

# ENVIRONMENTAL MANAGEMENT NEWSLETTER

VOLUME 2 ISSUE 4—MAY /June 2009

## NEW ON-FARM DEAD ANIMAL DISPOSAL REGULATIONS IN ONTARIO

By: Phyllis MacMaster, Environmental Specialist

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Ontario farmers have more choices to safely dispose of their deadstock under new regulations that came into effect on Friday, March 27, 2009. The Dead Animal Disposal Act (1968) was replaced by the Disposal of Dead Farm Animals regulation under the Nutrient Management Act (NMA) and the Disposal of Deadstock regulation under the Food Safety and Quality Act (FSQA).

The new regulations, developed in consultation with the Ministry of the Environment (MOE) and industry partners, also provide greater flexibility for the deadstock service sector and include measures that will protect the environment. Key changes include:

- Giving farmers and deadstock receivers a wider range of choices for disposing of deadstock both on and off the farm, such as anaerobic digestion and central composting
- Including poultry and other farmed animals not covered under the old legislation
- Establishing enhanced environmental standards that will protect our water resources, with additional requirements that safeguard animal health and public health protection.

The Disposal of Dead Farm Animals regulation under the NMA applies to all farm operations, regardless of size or the requirement to have a nutrient management strategy or plan. The regulation applies to the disposal of cattle, goats, sheep, horses, swine, deer, elk, alpacas, llamas, bison, yaks, donkeys, ponies, rabbits, poultry and fowl, ratites, and fur bearing animals.

### DISPOSAL OPTIONS

Additional disposal options offer greater flexibility to manage deadstock on the farm. They include:

- Burial
- Incineration
- Composting
- Disposal vessels
- Collection by a licensed collector
- Anaerobic digestion
- Delivery to a waste disposal site approved under the Environmental Protection Act (EPA)
- Delivery to a disposal facility as defined under the FSQA
- Delivery to a licensed veterinarian for post mortem and disposal.

The operator of the farm is responsible for disposing of the animal within 48 hours of its death. However, two exceptions exist to this rule:

- If a delay occurs in order to perform a post mortem on the animal
- If the animal is put into temporary storage conditions as specified in the regulation.

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If an operator chooses to bury, incinerate, or compost deadstock, the regulation establishes requirements to minimize impacts on the environment. This includes minimum separation distances from:

- Neighbouring livestock housing facilities
- Field drainage tiles
- Residential and commercial lands
- Surface water
- Bedrock and aquifers
- Wells including municipal wells and floodplains.

For each disposal option, there are specific operating requirements that producers will have to meet. In some cases, there are limitations on the volume of deadstock being disposed.

## **TRANSPORTATION**

The transportation requirements under the regulation state that a farm operator may transport his/her own deadstock to:

- A common bin or collection point for collection by a licensed deadstock collector
- A veterinarian for the purposes of a post mortem
- Another farm for disposal if he/she owns the property where the disposal will take place
- A site approved to receive these materials under the EPA or the FSQA
- Anaerobic digesters approved and operating under NMA and EPA.

During transport, the deadstock must be kept out of public view, and in a container designed or equipped to prevent leakage. Also, each surface that comes into contact with the deadstock must be impervious and capable of being cleaned and sanitized.

Producers should also be aware of federal rules regarding the transport of cattle as they cannot be moved without a federal Special Risk Material (SRM) permit.

## **RECORD KEEPING**

The operator is required to maintain records for two years for all methods of disposal. The records must include documentation that demonstrates compliance with the regulation. Records include:

- Species, age, weight of the animal
- Date, time and cause of the animal's death if known
- Date, time, method and place of the animal's disposal
- Date record is made.

Also, if an animal is disposed of by incineration, a record of the temperatures in the incinerator combustion chambers must be recorded at all times during the incineration.

## **EMERGENCY CONDITIONS**

Provisions for emergency conditions exist when an operator cannot comply with the NMA requirements with respect to storage, disposal or transportation of dead farm animals (e.g. a barn fire, tornado, disease, etc.). The regulation allows the operator to apply to OMAFRA for approval to arrange for storage, disposal, or transportation that would not otherwise meet the requirements of the regulation. Each case will be assessed individually. OMAFRA's final decision will weigh the circumstances against the potential threat to the environment from an alternate method of disposal.

This article is not a description of all the requirements contained in the regulations. The regulations must be read to determine all such requirements.

**For more information** on the deadstock regulations, please visit <http://www.omafra.gov.on.ca/english/livestock/deadstock/index.html>. This site includes a link to the regulations. In addition to the information on the website, OMAFRA and MOE are developing a Best Management Practice Manual to assist producers with decisions on managing deadstock.

Best Management Practices (BMPs) are not regulatory, but are recommended. The remaining sections indicate how the Approvals Unit, Environmental Management Branch, and OMAFRA interpret the NMA regulation with respect to solid nutrient storages.

### **BEST MANAGEMENT PRACTICES (BMPs) FOR SOLID MANURE STORAGES**

The following items are **not** part of the NMA regulation. However, they are suggested as BMPs that will result in environmentally sustainable solid nutrient storages.

- Three of four sides of 75% of the perimeter of solid storages should be walled; concrete is the material of choice for its strength and durability; and
- Walls encourage a flat-topped pile, which absorbs more rainfall than a conical pile and therefore reduces runoff from the storage.

Runoff management options for solid storages include:

- A storage cover (e.g. roof)
- An external runoff tank (may be an existing liquid manure storage with sufficient additional capacity to store the runoff)
- A flow path if the dry matter content of the manure is 30% or greater, floor area no greater than 300 square metres and upslope water must be diverted away from the structure
- Engineered Vegetative Filter Strip System.

### **INTERPRETING THE REGULATION ON SOLID STORAGES THAT CONTAIN LIQUID MATERIALS**

If liquid prescribed materials (e.g. runoff, wash water or rainfall) are to be stored in a solid manure structure, the structure will be considered a permanent liquid nutrient storage. As a result, it will have to be designed and meet all of the requirements for a permanent liquid nutrient storage facility.

The following OMAFRA Fact Sheets provide more information.

- Nutrient Management Act 2002: Building a Permanent Storage for Solid Manure or Prescribed Materials over 18% Dry Matter (Order no. 05-039)
- Constructing a Permanent Solid Nutrient Storage Facility (Order no. 06-003)
- Constructing a Permanent Concrete or Steel Nutrient Storage Facility or Runoff Storage Facility (Order no. 06-001)

Access factsheets at: [www.omafra.gov.on.ca/english/engineer/stew/nutrient.htm](http://www.omafra.gov.on.ca/english/engineer/stew/nutrient.htm)

### **BROILER MANURE CLEANOUT PAD - PERMANENT OR NOT PERMANENT ... THAT IS THE QUESTION**

By: Len Senyshyn, Manager - Approvals, Certification and Licensing & Vicki Lass, Training Coordinator

At the series of consultant meetings held in February 9, 2009, we made an announcement about broiler manure cleanout pads being solid storage and therefore needing to be managed as such. We would like to clarify this conversation with the following information.

#### **BROILER PAD IS A PERMANENT MANURE STORAGE**

You have an option to declare the manure cleanout pad at the end of the broiler barn as storage. If you choose to declare it as such, then it is deemed a permanent storage and it must meet all the requirements for a permanent storage including:

- Roofed
- An external runoff tank
- Flow path and upslope water must be diverted away from the structure
- Engineered Vegetative Filter Strip System.

#### **BROILER PAD IS NOT A PERMANENT MANURE STORAGE (TEMPORARY BARN CLEANOUT STORAGE)**

If the cleanout pad is not declared as storage then there is still management expectations. The following are the expectations:

- Material will be moved immediately after clean out
- The Nutrient Management Strategy (NMS) should define a specific time limit for the materials to remain on the pad
- 24 hours is an acceptable time period;
- If 24 hours is not operationally possible then a reasonable rationale will be required
- Fields not being available for spreading (winter) will not constitute an operational reason for a delay in clearing the pad
- The operator must keep records of when the material is placed on the pad and when it is removed
- The contingency plan must address what the operator will do if there is unmanaged runoff from the pad.

# LAKE SIMCOE PROTECTION ACT UPDATE

By: Jackie McCall, OMFRA Program Analyst

**In February 2009, consultants in Guelph and London received an update with regard to the Lake Simcoe Protection Act and Plan. I would like to take this opportunity to provide answers to questions that were raised during the presentation.**

**Q: IS THERE A FACTSHEET ON THE LAKE SIMCOE PROGRAM?**

A: The Ontario Ministry of the Environment (MOE) has a website with details on the program located at the link: <http://www.ene.gov.on.ca/en/water/lakesimcoe/index.php>. You can also contact Jackie McCall at Jackie.mccall@ontario.ca.

**Q: WHO ADMINISTERS THE FUNDS?**

A: The Ministry of the Environment (MOE) administers provincial Lake Simcoe funds and allocates funds to partner ministries, including OMAFRA, for program development and delivery.

Funding is needed to implement the plan policies. The government has committed \$20 million over four years (2008-2012).

**Q: HOW DO PEOPLE APPLY FOR FUNDING?**

A: Check the MOE website for information about MOE programs. For the Lake Simcoe Farm Stewardship Program (an EFP-COFSP cost-share top-up), the applications are processed through the Ontario Soil and Crop Improvement Association (OSCIA). This cost share is only available to people who live in the Lake Simcoe watershed.

For OMAFRA funding related to research, monitoring, pilots and demonstrations, individuals can apply to OMAFRA. A call for proposals is currently being development.

**Q: WHY IS THIS FUNDING BEING OFFERED?**

A: The Lake Simcoe Protection Act and Plan are intended to protect and restore Lake Simcoe to a condition that will support a self-sustaining sport fishery. The funding is intended to help implement priority policies and programs that will address cumulative human impacts, particularly phosphorus loads to the lake, as part of a long term strategy for the watershed.

**Q: IS TREATMENT OF MANURE FOR PHOSPHOROUS INCLUDED?**

A: At present, the farm stewardship cost-share funding is intended to build upon the EFP cost-share program. Eligible items include manure treatment. If you have ideas or suggestions, please contact Jackie McCall at OMAFRA.

**Q: HOW WILL ANY CALLS FOR PROPOSALS BE ADVERTISED?**

A: Through EFP Workshops, meetings, emails to commodity groups, OMAFRA website and farm media (e.g. Ontario

## A NEW VERSION OF THE NMAN COMPUTER PROGRAM HAS BEEN RELEASED—NMAN 2.1

By: Andrew Jamieson, Water Management Engineer

The enhanced version of NMAN has improved its user interface and its flexibility. Our most noticeable change is to the Nutrient Balance Tab found on the Field Screen.

What's new in NMAN 2.1?

- New Nutrient Balance Interface uses a one-window approach when performing Agronomic and Crop Removal Balances
- Improved visuals within MSTOR, including a complete list of livestock and storage images
- Improved printouts. A revamped layout that includes the newly added livestock and storage images
- A new printout to handle Registrations required under the Nutrient Management Act
- New Start Page, which enables users to access previously saved projects upon start up.

Please be aware that due to the improvement to the software the file available for download has increased in size to 85 MB. The new NMAN software will be available for download at <http://www.omafra.gov.on.ca/english/nm/nman/software.htm>. The latest version of NMAN is our continuing commitment to providing farmers and private consultants with leading nutrient management technology.

# QUESTIONS ON THE NUTRIENT MANAGEMENT SOFTWARE PROGRAM

By: David Hough, Business Systems & Maintenance Analyst

During the consultant meetings held in February 2009, a variety of questions regarding the NMAN program were asked. The following is a list of questions and answers that we collected from the event. If you have further questions please call the NMAN Infoline at 1-866-242-4460.

**Q: IS THERE A WAY TO PUT INFORMATION BACK INTO THE TRANSFER SECTION AS A WAY OF KEEPING RECORDS?**

A: On the “material transfer record keeper” printouts, there is a section for notes.

**Q: CAN I PRINT THE PROPERTIES ON A SPECIFIC PAGE IN THE SOON TO BE RELEASED VERSION OF NMAN?**

A: Yes, you can print the field properties and field balance(s) in NMAN 2.1.

**Q: WITH REGARDS TO THE STORAGE SYSTEM INFOSCREEN (POP OUT SCREEN), CAN THIS BE MAXIMIZED?**

A: No not at this time. However, the storage system infoscreen will likely be redesigned in a future release to reduce the number of tabs.

**Q: THERE ARE NEW PICTURES/GRAPHICS ADDED TO NMAN 2.1. DO THESE TAKE UP A LOT OF FILE SPACE AND SLOW DOWN THE PROGRAM?**

A: No, they do not. The pictures are sized to accommodate the program.

**Q: DURING THE CONSULTANT MEETINGS, A DISCUSSION WAS HAD OVER A DESIRE TO HAVE THE “YIELD” DEFAULT TO THE GEO TOWNSHIP AVERAGE.**

A: As there was not a clear majority in favour of the change, it has been decided to make no change in the program to the yield default at this point.

**Q: HOW OLD ARE THE DATABASES BEING USED IN THE NMAN SOFTWARE?**

A: When we have access to updated databases they are automatically incorporated into the next release of NMAN. All databases are the most current that we have at the time of the release.

**Q: PHOSPHORUS INDEX—I GET A RED FLAG WHEN I ENTER MY SOIL TEST VALUES. IF THAT IS MY EXISTING SOIL LEVEL, WHY DOES IT APPEAR AS A RED FLAG IF IT IS NOT LEAVING THE FARM?**

A: From an NMAN perspective, the program is designed to follow the rules established by the subject matter experts and scientific research. The fact that you are getting a red flag would be a warning that you have an increased risk of phosphorus moving offsite to surface water. There are a number of factors that contribute to this risk including application rate and method, slope and soil type. The good news is that with appropriate management changes, following best management practices outlined in the Introduction to Nutrient Management course or the Nutrient Management Planning BMP book (BMP14E) will help eliminate that red flag and reduce your risk of causing an adverse effect.

**Q: CAN REPORTS BE EXPORTED IN ANOTHER FORMAT?**

A: No, not at this time but exports are expected to be available in the future.

**Q: FLAG COMMENTS ARE NOT SHOWING UP OR ARE BEING CUT OFF. WILL THIS BE FIXED?**

A: Yes, this will be rectified in the new version.

## QUESTION FROM A CONSULTANT

Can a wooded area be used as a Permanently Vegetated Area (PVA)?

Yes, a wooded area can meet the requirements listed in Section 81 as long as it is:

- Vegetated
- Permanent
- Meets the siting requirements outlined in the regulations
- The distance required for the PVA can be met for the type of structure requiring the runoff management.

It is important to remember that some wooded areas may be hiding surface water as defined by the regulation. Make sure the wooded area does not contain surface water such as creeks, bogs, fens, swamps or marsh areas within the required length of the flowpath. In the planning process for all PVAs, you need to consider more than just : Is the PVA an allowable runoff management option. One key question to ask in all situations is “Will the PVA actually be capable of managing the runoff.”

## NEW RESOURCES AND UPCOMING EVENTS

### FRENCH VERSION OF REGULATIONS AND PROTOCOLS COURSE AVAILABLE

By: Suzanne Conquer, Education Coordinator

The French version of the Nutrient Management Act: Regulation and Protocols online course is now available.

Contact the Nutrient Management Information Line at 1-866-242-4460 for information on registration and accessing the course.

When you get your password, you can access the French version through the “Ouverture de session” page. Users also have the option of moving back and forth between French and English as they complete the course.

### REGULATIONS AND PROTOCOL COURSE ONLINE IS A GOOD REFRESHER

By Phyllis MacMaster, Environmental Specialist

The fifth year renewal for Agricultural Operations Strategy Plan Development Certificate (AOSPDC) is approaching for many of the nutrient management consultants. A good refresher before writing your recertification exam is to review the Regulations and Protocols by signing up for the Online Course.

Robert Duncombe, the Environmental Management Branch Marketing and Communications Officer tells us the Online Regulations and Protocol Course is the right solution to meet a unique and challenging learning need. He advises potential users that the Regulations and Protocol Course Online :

- is designed to be user-friendly, and convenient
- provides unlimited access to many useful resources
- reduces the environmental impact of travel, accommodation, and energy, traditionally associated with classroom based courses.

Sign up for a username and password by contacting the Nutrient Management Information Line at 1-866-242-4460. OMAFRA staff are available to help with any questions as you work through the online course.

### TECHNICAL SUPPORT FOR NMAN SOFTWARE CONTACT

By: Earl Pollock, Manager—Resource Information & Business Services

Amy Bihari has been the contact for technical advice on the NMAN software. Amy and her husband Dan became the proud parents of a baby boy, Rowan on April 15, 2009. Congratulations and all the best to Amy and Dan on the addition to their family.

In the transition period, until Amy’s position is filled, any technical questions on the software can be directed to the Nutrient Management Information Line at 1-866-242-4460. Maja Hurd, Andrew Jamieson and Kevin McKague have agreed to answer any questions.

### UPCOMING EVENTS

**May 20, 2009** - New on Farm Disposal Options - Deadstock Information Session for Producers - Kemptville College 7pm, call 1-866-242-4460 to register.

**September 15 - 17, 2009** - Canada’s Outdoor Farm Show, Woodstock: <http://www.outdoorfarmshow.com>

**September 22 - 26, 2009** - International Plowing Match, Temiskaming (Earlton area) <http://www.ipm2009.net/>

### WE WANT TO HEAR FROM YOU!

**Do you have questions? Need more information? Have a comment about what you’d like to see in the next issue? Please contact your area Environmental Specialist :**

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### Visit Us Online:

<http://www.omafra.gov.on.ca/english/nm/newsletter/emn.htm>

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