

OCTOBER, 2004

The Region of York Sewer Use Bylaw

A By-law

for the Control of Discharges

to Municipal Sewers

in the Region of York

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The previous sewer use by-law known as No. S-57-92-155 is repealed as of [*insert - date of enactment of new by-law*].

BY-LAW Number [*insert - new by-law number*]

of The Corporation of the Regional Municipality of York

BEING a bylaw to control discharges to the municipal sewage works pursuant to the Municipal Act, S.O. cM.45 as amended

NOW THEREFORE THE COUNCIL of THE CORPORATION of the Regional Municipality of York enacts as follows:

Part 1 - Definitions

1. In this bylaw:

- (a) “biochemical oxygen demand (BOD)” means the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), including the oxygen used to oxidize inorganic material such as sulphides, ferrous iron, and where an inhibiting chemical has been added to prevent ammonia oxidation;
- (b) “biosolids” means organic solid material recovered from the wastewater treatment process;
- (c) “blowdown water” means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would impair the operation of the system;
- (d) “best management practices plan” (BMP) means industry-wide practices containing requirements to reduce or eliminate the amount of contaminants discharged to a municipal sewerage system or land drainage works, generally improve waste management practices, and to comply with the provisions of this by-law;
- (e) “combustible liquid” means any liquid having a flash point at or above 37.8 degrees Celsius and below 93.3 degrees Celsius;
- (f) “composite sample” means two or more grab samples of the discharge to the sewage works that have been combined automatically or manually and taken at intervals during the sampling event;
- (g) “cooling water” means water that is used in a process for the purpose of removing heat and that has not come into contact with any raw material, intermediate product, waste product or finished product, but does not include blowdown water;

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- (h) “discharger” means an individual, association, partnership, corporation, or municipality in occupation or having the charge, management, or control of a plant, sewage, storm water or uncontaminated water to which this by-law applies and includes an agent or employee of such a person;
- (i) “enforcement officer” means a person authorized by the Council of The Regional Municipality of York to carry out inspections, make observations, take samples and make measurements pursuant to this by-law;
- (j) “EPA” means the *Environmental Protection Act*, R.S.O. 1990, c.E. 19;
- (k) “flammable liquid” means a liquid having a flash point below 37.8 degrees Celsius and having a vapour pressure not more than 275.8 kPa (absolute) at 37.8 degrees Celsius as determined by ASTM D323-99a, “Vapour Pressure of Petroleum Products” (Reid Method);
- (l) “fuel” means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any ignitable substance intended for use as a fuel;
- (m) “grab sample” means a portion of the discharge from or deposit to the sewage works taken at a maintenance access hole or another location established pursuant to subsection 8.(2) of this bylaw;
- (n) “hailed sewage” means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or a sewage works;
- (o) “hailed waste” means any industrial waste, which is transported to and deposited into any location in the sewage works excluding hailed sewage;
- (p) “hazardous waste” means acute hazardous waste chemicals, hazardous industrial waste, hazardous waste chemicals or severely toxic waste or any combination thereof as defined by *O.Reg 347/90* as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c.E. 19 (EPA);
- (q) “ignitable waste” means ignitable waste within the meaning of *O.Reg 347/90*, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990, c.E. 19 (EPA);
- (r) “industrial” means of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- (s) “maintenance access hole” means an access point in a private sewer connection to allow

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for observation, sampling, and flow measurement of the sewage, uncontaminated water or storm water therein;

- (t) “municipality” means the Regional Municipality of York and its designated representatives;
- (u) "O. Reg. 347" means R.R.O. 1990, Regulation 347 (General-Waste Management) made under the EPA;
- (v) “pathological waste” means pathological waste within the meaning of *O.Reg 347/90*, as amended from time to time, made under the *Environmental Protection Act*, *R.S.O. 1990, c.E. 19 (EPA)*;
- (w) “PCBs” means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- (x) “pesticide” means a pesticide as defined and regulated under the *Pesticides Act*, *R.S.O. 1990, c.P. (PA)*;
- (y) “pollution prevention” means (ISO 14001 definition for “Prevention of Pollution”) use of processes, practices, materials or products that avoid, reduce or control pollution, which may include recycling, treatment, process changes, control mechanisms, efficient use of resources and material substitution;
- (z) “reactive waste” means reactive waste within the meaning of *O.Reg 347/90*, as amended from time to time, made under the *Environmental Protection Act*, *R.S.O. 1990, c.E. 19 (EPA)*;
- (aa) “sanitary sewer” means a sewer for the collection and transmission of domestic, residential, commercial, and industrial sewage, or any combination thereof;
- (bb) “sewage” means any liquid containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include storm water or uncontaminated water;
- (cc) “sewage works” means any works for the collection, transmission, treatment or disposal of sewage, storm water and uncontaminated water, including a sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the *Building Code Act, 1992* applies;
- (dd) “site” means any industrial location capable of discharging to a sewage works covered by this bylaw;
- (ee) “spill” means a direct or indirect discharge or deposit to the sewage works or the natural

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environment which is abnormal in quantity or quality in light of all the circumstances of the discharge or deposit;

- (ff) “Standard Methods” means a procedure or method set out in the most recent edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, or the Ontario Ministry of the Environment’s equivalent of a standard method;
- (gg) “storm sewer” means a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof and includes surface runoff;
- (hh) “storm water” means water from rainfall or other natural precipitation or from the melting of snow or ice;
- (ii) “uncontaminated water” means municipally treated drinking water or any water to which no matter has been added intentionally or unintentionally;
- (jj) “waste disposal site leachate” means the liquid containing dissolved or suspended contaminants which emanates from waste and is produced by water percolating through the waste or by liquid in the waste; and,
- (kk) “waste radioactive prescribed substances” means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Canadian Nuclear Safety Commission may designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy.

Part 2 - Sanitary Sewer Requirements

2. (1) No discharger shall cause or permit the deposit or discharge of sewage into a sanitary sewer in circumstances where,
- (a) to do so may cause or result in:
 - (i) a health or safety hazard to a sewage works person authorized to inspect, operate, maintain, repair or otherwise work on a sewage works;
 - (ii) an offence under of the *Ontario Water Resources Act* or the *Environmental Protection Act*, as amended from time to time, or any regulation made thereunder from time to time;
 - (iii) biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land" dated March 1996, as amended from time to time;
 - (iv) the discharge of dyes or colouring materials which can pass through a sewage works and discolour the sewage works effluent;
 - (v) interference with the operation or maintenance of a sewage works;
 - (vi) an offensive odour to emanate from the sanitary sewer;
 - (vii) damage to the sewage works; or
 - (viii) an obstruction or restriction to the flow in the sanitary sewer.
 - (b) the sewage has one or more of the following characteristics:
 - (i) a pH less than 6.0 or greater than 10.5;
 - (ii) two or more separate layers; or
 - (iii) a temperature greater than 60 degrees Celsius.
 - (c) the sewage contains:
 - (i) combustible liquid;
 - (ii) flammable liquid;
 - (iii) fuel;
 - (iv) hauled sewage, except where:
 - (a) the carrier of the hauled sewage is a waste management system operating under a certificate of approval, provisional certificate of approval or order issued under the *Environmental Protection Act* or a regulation under the *Environmental Protection Act*, including a regulation to exempt the system from the requirement of a certificate or provisional certificate of approval;
 - (b) a copy of the most recent certificate or provisional certificate and any amendment is provided to the municipality; and
 - (c) the carrier meets all conditions for discharge that are or may be required from time to time by the municipality in writing;

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- (v) hauled waste, except where:
 - (a) the carrier of the hauled waste is a waste management system operating under a certificate of approval, provisional certificate of approval or order issued under the *Environmental Protection Act* or pursuant to a regulation made under the *Environmental Protection Act*, including a regulation exempting the system from the requirement to have a certificate or provisional certificate of approval;
 - (b) a copy of the most recent certificate, provisional certificate or order and any amendment is provided to the municipality;
 - (c) hauled waste meets the conditions set out in clauses 23(3)(c) and 25(5)(b) of *O.Reg 347/90, R.R.O. 1990*, as amended from time to time; and
 - (d) the carrier meets all conditions for discharge that are or may be required from time to time by the municipality in writing;
- (vi) hazardous waste;
- (vii) ignitable waste;
- (viii) pathological waste;
- (ix) PCBs, except where:
 - (a) the discharger has a certificate of approval for a mobile site or PCB mobile waste disposal system issued under the *Environmental Protection Act* or where the discharger is claiming an exemption under a regulation, the discharger has demonstrated to the municipality that the conditions of the exemption are met;
 - (b) a copy of the most recent certificate or provisional certificate and any amendment is provided to the municipality; and
 - (c) the discharger has written notice from the municipality for the discharge of the PCBs to the sewage works;
- (x) pesticide;
- (xi) reactive waste;
- (xii) waste radioactive prescribed substances, except where:
 - (a) the waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Atomic Energy Control Board or its successor; and
 - (b) a copy of the licence has been provided to the municipality;
- (xiii) waste disposal site leachate, except where:
 - (a) the discharger has written approval from the municipality which authorizes the discharge or deposit of the waste disposal site leachate to the sewage works; and
 - (b) a certificate of approval, provisional certificate of approval or order has been issued which includes a provision for the disposal of waste disposal site leachate to a sewage works, a copy of the certificate of approval, provisional certificate of approval or order

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is provided to the municipality, or where the discharger is claiming an exemption pursuant to a regulation, the discharger has demonstrated to the municipality that the conditions of the exemption are being met; or

- (xiv) a concentration which exceeds any one or more of the limits in Table 1 of this Bylaw entitled "Limits for Sanitary Sewer Discharge".
- (2) The discharge of storm water or uncontaminated water to a sanitary sewer is prohibited except in an emergency situation where the municipality has provided either verbal or written approval prior to the emergency discharge; or, where the municipality has provided written approval for a non-emergency discharge and the discharger is complying with the terms and conditions of the approval.
- (3) The discharge to a sanitary sewer of water originating from a source separate from the municipal water distribution system is prohibited except where the discharger:
 - i) provides written notice to the municipality setting out the amount of water, location of the water source, and address of the discharger where the water is being used and from which it is being discharged;
 - ii) provides the municipality with a copy of a valid Permit to Take Water in respect of the taking of the water that is being discharged or deposited, where such a Permit to Take Water is required by the *Ontario Water Resources Act, R.S.O. 1990, c.O.14*, as amended; and
 - iii) has written discharge approval from the municipality, prior to any discharge, and the discharger is complying with the terms and conditions of the approval.
- (4) The provisions of subsection 2(1)(c)(xiv) do not apply where the discharge is regulated by a surcharge agreement, compliance program or best management practices plan that has been approved by the municipality, or otherwise authorized by the municipality in accordance with the provisions of this by-law.

Part 3 - Prohibition of Dilution

- 3. (1) No person shall discharge or deposit or cause or permit the discharge of sewage into a sanitary sewer or storm sewer in circumstances where water has been added to the discharge for the purposes of dilution to achieve compliance with Part 2 or 4 of the by-law.

Table 1 - Limits for Sanitary Sewer Discharge

Type of Parameter	Parameter	Limit
Conventional	Biochemical Oxygen Demand (BOD)	300 mg/L
	Total Kjeldahl Nitrogen	100 mg/L
	Oil & Grease – Mineral & Synthetic	15 mg/L
	Oil & Grease – Animal and Vegetable	150 mg/L
	Phenolics (4AAP)	1 mg/L
	Phosphorous (Total)	10 mg/L
Other	Suspended Solids (Total)	350 mg/L
	Cyanide (Total)	2 mg/L
	Fluoride	10 mg/L
Metals	Sulphate	1500 mg/L
	Aluminum (Total)	50 mg/L
	Antimony (Total)	5 mg/L
	Arsenic (Total)	1 mg/L
	Cadmium (Total)	0.7 mg/L
	Chromium (Total)	2 mg/L
	Cobalt (Total)	5 mg/L
	Copper (Total)	3 mg/L
	Lead (Total)	1 mg/L
	Manganese (Total)	5 mg/L
	Mercury (Total)	0.01 mg/L
	Molybdenum (Total)	5 mg/L
	Nickel (Total)	2 mg/L
	Selenium (Total)	1 mg/L
	Silver (Total)	5 mg/L
	Tin (Total)	5 mg/L
	Titanium (Total)	5 mg/L
	Zinc (Total)	2 mg/L
Organics	Benzene	10 ug/L
	Chloroform	40 ug/L
	1,2 –dichlorobenzene	50 ug/L
	1,4 –dichlorobenzene	80 ug/L
	Cis-1,2 –dichloroethylene	4,000 ug/L
	Trans- 1,3 – dichloropropylene	140 ug/L
	Ethylbenzene	160 ug/L
	Methylene chloride	2,000 ug/L
	1,1,2,2 –tetrachloroethane	1,400 ug/L
	Tetrachloroethylene	1,000 ug/L
	Toluene	270 ug/L
	Trichloroethylene	400 ug/L
	Xylenes (Total)	1,400 ug/L
	Di-n-butyl phthalate	80 ug/L
	Bis (2-ethylhexyl) phthalate	12 ug/L
	PCBs	1 ug/L
	Methyl Ethyl Ketone	8000 ug/L
	Styrene	200 ug/L
	Nonylphenols	20 ug/L
	Nonylphenol ethoxylates	200 ug/L

Part 4 - Storm Sewer Requirements

4. (1) No discharger shall cause or permit the deposit or discharge of storm water or uncontaminated water to a storm sewer which may or could:
- (a) interfere with the proper operation of a storm sewer;
 - (b) obstruct or restrict a storm sewer or the flow therein;
 - (c) damage the storm sewer;
 - (d) result in any hazard or other adverse impact, to any person, animal, property, or vegetation;
 - (e) impair or likely impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
 - (f) contravene or result in the contravention of a certificate or provisional certificate of approval or order issued under the *Ontario Water Resources Act* or the *Environmental Protection Act*;
 - (g) have one or more of the following characteristics:
 - (i) two or more separate layers;
 - (ii) a visible film, sheen or discoloration;
 - (iii) a temperature greater than 40 degrees Celsius; or
 - (iv) a pH less than 6.0 or greater than 9.0;
 - (h) contain one or more of the following:
 - (i) blowdown water;
 - (ii) combustible liquid;
 - (iii) flammable liquid;
 - (iv) floating debris;
 - (v) fuel;
 - (vi) hauled sewage;
 - (vii) hauled waste;
 - (viii) hazardous waste;
 - (ix) ignitable waste;
 - (x) pathological waste;
 - (xi) PCBs;
 - (xii) pesticides;
 - (xiii) reactive waste;
 - (xiv) sewage;
 - (xv) waste radioactive prescribed substances;
 - (xvi) waste disposal site leachate;
 - (xvii) a substance from raw materials, intermediate or final materials, used or produced in, through or from an industrial process;
 - (xviii) a substance used in the operation or maintenance of an industrial site; or,
 - (xix) a concentration which exceeds any one or more of the limits in Table 2 of this Bylaw entitled "Limits for Storm Sewer Discharge".
- (2) The provisions of subsection 4(1)(h)(xix) do not apply where the discharge is regulated by a compliance program or best management practices plan that has been approved by the municipality, or otherwise authorized by the municipality in accordance with the provisions of this by-law.

Table 2 - Limits for Storm Sewer Discharge

Type of Parameter	Parameter	Limit
Conventional	Biochemical Oxygen Demand (BOD)	15 mg/L
	Total Kjeldahl Nitrogen	1 mg/L
	Phenolics (4AAP)	0.008 mg/L
	Phosphorous (Total)	0.400 mg/L
	Suspended Solids (Total)	15 mg/L
	Cyanide (Total)	0.020 mg/L
Metals	Arsenic (Total)	0.020 mg/L
	Cadmium (Total)	0.008 mg/L
	Chromium (Total)	0.080 mg/L
	Copper (Total)	0.050 mg/L
	Lead (Total)	0.120 mg/L
	Manganese (Total)	0.150 mg/L
	Mercury (Total)	0.0004 mg/L
	Nickel (Total)	0.080 mg/L
	Selenium (Total)	0.020 mg/L
	Silver (Total)	0.120 mg/L
Organics	Zinc (Total)	0.040 mg/L
	Benzene	2.0 ug/L
	Chloroform	2.0 ug/L
	1,2 –dichlorobenzene	5.6 ug/L
	1,4 –dichlorobenzene	6.8 ug/L
	Cis-1,2 –dichloroethylene	5.6 ug/L
	Trans- 1,3 – dichloropropylene	5.6 ug/L
	Ethylbenzene	2.0 ug/L
	Methylene chloride	5.2 ug/L
	1,1,2,2 –tetrachloroethane	17.0 ug/L
	Tetrachloroethylene	4.4 ug/L
	Toluene	2.0 ug/L
	Trichloroethylene	8.0 ug/L
	Xylenes (Total)	4.4 ug/L
	Di-n-butyl phthalate	15.0 ug/L
	Bis (2-ethylhexyl) phthalate	8.8 ug/L
	PCBs	0.4 ug/L

Part 5 - Reporting of Site Information by Industrial Dischargers

5. (1) A discharger is required to complete and submit a "Waste Survey Report" to the municipality within 30 days of written notification. The "Waste Survey Report" format shall be either the "Abbreviated Waste Survey Report" or the "Comprehensive Waste Survey Report" as attached to this by-law as Schedule "A" and "B" respectively.
- (2) Where an industrial discharger is required by the municipality to complete a Waste Survey Report, the discharger shall provide written notice of any change in the information requested in the report within 30 days. Such notice shall include pertinent details of any change to the operational, process, or wastewater treatment facilities, and shall include any analyses of the discharge.

Part 6 - Surcharge Agreement

6. (1) Subject to subsections (2) and (3), the discharge or deposit of sewage that would otherwise be prohibited by this by-law may be permitted into or in any connection to any sanitary sewer to an extent fixed by agreement with the municipality under such conditions with respect to payment of additional sewage service rates or otherwise as may be necessary to compensate the municipality for any additional costs of operation, repair, and maintenance of the sewage works.
- (2) An agreement referred to in subsection (1) may be made only with respect to any one or more of the following parameters:
- (a) Biochemical Oxygen Demand (BOD5);
 - (b) Phenolics (4AAP);
 - (c) Oil & Grease (Solvent Extractibles); Animal/Vegetable
 - (d) Phosphorus, Total;
 - (e) Suspended Solids, Total;
 - (f) Total Kjeldahl Nitrogen.
- (3) An agreement shall contain terms and conditions related to the calculation and payment for the discharge, including provision for a minimum surcharge fee. The surcharge fee shall be determined in accordance with the "Surcharge Formula" attached to this by-law as Schedule "C". The surcharge agreement shall be generally in the form designated by the municipality from time to time.
- (4) During the term of an agreement, the discharger is exempt from meeting the limits set out in 2.(1)(c)(xiv) for the parameter(s) included in the agreement, provided the discharger is in compliance with all of the terms and conditions in the agreement.

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- (5) Notwithstanding section 5(2), where a discharger has entered into an agreement, any change in the information provided to the municipality in the “Waste Survey Report” must be submitted to the municipality prior to the change to allow sufficient assessment of the change on the agreement.
- (6) The municipality may terminate an agreement at any time and for any reason, including a failure to meet the conditions in the agreement, and the termination will be effective within 30 days of a written notice of termination.

Part 7 - Compliance Program

- 7. (1) A discharger may submit to the municipality a proposed compliance program to prevent, reduce or control the non-compliance discharge of sewage, storm water, or uncontaminated water from the discharger’s premises into the municipal sewer system.
- (2) The municipality may issue a compliance program approval for a non-compliance discharge, in the amount and to the extent set out in the approval, during the planning, design, construction and installation of facilities or works necessary to implement the approved compliance program.
- (3) The compliance program shall include the following conditions or limitations:
 - (a) the term of the compliance program shall be for a specified length of time during which the discharger may implement the corrective or remedial actions required to eliminate the non-compliance;
 - (b) corrective or remedial actions to be implemented shall be specific, including the dates of commencement and completion of such actions, and the materials or other characteristics of the matter to which it relates;
 - (c) the final action completion date shall not be later than the final compliance date in the compliance program;
 - (d) a progress reporting requirement to the municipality within a specified period of time of the scheduled completion date of each action listed in the compliance program;
 - (e) the municipality may terminate the compliance program by written notice to the discharger at any time where there is an immediate threat or danger to any person, animal, property, vegetation, or any other adverse impact to the sewage works; or where the discharger fails or neglects to implement or diligently pursue the actions required under the approved compliance program;
 - (f) where a compliance program has been terminated, the discharger shall immediately comply with all provisions of this by-law.
- (4) A discharger to whom a compliance program approval has been issued shall not be prosecuted under Part 2 or 4 of this by-law for the discharge or deposit of sewage, uncontaminated water or storm water in compliance with the approved compliance program.

Part 8 - Sampling and Analytical Requirements

8. (1) The discharger shall install and maintain in good repair a maintenance access hole for each connection from the site of the discharger to the sewage works for the purpose of observation, sampling and measurement of the flow of discharges or deposits therein.
- (2) Notwithstanding subsection 8.(1), where the installation of a maintenance access hole is not possible or is not acceptable to the municipality, an alternative device or facility may be substituted with the written approval of the municipality.
- (3) The maintenance access hole, device or facility shall be:
- (a) located on the property of the discharger, unless the municipality provides written approval for a different location;
 - (b) designed and constructed in accordance with good engineering practice, in a manner acceptable to the municipality, at the discharger's expense;
 - (c) accessible at any time to the municipality for the purpose of observation, sampling and measurement of the flow of discharges or deposits therein.
- (4) The municipality, by written notice, may require a discharger to sample and analyze one or more discharges or deposits from a site and submit the results and/or the samples to the municipality.
- (5) For the purpose of the administration and enforcement of this by-law, a person appointed by the council of the municipality for the purpose shall, upon production of his identification, enter any industrial discharger premises, to observe, to measure the discharge flow to any sewer, and to collect any samples required.
- (6) The municipality may establish non-compliance with this by-law on the basis of a grab sample or a composite sample which may contain additives for its preservation, may be collected manually or by using an automatic sampling device, and analyzed in accordance with the procedures and methods set out in Standard Methods or equivalent.
- (7) For each of the metals whose concentration is limited in "Table 1" or "Table 2", the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

Part 9 - Spills

9. (1) In the event of a spill to a sewage works, the discharger shall immediately notify the municipality, provide any information with respect to the spill which the municipality advises it requires and complete any work the municipality may require to mitigate the spill.
- (2) Notwithstanding subsection 9.(1), the discharger shall do everything possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean-up the spill and restore the affected area to its condition prior to the spill event.
- (3) The discharger shall provide a written report on the spill to the municipality, within 5 days after the spill, containing the following information:
- (a) location where the spill occurred;
 - (b) name and phone number of person who reported the spill and location where they can be contacted;
 - (c) date and time of spill;
 - (d) material spilled;
 - (e) characteristics of the material(s) spilled;
 - (f) volume of the material(s) spilled;
 - (g) duration of spill event;
 - (h) work completed and/or still in progress to mitigate the spill; and
 - (i) preventative actions being taken to ensure the situation does not occur again.

Part 10 - Requirement for the Development of a Pollution Prevention Plan

10. (1) The municipality may require an industrial discharger to develop a pollution prevention plan for the discharge of any parameter designated by the municipality, where the discharger is or has been:
- (a) out of compliance with Part 2-Sanitary Sewer Requirements; or
 - (b) out of compliance with Part 4-Storm Sewer Requirements; or
 - (c) in a compliance program with the municipality; or
 - (d) responsible for one or more spill(s) to a sewage or land drainage works.
- (2) Pollution prevention plans shall comply with any guidelines established by the municipality.
- (3) The pollution prevention plan is to be completed by the discharger and available for review by the municipality at the site of the discharger within 18 months of notification by the municipality.

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- (4) The municipality may exempt a discharger from developing a Pollution Prevention Plan where the discharger has in place an ISO 14001 Program which is currently registered by a third party auditor accredited by the Standard Council of Canada or the Registrar Accreditation Board.

Part 11 - Dental Waste Amalgam Separators

11. (1) Any dental practice within the Regional Municipality of York must comply with the Dentistry Act, 1991, S.O. 1991, c.24, and the regulations therein, as amended from time to time, for the disposal of amalgam waste.

Part 12 - Offences

12. (1) Every discharger other than a corporation who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$10,000 dollars, and a fine of \$25,000 dollars for any subsequent conviction.
- (2) Any discharger who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine of not more than \$50,000 dollars and a fine of \$100,000 dollars for any subsequent conviction.
- (3) In this by-law, subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this by-law or By-law S-57-92-155.

Part 13 - Enforcement

13. (1) The persons designated in Schedule "D" are hereby designated as Provincial Offence Officers for the enforcement of this bylaw.

Part 14 - Application of Limits

14. (1) All conditions of the new bylaw are to be effective as soon as the bylaw is enacted and passed with the exception of the new limits in Table 1 and Table 2.
- (2) Dischargers will be required to meet the new limits as set out in Table 1 and Table 2 after a two (2) year period. Between the date of enactment and passing of the bylaw and two (2) years henceforth, the limits as listed in Bylaw S-57-92-155 will be used for determining compliance with the bylaw.

SCHEDULE "A"

THE REGIONAL MUNICIPALITY OF YORK **ABBREVIATED WASTE SURVEY REPORT**

SECTION 1: General Information

- (a) Name of Company: _____
- (b) Location/Mailing Address:
- Plant: _____
 - Main Office: _____
- (c) Telephone Number: Plant: _____
- Main Office: _____
- (d) Name of Company Officer submitting Report:
- | | | |
|-------|-------|------------------|
| _____ | _____ | _____ |
| Name | Title | Telephone Number |
- (e) Date of Survey Report Completion: _____

SECTION 2: Product of Service Information

- (a) Number of Employees:
- Plant: _____ Office: _____
- (b) # of Shifts per day: _____ # of days per week: _____

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- (c) Brief description of manufacturing process or service activities:

- (d) Final products or services rendered:

SECTION 3: Waste Characteristics and Disposal:

- (a) Consumption of water per day:

(Please Provide your water consumption data for the past year)

- (b) Please list the types and volumes of chemicals used in your manufacturing Processes and/or stored on site.

Chemicals:

Quantities:

- (c) Please list the type of chemicals, cooling water, or other waste materials discharged to the sanitary sewer:

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- (d) Is your wastewater subjected to any type of treatment before discharge into the sewer system? Please describe the treatment.

- (e) If your company has analyzed its wastewater at any time, please provide us with copies of analyses, and name of the laboratory.

- (f) Does your company have any agreement with the Municipality regarding wastewater discharges to sewer system? If yes, please provide explanation.

- (g) Please describe locations of sanitary sewer outlets from your plant. Also, is there a manhole available at each location for inspection and sampling purposes?

- (h) Does your company have sampling of flow measurement equipment available? If yes, please list the type and make.

- (i) Does your company use, handle, or store any compounds on site that contain any amount of Mercury?

SCHEDULE "B"

THE REGIONAL MUNICIPALITY OF YORK **COMPREHENSIVE WASTE SURVEY REPORT**

Date of Survey: _____

Area Municipality: _____

SECTION 1 – General Information

(a) Name of person submitting report: _____
(Name)

(Title)

(Company Name, Corporation, Owner)

(Telephone Number)

(Type of Industry)

(Mailing address) (Postal Code)

(b) Company Officer responsible for effluent control:

Name Title Telephone Number

(c) Location of premises:

(Street Name, Number, Block Number, Unit Number, Municipality)

THE INFORMATION CONTAINED IN THIS REPORT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IS TRUE, COMPLETE AND ACCURATE.

(Authorized Representative)

(Title)

(Date)

SECTION 2 – Product or Service Information

- (a) Brief description of manufacturing or service activities:

- (b) Principal products produced or services rendered:

- (c) Number of employees:

Plant: _____ Office: _____

- (d) Number of shifts per day: _____ Number of days per week: _____

- (e) Are major process:

() Batch () Continuous () Both

If batch, average number of batches per 24-hour day: _____

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- (f) Is the production subject to seasonal variation: () Yes () No

If yes, briefly describe seasonal production cycle:

- (g) Is there a special clean-up period: () Yes () No

If yes, briefly describe clean-up period activities:

- (h) Proximity of chemical storage to floor drains and whether floor drainage discharges to storm or sanitary sewers:

- (i) Description of spill control practices that the facility uses,
(Site Hazards and Recommended Safety Procedures):

- (i) Information of past spill:
(ii) Unusual discharges:
(iii) Previous problems encountered:

SECTION 3 – Waste Characteristics

- (a) List all sources of water supply:

- (1) Municipal water
(2) Private well water
(3) Hauled water
(4) Other sources: _____

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- (b) Type of waste discharged (check all that apply):

<u>TYPE</u>	<u>AVERAGE FLOW/DAY</u> (m ³ / day)
() Sanitary Sewage	_____ () Estimated
() Non-contact Cooling	_____ () Estimated
() Contact Cooling	_____ () Estimated
() Process Water	_____ () Estimated
() Others	_____ () Estimated

- (c) Wastes are discharged to (check all that apply):

<u>TYPE</u>	<u>AVERAGE FLOW/DAY</u> (m ³ / day)
() Sanitary #1	_____ () Estimated
() Sanitary #2	_____ () Estimated
() Storm Sewer #1	_____ () Estimated
() Storm Sewer #2	_____ () Estimated
() Ground Water	
Open Water	_____ () Estimated
() Surface Water	
Pond/Creek/Stream	_____ () Estimated
() Evaporation	_____ () Estimated
() Storage Tank	_____ () Estimated

* Haulage schedule – Where to, who, amount per haulage
(Attach additional list as necessary)

- (d) Expected characteristics of wastes discharged to sanitary and storm sewers (complete Section 8, Pollutant Information Sheets, for the discharge to each sewer).

SECTION 4 – Physical Layout

Layout sketch of property (to scale or approximate) to co-ordinate buildings, pre-treatment works, property boundaries, effluent lines, and sanitary and storm sewer connections. (Number sewers so that they can be related to Pollutant Information Sheets).

Is there a manhole available for sampling?

If so, what is the location?

1. Location of last manhole: _____
2. Location of sampling manhole: _____

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3. Location of flow meter(s): _____

SECTION 5 – Regulation 347 Information

For wastes discharged into or in connection to any sanitary sewer or combined sewer or storm sewer:

(a) Generator registration number: _____

SECTION 6 – Regulation 347 Information

For wastes discharged into or in connection to any sanitary sewer or combined sewer or storm sewer (complete Section 6 for each sewer):

(a) Description of waste:

(b) Description of generating process:

(c) Primary Characteristics:

Analytical data (if applicable):

Name of laboratory (if applicable):

Waste class: _____ Hazardous waste number: _____

(d) Secondary characteristics:

Analytical data (if applicable):

SECTION 7 – Pre-treatment and Disposal

Pre-treatment devices or processes used for treating wastes or sludges before discharge to the sanitary sewer system (check as many as appropriate):

- | | |
|--|---|
| ☐ Air Floatation | ☐ Screening |
| ☐ Centrifuge | ☐ Sedimentation |
| ☐ Chemical Precipitation | ☐ Septic Tank |
| ☐ Chlorination | ☐ Solvent Separation |
| ☐ Cyclone | ☐ Spill Protection |
| ☐ Filtration | ☐ Sump |
| ☐ Flow Equalization | ☐ Biological Treatment, Type _____ |
| ☐ Grease or Oil Separation, Type: _____ | ☐ Rainwater Diversion or Storage _____ |
| ☐ Grease Trap | ☐ Other Chemical Treatment, Type _____ |
| ☐ Grit Removal | ☐ Other, Type _____ |
| ☐ Ion Exchange | ☐ No Pre-treatment Provided |
| ☐ Neutralization, pH correction | |
| ☐ Ozonation | |
| ☐ Reverse Osmosis | |

(1) Draw a flow diagram of your Pre-treatment Process below:

(2) Describe in detail the treatment process step by step:

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(3) Effluent quality after pre-treatment process:

(a) Detailed description of existing pre-treatment facilities including operating data.

(b) Description of how solids are handled, stored/disposed.

(c) Description of recent changes or proposed that would affect the discharge characteristics.

(d) Description of operational problems or shutdowns of pre-treatment facilities.

(4) Any sludge generated from pre-treatment process:

(5) If yes, describe the treatment and disposal method for sludge removal.

SECTION 8 – Pollutant Information Sheet (Controlled Water)

Information for: () Sanitary Sewer () Storm Sewer

Sewer Number: _____

Indicate by placing an “x” in the appropriate box for each listed parameter whether it is “suspected to be absent”, “known to be absent”, “suspected to be present”, or “known to be present”, and the known or expected concentration in milligrams per litre.

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Parameter	Known Present	Suspected Present	Known Absent	Suspected Absent	Concentration mg/L
1. Sulphates					
2. Aluminum					
3. Fluoride					
4. Phosphorus					
5. Antimony					
6. Chromium					
7. Cobalt					
8. Lead					
9. Manganese					
10. Molybdenum					
11. Selenium					
12. Silver					
13. Tin					
14. Titanium					
15. Copper					
16. Cyanide					
17. Nickel					
18. Zinc					
19. Arsenic					
20. Cadmium					
21. Phenolic Compounds					
22. Mercury					
23. BOD					
24. TSS					
25. Oil & Grease (Animal/Vegetable)					
26. Oil & Grease (Mineral/Synthetic)					
27. Kjeldahl Nitrogen					

SECTION 9 – Pollutant Information Sheet (No Discharge)

Information for: () Sanitary Sewer Number: _____

Indicate by placing an “x” in the appropriate box for each listed parameter whether it is “suspected to be absent”, “known to be absent”, “suspected to be present”, or “known to be present”, and the known or expected quantity in kg/month.

- (a) List pollutants that have the potential to enter wastewater due to spills, machinery malfunctions and process upsets.

Parameter	Known Present	Suspected Present	Known Absent	Suspected Absent	Concentration mg/L
28. Pesticides					
29. Acute Hazardous Waste Chemicals					
30. Fuels					
31. Hazardous Industrial Wastes					
32. Hazardous Wastes Chemicals					
33. Ignitable Wastes					
34. Pathological Wastes					
35. PCB Wastes					
36. Reactive Wastes					
37. Severely Toxic Materials					
38. Waste Radio-Active Materials					

Do you recover any chemicals from your wastewater? _____

If so, explain:

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Does the Company have any existing agreements with the City/Town/Township about waste discharges exceeding storm and sanitary sewer by-law limits?

If so, explain:

Does the Company haul a wet or dry waste to a landfill disposal site?

If so, explain:

Does the Company have sampling or flow measurement equipment available?

SCHEDULE "C"

SURCHARGE FORMULA

BOD5 = Biochemical Oxygen Demand

S.S. = Suspended Solids

T.P. = Total Phosphorus

TKN = Total Kjeldahl Nitrogen

O&G = Total Oil & Grease

PHENOLICS = Phenolic Compounds

SURCHARGE CALCULATION

$$\text{BOD5 CHARGE} = (\text{LOAD mg/L} - \text{LIMIT mg/L}) \times \frac{\text{Flow (m}^3\text{)}}{1000} \times \text{Rate (\$/kg)}$$

$$\text{S.S. CHARGE} = (\text{LOAD mg/L} - \text{LIMIT mg/L}) \times \frac{\text{Flow (m}^3\text{)}}{1000} \times \text{Rate (\$/kg)}$$

$$\text{T.P. CHARGE} = (\text{LOAD mg/L} - \text{LIMIT mg/L}) \times (5) \times \frac{\text{Flow (m}^3\text{)}}{1000} \times \text{Rate (\$/kg)}$$

$$\text{TKN CHARGE} = (\text{LOAD mg/L} - \text{LIMIT mg/L}) \times \frac{\text{Flow (m}^3\text{)}}{1000} \times \text{Rate (\$/kg)}$$

$$\text{O\&G CHARGE} = (\text{LOAD mg/L} - \text{LIMIT mg/L}) \times \frac{\text{Flow (m}^3\text{)}}{1000} \times \text{Rate (\$/kg)}$$

$$\text{PHENOLICS CHARGE} = (\text{LOAD mg/L} - \text{LIMIT mg/L}) \times \frac{\text{Flow (m}^3\text{)}}{1000} \times \text{Rate (\$/kg)}$$

$$\text{GROUNDWATER DISCHARGE VOLUME CHARGE} = \text{Discharge Volume} \times \text{Current Rate}$$

- ☐ The Surcharge Rate and the Groundwater Rate are subject to change from time to time
- ☐ Current Surcharge Rate = \$0.3283/kg of overstrength loading (January 2002)
- ☐ Current Groundwater Discharge Rate = \$0.3689/m³ (January 2002)
- ☐ 1Kg of Phosphorus removed will produce approximately 5 kg of solids

SCHEDULE “D”

ENFORCEMENT

The following persons are hereby designated Provincial Offence Officers for the enforcement of this by-law:

1. James D. Hemmingway
2. Chi Fai Ng