposal submitted to the minister, along with related correspondence
Any other records mentioned in Part 2 (i.e. including records mentioned in the accepted EPP)	Construction documents
Closure report	

Closure of a Compost Facility

A compost facility must close when:

- The owner no longer intends to accept feedstock or amendment;
- No materials have been accepted for at least 12 consecutive months; or
- The Minister issued a written request for closure.

Closure Process

- 1. Notification:** Provide written notice to the Ministry of Environment at least 90 days before closure.
- 2. Site security:** Take steps to prevent trespassing, illegal dumping and vandalism. Remove items not needed for the function of the site within 30 days.
- 3. Closure report:** Submit a closure report within 90 days, indicating that the site has been returned to an appropriate end land use and there are no known or suspected adverse effects from the operation of the compost facility. If adverse effects are identified, further site reclamation work may be required as per the impacted sites process. The report must include the requirements listed in 1-11(5) of the chapter.
- 4. Financial assurance:** For facilities with a financial assurance, the ministry will return it once decommissioning and the reclamation are verified.
- 5. Record-keeping:** After closure, facility owners are required to retain documentation. Please see the record-keeping section for more information.

Resources

[Compost Facility General Guidance](#)

[Guidance for Compost Facilities Accepting Less Than 100 m³ of Only Leaf and Yard Waste Annually](#)

[Guidance for Compost Facilities Following an Acceptable Solution](#)

[Compost Facilities Acceptable Feedstock and Amendment Standard](#)

[Environmental online business portal](#)

[Transfer stations](#)

[Solid waste management facilities](#)

[Environmentally impacted sites](#)

Five chapters of the Saskatchewan Environmental Code are used to manage environmentally impacted sites:

- [Discharge and Discovery Reporting Chapter](#)
- [Site Assessment Chapter](#)
- [Corrective Action Plan Chapter](#)
- [Transfer of Responsibility for an Environmentally Impacted Site Chapter](#)
- [Substance Characterization Chapter](#)

[The Compost Council of Canada](#)

[CCME Guidelines for Compost Quality](#)

[Best Practices for Operating an Aerated Windrow Composting Facility](#). This document contains good examples of operation logs for reporting and tracking information as well as recipes and instructions to operate a windrow facility. These resources can help owners to prepare their own operations plan.

This [emergency response plan](#) prepared by SWANA Northern Lights for landfills could be adapted for compost facilities.

[Financial Assurance Requirements - Alternative Solution Guideline - For Industrial Waste Works](#)

Contact

If you require assistance, please call the Ministry of Environment's Public Inquiry Centre at 1-800-567-4224 (toll-free in North America) or 306-787-2584. A ministry official will connect you with an environmental protection officer.

Web: saskatchewan.ca/environment

Email: Centre.Inquiry@gov.sk.ca