

**Environment & Sustainability Standing Committee
January 3, 2013**

TO: Chair and Members of Environment & Sustainability Standing Committee

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SUBMITTED BY: _____
Jane Fraser, Director, Planning & Infrastructure

DATE: December 7, 2012

SUBJECT: Septic System Pumping By-Law

INFORMATION REPORT

ORIGIN

Environment & Sustainability Standing Committee, June 7, 2012.

BACKGROUND

MOVED by Councillor Sloane, seconded by Councillor Watts that the Environment and Sustainability Standing Committee request a staff report identifying:

1. One to three (1 to 3) areas for a proposed pilot project and the financial implications associated with the project; and
2. The possibility of developing a Municipal By-Law for a mandatory three (3) year pumping of septic systems.

DISCUSSION

On June 7, 2012, Sackville Rivers Association and Nova Scotia Environment jointly provided a presentation to the committee on:

1. An opportunity to consider a septic system pumping by-law; and
2. An opportunity to consider a dewatering truck technology.

Currently, septic systems are regulated in Nova Scotia by the Department of Environment through the Environment Act. Construction of a system is permitted and regulated by the Department of Environment under the Onsite Sewage Disposal Systems Regulations, which can be viewed at: <http://www.gov.ns.ca/just/regulations/regs/ENV-On-siteSewageDisposalSystems.htm>. The regulations make the property owner responsible for the maintenance and operation and the Province has authority to inspect and audit the systems.

Private property owners are responsible for the maintenance of septic systems, which generally consists of the contracting for a local pumping truck company to pump the septic tank every few years and to haul it to an approved wastewater management facility (often Aerotech, operated by Halifax Water).

The decision to operate a dewatering truck, or a regular pumping truck, is a market decision. There are opportunities for price and cost savings with the usage of the capital investment in a dewatering truck. There may also be market opportunities for the supply of dewatered septic product to the NViro Plant instead of the wastewater management facility, both operated by Halifax Water. This opportunity is being investigated by the utility and regulator. Currently, it is understood that the dewatered product would not meet the NViro system intake standards. However, there may be possible solutions and remedy available should industry be interested. The dewatering technology may play a role, as a market solution, in alleviating capacity challenges with wastewater facilities.

Halifax Regional Municipality does not currently perform a role related to septic system approval, operations, or maintenance.

A recommendation by the Environment and Sustainability Standing Committee to Regional Council for the municipality to get involved with this activity would have substantive resource implications, including the provision of a tracking/monitoring/enforcement program for the By-Law, and a capital fleet and operational program for the dewatering truck service. The rough order magnitude costs of such a program, including capital costs, operating costs, and staffing, would broach \$500,000 per year. These costs would be in addition to the establishment of legislative authority to administer such a by-law and would duplicate the provincial authority to audit/inspect under the Environment Act. The costs and effort to measure the efficacy of such a program are not understood, but would require the design and implementation of an environmental monitoring program.

Of further consideration is the impact of the precedence that undertaking and operating such a project would create for expectations of not only HRM but the other municipalities in Nova Scotia. At a time when municipalities across Canada are bracing themselves and searching for

financial solutions to comply with expected CCME guidelines on wastewater management, the potential addition of this service expectation is significant.

With regards to a pilot project, Staff requires guidance on the objective. The dewatering trucks work, they are a proven technology. Pumping out septic tanks is a homeowner responsibility, regulated by Provincial legislation. While a municipality appears to have the authority to regulate septic pumping, the Province clearly has the authority to enact a standard regulation across the province.

Staff does not see a municipal role in the consideration of technology choices by industry.

BUDGET IMPLICATIONS

There are no implications to this information report. However, adoption of a by-law and administration of a septic pumping program would have substantive capital and operating budget implications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

This report resulted in a motion responding to a presentation from an environmental group and the Nova Scotia Department of Environment.

ATTACHMENTS

None

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by:

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