

From: Grace Karreman <Grace.Karreman@inspection.gc.ca>
Sent: Thursday, April 29, 2010 2:54 PM
To: Power, Joanne E. <Joanne.Power@dfo-mpo.gc.ca>; Ford, Sharon <Sharon.Ford@dfo-mpo.gc.ca>; Mark AL:EX Sheppard <Mark.Sheppard@gov.bc.ca>
Cc: Eric ENV:EX McGreer <Eric.Mcgreer@gov.bc.ca>; Paul AL:EX Kitching <Paul.Kitching@gov.bc.ca>; Randy ENV:EX Alexander <Randy.Alexander@gov.bc.ca>; Trevor AL:EX Rhodes <Trevor.Rhodes@gov.bc.ca>; Joanne Constantine <Joanne.Constantine@inspection.gc.ca>; Kim Klotins <Kim.Klotins@inspection.gc.ca>
Subject: RE: Effluent and New CFIA and/or DFO Regulations

Hello Mark

Further to your questions below, management of processing plant effluent for disease control purposes will take time to sort out. Effluent controls for the purpose of disease control for aquatic animal pathogens (upon import or for domestic movements) will involve some complexities. Thanks firstly to Sharon for clarifying who manages processing plant waste. EC had already been involved in a processing plant waste study in the Maritimes in 2007; however the study did not address aquatic animal pathogens in effluent. The appropriate federal departments including but not limited to EC and CFIA will have to sort out roles and responsibilities based on legislative authority. Provincial authority where it applies would also have to be taken into account. Amongst other things that should help clarify who has the lead for addressing compliance and enforcement.

As discussed in the December 19, 2010 Regulatory Impact Analysis Statement (RIAS) for the proposed amendments to Health of Animals Regulations (<http://www.gazette.gc.ca/rp-pr/p1/2009/2009-12-19/pdf/g1-14351.pdf>) there will have to be collaborative work with industry prior to implementing a requirement for effluent controls. There will be a need to examine the risks associated with processing plant effluents based on the risk of disease introduction and spread as well as the various treatment methods appropriate to mitigate these risks. CFIA recognizes that this discussion will have to happen with various levels of government and industry. Finally an agreement would be needed on how the requirements should be implemented and enforced.

We look forward to provincial input into this process and will keep you informed as to when these discussions will begin.

Please direct future correspondence to Dr. Kim Klotins, who will take over my position starting next week.

Thank you

Grace

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>>> "Sheppard, Mark AL:EX" <Mark.Sheppard@gov.bc.ca> 2010/04/19 1:51 pm >>>
Environment Canada. Thanks for clarifying, Sharon. Good for our MAL
inspectors and FH staff to know... at least which agency is lead on this
topics (i.e. for contact and consult, if necessary).

Mark

From: Ford, Sharon [<mailto:Sharon.Ford@dfo-mpo.gc.ca>]
Sent: Tuesday, April 13, 2010 5:36 AM
To: Sheppard, Mark AL:EX; Power, Joanne E.
Cc: McGreer, Eric ENV:EX; Joanne.Constantine@inspection.gc.ca; Kim
Klotins
Subject: RE: Effluent and New CFIA and/or DFO Regulations

Hi Mark - Processing plant waste will remain an EC managed issue. The
"fishery" provisions of the regulation relate only to
"fisher/aquaculturalist" activities not processing plants. This is not a
choice so much as the way the Act is written. While the new regulation
will contain provisions for s.36 it will only be for activities related
to "fishery/aquaculture" issues. We could manage pathogen carriage in
transfer waters/fish waste only indirectly by requiring aquaculturalists
who have infected fish to take those fish to a facility where they can
be properly managed.

Joanne - can you track this (see down to very bottom) as part of
consultation record.

Thanks all.

From: Sheppard, Mark AL:EX [<mailto:Mark.Sheppard@gov.bc.ca>]
Sent: February 23, 2010 1:08 PM
To: Grace.Karreman@inspection.gc.ca;
Joanne.Constantine@inspection.gc.ca; Carolyn Inch (CFIA); Ford, Sharon
Cc: McGreer, Eric ENV:EX; Neilson, Larry AL:EX
Subject: Effluent and New CFIA and/or DFO Regulations
Importance: High

Dear Grace, Joanne, Carolyn and Sharon:

If the topic of processing plant or fish boat effluent arises during
your deliberation of NAAHP, Fish Regs and/or Section 36... may I ask
that the sentiment related to processing effluent (at least that
released to the marine environment) be tabled in some form? Please see
comments below. Thanks.

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Dr. Mark Sheppard
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From: Sheppard, Mark AL:EX
Sent: Monday, February 22, 2010 1:58 PM
To: McGreer, Eric ENV:EX
Cc: Neilson, Larry AL:EX; Kitching, Paul AL:EX
Subject: RE: Stakeholders Workshop on NAAHP - February 23-24 2010 - MOE statement of fact

Thanks Eric,

With your permission, I feel our points should be forwarded to Grace Karreman (CFIA) and to Sharon Ford (AMD-DFO). You're right, plant licensing and inspection appears to be a joint fed/prov overlap, yet release of fish-related effluent (wild, farmed, imported) back to the marine environment needs federal attention regulation. Perhaps DFO feels that its Section 36 (Deleterious Substances) addresses this, yet it doesn't. That Section is under review now - perhaps this is the opportunity to implore clarification wrt potential pathogens, at least when processing of fish subject to a known outbreak is occurring (i.e. IHN, or other reportable pathogens).

Mark

From: McGreer, Eric ENV:EX
Sent: Monday, February 22, 2010 12:35 PM
To: Sheppard, Mark AL:EX
Cc: Neilson, Larry AL:EX
Subject: RE: Stakeholders Workshop on NAAHP - February 23-24 2010 - MOE statement of fact

Hi Mark:

The issues are:

1. CFIA needs to take the lead and work with other federal stakeholders such as DFO (AMD, Science Branch, etc). MOE has no technical in this field or other expertise or staff capacity to be

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involved, and MOE has already addressed these issues inclusively in their existing permit structure (see comment immediately below).

2. On the topic of effluent from fish processing plants, our permits stipulate in effect that the holder shall, "...be in compliance w all other agency requirements...[paraphrase]. Therefore, if a federal agency comes up w a new regulation, then it will automatically be encased within an existing permit.

3. CFIA or other federal agency needs to include clear wording in any new legislation what constitutes non-compliance with their regulation(s), and should include a section on enforcement actions which will apply. Example, if a company is in non-compliance w a federal piece of legislation, they should first attempt to bring the company into compliance thru discussion or other means which should be spelled out in their legislation. If they are not successful or if the company procrastinates unduly, or is un-cooperative, then CFIA (or DFO) can raise the specific incident with us (EP Division) for support and possible further action by us wrt the company's discharge permit.

4. Another primary issue we would raise is that CFIA needs to identify and make arrangements for how plant inspections or audits are to be carried out and by whom to assess non-compliance. This could involve trained federal inspectors or plant staff using simple equipment or plant staff being given training for some form of effluent testing for fish/animal disease/vectors to meet its requirements.

Hope this helps, and you are more than welcome to pass this email on to organizers of the meeting or speak to these points or both.

Eric R. McGreer
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From: Sheppard, Mark AL:EX
Sent: Monday, February 22, 2010 11:20 AM
To: Neilson, Larry AL:EX; McGreer, Eric ENV:EX
Subject: RE: Stakeholders Workshop on NAAHP - February 23-24 2010 - need for MOE involvement
Importance: High

Hi Eric and Larry,

Thanks for your comments Eric - I still hope MOE will be on the call to seize the opportunity to raise this point, that... who's jurisdiction IS effluent?!! Whenever I try to get an answer DFO points to MOE, who points to CFIA, who points to MAL, who points to EC, who points to DFO, who points to MOE, who...!! As far as I can tell, there IS no hard and fast effluent regulation, or whichever agency does have it, does not deal with potential pathogen release (i.e. from wild fish as well as

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farmed fish).

This void needs addressing before NAAHP moves into its Disease Management, and it needs to not pigeon hole fish farms (i.e. effluent requirements need to apply to ALL processor of wild, farmed, imported products that do not release to municipal sewer with primary treatment facilities).

Mark

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