



Transfer Station Chapter- Discussion Paper

Saskatchewan Environmental Code

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Introduction

The Solid Waste Management Strategy (Strategy) was launched publicly on January 23, 2020, as a starting point to provide a practical and sustainable solid waste management system in Saskatchewan. The Strategy outlines goals and commitments that will move the province towards a practical, sustainable, integrated solid waste management system that protects the environment and promotes economic development and innovation opportunities. The commitment that this public engagement focuses upon is for the Ministry of Environment to develop a new Saskatchewan Environmental Code (code) chapter for transfer stations for implementation in 2022-23.

A new code chapter for transfer stations aims to provide legal requirements and concise guidance to reduce administrative burden associated with permitting and reporting of these waste disposal grounds/facilities. As part of the code, the Transfer Station chapter will identify requirements for siting, design, operation and closure of transfer stations under the acceptable and alternative solution streams of the result-based regulatory model that is followed by the province in achieving environmental compliance. The code will reduce the time that municipalities spend on permitting and reporting, while providing flexibility towards solid waste management options that fit their specific needs. The code chapter will reduce the requirement for some documentation, such as operations plans and emergency response plans to be submitted, if following the acceptable solution stream.

Public Engagement Process

Public engagement is a key tenet of developing a new code chapter or reviewing an existing one. This discussion paper outlines considerations for requirements under the code chapter for transfer stations, which were previously managed through guidance or best practices from other jurisdictions. The draft chapter is also available for your review. Before the code chapter is finalized, the Government of Saskatchewan wants to hear your feedback.

Responses can be provided through written submissions or the ministry's online survey. Submissions will be accepted until February 25, 2022.

For additional information or questions, participants have the option of attending virtual engagement sessions offered by the ministry. Details on the virtual engagement sessions and a link to the online engagement survey can be found on the [ministry's website](#).

Background

A common message coming out of previous engagement on both the Strategy and *The Municipal Refuse Management Regulations* (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 municipalities' time spent applying and reapplying for permits and submitting reports.

The ministry utilized a draft code chapter which had been developed in 2012 as a starting point for discussions with the focus group. The draft Transfer Station chapter aligns with current and best practice requirements and minimizes the financial and time burden to develop a transfer station. In the absence of a code chapter for transfer stations, these waste management facilities would continue to be permitted through MRMR. A composting chapter is also under development, but is independent of the Transfer Station chapter. It is expected that once the chapters are implemented, owners may utilize both the composting and transfer stations chapters for a single site if both activities will occur; however, engagement for each chapter will occur independently.

In summer 2021, a focus group of seven external municipal and industry experts conducted a review of the draft chapter to provide feedback. This approach follows results-based principles to ensure those affected by the regulations are involved in the design. Public engagement on the Transfer Station chapter will now inform the finalization of the chapter, keeping public and stakeholder engagement as a key tenet of code development.

Code Overview

The result-based objective of the code is to reduce administrative burden and provide flexibility for applicants to meet environmental compliance for transfer stations, while avoiding unacceptable adverse effects due to waste storage at a given site. In February 2021, the Minister of Environment approved changes to the process it followed in previous code development, in order to make it more outcomes-focused, nimble and efficient. A key change was to sunset the Code Advisory Committee and expand to other methods of involving stakeholders in code development. The new system for public engagement provides flexibility to engage with regulated communities in meaningful ways with opportunities for collaboration in environmental code chapter development such as through focus groups.

The Transfer Station chapter will reduce the time that municipalities spend on permitting and reporting while providing flexibility for a results-based solution. Registration through this chapter will reduce the requirement to submit some documentation, such as operations plans and emergency response plans for review, if following the acceptable solution. The acceptable solution is the conventional approach and requires notification through an online registration system with supporting documentation uploaded. Qualified persons (QPs) will support applicants' in design, closure and developing some documentation. Stakeholders can choose to follow the alternative solution where the siting, design, or operation of the transfer station will not meet the acceptable solution or where an innovative approach is preferred. Alternative solution applications for Transfer Station establishment are intended to be rare and will require ministry staff review.

Waste Management in Saskatchewan

Landfill impacts do not occur because of the amount of municipal solid waste (MSW) generated or disposed of in a community. Rather, impacts result from improper design or construction of a landfill or poorly managed operations. Historic landfills have the potential to continue posing environmental risks beyond their operational phase as many were not appropriately constructed to address local site

conditions to prevent pollutant emissions and impacts to groundwater. New landfills are required to be designed and constructed with engineered controls such as liners and leachate collection systems, to minimize the impact to the environment, by preventing the transportation and migration of pollutants from the landfill disposed waste to the groundwater.

Municipal landfill closure is regulated by *The Municipal Refuse Management Regulations (MRMR)*, the Site Assessment chapter and the Corrective Action chapter of the Saskatchewan Environmental Code. The ministry continues to work with communities who close historic landfills on decommissioning and reclamation timelines based on the environmental risk associated with their specific landfill sites.

In February 2020, the Ministry of Environment secured \$50 million in funding via the Investing in Canada Infrastructure Program (ICIP) for landfill closures. The ICIP Green Stream is accepting landfill closure and decommissioning applications until the funding is fully allocated. A dedicated intake for applications opened on September 16, 2020. More information can be found [here](#), or by contacting Government Relations at infra@gov.sk.ca or (306) 787-1262.

The Ministry of Environment is working towards improved landfill compliance and long-term sustainable solid waste management in the province. Municipalities can pursue the best waste management option for their needs, while achieving compliance through a variety of options. Acceptable waste management options include bringing an existing landfill into compliance, converting to a transfer station, participating in a regional waste management authority, contracting a private disposal company, or a combination of these or other innovative solutions.

Transfer Stations

Transfer stations are designated as a waste management works under clause 47(b) of *The Environmental Management and Protection Act, 2010*. Transfer stations are facilities that temporarily store solid waste prior to its transport to a treatment, recycling, recovery or disposal facility and include material stored in bins and certain materials stored on the ground. A person who intends to establish a transfer station will need to follow the Transfer Station chapter and notify the ministry through the online registration system.

Transfer stations are a low risk alternative to engineered landfills. Transfer stations offer opportunities for resource recovery by opening up economies of scale. Transfer stations can be operated at a fraction of the cost associated with engineered landfills. Regional partnerships through regional waste management authorities further expand the cost sharing possibilities for operating waste disposal grounds such as engineered landfills and transfer stations. These authorities can be a viable option for financially and environmentally sustainable waste management options for communities of various population sizes. Regional partnerships can form networks that share the cost of waste management across multiple stakeholders, not just within municipalities.

Regional Waste Management Authorities

Waste transfer stations may integrate well into regional waste management authorities in Saskatchewan, while many transfer stations also haul to municipal or private landfills. Waste transfer stations act as an intermediate short-term storage facility between waste generation points and final landfill disposal. Furthermore, a transfer station may offer opportunities to increase waste diversion by increasing opportunities for waste separation and sorting. Transfer stations may help to keep costs low and are typically less expensive to site, design, and operate compared to an engineered landfill, while providing a safe, effective and integrated system for waste management.

- ***How can a regional waste authority play a role in supporting successful establishment of new transfer stations?***
- ***Are there any obstacles you foresee for transfer stations as part of a regional waste authority once the code chapter comes to force?***
- ***What type of operational costs do you foresee being affected if your community implements a transfer station or waste received at your existing transfer station increases? Can you quantify the cost savings or expenses?***
- ***With the new requirements proposed in the code, will you or your clients be more or less likely to establish a transfer station? Why/why not?***

Receptacles, Bins or Containers

Currently and in the Transfer Station chapter, facilities that only temporarily store solid waste in receptacles, bins or containers without any other waste on the ground for the purpose of diversion at a future date are not considered transfer stations and do not need a permit to site, design or operate.

Containment for the waste must prevent any liquid from escaping. Diversion of waste by segregating materials such as metals or other recyclables may still occur at a transfer station, but must take place within the containment system.

Key Changes and Considerations

Most requirements for transfer stations as they appear in the ministry supplied [guidance documents](#) will remain unchanged when the code chapter is implemented. However, there are some key changes and considerations that have been introduced by the code chapter. These are explained below:

Time for registration of existing sites

The target is to implement the code chapter by 2023. The ministry will honor the permits to operate a transfer station that were issued prior to the implementation of the code chapter. However, these existing transfer stations will need to register in the new notification system, within a period of six months to ensure operational continuity. Once the transition period is over, the sites will need to be aligned with code chapter requirements. A supplemental guidance document for use will be prepared by the ministry to aid the application of the code chapter.

- ***Do you foresee any issues with this timeline?***
- ***If so, what are some of the constraints that would prevent you from meeting the deadline for registration?***

Expanding an existing transfer station

The intent of the code is to continue to encourage operation of existing facilities, and establishment of new transfer stations, which are typically low risk facilities, easy to operate and cost effective compared to landfills. Under the code chapter Section 3-6 there will be application requirements for expansion which will include:

1. Confirming facility design and operation changes align with the code.
2. Supplying a required design plan, construction verification report and a certificate by a QP who states that the expansion meets the code requirements.

These requirements are important to help applicants ensure risks have been mitigated or minimized due to an expansion. An existing transfer station is considered expanded when the footprint expands, there is a change in design or new material types are collected.

- ***Do you foresee any issues with these requirements?***

Qualified Person

Once the transfer station code is in force, the ministry will no longer review applications for transfer stations that will follow the acceptable solution pathway under the code. A QP will be required to:

- QP certificate is submitted as required (Section 1-5);
 - Certify an environmental protection plan (Section 2-2);
 - Certify a site suitability report (Section 3-4), design (Section 3-5) and/or construction (Section 3-6) quality assurance quality control procedures;
 - Certify and amend an environmental monitoring plan and certifying quality assurance and quality control sampling and analytical procedures; and
 - In the case of an alternative solution (Part 2), certify the methods and components of an environmental protection plan will satisfy the results-based objective identified in the chapter.
- ***Do you have any questions or comments on the requirements for a QP found in Section 1-5?***
 - ***Do you have any concerns with the use of a QP for siting a transfer station?***
 - ***Do you have any concerns for the use of a QP for designing a transfer station?***
 - ***Are there situations where you believe a QP should not be required? Why?***

Alternative Solution

Applications where the alternative solution (Part 2) applies are intended to be for transfer station sites that do not meet the acceptable solution criteria and require ministry staff review. Previously, ministry staff conducted reviews of all transfer station applications and issued a permit to operate.

- ***In what situations should the alternative solution apply? The following factors are considered.***

Factors to consider:

- ***Environmental aspects such as topography, sensitive geological formations, nearby environmental receptors like significant and important waterbodies (lakes, rivers, streams, creeks and sloughs), where species at risk maybe disturbed/loss of habitat (The Ecological Reserves Act; The Wildlife Habitat Protection Act).***

- ***Human health and safety factors such as community drinking water wells, significant land uses facilities like existing mines, regional/provincial parks, etc.***
 - ***Places of special concern such as heritage sites and other designated sites such as FN burial grounds/cemeteries, etc. (The Heritage Property Act).***
 - ***Sizes of stockpiles to be stored temporarily.***
 - ***Management of specified waste such as animal carcasses, etc.***
- ***Are there additional factors not yet considered?***
 - ***Where it may be undefined, can you suggest a threshold or quantity for a factor to consider and supporting rationale?***

Siting

Transfer stations are often operated on closed landfill sites. Siting considerations are an important component to ensuring that transfer station operations do not adversely impact the environment, human health and safety or cause nuisance for communities in close proximity. Under the acceptable solution for siting a transfer station in Sections 3-2 to 3-4, consideration has been given in selecting a location that meets minimum operational criteria and pathways and receptors of concern will be less likely to be adversely impacted. The acceptable solution details specific considerations which need to be met for siting a transfer station. It is intended that most transfer stations will qualify under the acceptable solution of the code.

Except for existing sites, a QP will be required to collect the information and develop a site suitability report that confirms the acceptable solution or provides scientific rationale for an alternative solution. As Saskatchewan has a diverse landscape and natural features, the alternative solution will provide options to consider additional requirements and propose innovative solutions for siting a transfer station.

- ***Do you see any issues with the requirements for siting a transfer station?***
- ***Do you see any issues with requirements for a QP? Please explain.***

Design

Transfer station designs are quite diverse, and can consist of a bin and a small stockpile (e.g. metals) on the ground, to numerous bins and various segregated waste piles for diversion from landfill. The code provides the minimal design considerations for low risk transfer station design in Section 3-5. The alternative solution in Part 2 allows for innovation and flexibility in design to achieve the intended outcome. The requirements for 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.

- ***Do you have any questions or comments related to the section of code related to design?***

Operation

Operations plans for transfer stations ensure consideration for sound operations and prevention of adverse impacts to the environment. Sections 3-7 to 3-9 of the chapter on operations includes the current requirements and best practices in transfer station operations. It is meant to be a thorough list

of procedures to be prepared to ensure environmental protection through operation. The operating plan is a site-specific document of the procedures the facility uses to achieve the desired outcomes in operation. These plans do not need to be prepared by a QP. However, a QP may still be appropriate if the facility owner does not have the experience to prepare these documents. The facility will maintain the document, conducting regular (e.g. annual) reviews and required amendments. Under the code, the ministry will not be required to review or approve an operation plan for a transfer station, unless it is conducting an inspection or an audit of the facility. Previously, operation plans were submitted to and reviewed by ministry staff.

The operating plan section is intended to be a comprehensive list of procedures that need to be prepared to ensure environmental protection.

- ***Do you have any concerns with the outlined operating plan and duties requirements?***
- ***Although a QP may prepare or aid in the preparation of an operating plan, do you foresee any concerns with not using a QP?***
- ***Operating plans are not going to be reviewed and approved by the ministry prior to implementation. Do you see any issues with this approach?***

Closure

Depending on the steps followed during the establishment of the transfer station and the information collected over the life of the site, a great deal of information may be available to the owner of the facility and the 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). It should be noted that if adverse effects are identified at any time, further site reclamation work may be required.

The closure report (Section 3-10) 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.

- ***Do you have any concerns with the closure report requirements?***
- ***If a QP were not required, would you have any issues with the closure of a site. Please explain.***

Waste Diversion, Recycling and Salvage

Typically, a number of waste product categories are collected at transfer stations and landfills such as metals, concrete, asphalt shingles, clean wood, products recyclable through regulated or voluntary programs etc. However, some waste products not accepted such as prohibited wastes (Section 1-10) are occasionally received despite notification to the public and load observation by operators. In both cases a system needs to be in place to manage the material as identified in 3-7(2)(e) and (h).

- ***What opportunities for or barriers to enhancing waste diversion at transfer stations can you identify?***
- ***Are there waste types you would like to see guidelines on to assist with best practices for waste segregation and resource management?***

Controlled salvage of reusable products and materials is currently authorized at transfer stations. Going forward, controlled salvage will be encouraged as an excellent way to retain the value of products in the

in the circular economy. Salvage is identified in the acceptable solution, operating plan Section 3-7(2)(c) of the code chapter and requirements include establishing protocols and procedures for managing controlled, safe salvage within separate, designated areas.

- ***What opportunities for or barriers to controlled salvage at transfer stations can you identify?***
- ***What resources or guidelines would help support best management practices for safe salvage and maximum value recovery of products and materials at transfer stations?***

Stockpiling

Stockpiling of waste is often necessary to obtain volumes that can be sold or processed. However, there should be a balance between saving volumes of commercial value and avoiding environmental impacts or causing site stability issues. Operations plans for transfer stations should include a plan for managing stockpiles (3-7(2)(g)). *The National Fire Code of Canada, 2015* and *The National Building Code of Canada, 2015* in addition to *The Occupational Health and Safety Regulations, 2020* must be followed in the management of all segregated resources.

- ***How long do you typically stockpile before each type of waste is diverted?***
- ***Do you have any concerns with stockpiling waste at transfer stations?***
- ***What resources or guidelines would you like to see that could support better management of stockpiles and cost-effectiveness/efficiency of stockpiling materials?***

Monitoring Requirements

Often transfer stations are located on previous landfill sites which continue to have their own requirements from closure and decommissioning, such as long term groundwater monitoring. Transfer stations will not typically require groundwater monitoring solely due to transfer station activity, since these waste management facilities are considered to be low risk. If environmental sampling is required due to offsite impacts from the transfer station activities the requirements are identified in Section 1-7.

- ***Do these requirements seem reasonable? Are there situations where more monitoring should be required?***

Urban

Urban waste management facilities in high density settings face unique challenges resulting from the potential visual, auditory, or air quality impacts to human receptors due to proximity to residential areas. The code and other regulations do have setback requirements for the establishment for transfer stations. Urban facilities may be considered under the alternative solution.

- ***Are there other considerations that should be made for urban sites in the Transfer Station chapter?***

Northern and Remote

Northern and remote waste management facilities also face unique challenges including increased costs, extended timelines for material management, increased wildlife, increased emergency response times, sensitive habitats and receptors which are living organisms or ecosystems that may be exposed to a substance.

- ***Are there other considerations that should be made for northern and remote sites in the Transfer Station chapter?***

Required Record Keeping

A number of records are currently required to be kept (Section 1-8) by transfer station operators such as waste amounts and types. Through the proposed chapter an additional parameter being considered is the waste source or general location where waste is generated. Waste source information is for the purpose of targeting initiatives effective at reducing waste and not for the purpose of identifying individuals or companies. Furthermore, information recorded will be collected in an anonymized manner. As with all other data collected, confidentiality will be maintained when records are periodically audited. Periodic auditing of sites following the acceptable solution will be a part of the ministry oversight process going forward.

Diversion of waste from landfills and by extension transfer stations is a priority of the Solid Waste Management Strategy. Having more information about waste will help us meet our waste reduction goals of 30 per cent reduction by 2030 and 50 per cent by 2040. The information will be crucial for determining the initiatives that will be effective at reducing waste and recovering resources.

- ***Do you have any current challenges with recording metrics? Do you have any concerns about recording this additional information?***

Administrative Burden

As mentioned, the overarching goal of the code is to reduce government administrative burden and provide flexibility for applicants. Once implemented the chapter will require information to be prepared in a manner very similar to current requirements. Some information such as operational and emergency response plans will not need to be submitted for review and approval. Applicants will have the flexibility to prepare records at their own pace and provide notification with their online submission. Rather than ministry staff reviewing each application in a queue, owners will have the opportunity to seek opinions of a QP to conduct the reviews upon registering their facility.

- ***Does the Transfer Station chapter achieve the desired result of reducing administrative burden? If not, what can be improved?***

Future State

Once the chapter comes into force, registration and notification can be done through the online portal.

A guidance document will accompany the code chapter to assist applicants on how to meet requirements of the code chapter to develop a transfer station in Saskatchewan. The steps and considerations for planning, siting, design, operation and closure of transfer stations will be outlined. Best practices for the design and operation of transfer stations, environmental protection, waste diversion and workplace safety will be presented. Other applicable municipal, provincial and federal requirements that may apply will also be identified.

If the registration of a transfer station follows the acceptable solution, upon registration through the ministry system, a reference number will be generated. This reference number is unique to a transfer station and will act as the site identifier. The owner and operator of the transfer station will need to

reference this number in all communications about the transfer station with the ministry. The alternative solution application process requires ministry review and approval before a reference number is generated.

Owners have a duty to ensure that the operation and environmental protection activities are carried out according to the operations plan. Additionally, an emergency response plan will need to be maintained onsite. The Ministry of Environment will continue to inspect transfer stations to ensure compliance with the required information submitted upon registration and in compliance with the transfer station code.

Transfer stations having received a permit to operate prior to the implementation of the Transfer Station chapter must still register under the new system. Completed registrations will be due six months from the date the chapter comes into force. However, if an extension is required, opportunities will be available to request an extension.

- ***Do you see any issues with this timeline?***
- ***If there are any constraints that would prevent you from meeting the deadline for registration, what are they?***

The following outlines the proposed changes to requirements once the code is implemented:

Requirements remaining the same:	New or Changing Requirements:
<ul style="list-style-type: none"> • Existing requirements as outlined in the Ministry of Environment transfer station guidelines and other documents including site suitability report, design plan, construction verification, operations plan, emergency response plan and closure plan. 	<ul style="list-style-type: none"> • Clear requirements to employ industry best practices for low risk operations following the acceptable solution. • Streamlining from a permit application system to online registration to establish, construct, and operate a transfer station for facilities following the acceptable solution. • No requirement to submit annual reports. • No requirement to submit operations plans and emergency response plans for approval under the acceptable solution. • Engaging a QP to verify requirements of the chapter are met, rather than ministry staff review. • Encourages innovation in managing risk and methodologies and technologies. • Facilities that choose to propose an alternative solution submit proposed new methodologies and technologies for ministry review and approval as part of an environmental protection plan. • Auditing acceptable solution for oversight.

Registration of a transfer station will require the following information to be uploaded:

- A. Site suitability report and design plan

- B. Construction verification
- C. Operations plan
- D. Emergency Response Plan

Post-public Engagement

The information received during the engagement process will help to ensure an effective and efficient Transfer Station chapter. Once engagement has been completed, a summary of the input received will be made available.

Your input will help the government better understand key interests and concerns to be considered. Thank you for your participation in the review process. We look forward to reviewing your responses.

Contact

Stakeholders are encouraged to participate in the online survey and to register and attend webinars for further information and opportunity to ask questions. Written submissions and questions can also be forwarded to:

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