

Peninsula Biosolids Coalition  
c/o Mr. David Cowen, CEO  
The Butchart Gardens  
800 Benvenuto Avenue  
Brentwood Bay, B.C., V8M 1J8

May 28<sup>th</sup>, 2021

Mr. Colin Plant  
Chair, Capital Regional District  
625 Fisgard Street  
Victoria, BC, V8W 1R7

By E-Mail

Dear Mr. Plant,

**Re: Spreading Biosolids at Hartland Landfill**

On behalf of the civil society organizations listed at the foot of this letter, collectively known as the Peninsula Biosolids Coalition, and pursuant to our recent meeting with you, I am writing to express our opposition to the continued spreading of biosolids at Hartland Landfill. Our coalition of respected and experienced environmental stewards urgently requests action by the CRD Board to address the serious concerns outlined in this letter.

On behalf of my own organization, The Butchart Gardens, one of the largest employers in the CRD, and a world-renowned National Historic Site, I would like to underscore my company's strong support for the concerns expressed by the members of the Peninsula Biosolids Coalition (PBC). As a crop-based business that heavily depends on the quality of our soil and water, our Owner and Board are gravely concerned about the CRD's practice of spreading biosolids at the head of the Tod Creek Watershed, and this is why we are a member of this important coalition. In the past we have worked hard with PBC member organizations to restore the fish in Tod Creek and maintain the water quality of Saanich Inlet, and we share their environmental concerns about the spreading of biosolids. Further, as a heavily visited public site with many visitors and a large staff for whom we have a responsibility to maintain a safe environment, we are compelled to go on record, asking that the CRD Board immediately stop spreading biosolids at Hartland.

Moving forward, our coalition is mindful of the history behind the CRD's latest policy decision, whereby in February of 2020 the CRD reversed the decision it made in 2011 and reiterated in 2013 to not permit land application of biosolids in the region. Further, we understand that because of requirements from the provincial government that biosolids produced by the new sewage treatment plant be "beneficially used" rather than stored or landfilled, and out of

concern that provincial funding might be put in jeopardy if the provincial time requirement was not met, the CRD Board made a decision to spread up to 700 tons of biosolids annually at Hartland during the 4-6 weeks per year that the Lafarge Cement facility in Richmond was expected to be closed for maintenance. We also note that for the remaining weeks of the year the biosolids were supposed to be used “beneficially” as fuel for the production of cement in the Vancouver Lafarge plant.

Concerningly, we note that the decision to spread biosolids at Hartland was made on short notice without any public consultation. Since then, the RTF has been completed and is now in operation, producing Class A biosolids from the solids extracted from treated wastewater. However, to date no biosolids have been shipped to the Lafarge plant due to an extended closure for safety reasons and the incompatibility of the biosolid product with the requirements of the cement plant. We further note that the 4-6 week annual capacity of 700 tons has already been exceeded.

Although the land application of biosolids is characterized by CRD as a process that is a “temporary solution”, the science indicates there is nothing temporary about the dangerous effects of the biosolids that are now being applied to the land. The current OMRR fail to capture and test for many of the toxic elements known to exist in biosolids. The CRD owes a duty of care to its residents to exercise due caution and restraint and to be fully transparent in informing the public in real time as to test results on what is being produced at Hartland. What was to have been a short-term measure to cover the annual closure of the plant for maintenance purposes has already exceeded four months, and there is no guarantee that other closures or interruptions will not occur. We also note there is no multi-site ‘downwind and downstream’ testing that is being reported publicly, save for what will be published in the CRD’s annual report. This means that citizens living, working and recreating in Mt. Work Park, Durrance Lake, Willis Point, Central Saanich and throughout the Saanich Peninsula are at risk with no system to detect mobility of components that should be monitored.

In regards to the ongoing uncertainty about the health and environmental effects of the cumulative application of biosolids, especially in light of the limited land surface for application at Hartland, as well as the landfill’s proximity to a major regional park that has heavily used trails and a very popular recreational lake, we believe it is important the CRD Board reverse its earlier decision to spread biosolids at Hartland. Our coalition members are gravely concerned that biosolids are being spread in proximity to numerous residences and farms that depend on wells and Tod Creek water licenses, and are also being spread close to nearby horticultural businesses without the monitoring or testing measures needed to fully understand the risks involved. Finally, we are concerned biosolids are being spread near the headwaters of a sensitive watershed that has undergone extensive restoration over many decades. We maintain that our position on this reflects the lack of documented public support or consultation for the course of action the CRD has chosen and that the CRD Board has no option but to quickly withdraw its authorization of this practice because of the legal and fiduciary responsibilities it has to its residents and businesses in the region. This is all the more important

given the extensive delays already incurred in being able to ship the biosolids produced by the RTF to Lafarge.

Accordingly, we ask that the CRD Board to quickly take action on the following recommendations;

1. Immediately cease land application of biosolids at Hartland and instead safely store or dispose of them through proven landfilling biocell procedures.
2. By July 1<sup>st</sup>, begin working with this Coalition and other municipal representatives to convince the Ministry of the Environment and Climate Change to strengthen the regulations governing biosolids (Organic Materials Recycling Regulations, OMRR) and to not insist on land application anywhere where there are significant risks to local health, environment and economy.
3. Immediately start providing transparent and timely public data on a monthly basis on the volume and chemical composition of the biosolids produced at the RTF, identifying which elements are being tested, the results of the tests in comparison to established provincial standards and a baseline against which future changes can be compared;
  - a. Given the volume of biosolids already spread at Hartland, undertake immediate multi-site 'downwind and downstream' testing on a monthly basis and share the results publicly in a timely fashion.
4. Concurrent with points 1 – 3, actively investigate use of technology, such as IRM, to produce a plan for the safe disposal of biosolids over the longer term and to commit to refraining from land application of biosolids at Hartland in the interim in deference to the precautionary principle. Further, it goes without saying that strong political and operational support by CRD for Esquimalt's IRM pilot program would be an additional and important positive step.
  - a. Given that the development process towards a long-term sustainable solution should be transparent and have public input, commit to an engagement process whereby the public will have full input into the final plan.

In closing, our coalition believes that banning the spreading biosolids at Hartland is the only responsible action for the CRD Board to take. A joint approach between CRD and PBC should be made to the Ministry both to permit the CRD to safely landfill any biosolids not sent to the Lafarge plant and to review the OMRR to ensure they include more pollutants of concern. In the meantime, for the sake of transparency and public confidence, the CRD should immediately instruct staff to make public the results of ongoing monitoring tests on the composition of the biosolids and presence at offsite locations on a monthly basis. Finally, the CRD must play an active role in identifying longer term solutions for disposal of biosolids through application of technology, and ensure the public will have full input into the final plan.

To be absolutely clear, until the final sustainable solution is in place, biosolids in this region must be either shipped to Lafarge for combustion as fuel or safely biocelled in the landfill.

We trust that the Board will have the opportunity to discuss these recommendations at its next meeting. Enclosed please find a slide presentation that outlines some of the facts supporting our serious concern about the land application of biosolids.

Sincerely,

The Peninsula Biosolids Coalition (PBC)

A handwritten signature in black ink, appearing to read "Dave Cowen", is written over a horizontal line.

Per: \_\_\_\_\_  
Dave Cowen  
CEO, The Butchart Gardens  
Chair, PBC

cc:

PBC Member Organizations:

1. Biosolids Free BC
2. Friends of Tod Creek Watershed
3. Mount Work Coalition
4. Peninsula Streams Society
5. Saanich Inlet Protection Society
6. Board Chair, The Butchart Gardens