

10. (1) In addition to complying with section 9, every operator who disposes of a dead farm animal by burying it shall ensure that the requirements set out in this section are satisfied. O. Reg. 106/09, s. 10 (1).

(2) An operator must not bury a dead farm animal anywhere other than in a burial pit that satisfies the following requirements:

1. The burial pit must not be located in organic soil or soil that is hydrologic soil group AA.
2. Every part of the burial pit must be at least,
 - i. 60 metres from every point on the perimeter of another burial pit that is located on the same registered parcel of land and that is open or that has been closed for less than 10 years,
 - ii. 30 metres from a highway,
 - iii. 15 metres from lot line of the registered parcel of land on which the burial pit is located,
 - iv. 100 metres from every livestock housing facility, outdoor confinement area and residential structure that is located on land that is not part of the registered parcel of land on which the burial pit is located,
 - v. 100 metres from the lot line of land that has an industrial or parkland use, and
 - vi. 200 metres from the lot line of land in a residential area and from land that has a commercial, community or institutional use.
3. The lowest point of the burial pit must be at least 0.9 metres above the top of the uppermost identified bedrock layer or aquifer.
4. Every part of the burial pit must be at least six metres from a field drainage tile.
5. Every part of the burial pit must be at least,
 - i. 50 metres from every part of a drilled well that has a depth of at least 15 metres and a watertight casing to a depth of at least six metres,
 - ii. 250 metres from every part of a municipal well, and
 - iii. 100 metres from every part of a well that is not described in subparagraphs i and ii.
6. There must be a flow path that runs for at least 100 metres measured from the place where it is closest to the perimeter of the burial pit to the top of the bank of the nearest surface water or tile inlet.
7. A burial pit must not be located in an area that is subject to flooding once or more every 100 years, according to flood plain mapping provided by a municipality or conservation authority having jurisdiction over the area. O. Reg. 106/09, s. 10 (2).

(3) The maximum weight of dead farm animals that may be buried in one burial pit is 2,500 kilograms, calculated using the weight of each dead farm animal immediately before it was buried in the pit. O. Reg. 106/09, s. 10 (3).

(4) If any part of the burial pit is less than 15 metres from a field drainage tile, dead farm animals buried in the pit must be placed so that the highest point of the uppermost dead animal in the pit is lower than the lowest point of the nearest field drainage tile. O. Reg. 106/09, s. 10 (4).

(5) A burial pit is open on the day an operator first buries a dead farm animal in the pit, and the operator must monitor the open pit and ensure that the following rules are complied with until the pit is closed:

1. All dead farm animals placed in the pit must at all times be covered with at least 0.6 metres of soil.
2. If the pit shows signs of scavenging, the operator must immediately cover any dead farm animals in the pit with the amount of soil, in addition to the soil required under paragraph 1, that will prevent further scavenging.
3. If liquid overflows from the top of the pit onto the ground, the operator must contain the liquid and take all reasonable steps to prevent further liquid from running out of the top of the pit. O. Reg. 106/09, s. 10 (5).

(6) Subject to subsection (7), a burial pit must be immediately closed when 120 days have elapsed since the day the pit opened or when 2,500 kilograms of dead farm animals have been buried in the pit, whichever comes first. O. Reg. 106/09, s. 10 (6).

(7) If the soil is frozen soil, the pit may remain open until the soil has thawed sufficiently so that soil can be mounded as required by subsection (8), at which time the pit must immediately be closed. O. Reg. 106/09, s. 10 (7).

(8) To close a burial pit, an operator must fill it with enough soil so that the top of the fill soil forms a mound that is higher than the level of the ground at the perimeter of the pit by the greater of,

- (a) half of the depth of the pit measured with reference to its lowest point; and
- (b) 0.6 metres. O. Reg. 106/09, s. 10 (8).

(9) An operator must monitor the burial pit on a regular basis for one year following the date on which it is closed and ensure that the following rules are complied with:

1. If any part of the soil covering a closed burial pit sinks below the level of the ground at the perimeter of the pit, the operator must rebuild the mound to the level of the ground at the perimeter of the pit.
2. If the pit shows signs of scavenging, the operator must immediately cover any dead animals in the pit with the amount of soil necessary to prevent further scavenging. O. Reg. 106/09, s. 10 (9).