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Mr. J.F. Castrilli,
Project Manager,
Canadian Environmental Law
Research Foundation,
8 York Street,
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Dear Mr. Castrilli:

This is in response to your recent request for information on special waste control and my Ministry's policies and programs in this regard.

I have enclosed some of my Ministry's recent news releases and reports related to special waste management which should provide the basic background information. On the more detailed itemized questions, I will respond to each in the order in which they are presented in your letter.

1. British Columbia at this instant does not have any specific special waste legislation. During the current session of our legislation I intend to introduce a bill which will completely re-write our existing Pollution Control Act and will also specifically regulate the management of special wastes in British Columbia.
2. The Director of the Waste Management Branch of my Ministry has overall responsibility for administering the management of special wastes. The group which carries out the Director's authority is called the Environmental Safety Program.
3. As in question 1, my Ministry has not yet legislated a definition of special waste but the enclosed draft "Special Waste List, 1982" will indicate our intentions in this regard.

4. The enclosed Environment Management Act is the legislative vehicle used by my Ministry to recover costs for cleanup in emergency situations. This legislation does not provide compensation to victims of pollution incidents. Such compensation would have to be sought through civil court actions.
5. (a) The proposed legislation will make the generator and transporter responsible for ensuring that special wastes are delivered to a permitted storage, treatment or disposal facility. After delivery and acceptance, the waste is the responsibility of the receiving facility operator.

(b) It is my intention to require that all transporters of special waste be licenced by the Director of the Waste Management Branch.
6. The proposed legislation would not prohibit on-site storage, treatment or disposal but such management facilities would still require a permit.
7. There will be no such provision in our proposed special waste legislation. Such accounting procedures do not seem to have been effective in other jurisdictions.
8. (a) The Provincial Pollution Control Act presently requires any discharge of waste (regardless of type) to have a permit. Disposal of special wastes or chemicals in an existing sanitary landfill will not be permitted.

(b) New secure landfills specifically designed to handle special wastes will require a permit.

(c) All plans and specifications for any special waste management facility will require prior approval.

(d) I am not clear on your question here, but if you are asking if we will specify that secure landfills will have to meet minimum distance requirements for such things as watertables or watercourses, the answer is yes.
9. The operating parameters for disposal facilities are specified on the permits, not in the legislation and regulations.

10. I propose to introduce a manifest system which will provide a record of the quantities and types of special wastes that are directed to each disposal facility.
11. I intend to require all containerized wastes to be labelled for identification during storage and handling.
12. (a) Public hearings are not mandatory but the Minister of Environment has powers to initiate a public inquiry if he deems necessary.

(b) There has been no legislated mandatory public involvement in the setting of special waste regulations.
13. Post-closure requirements will be specified by the Director in the permits issued to operators of special waste facilities.
14. If deemed necessary for a particular facility, bonding and cleanup funds would be specified by the Director in each permit he issues.
15. No inventory of existing or abandoned landfills has been conducted as the past history of industrialization in this province does not lead us to believe any significant quantities of toxic wastes have been deposited in the past.
16. British Columbia has no provincial statutes which require financial contributions by any generators to maintain a fund for cleaning up abandoned landfills. However, under the Environment Management Act we may take action and recover costs from persons responsible for creating an environmental emergency.
17. Our proposed legislation will require special wastes to be tracked by a manifest system which will apply from the point of generation to the point of final disposal.
18. Permits will be required for special wastes stored and disposed on the site of generation.
19. Manifest regulations and the accompanying data retrieval system will apply to the special wastes disposed at active secure landfills.

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20. The movement of interprovincial and international special waste will be subjected to the same manifesting requirements as for intraprovincial special wastes.
21. My understanding is that the Transportation of Dangerous Goods Act will not seriously conflict with our provincial manifest requirements.
22. We have no laws to require disposal or recycling of waste lubricating oils. However, there is a very successful program under the Resource Recovery Section of the Waste Management Branch which encourages do-it-yourself oil changers to deliver their used oil to any of the more than 500 local service stations which are participating in the oil recycle program.
23. The proposed legislation will subject all used oil shipments above a certain quantity to the manifest requirements.
24. Reduction, recovery and reuse of special wastes is supported but no economic incentives or disincentives are provided.
25. Approximately 60,000 tonnes of special waste are generated in British Columbia each year. Of this quantity approximately half of it is petroleum based and in the form of oils, solvents, cleaners, etc. No projections for increases are available at this time.

I trust that this satisfies your stated informational requirements, but should you have any further questions I would be pleased to try to answer them for you.

Your project sounds very interesting and timely and I would be grateful to receive a copy of your paper after it is completed.

Yours truly,



Stephen Rogers,
Minister of Environment.

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