

Hydrovac Engagement

Frequently Asked Questions

Engagement

Alberta Environment and Parks is looking for feedback from industry on two topics:

1. A survey on the definition earth and inert waste in the Waste Control Regulation, and
2. A survey on the draft code of practice for hydrovac facilities

Survey Registration

In order to complete the online survey(s) registration is required.

If you would like to submit your responses by email, a copy of the survey can be emailed to you. If you would like use this option, please email:

aep.wasteregualtion@gov.ab.ca

Earth

There is no regulatory definition for earth, however the use of earth within the Waste Control Regulation (AR 192/1996) was only intended to be used for clean earth.

Because there is no threshold or definition for clean earth, the survey is looking for feedback on adding three components to the definition of earth:

- free of debris,
- does not exceed Alberta Tier 1 Soil and Groundwater Monitoring Guidelines for agricultural use, and
- does not exceed background concentrations of the receiving area.

Inert Waste

Inert waste is defined in the Waste Control Regulation. The regulation defines inert waste for the purposes of disposal (into Class III landfills) as

well as for the purpose of use in reclamation. This definition can be refined to remove any confusion.

Draft Code of Practice

A draft of the Code of Practice for Hydrovac Facilities has been provided for comment. Hydrovac operators, existing hydrovac waste companies or companies looking to construct a new facility are encouraged to review the code and offer constructive feedback.

A code would apply to:

- hydrovac storage sites;
- on-site hydrovac treatment;
- mobile hydrovac treatment units; and
- hydrovac treatment facilities.

Requirements include elements such as:

- design elements;
- operational requirements,
- reporting obligations and
- financial security.

Enabling a new registration option would require regulatory change. As such, the code will be unenforceable until the regulatory changes have been made.

Complete the survey to provide your feedback on the draft Code.

Call to action, <https://www.alberta.ca/hydrovac-facilities.aspx>

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Earth

Q. What if I want to move and use earth, but it does not meet the Earth definition?

A. There are two options depending on the contaminants and the proposed end-use.

1. So long as it is environmentally sound. Land applications can be authorized in writing by the Director.
2. If the soil meets the inert waste definition may be used, however, this can be used only for fill applications, where fill is needed. Additional TCLP testing may be required.

Q. Why is the re-use of earth not considered recycling?

A. Recycle is defined in the *Environmental Protection and Enhancement Act*. As per the recycle definition in the Act, it does **not** include the application of waste to land or thermal destruction. While there are other regulatory tools that allow earth to be used and re-used, however these tools do not include the re-use of contaminated soils.

Inert Waste

Q. Why is there a proposed definition change for Inert?

A. Currently, inert waste is defined in the Waste Control Regulation as:

- a solid waste that, **when disposed of in a landfill or re-used,**
- **is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect,** and
- includes, but is not limited to, demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal and dry timber or wood that has not been chemically treated.

This this definition can be refined to remove any confusion.

Under the proposed new definition if a waste is analyzed using a Toxicity Leaching Characteristic

Leaching Procedure (TCLP) method and it produces a leachate extract that exceed the Alberta Tier 1 Soil and Groundwater Monitoring Guidelines, then that waste should not be considered inert.

Draft Code of Practice

Q. How does a code work?

A. A code can be enabled through regulatory changes. Companies looking to construct a new facility are encourage review the draft Code and provide constructive feedback.

Q. Is there any additional guidance for how facilities should operate?

A. Department staff are looking to develop a companion document, or guide to the Code. This will be developed once the Code has been approved for use.

Q. What are the different requirements in the Code for the different types of hydrovac facilities?

A. Here is a brief summary of the requirements for each facility type.

Requirements	Facility Type			
	Storage Site	On-Site Treatment	Mobile Units	Treatment Facilities
Application Form	X	X	X	X
Waste Acceptance and Processing Details	X	X	X	X
Design Details	X	X	X	X
Operations Plan	X	X	X	X
Operating Records	X	X	X	X
Annual Report*	X			X
Run-on & Run-off	X	X	X	X
Groundwater		X		X
Financial Security				X
Final Closure Report	X			X

*Facilities are required to prepare an annual report, but do not need to submit it unless requested by department staff.

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Q. What units is design capacity measured?

A. The design capacity is made up of the individual areas. The design capacity for ponds and tanks is in cubic meters (m³). The design capacity must include a base area as well as the maximum height for the following areas:

- receiving areas,
- amendment storage areas,
- processing areas, and
- hydrovac solids storage areas.



Q. What if I already have an EPEA approval, how does a new Code affect my current option?

A. Existing Facilities with EPEA approvals must continue to meet the requirements of the terms and conditions of their EPEA approval.

Once a new code is enabled in the Waste Control Regulation, it will be used to register new facilities. Facilities with EPEA approvals may wish to transfer to a registration; however, this may or may not be an option for your facility, if you cannot meet the requirements within the Code.

Check to see if your facility meets all the requirements of the Code and then discuss options to transfer to a registration with the Director.

Facilities with EPEA approvals must continue to meet the terms and conditions of their EPEA approval.

Q. What are the differences between a storage site and a hydrovac treatment facility?

A. A storage site cannot treat waste. For the purpose of the Code a storage site is limited to only unassisted gravity separation and separation with a centrifuge.

Q. Is there any other option other than to register under the Code?

A. Registration activities may be required to obtain an EPEA approval, based on the discretion of the Director, if the activity does not align with the Code then an EPEA approval is required. See the Activities Designation Regulation for the designation of facilities.