



The proposed National Municipal Wastewater Effluent Strategy

by Bill Brant, Cochrane Engineering Ltd.

About four years have passed since Environment Canada announced that it would initiate development of a national Municipal Wastewater Effluent (MWWE) strategy. The primary objective was to create a degree of consistency between effluent standards set by various provincial and territorial governments. Environment Canada subsequently embarked on a number of stakeholder consultations. Those representing the municipal sector came to the consensus that throughout these 'consultations,' Ottawa may have been listening to some stakeholders – notably federal bureaucrats and environmental activists – but not to the municipal sector.

One of Environment Canada's first implementation steps was to mandate that where municipalities met certain criteria (i.e., effluent discharge of 5 million litres per day), 'pollution prevention' (P2) plans had to be developed. Using language that included their desire to 'capture' these municipalities, Environment Canada's approach did not go down well in the municipal sector.

In late 2003, municipalities were given hope of a better process, when the Canadian Council of Ministers of the Environment (CCME) – representing the 10 provinces, three territories and the federal government – agreed to take on the task of developing the MWWE strategy. Having CCME lead the strategy development process is far superior to what occurred in the preceding three years during which Environment Canada seemed to be relatively insensitive to municipal concerns. (*Manitoba's representative on the CCME Development*

Committee is Mr. Larry Strachan, Director of Environmental Approvals for Manitoba Conservation).

CCME's goal is that federal objectives will be effectively harmonized with those of the provinces and territories. It proposes that a 'single window' approach be adopted, to prevent municipalities from being in the position of potentially having to meet conflicting federal and provincial/territorial requirements. Also critically important is the objective that the virtually unlimited powers of the federal *Fisheries Act* will be constrained within a workable regulatory framework.

The early summer municipal consultation led by CCME (including the one for Western Canada in Edmonton on June 10) was far more productive than those held previously by Environment Canada. There was a sense that CCME's Development Committee was listening and was committed to addressing municipal concerns. Key points raised by municipal representatives included:

- The need for a municipal representative on the Development Committee to ensure effective communication
- The need to base everything on good science and realistic risk assessments
- The need for effluent standards to reflect local and regional environmental realities
- The need to focus first on basic effluent quality parameters, not exotic or emerging issues such as endocrine disruptors
- The need to address certain deleterious substances at source (meaning that if certain consumer products contain environmentally toxic substances, Environment Canada should ban manufacturers from using them rather than telling municipalities to remove them from wastewater streams)
- The need to curb the arbitrary and heavy-handed enforcement by DFO officers.
- The need to consider affordability and federal funding tied to any significant facility upgrade as may be required.

As AMM's representative at all the Environment Canada and CCME meetings, I am optimistic that the MWWE strategy will evolve in a way which not only protects the environment, but does so in a sensible way, in the best interests of all Canadians. As the process moves forward, further reports will appear in future issues of *The Leader*. ♦

Bill Brant has been AMM's designated representative at all MWWE Strategy Stakeholder Consultations and meetings for the past four years, and is a frequent contributor to the Municipal Leader magazine. He is also Editor of Western Canada Water magazine.



The Canada-wide Strategy process for MWWE will be based on three cornerstones:

1. Harmonization of the Regulatory Framework. The framework will recommend, among other items, a balanced, risk management-based approach and definition of a clear forward-looking and flexible regulatory model.
2. Coordinated Science and Research. Among other items, the development committee will assess the need for action regarding emerging issues and recommend approaches to fill information gaps.
3. Environmental Risk Management Model. The proposed model should integrate a list of pollutants, desirable performance standards and characteristics of the site-specific receiving environment, and include management of nitrogen and phosphorus.

The Canada-wide Strategy process will provide opportunities to link with the current CEPA process. The opportunities for linkages include selection criteria, risk management objectives and other factors to consider, including timing and content of CEPA declarations. Those required to prepare pollution prevention plans under CEPA 1999, will be informed through a variety of avenues including a consultation process during the development of the Canada-wide Strategy. The Canada-wide Strategy is also intended to serve as a foundation for the federal government to develop a Fisheries Act regulation, specific to MWWE.

CCME members will play a leadership role in ensuring that other Ministers, such as Municipal Affairs and Health, within each jurisdiction are engaged as the Canada-wide Strategy is developed and implemented.

The Development Committee has been established to develop a Canada-wide Strategy for the management of MWWE and is composed exclusively of CCME member jurisdictions who will engage in timely consultation with a range of stakeholders.



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