

Chapter 11

Environment—Regulating Landfills

1.0 MAIN POINTS

By December 2021, the Ministry of Environment implemented the two remaining recommendations related to regulating landfills.

The Ministry developed and updated guidance documents for landfills and transfer stations, as well as drafted codes of practice it expects to include in legislation. Having standardized guidance encourages operators to build, operate, and close landfills by the same set of standards.

The Ministry also completed, at least annually, landfill inspections it classified as high risk. Annual inspections confirm whether landfills operate in compliance with permit requirements and the law, which enhances environmental and public safety.

2.0 INTRODUCTION

The Ministry of Environment regulates waste management and enforces landfill and transfer station compliance through province-wide legislation under *The Environmental Management and Protection Act, 2010*. Municipalities and private companies own and operate landfills throughout the province.

Saskatchewan generates the second-highest amount of waste per capita in Canada after Alberta.¹ From 2010 to 2018, Saskatchewan’s waste generation trended downward (i.e., from 845 kg/per capita to 744 kg/per capita).² From 2015 to 2021, the number of operating municipal landfills decreased significantly from 500 in 2015 to 139 in 2021.³

This chapter describes our follow-up audit of management’s actions on the recommendations we first made in 2013 about the Ministry of Environment’s processes to regulate landfills.⁴ By January 2020, the Ministry implemented seven of the nine recommendations.⁵

To conduct this audit engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook—Assurance* (CSAE 3001). To evaluate the Ministry’s progress toward meeting our recommendations, we used the relevant criteria from the original audit. Ministry management agreed with the criteria in the original audit.

To perform our follow-up of the recommendations, we discussed actions taken with management and reviewed relevant documents (e.g., Ministry inspection records, guidance documents).

¹ conferenceboard.ca/hcp/provincial/environment/waste.aspx/ (3 January 2022).

² Ministry of Environment, *Saskatchewan’s Solid Waste Management Strategy Annual Report 2020–21*, (2021), p. 11.

³ *Ibid.*, p. 12.

⁴ *2013 Report – Volume 2, Chapter 29*, pp. 205–217.

⁵ *2020 Report – Volume 1, Chapter 16*, pp. 211–214.



3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at December 31, 2021, and the Ministry's actions up to that date.

3.1 Landfill Guidance Documents Published

We recommended the Ministry of Environment adopt guidance on landfills from the proposed Environmental Code as operating practice. (2013 Report –

Volume 2, p. 210, Recommendation 1; Public Accounts Committee agreement April 30, 2014)

Status—Implemented

As of December 31, 2021, the Ministry of Environment developed and published new guidance documents (e.g., Composting Guidance Document—Design and Operations Plan) and updated existing guidance documents (e.g., Landfill Closure Guidance) for landfill and transfer station operators. It also intends to include requirements for transfer stations and composting facilities in legislation (e.g., Environmental Code Chapters) by 2023 and for landfills by 2025.

By December 2021, the Ministry has guidance documents for landfill design and operation, composting design and operation, and landfill closure. These documents are available for operators on the Ministry's Solid Waste Management publications website.⁶

Providing consistent guidance for landfills supports operators to build, operate and close landfills by the same standards.

The Ministry also drafted Environmental Code Chapters for transfer stations and composting facilities in 2020–21. The Ministry set a timeframe for receiving stakeholder feedback on these comprehensive Chapters before obtaining approval to include them in legislation, which it anticipates in 2022–23.

The Ministry is also finalizing its review of new solid-waste regulations that will inform the decision on whether the Ministry creates a separate Chapter on landfills or if this information will be included in revised regulations. The new Chapter or regulation will cover everything from landfill construction to closure. The Ministry expects to have this legislation in place by January 2025.

Embedding codes of operating practice in law provide standard guidance and promote environmentally-sound management practices.

3.2 Landfills Frequently Inspected

We recommended the Ministry of Environment perform landfill inspections in accordance with its established frequency requirements. (2013 Report –

Volume 2, p. 212, Recommendation 3; Public Accounts Committee agreement April 30, 2014)

Status—Implemented

⁶ publications.saskatchewan.ca/#/categories/33 (8 February 2022).

The Ministry of Environment followed its Inspection Frequency Guidelines and inspected landfills classified as high risk, at least annually or explained why not.

The Ministry expects each of its five Environmental Protection Officers to complete 10 to 15 landfill inspections per year (e.g., up to 75 total inspections annually). As of December 31, 2021, Ministry staff completed annual inspections for 12 of 16 high-risk landfills. For the remaining four high-risk landfills with no inspection completed, staff documented rationale for why an annual inspection was not completed (e.g., landfill staff working on compliance items).

Timely inspections determine whether landfills operate in compliance with permit requirements and the law. Permit requirements and laws exist to enhance environmental and public safety. The use of inspections is a key enforcement tool to assist the Ministry in fulfilling its regulatory role and to foster compliance.

