

## First Draft

### Citation

- 1 These regulations may be cited as the Fur Industry Regulations.

### Definitions

- 2 In these regulations,
- (a) “accredited laboratory” means a laboratory accredited to the ISO 17025 standard;
  - (b) “Act” means the *Fur Industry Act*;
  - (c) “animal housing building” means the structure where fur-bearing animals are housed;
  - (d) “approved disposal facility” means a facility approved by the Minister;
  - (e) “breeding herd” means male and female fur-bearing animals on the fur farm but does not include fur-bearing animals less than 6 months old;
  - ~~(f) “contaminated water” means water that has come into contact with manure;~~
  - ~~(g) “constructed surface water treatment system” means an engineered system designed to simulate the water quality improvement functions of natural wetlands to treat and contain surface runoff pollutants and decrease loadings to surface waters;~~
  - (h) “dwelling” includes a house, condominium, cottage, mobile home or trailer occupied as a residence;
  - (i) “fur farm” includes the animal housing buildings, manure storage systems;
  - ~~(j) “holding system” means a holding tank or an earthen storage structure;~~
  - (k) “holding tank” means a system that does not discharge effluent, but is designed and used to receive and store waste;
  - (l) “ISO 17025” means the International Organization for Standardization/ International Electrotechnical

## Revised- Feb. 2012

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  - (e) “breeding herd” means male and female fur-bearing animals on the fur farm but does not include fur-bearing animals less than 6 months old;
  - (f) “closed style animal housing building” means an animal housing building that has at least two rows of cages enclosed within the structure;**
  - (g) “dwelling” includes a house, condominium, cottage, mobile home or trailer occupied as a residence;
  - (h) “fur farm” includes the animal housing buildings, manure storage systems;
  - (i) “holding tank” means a system that does not discharge effluent, but is designed and used to receive and store waste;
  - (j) “ISO 17025” means the International Organization for Standardization/ International Electrotechnical

Commission 17025:2005 analytical standard for testing and calibration laboratories;

- (m) "licence" means a licence issued pursuant to these regulations authorizing the operation of a fur farm;
- (n) "liquid manure" means manure from livestock that has a moisture content equal to or than 84%;
- (o) "manure" means the excrement of a fur-bearing animals;
- (p) "manure storage system" includes pipes, holding tanks and earthen storage structures;
- ~~(q) "monitoring well" means a well used to test for the presence of water quality indicators;~~
- (r) "nutrient management plan" means a written plan prepared by a certified nutrient management planner that aims to optimize production and maximize profit value from nutrient inputs while avoiding or minimizing adverse effects on the environment;
- (s) "pipe" means a non-perforated pipe used to transfer liquid manure;
- (t) "significant ~~increase~~" means the construction of additional animal housing buildings or the lesser of a 10 per cent or higher increase over the highest number of breeding herd at any one time recorded during the previous year or an increase of 875 female fur-bearing animals'
- (u) "solid manure" means manure from livestock that has a moisture content of less than 84%;

Commission 17025:2005 analytical standard for testing and calibration laboratories;

- (k) "land application plan" means a nutrient management plan or soil and manure analyses performed at an accredited laboratory with identified nutrient loading application rates to ensure application is not in excess of cropping needs;
- (l) "licence" means a licence issued pursuant to the *Act* authorizing the operation of a fur farm;
- (m) "liquid manure" means manure from livestock that has a moisture content equal to or greater than 84%;
- (n) "manure" means the excrement of a fur-bearing animal;
- (o) "manure deposit areas" means all places where the manure from the cages will drop;
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- (t) "solid manure" means manure from livestock that has a moisture content of less than 84%;

- (v) “total herd” means all male and female fur-bearing animals on the fur farm including fur-bearing animals less than 1 year old;
- (w) “waste feed” means animal feed which is not eaten before becoming inedible;
- (x) “water quality parameters” means substances found in water used to determine the quality of the water;
- (y) “watercourse” means the natural bed and shore of every river, stream, lake, creek, pond, spring, lagoon or other natural body of water, and the water therein, within the jurisdiction of the Province, whether it contains water or not, and includes all ground water but does not include man-made features;
- (z) “well” means a well as defined in the *Well Construction Regulations* made under the *Environment Act*;
- (aa) “year” means the year commencing April 1 in each year and ending March 31 next following.

### Designated Professional Qualifications

- 3 (1)** For the purpose of the Act and these regulations, a designated professional is a person that meets the following qualifications:
- (a) a practicing member in good standing with the Association of Professional Engineers of the Province of Nova Scotia;
  - (b) demonstrated practical experience in agricultural, bioresource, civil, environmental or resource engineering;

- (u) “total herd” means all male and female fur-bearing animals on the fur farm including fur-bearing animals less than 6 months old;
- (v) “traditional style animal housing building” means an animal housing building that has two rows of cages with one end and the bottom of each cage exposed to the outside;
- (w) “waste feed” means animal feed which is not eaten before becoming inedible;
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- (a) a practicing member in good standing with the Association of Professional Engineers of Nova Scotia;
  - (b) demonstrated practical experience in agricultural, bioresource, civil, environmental or resource engineering;

- (c) demonstrated education, training and 5 years practical experience in agriculture systems or wastewater treatment; and
- (d) participation in the Department's seminar for fur industry requirements.

(2) A partnership or corporation as defined under the *Companies Act* that can demonstrate that its partners or employees meet all requirements in subsection 1 may be treated by the Minister as a designated professional.

#### Existing Fur Farm

**3A** For the purposes of Section 35 of the Act, a fur farm in existence at the time of the coming into force of this Act is required to meet the standards set out in the regulations where there has been a significant increase to the fur farm.

#### Part 1 - Permits and Licences

#### Site Approval Permit

- 4 (1)** No person shall construct or authorize the construction of a fur farm unless a site approval permit or a revised site approval permit has been issued by the Minister for that fur farm and the permit is in force.
- (2) No person shall construct or authorize the construction of a fur farm otherwise than in accordance with the terms and conditions of the site approval permit or revised site approval permit

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- (2) No person shall construct or authorize the construction of a fur farm otherwise than in accordance with the terms and conditions of the site approval permit or revised site approval permit

issued for that fur farm.

- (3) The Minister may require more than one site approval permit for a fur farm where it is determined by the Minister that a single site approval permit does not adequately address the management of waste at the fur farm.

#### **Application for Site Approval Permit**

- 5 (1) The application for a site approval permit or a revised site approval permit must be in writing and on a form prescribed by the Minister.
- (2) In addition to any other information required by the Minister, the following information shall accompany an application:
  - (a) the name of the proposed operator(s) and, where the proposed operator(s) is a partnership, the names of all partners;
  - (b) the civic address of the fur farm and, where available, the property's parcel identification number as defined in the *Land Registration Act* and global positioning system coordinates;
  - (c) a general description and design of the fur farm;
  - (d) a map showing property's boundaries and all of the following:
    - (i) the location of all buildings;
    - (ii) all roads;
    - (iii) all watercourses, water bodies and wells

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  - (d) a map showing property's boundaries and all of the following:
    - (i) the location of all buildings;
    - (ii) all roads;
    - (iii) all watercourses, water bodies and wells

located on the fur farm property;

(iv) all watercourses, water bodies and wells on all properties abutting the fur farm property within 100 meters of the fur farm's boundary line as measured perpendicular to the boundary line; and

(e) a management plan endorsed by a designated professional independent from the proposed operator.

### **Licence to Operate**

**6 (1)** The Minister may issue or renew a licence.

**(2)** No person shall operate or authorize the operation of a fur farm unless a licence has been issued for that fur farm and the licence is in force.

**(3)** No person shall operate or authorize the operation of a fur farm otherwise than in accordance with:

(a) the Act;

(b) these regulations;

(c) the terms and conditions of the site approval permit or operator's licence issued under these regulations;

(d) a management plan endorsed by a designated professional independent from the proposed operator and approved by the Minister;

(e) any applicable codes or standards, as amended

located on the fur farm property;

(iv) all watercourses, water bodies and wells on all properties abutting the fur farm property within 100 meters of the fur farm's boundary line as measured perpendicular to the boundary line; and

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(c) the terms and conditions of the site approval permit or operator's licence issued under these regulations;

(d) a **waste** management plan endorsed by a designated professional independent from the proposed operator and approved by the Minister;

(e) any applicable codes or standards, as amended

from time to time, that apply to the fur farm; and

(f) all other laws of general application, including the *Environment Act* and the *Occupational Health and Safety Act*.

(4) A licence issued or renewed under these regulations expires 1 year from the date that it is issued or renewed.

(5) The Minister ~~must~~ not issue or renew a licence until a site approval permit or a revised site approval permit has been issued.

#### **Application for Licence**

7 (1) The application for a licence or a revised licence must be in writing and on a form prescribed by the Minister.

(2) An application made pursuant to the Act or regulations must include the following:

~~(a) baseline data taken from at least 3 monitoring wells;~~

(b) anticipated highest number in breeding herd for the upcoming licence year; and

(c) anticipated highest number of fur-bearing animals on the fur farm for the upcoming licence year.

~~(3) Operators of fur farms not exceeding five hundred female fur-bearing animals in the breeding herd at time are exempt from the requirement to have monitoring wells.~~

from time to time, that apply to the fur farm; and

(f) all other laws of general application, including the *Environment Act* and the *Occupational Health and Safety Act*.

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(2) An application made pursuant to the Act or regulations must include the following:

(a) anticipated highest number in breeding herd for the upcoming licence year;

(b) anticipated highest number of fur-bearing animals on the fur farm for the upcoming licence year; and

(c) **baseline monitoring results where there is a surface water management plan required pursuant to s.19.**

### **Terms and Conditions of Licence**

- 8 (1)** The Minister may impose terms and conditions on an operating licence, including the following:
- (a) setting the maximum number of fur-bearing animals in the fur farm's breeding herd;
  - (b) relating to health and welfare of the fur-bearing animals;
  - (c) amending the frequency and method of manure, waste feed and carcass storage and disposal;
  - (d) as to the transportation of fur-bearing animals outside the fur farm's boundary;
  - (e) relating to testing requirements from surface discharges.
- (2)** An application shall be made and signed by all proposed operators of the fur farm.
- (3)** Upon request more than one operator on a fur farm may operate under a single operator's licence.
- (4)** Where there are more than one operator under a single operator's licence, a suspension or revocation of that licence applies to all operators under that licence.

### **Requirement for Revised Site Approval Permit and Licence**

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### **Requirement for Revised Site Approval Permit and Licence**

- 9** Where the operator anticipates that the total herd size in the upcoming licence year will exceed 80 per



cent of the herd size accommodated in the approved management plan, the operator must submit an application for a revised site approval permit and revised licence to operate to the Minister.

### **Suspension or Cancellation of Licence**

**10** The Minister may suspend for up to 1 year or cancel a licence where inspectors find operators are not in compliance with the Act and these regulations.

### **Fees**

**11 (1)** The following fees apply for permits and licences issued pursuant to the Act and regulations:

- (a) an application fee for the initial site approval permit or a revised site approval permit for changes to the farm management described in Section 9 of \$500;
- (b) an application for a change other than the change described in clause (a) of \$50;
- (c) an application fee for licence to operate a fur farm or annual renewal for licence to operate a fur farm of \$100;
- (d) an application to amend the terms and conditions of a licence, to add or remove an operator from a licence or transfer a licence to another operator of \$100;

**(2)** Where a site approval permit is revised, a new licence to operate is required but no fee is required for a licence until the beginning of the upcoming

cent of the herd size accommodated in the approved management plan, the operator must submit an application for a revised site approval permit and revised licence to operate to the Minister.

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- (b) an application for a change other than the change described in clause (a) of \$50;
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licence year.

## Part 2 – Management Plan Requirements

### Management Plan

- 12 (1)** In addition to any other information the Minister may require, the management plan must contain a description of the requirements of this Part indicating how each requirement will be met.
- (2)** The management plan must indicate the total number of fur-bearing animals that can be housed on the fur farm under the management plan while meeting the requirements of the Act and these regulations.

licence year.

## Part 2 – Waste Management Plan Requirements

### Waste Management Plan

- 12 (1)** In addition to any other information the Minister may require, the waste management plan must contain a description of the requirements of this Part indicating how each requirement will be met.
- (2)** The waste management plan must indicate the total number of fur-bearing animals that can be housed on the fur farm under the management plan while meeting the requirements of the Act and these regulations.
- (3)** The waste management plan must address control of flies and odour (under acceptable farming practices).

### Animal Housing Buildings

- 13 (1)** With these regulations coming into effect, all animal housing buildings for new farm site construction shall be the closed style animal housing building type and are subject to separation distances as set out in Table A.
- (2)** Where an approved waste management plan is in place, existing fur farms may continue using the traditional style animal housing building type until new construction is required (renovations not considered new construction) and are subject to separation distances set out in Table A.

### Manure Collection, Storage and Disposal

**13** As part of the management plan, the operator is required to have a collection, storage and disposal plan for manure from the fur-bearing animals that contains a description of the following:

- (a) all places where the manure directly from the cages will drop;
- (b) how the deposited manure will be transported to holding system; and
- (c) how often the manure will be collected from the deposit location and transferred to a holding system.

### Manure Collection, Storage and Disposal

(old s.13, 16-20 now combined as new s.14)

#### *Components of Plan for Manure Storage*

**14 (1)** The waste management plan for manure storage must contain a description of the following:

- (a) the fur farm design that ensures no pooling of water between or under the animal housing buildings;
- (b) whether the storage system is for solid or liquid manure;
- (c) all manure deposit areas;
- (d) whether the manure storage system is covered or uncovered;
- (e) the location of all buildings and pipes;
- (f) the volume capacity of the manure storage system;
- (g) schedule of disposals per year that relate the capacity in (f) to the manure output of the expected highest total number of animals in any year;
- (h) how uncontaminated surface water will be prevented from entering the manure storage system;
- (i) standards established in terms and conditions of license.

**(2)** Any surface water discharge must meet surface

**14** Where a solid manure storage system is used the following requirements must be met:

- (a) the fur farm must be designed to ensure no pooling of water between or under the animal housing buildings;
- (b) manure deposit locations must be protected from infiltration of all sources of water, including precipitation and animal watering systems;
- (c) between May 1 to November 30 in any year the manure must be collected from the deposit location a minimum frequency of once every 2 months; and

water standards as set out in Table B.

**(3)** Manure must be disposed to a disposal facility approved by the Minister of Environment or in an approved manner identified under a land application plan.

**(4)** Composting, in accordance with composting guidelines is subject to separation distances as set out in Table A and must be removed from site within 3 years. Operator must demonstrate that at least one employee has been trained in proper composting procedures.

**(5)** The proposed operator must have an alternative manure disposal plan in place in the event that there is an interruption of primary manure disposal plan.

*Solid Manure Storage System*

**15** Where a solid manure storage system is used the following requirements must be met:

- (a) the manure storage system must have a level concrete pad base;
- (b) manure deposit areas must prevent infiltration of all sources of water to the satisfaction of the Minister, including precipitation and animal watering systems;
- (c) how often the manure will be collected from the manure deposit areas and transferred to a manure storage system;

- (d) ~~Where a solid manure storage system is used, the holding tank must have a level concrete pad base.~~

- 15** Where a liquid manure storage system is used, the following requirements must be met:
- (a) the system must be impermeable;
  - (b) the storage site must be emptied in accordance with the approved management plan; and
  - (c) where the system is earthen construction, it must be constructed to be impermeable, with a minimum separation of 1 m to the groundwater table or bedrock.

- (d) between May 1 to November 30 in any year the manure must be collected from the deposit location at a minimum frequency of once every 2 months;
- (e) how the deposited manure will be transported to **manure storage** system;
- (f) solid manure storage systems must be located at minimum separation distances from a watercourse, off-farm well or an off-farm dwelling as set out in Table A.
- (g) animal housing buildings traditional style sheds to be considered as solid manure and subject to separation distances as set out in Table A.

*Liquid Manure Storage System*

- 16** Where a liquid manure storage system is used, the following requirements must be met:
- (a) the system must be fully contained system to prevent manure runoff;
  - (b) the system must be impermeable or if the system is earthen construction it must be impermeable with a minimum separation of 1 m to the groundwater table or bedrock;
  - (c) the storage site must be emptied in accordance with the approved waste management plan; and
  - (d) liquid manure storage systems must be located at minimum separation distances from a watercourse, off-farm well or an off-farm dwelling as set out in Table A.

- 16** The management plan for manure storage must contain a description of the following:
- (a) whether the storage system is for solid or liquid manure;
  - (b) whether the storage system is covered or uncovered;
  - (c) the location of all buildings and pipes;
  - (d) the volume capacity of the holding system;
  - (e) schedule of disposals per year that relate the capacity in (d) to the manure output of the expected highest total number of animals in any year;
  - (f) how water will be prevented from entering the manure storage system;
  - (g) how run-off will be prevented from leaking from the manure storage system.
- 17** ~~Contaminated water from the manure storage site must be captured,~~ no discharge of contaminants is permitted from the farm property or to a watercourse.
- 18** Manure storage site must be located at minimum separation distances from a watercourse, well or an off-farm dwelling as set out in Table A.

- 19** Manure must be disposed to a disposal facility approved by the Minister of Environment or in an approved manner identified under a nutrient management plan.
- 20** The proposed operator must have an alternative manure disposal plan in place in the event that there is an interruption of primary manure disposal plan.

### Feed Storage and Disposal

- 21 (1)** All feed must be stored in a fly proof container or freezer.
- (2)** All waste feed must be disposed of at an approved disposal facility.
- (3)** Dumping of waste feed in woods or in manure storage (solid or liquid) or septage lagoons is prohibited.
- (4)** The operator must have a feed storage and disposal plan that describes the following:
- (a) how and where feed will be stored prior to use;
  - (b) a schedule of waste feed disposals to the approved disposal facility; and
  - ~~(c) who will be collecting the waste feed.~~

### Storage and Disposal of Carcasses

- 22 (1)** All carcasses of fur-bearing animals which die on the fur farm must be stored frozen until disposal.

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- 17 (1)** All feed must be stored in a fly proof container.
- (2)** All waste feed must be disposed of at an approved disposal facility or on-farm in an approved manner.
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- (4)** The operator must have a feed storage and disposal plan that describes the following:
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- (2) All carcasses of fur-bearing animals which die on the fur farm must be disposed of at an approved disposal facility.
- (3) ~~Burying or disposing of carcasses of fur-bearing animals in a manner other than enunciated in this Section is prohibited.~~

### Water Monitoring Program

23 The operator must meet the following requirements:

- (a) ~~at least 3 wells a minimum of 5 metres deep and located adjacent to the perimeter of the animal housing area for monitoring water quality parameters;~~
- (b) ~~the Minister may require more than 3 monitoring wells for a fur farm where it is determined by the Minister that more than 3 monitoring wells are required to properly assess the levels of water quality parameters in the groundwater;~~
- (c) ~~of the wells described in clause (a) and (b), at least one well must derive its groundwater upgrade from the fur farm and two or more wells~~

- (2) Dumping of carcasses in woods or in manure storage (solid or liquid) or septage lagoons is prohibited.
- (3) The operator must have a carcass disposal plan that describes the following:
  - (a) how and where carcasses will be stored prior to disposal;
  - (b) a schedule of carcass disposals to the approved disposal facility or the identified on-farm approved disposal plan.

### Surface Water Monitoring Program

19 A surface water monitoring program must be developed that meets the following requirements:

- (a) identify surface runoff directional flow and discharge points;
- (b) upstream and downstream water samples if a flowing watercourse is within the separation distances as set out in Table A;
- (c) address minimizing mixing of potential surface water with wastes;
- (d) surface water sampling schedule;
- (e) identify the person who will be performing the



~~must derive their groundwater downgrade from the fur farm;~~

~~(d) a person designated by the Minister must be present for the drilling of the upgrade monitoring well and for taking of the initial water samples from the well;~~

~~(dd) The initial water samples in clause (d) must be tested for the presence of substances listed in Table B and the test results form the initial baseline data;~~

~~(e) the initial taking of a sample of water of the downgrade wells described in clause (a) and (b) for testing must be collected by a person independent from the operator;~~

~~(f) the samples for all tests performed after the initial test may be taken for testing by the operator unless the Minister determines independent sample collection is warranted;~~

~~(g) the operator must test or cause to be tested water from each wells described in clause (a) and (b) for the presence of substances listed in Table B in May and November of every year the licence is in effect;~~

~~(h) all water sample analyses must be performed by an accredited laboratory;~~

~~(i) baseline data will be determined as follows:  
(A) the initial baseline data will be the baseline data or the parameters as prescribed in Table B must be the baseline data, whichever numbers is greater;~~

surface water sampling; must be independent of the farm operation;

(f) all water sample analyses must be performed by an accredited laboratory;

(g) at the operator's expense, the Minister may conduct random tests of surface water discharge.

~~(B) subsequent test results of any of the wells in (a) and (b) which are less than the previous baseline data but greater than or equal to concentrations of the substances prescribed in Table B become the new baseline data;~~

(j) at the operator's expense, the Minister may conduct random tests of an operator's monitoring wells.

~~(k) any constructed surface water treatment system cannot discharge water exceeding the concentrations prescribed in Table B.~~

### Reporting Requirements

**24 (1)** Monitoring well test results must be submitted to the Minister ~~no later than June 30 (May sample) and no later than December 31 (November sample) in any year.~~

**(2)** Where tests for any water quality parameters ~~from water taken from the monitoring wells~~ indicate that the baseline data concentration have been exceeded, the operator must notify the Minister of the test results within 5 business days of receiving the test results.

**(3)** Where the random tests conducted in clause 23 (i) indicate any baseline concentration have been exceeded the Minister may require tests required in clause 23 (e) to be taken by an independent party at the operator's expense for such time as the Minister determines necessary.

### Reporting Requirements

**20 (1)** Surface water monitoring test results must be submitted to the Minister according to the schedule identified in the surface water monitoring program.

**(2)** Where tests for any water quality parameter indicate the results exceed parameters in Table B, the operator must notify the Minister of the test results within 5 business days of receiving the test results.

**(3)** Where the random tests conducted in clause 19 (f) indicate Table B have been exceeded the Minister may require tests to be taken by an independent third party and the results provided to the Minister by the testing service at the operator's expense for such time as the Minister determines necessary.

### **Books and Records**

**25 (1)** Operators must keep books and records on the farm site, accessible to an inspector, for a minimum period of 5 years, including:

- ~~(a) health records of the fur-bearing animals collected annually;~~
- (b) the total number of fur-bearing animals pelted annually;
- (c) the total number of breeding herd for the year;
- (d) water monitoring program reports;
- (e) manure, waste feed and carcass storage cleanout records.

**(2)** The Minister, or the Minister's representative, may at any time audit or examine the books and records of an operator to ensure compliance with the Act and these regulations.

### **Books and Records**

**21 (1)** Operators must keep books and records on the farm site, accessible to an inspector, for a minimum period of 5 years, including:

- (a) the total number of fur-bearing animals pelted annually;
- (b) the total number of breeding herd for the year;
- (c) surface water monitoring program reports;
- (d) manure, waste feed and carcass storage cleanout records.

**(2)** The Minister, or the Minister's representative, may at any time audit or examine the books and records of an operator to ensure compliance with the Act and these regulations.

**Table A: Minimum separation distances for siting of manure storage**

Type of Storage	Distance from Watercourse or Well (metres)	Distance from Off-farm Dwelling (meters)
Solid Uncovered	100	100
Solid Covered	50	100
Liquid Uncovered	50	300
Liquid Covered	50	100

**Table B: Target Water Level Concentrations**

Substance	Target Water Level Concentration (mg/L*)
Total Dissolved Solids	500
Phosphorus	0.1
Nitrate	2.9
Ammonia	4
Chloride	250

\* mg/L = milligrams per Litre

**Table A: Minimum separation distances for siting of manure storage, animal housing buildings, and on-farm compost site**

Category	Distance from Watercourse or Off-Farm Well (metres)	Distance from Off-farm Dwelling (meters)
Solid Manure Storage	100	100
Liquid Uncovered Manure Storage	50	300
Liquid Covered Manure Storage	50	100
Existing traditional-style animal housing building	100	50
Existing closed-style animal housing building	50	50
New site construction (closed-style animal housing building)	100	100
On-farm compost site	100	100

**Table B: Surface Water Sampling Parameters**

Substance	Maximum Parameter Concentration
Total Phosphorus	20 µg/L
Nitrate (as Nitrate Nitrogen)	2.9 mg/L
Ammonia (as Ammonia-Nitrogen)	1 mg/L
Total Suspended Solids	50 mg/L
<i>E. coli</i>	100CFU per 100mL