

# **THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH**

## **BY-LAW NUMBER 095-16**

**BEING A BY-LAW TO PROVIDE FOR SEWER USE IN THE TOWNSHIP OF  
WELLINGTON NORTH**

**THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WELLINGTON  
NORTH ENACTS AS FOLLOWS:**

### **INTRODUCTION**

This Bylaw outlines controls for the discharge of pollutants to the sewer system. The objectives of the bylaw are to:

- protect the sewer collection system from corrosion, other damage and obstruction;
- protect the wastewater treatment process from upset;
- protect the public, municipal workers and property from hazardous conditions (such as explosions);
- assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system;
- protect wastewater sludge quality;
- protect the environment from contaminants that are not removed by the public treatment system(s);
- assist the Municipality in maintaining compliance with the operating conditions established by the Province of Ontario; and
- protect sources of drinking water as required by applicable Source Water Protection Plans and the Clean Water Act.

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## 1. DEFINITIONS

As used in this bylaw, the following terms shall have the meanings indicated:

Accredited Laboratory - any laboratory accredited by an authorized accreditation body in accordance with a standard based on “CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories” established by the Standards Council of Canada, as amended, or “ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories” established by the International Organization for Standardization, as amended.

Best Management Practices (BMP) — an integrated plan to control and reduce the release of restricted and Prohibited Waste into the Wastewater Works to a practicable extent, through methods including physical controls, Pretreatment Processes, operational procedures and staff training.

Biochemical Oxygen Demand (BOD) - the five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods.

Biomedical Waste - biomedical waste as defined in the Ministry publication entitled “Guideline C-4: The Management of Biomedical Waste in Ontario” dated November 2009, as amended from time to time.

Blowdown Water - 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 or might impair the operation of the system.

Chemical Oxygen Demand (COD) - a measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic Matter.

Clear-Water Waste – includes Non-Contact Cooling Water and other water that has not come into contact with Wastewater contaminant sources.

Code Of Practice - means a set of practices applicable to specific Industrial, commercial or institutional sector operations; a Code of Practice identifies mandatory procedures, equipment, training or other provisions required as a condition of Wastewater discharge into the sewer system by the specified sector discharger.

Combined Sewer – a sewer intended to function simultaneously as a Storm Sewer and a sanitary Sewer.

Combustible Liquid - a liquid that has a flash point not less than 37.8 degrees Celsius, and not greater than 93.3 degrees Celsius.

Compliance Program – the necessary steps undertaken by a discharger to bring Wastewater discharged into the municipal sewer into compliance with the terms and conditions of this Bylaw or related permit. Compliance Programs are applicable to existing dischargers only; new discharges must fully comply with the requirements of this bylaw.

Composite Sample - a volume of Wastewater, Storm Water, Uncontaminated Water, clear-water or effluent made up of three or more Grab Samples that have been combined automatically or manually and taken at intervals during the sampling periods.

Connection or Drain - that part or those parts of any pipe or system of pipes leading directly to a Wastewater Works.

Cooling Water - water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product or finished product, but does not include Blowdown Water.

Dental Amalgam - a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.

Dental Amalgam Separator - any technology, or combination of technologies, designed to separate Dental Amalgam particles from dental operation Wastewater.

Designated Sector Operations – means Industrial, commercial or institutional sectors required to adopt Codes of Practice.

Designated Sewer Officer - the person appointed by the Municipality, and his or her successors or his or her duly authorized representative. (Note the Designated Sewer Officer may hold the position of Director of Public Works, Chief Administrative Officer, Chief Building Official or other position suitable to the organization of the community.)

Domestic Wastewater - waste produced on a residential premises, or sanitary waste and Wastewater from showers and restroom washbasins produced on a non-residential property.

Extra Strength - refers to Wastewater released to the sewer that is higher in concentration for one or more constituent concentrations set out in Schedule B or containing constituents identified in Schedule B.

Flow Monitoring Point – An access place to the sewer service for the purpose of:

- 1) Measuring the rate or volume of Wastewater, Storm Water, clear water waste or Subsurface Water released from the premises; and
- 2) Collecting representative samples of the Wastewater, Storm Water, clear water waste or Subsurface Water released from the premises.

Fuels – alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.

Grab Sample – a volume of Wastewater, Storm Water, Uncontaminated Water or effluent which is collected over a period not exceeding 15 minutes.

Ground Water – water beneath the earth's surface accumulating as a result of seepage.

Hauled Waste – any Industrial waste which is transported to and deposited into any location in the Wastewater Works, excluding Hauled Wastewater.

Hauled Wastewater – waste removed from a Wastewater system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a Wastewater holding tank.

Hazardous Substances –

- A. any substance or mixture of substances, other than a Pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity; and
- B. any substance that is designated as a hazardous industrial waste, hazardous waste or hazardous waste chemical within the meaning of Ontario Regulation 347 as amended from time to time.

Hazardous Waste – any Hazardous Substance disposed of as waste within the meaning of Ontario Regulation 347 as amended from time to time.

Ignitable Waste – ignitable waste within the meaning of Ontario Regulation 347.

Industrial – of or pertaining to manufacturing, commerce, trade, business or Institutions as distinguished from domestic or residential.

Industry – any owner or operator of Industrial, commercial or institutional premises from which there is a discharge of any Matter directly or indirectly into a Sanitary Sewer, Combined Sewer or Storm Sewer of the Municipality.

Inspector – a person authorized by the Municipality to carry out observations and inspections and take samples as prescribed by this bylaw.

Institution – a facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, or military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, Industrial processes.

Matter – includes any solid, liquid or gas.

Monitoring Access Point – an access point, such as a chamber, in a Private Sewer Connection to allow for observation, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein.

Municipality – means The Corporation of the Township of Wellington North.

Municipal Sewer Connection – that part of any Drain leading from the Private Sewer Connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public lands or public land interests held for sewerage purposes.

Multiple Municipal Sewer Connection – a Municipal Sewer Connection providing service to two or more premises.

Non-Contact Cooling Water – water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate or finished product other than heat.

Non-Domestic Wastewater – all Wastewater except Domestic Wastewater, Storm Water, Uncontaminated Water, and Septic Tank Waste.

Ontario Regulation 347 – R.R.O. 1990, Ontario Regulation 347 – General Waste Management as

amended from time to time under the Environmental Protection Act (Ontario).

Oil And Grease – *n*-Hexane extractable Matter as described in Standard Methods.

Pathological Waste – pathological waste within the meaning of Ontario Regulation 347.

PCBs – Any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.

Person - an individual, association, partnership, corporation, Municipality or an agent or employee of such a person.

Pesticide – a Pesticide regulated under the Pesticides Act (Ontario).

Pollution Prevention – the use of processes, practices, materials, products or energy that avoid or minimize the creation of pollutants and wastes, at the source.

Pollution Prevention Plan - a detailed plan that identifies operations or activities of an owner or operator of commercial, institutional or Industrial premises identifying specific Pollution Prevention methods to be implemented within a specific time frame.

Pollution Prevention Plan Summary - A summary of the Pollution Prevention Plan and a brief summary of an owner's or operator's progress towards its Pollution Prevention goals.

Pretreatment - the reduction, elimination or alteration of pollutants in Wastewater prior to discharge into the Sanitary Sewer. This reduction or alteration can be obtained by physical, chemical, or biological processes, through Pollution Prevention, or by other means, except by diluting the concentration of the pollutants.

Pretreatment Processes - one or more treatment processes or devices designed to remove sufficient Matter from Wastewater discharged into the municipal sewer to enable compliance with effluent limits established in this Bylaw. Pretreatment Processes prevent or reduce and control the discharge or deposit of Matter from the discharger's premises into the Municipal Sewer Connection.

Private Sewer Connection - that part of any Drain or system of Drains, including Drains or Subsurface Drainage Pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the private lands and leading to a Municipal Sewer Connection whose responsibility for maintenance is the property owner's.

Prohibited Waste – means Prohibited Waste as defined in Schedule "A" to this bylaw.

Reactive Waste – a substance that:

- A. is normally unstable and readily undergoes violent changes without detonating;
- B. reacts violently with water;
- C. forms potentially explosive mixtures with water;
- D. when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- E. is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- F. is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;

- G. is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure;
- H. is an explosive(Class 1) within the meaning of Section 2.9 of the Transportation of Dangerous Goods regulations made under the Transportation of Dangerous Goods Act, 1992 (Canada) as defined in the regulations under Ontario Regulation 347 as amended; or
- I. is a reactive waste within the meaning of Ontario Regulation 347.

Restricted Waste – means Restricted Waste as defined in Schedule “B” to this bylaw.

Sampling Port –a valve, tap, or similar device on equipment, a Drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the Municipality may establish from time to time.

Sanitary Sewer – a sewer for the collection and transmission of domestic or Industrial Wastewater or any combination thereof.

Sediment -- solid fragments of inorganic or organic material that come from the weathering of rock and are carried and deposited by water or ice including but not limited to soil, sand and gravel.

Septic Tank Waste – any Waste extracted from a cesspool, septic tank, sewage holding tank, seepage pit, interceptor or other containment for human excretion and wastes.

Sewage – means any liquid waste containing animal, vegetable or mineral Matter in solution or in suspension, except Uncontaminated Water.

Spill – a direct or indirect discharge into the Wastewater Works, Storm Sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.

Standard Methods – a procedure or method set out in *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, recent or latest edition or approved in writing by the Designated Sewer Officer.

Storm Sewer – a sewer for the collection and transmission of Uncontaminated Water, Storm Water, drainage from land or from a Watercourse or any combination thereof but excluding, any portion of a Combined Sewer works.

Storm Water – the water running off the surface of a drainage area during and immediately after a period of rain or snow melt.

Subsurface Drainage Pipe – A pipe that is installed underground to intercept and convey Subsurface Water, and includes foundation drain pipes.

Subsurface Water – groundwater including foundation drain water.

Total Suspended Solids (TSS) – insoluble Matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.

Total PAHs – the total of all of the following polycyclic aromatic hydrocarbons: Acenaphthenes, acenaphthylenes, anthracenes, benzo(a)anthracenes, benzo(a)pyrenes, benzo(b)fluoranthenes, benzo(g,h,i)perylene, benzo(k)fluoranthenes, chrysenes, dibenzo(a,h)anthracenes, fluoranthenes, fluorenes, indeno(1,2,3-cd)pyrenes, methylnaphthalenes, naphthalenes, phenanthrenes, pyrenes,



acridine and quinoline.

Toxic Substance – any substance defined as toxic under the *Canadian Environmental Protection Act, 1999*, as amended from time to time and within the meaning of Ontario Regulation 455/09 as amended from time to time under the *Toxics Reduction Act, 2009*.

Untaminated Water – water with a level of quality which is typical of potable water normally supplied by the Municipality.

Waste Disposal Site Leachate – the liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste.

Waste Radioactive Substances – substances defined in the *Nuclear Safety and Control Act (Canada)* and the regulations passed thereunder, as amended from time to time.

Wastewater – means the composite of water and water-carried wastes from residential, commercial, Industrial or institutional premises or any other source.

Wastewater Sludge – solid material recovered from the Wastewater treatment process.

Wastewater Treatment Facility – means any structure or thing used for the physical, chemical, biological or radiological treatment of Wastewater, and includes sludge treatment, Wastewater Sludge storage and disposal facilities.

Wastewater Works – any works for the collection, transmission, treatment and disposal of Wastewater, Storm Water or Untaminated Water, including a Combined Sewer, Sanitary Sewer or Storm Sewer, or any part of such works, but does not include plumbing or other works to which the applicable Building Code applies.

Watercourse – an open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.

## **2. SANITARY AND COMBINED SEWER REQUIREMENTS**

2.1 No person shall release, or permit the release of, any matter into the sanitary or combined sewer system wastewater works except:

2.1.1 Domestic Wastewater;

2.1.2 Non-domestic Wastewater that complies with the requirements of this bylaw;

2.1.3 Hauled Wastewater, including septage, that complies with the requirements of this bylaw, or where a Waste Discharge Permit has been issued by the Designated Sewer Officer;

2.1.4 Storm water, clear-water waste, subsurface water or other matter where a Waste Discharge Permit has been issued by the Designated Sewer Officer; or

2.1.5 Extra Strength matter where an Extra Strength Surcharge Agreement is in place.

- 2.2 No person shall release, or permit the release of, any prohibited substance listed in Schedule 'A' of this bylaw.
- 2.3 No person shall release, or permit the release of, any restricted substance which exceeds the respective concentrations listed in Schedule 'B' of this bylaw into the wastewater works.
- 2.4 If required by the Municipality, all non-domestic and hauled wastewater dischargers shall complete and submit Form 1 "Abbreviated Discharger Information Report" (Appendix A) to the Municipality.
- 2.5 If required by the Municipality, non-domestic and hauled wastewater dischargers shall complete and submit Form 2 "Complete Discharger Information Report" (Appendix A) to the Municipality.
- 2.6 If required by the Municipality, non-domestic and hauled wastewater dischargers shall not discharge to the sanitary sewer system until the discharger has obtained Form 3 "Waste Discharge Permit" (Appendix A) from the Designated Sewer Officer.
- 2.7 The Designated Sewer Officer may issue, and amend, a Waste Discharge Permit to allow the discharge of non-domestic waste and hauled wastewater into a sewer upon such terms and conditions as the Designated Sewer Officer considers appropriate and, without limiting the generality of the foregoing, may in the Waste Discharge Permit:
  - 2.7.1 place limits and restrictions on the quantity, composition, frequency and nature of the waste permitted to be discharged;
  - 2.7.2 require the holder of a Waste Discharge Permit to repair, alter, remove, or add to works or construct new works; and
  - 2.7.3 provide that the Waste Discharge Permit will expire on a specified date, or upon the occurrence of a specified event.
- 2.8 The Designated Sewer Officer may issue a Discharge Abatement Order to:
  - 2.8.1 require a person to alter the quantity, composition, duration and timing of the discharge or cease discharge of non-domestic waste or hauled wastewater to a sewer or wastewater facility;
  - 2.8.2 include any terms or conditions that could be included in a Waste Discharge Permit; and
  - 2.8.3 shut down all non-compliant releases.
- 2.9 The Designated Sewer Officer may amend or cancel a Discharge Abatement Order.

### **3. STORM SEWER REQUIREMENTS**

- 3.1 No person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in land drainage works, private branch drains or connections to any storm sewer:
  - 3.1.1 matter of any type or at any temperature or in any quantity which may:
    - (a) interfere with the proper operation of a storm sewer;

- (b) obstruct a storm sewer or the flow therein;
- (c) result in a hazard to any person, animal, property or vegetation;
- (d) impair the quality of the water in any well, lake, river, pond spring, stream, reservoir or other water or watercourse; or
- (e) result in the contravention of an approval, requirement, direction or other order under the Ontario Resources Act or the Environmental Protection Act (Ontario) with respect to the storm sewer or its discharge; and

3.1.2 without limiting the generality of the foregoing, any of the following:

- (a) water at a temperature greater than 40 degrees Celsius;
- (b) water having a pH less than 6.0 or greater than 9.0;
- (c) water containing more than 15 milligrams per litre of suspended solids;
- (d) water containing dyes or colouring material which discolour the water;
- (e) water containing solvent extractable matter of animal or vegetable origin or of mineral or synthetic origin which causes a visible film, sheen or discolouration on the water surface;
- (f) water containing any of the following in excess of the indicated concentrations:
  - 200 micrograms / litre  
Chromium expressed as
  - 50 micrograms / litre  
Zinc expressed as Zn  
Lead expressed as Pb  
Nickel expressed as Ni
  - 10 micrograms / litre  
Copper expressed as Cu
  - 1 microgram / litre  
Cadmium expressed as Cd  
Mercury expressed as Hg
  - 200 per 100 millilitres  
Fecal coliforms
- (g) the following matter in any amount:
  - Sewage;
  - Cooling water; or;
  - Blowdown Water
- (h) the following materials in any amount:
  - automotive or machine oils and greases;
  - fuels
  - paints and Organic Solvents including but not limited to carbon tetrachloride, chloroform, methylene chloride (Dichloromethane) or pentachlorophenol;
  - PCBs;
  - pesticides;
  - Severely Toxic Substances;
  - Waste Disposal Site Leachate;
  - Waste Radioactive Substances; or
  - Dense Non-Aqueous Phase Liquids (DNAPLs) including but not limited to Dioxane-1,4, one or more Polycyclic Aromatic Hydrocarbons (PAHs), Tetrachloroethylene (PCE), Trichloroethylene or another DNAPL that could degrade to Trichloroethylene, Vinyl Chloride or another DNAPL that could degrade to Vinyl Chloride; and

- (i) the following hazardous wastes in any amount:
  - acute Hazardous Waste Chemicals;
  - hazardous Industrial Wastes;
  - hazardous Waste Chemicals;
  - ignitable Wastes;
  - Pathological Wastes;
  - PCB Wastes;
  - Prohibited waste; or
  - Reactive wastes.

3.2 Clause 3.1.2 (g) does not apply to prevent the discharge of once-through cooling water or blowdown when,

3.2.1 the once-through cooling water or blowdown is being discharged pursuant to a certificate of approval or Environmental Compliance Approval or order relating to the premise under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge;

3.2.2 the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and

3.2.3 a copy of the certificate of approval or Environmental Compliance Approval or order referred to in clause (a) has been provided to the municipality.

3.3 The provisions of Clause 3.1.2, apply only to:

- the discharge of stormwater runoff from industrial process areas to a storm sewer; and
- any stormwater discharge to a storm sewer to which the matter prohibited by section 3.1 has been added for the purpose of disposing of the matter.

3.4 The provisions of Clauses 3.1.2(c)(d)(e)and (f) do not apply to prevent the discharge of stormwater runoff from industrial process areas to a storm sewer when,

3.4.1 the owner or operator of the premises has a certificate of approval or Environmental Compliance Approval or order relating to the premises under the Environmental Protection Act (Ontario) or the Ontario Water Resources Act which expressly allows the discharge and a copy of the certificate of approval or Environmental Compliance Approval or order has been provided to the municipality; or

3.4.2 the owner or operator of the premises has written approval from the municipality for a Best management practices Plan (BMP).

3.5 No person shall release, or permit the release of, any prohibited substance listed in Schedule 'A' of this bylaw into or in land drainage works, private branch drains or connections to any storm sewer.

#### **4. PROHIBITION OF DILUTION**

4.1 No person shall discharge directly or indirectly, or permit the discharge or deposit of wastewater into a sanitary sewer or combined sewer works where water has been added to the discharge

for the purposes of dilution to achieve compliance with Schedule "A" or Schedule "B" of this bylaw.

- 4.2 No person shall discharge directly or indirectly, or permit the discharge or deposit of matter into a storm sewer where water has been added to the discharge for the purposes of dilution to achieve compliance with Section 3 of this bylaw.

## **5. SAMPLING**

- 5.1 Where sampling is required for the purposes of determining the concentration of constituents in the wastewater, storm water or uncontaminated water, the sample may:
- 5.1.1 be collected manually or by using an automatic sampling device; and
  - 5.1.2 contain additives for its preservation.
- 5.2 For the purpose of determining compliance with Schedule B or Section 3, discrete wastewater streams within premises may be sampled, at the discretion of the Designated Sewer Officer.
- 5.3 Any single grab sample may be used to determine compliance with Schedules A and B or Section 3.
- 5.4 All tests, measurements, analyses and examinations of wastewater, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with "Standard Methods" and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Designated Sewer Officer as agreed in writing prior to sample analysis.

## **6. DISCHARGER SELF-MONITORING**

- 6.1 The discharger shall complete any monitoring or sampling of any discharge to a wastewater works as required by the Municipality, and provide the results to the Municipality in the form specified by the Municipality.
- 6.2 The obligations set out in or arising out of 6.1 shall be completed at the expense of the discharger.

## **7. ADDITIONAL REQUIREMENTS**

### **7.1 FOOD-RELATED GREASE INTERCEPTORS**

- 7.1.1 Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to a sanitary or combined sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the sanitary or combined sewer in excess of the provisions of this bylaw. Grease interceptors shall not discharge to storm sewers.
- 7.1.2 The owner or operator of the premises as set out in this Subsection shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be

installed in compliance with the most current requirements of the applicable Building Code. The installation of the oil and grease interceptor shall meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481.2, as amended.

- 7.1.3 All oil and grease interceptors shall be maintained according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481 (latest revision). Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be posted in the workplace in proximity to the grease interceptor.
- 7.1.4 A maintenance schedule and record of maintenance shall be available to the Designated Sewer Officer upon request for each interceptor installed.
- 7.1.5 The owner or operator of the restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, shall, for a minimum of two years, keep necessary documents of proof for interceptor clean-out and oil and grease disposal and provide it to the Designated Sewer Officer upon request.
- 7.1.6 Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of Oil and Grease through a Grease Interceptor.
- 7.1.7 In the case of failure to adequately maintain the grease interceptor to the satisfaction of the Designated Sewer Officer, the Designated Sewer Officer may require an alarmed monitoring device to be installed, at the expense of the owner, in accordance with specifications of CAN/CSA B-481 (latest revision).

## **7.2 VEHICLE AND EQUIPMENT SERVICE OIL AND GREASE INTERCEPTORS**

- 7.2.1 Every owner or operator of a vehicle or equipment service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to a sewer shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the sanitary or combined sewer in excess of the limits in this bylaw.
- 7.2.2 The owner or operator of the premises as set out in Section 7.2.1 shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Petroleum Products Institute (CPPI).
- 7.2.3 All oil and grease interceptors and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and inspected to ensure the surface oil and sediment levels do not exceed the recommended level.

- 7.2.4 A maintenance schedule and record of maintenance shall be available to the Designated Sewer Officer upon request for each oil and grease interceptor installed.
- 7.2.5 The owner or operator of the premises as set out in Subsection 7.2.1, shall, for a minimum of two years, keep necessary documents of proof for interceptor clean-out and oil and grease disposal and provide it to the Designated Sewer Office upon request.
- 7.2.6 Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an oil and grease interceptor.
- 7.2.7 In the case of failure to adequately maintain the oil and grease interceptor to the satisfaction of the Designated Sewer Officer, the Designated Sewer Officer may require an alarmed monitoring device to be installed, at the expense of the owner.

### **7.3 SEDIMENT INTERCEPTORS**

- 7.3.1. Every owner or operator of the premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the drain or sewer in excess of the limits in this bylaw.
- 7.3.2 Catch basins installed on private property, for the premises noted above in 7.3.1, for the purposes of collecting storm water and carrying it into the storm sewers shall be equipped with an interceptor and the installation of these catch basins on private property shall comply with the Municipality's Standard Construction Specifications and Drawings, as they may be amended from time to time.
- 7.3.3 All sediment interceptors shall be maintained in good working order and according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance.
- 7.3.4 The owner or operator of a premises as set out in Section 7.3.1, shall, for a minimum of two years, keep necessary documents of proof for interceptor clean-out and sediment disposal and provide these documents to the Designated Sewer Officer upon request.
- 7.3.5 A maintenance schedule and record of maintenance shall be submitted to the Designated Sewer Officer upon request for each sediment interceptor installed.

### **7.4 DENTAL WASTE AMALGAM SEPARATOR**

- 7.4.1 Every owner or operator of the premises from which dental amalgam may be discharged, which waste may directly or indirectly enter a sewer, shall install, operate and properly maintain dental amalgam separator(s) with at least 95% efficiency in amalgam weight and certified *ISO 11143 – "Dental Equipment: Amalgam Separators"*, in any piping system at its premises that connects directly or indirectly to a sewer by no later than January 1, 2018, except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:
  - 7.4.1.(a) orthodontics and dentofacial orthopedics;

- 7.4.1 (b) oral and maxillofacial surgery;
  - 7.4.1 (c) oral medicine and pathology;
  - 7.4.1 (d) periodontics; or
  - 7.4.1 (e) a dental practice consisting solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the wastewater works.
- 7.4.2 Notwithstanding Section 7.4.1, any person operating a business from which dental waste amalgam is or could be discharged directly or indirectly to a sewer, at premises which are constructed or substantially renovated on or after the date that Section 7.4 comes into force, shall install, operate and properly maintain dental waste amalgam separator(s) in any piping system which is connected directly or indirectly to a sewer.
- 7.4.3 Notwithstanding compliance with Section 7.4.1 and 7.4.2, all persons operating or carrying on the business of a dental practice shall comply with Schedule "A" and Schedule "B" of this bylaw.
- 7.4.4 All dental waste amalgam separators shall be maintained in good working order and according to the manufacturer's recommendations.
- 7.4.5 A maintenance schedule and record of maintenance shall be submitted to the Designated Sewer Officer upon request for each dental amalgam separator installed.
- 7.4.6 The operator of a dental clinic shall keep records for the past five years to prove covering amalgam shipments and provide these documents to the Designated Sewer Officer upon request.

## **7.5 FOOD WASTE GRINDERS**

- 7.5.1 No person shall install or operate within the Municipality any food waste grinding devices for domestic purposes, the effluent from which will discharge directly or indirectly into a sanitary, combined or storm sewer.
- 7.5.2 In the case of industrial, commercial or institutional properties where food waste grinding devices are installed in accordance with the Building Code, the effluent from such food waste grinding devices must comply with Schedule 'A' and Schedule 'B'.
- 7.5.3 Food waste grinders shall not be equipped with motors in excess of ½ horsepower.

## **7.6 PRETREATMENT FACILITIES**

- 7.6.1 Where required by the Designated Sewer Officer, the owner or operator shall install on the premises, and prior to the sampling point, a wastewater pretreatment facility.
- 7.6.2 The owner or operator shall ensure the design, operation and maintenance of the pretreatment facility achieves the treatment objectives and is in accordance with the manufacturer's recommendations.



- 7.6.3 The owner or operator shall ensure any waste products from the pretreatment facility are disposed of in a safe manner.
- 7.6.4 The maintenance records and waste disposal records shall be available to the Designated Sewer Officer upon request.
- 7.6.5 The owner or operator shall keep documentation pertaining to the pretreatment facility and waste disposal for the past two years and provide these documents to the Designated Sewer Officer upon request.

## **8. HAULED WASTEWATER**

- 8.1 No person shall discharge hauled wastewater to the wastewater works unless:
  - 8.1.1 The carrier of the hauled wastewater operating as a waste management system has certificate of approval or provisional certificate of approval or Environmental Compliance Approval issued under the Environment Protection Act (Ontario) or is exempt from the requirement to have a certificate or provisional certificate of approval or Environmental Compliance Approval;
  - 8.1.2 A copy of the most recent certificate of approval or provisional certificate or Environmental Compliance Approval and any amendment is provided to the Municipality; and
  - 8.1.3 The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of wastewater by the Municipality.
- 8.2 No person shall discharge or permit the discharge of hauled wastewater:
  - 8.2.1 at a location other than a hauled wastewater discharge location approved by the Municipality;
  - 8.2.2 without a manifest, in a form approved by the Designated Sewer Officer, completed and signed by the carrier and deposited in an approved location at the time of discharge; or
  - 8.2.3 without the use of a discharge hose placed securely in the discharge portal at the approved location.

## **9. HAULED WASTE**

- 9.1 No person shall discharge Hauled Waste to the wastewater works unless:
  - 9.1.1 the carrier of the Hauled Waste operating as a waste management system has a certificate of approval or provisional certificate of approval or Environmental Compliance Approval issued under the Environment Protection Act or is exempt from the requirement to have a certificate or provisional certificate of approval or Environmental Compliance Approval;
  - 9.1.2 a copy of the most recent certificate or provisional certificate or Environmental Compliance Approval and any amendment of approval is provided to the Municipality;

- 9.1.3 Hauled Waste meets the conditions set out in the Environment Protection Act, as amended from time to time; and
- 9.1.4 the carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of waste by the Municipality.
- 9.1.5 No person shall discharge or allow or cause Hauled Waste to be discharged into a Sewer, except at sites designated by the Designated Sewer Officer.

## **10. NON-CONTACT COOLING WATER**

- 10.1 The discharge of non-contact Cooling Water or Uncontaminated Water to a Sanitary Sewer or Combined Sewer from any residential property is prohibited. The discharge of non-contact Cooling Water or Uncontaminated Water to a Sanitary, Storm or Combined Sewer from Industrial, commercial or institutional properties is permissible where:
  - 10.1.1 In the case of a proposed building, no Storm Sewer exists adjacent to the building and no opportunity exists to discharge to yard drainage; or
  - 10.1.2 In the case of an existing building, no storm connection exists to the building.

## **11. WATER ORIGINATING FROM A SOURCE OTHER THAN THE MUNICIPAL WATER SUPPLY**

- 11.1 The discharge of water originating from a source other than the Municipality water supply, including storm water or groundwater, directly or indirectly to a sanitary sewer or combined sewer works is prohibited, unless:
  - 11.1.1 the discharge is in accordance with a Waste Discharge Permit; and
  - 11.1.2 the discharge does not exceed the limits set out under Schedule B, with respect to biochemical oxygen demand, total phosphorus or total suspended solids; or
  - 11.1.3 in the event the discharge does exceed the limits set out under Schedule B, with respect to any of biochemical oxygen demand, total phosphorus or total suspended solids, the discharge is in accordance with an Extra Strength Surcharge Agreement.

## **12. SPILLS**

- 12.1 In the event of a spill to a Wastewater Works and/or Storm Sewer Works, the person responsible or the person having the charge, management and control of the spill shall immediately notify and provide any requested information with regard to the spill to:
  - 12.1.1 if there is any immediate danger to human health and/or safety, to the Spills Action Centre by calling (1-800-268-6060); and  
the Township of Wellington North by calling 519-848-3620 or 519-323-1710 (after hours); or
  - 12.1.2 if there is no immediate danger:

- (a) the Township of Wellington North by contacting the Designated Sewer Officer;
- (b) the owner of the premises where the release occurred; and
- (c) any other person whom the person reporting knows or ought to know may be directly affected by the release.

12.2 The person shall provide a detailed report on the spill to the Municipality, within five working days after the spill, containing the following information to the best of his or her knowledge:

- (a) location where spill occurred;
- (b) name and telephone number of the person who reported the spill and the location and time where they can be contacted;
- (c) date and time of spill;
- (d) material spilled;
- (e) characteristics and composition of material spilled;
- (f) volume of material spilled;
- (g) duration of spill event;
- (h) work completed and any work still in progress in the mitigation of the spill;
- (i) preventive actions being taken to ensure a similar spill does not occur again; and
- (j) copies of applicable spill prevention and spill response plans.

12.3 The person responsible for the spill and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.

12.4 Nothing in this Bylaw relieves any persons from complying with any notification or reporting provisions of:

12.4.1 other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the spill; or,

12.4.2 any other bylaw of the Municipality.

12.5 The Municipality may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.

12.6 Pursuant to section 446 of the *Municipal Act, 2001* the Municipality may recover the costs in 12.5 above, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes, and such costs shall include interest at an annual rate of 15 per cent.

12.7 The Municipality may require the person responsible for the spill to prepare and submit a spill contingency plan to the Municipality to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

12.8 Industries at whose premises a spill has occurred which are required to have a Pollution Prevention Plan as a requirement of this bylaw shall prepare an updated plan and plan summary incorporating the information set out in this Section and shall submit the plan summary so updated to the Municipality within 30 days of the spill.

### **13. AUTHORITY OF DESIGNATED SEWER OFFICER TO INVESTIGATE**

- 13.1 The Designated Sewer Officer has the authority to carry out any inspection reasonably required to ensure compliance with this bylaw, including but not limited to:
- 13.1.1 inspecting, observing, sampling and measuring the flow in any private
    - (i) drainage system;
    - (ii) Wastewater disposal system;
    - (iii) Storm Water management facility; and
    - (iv) flow monitoring point;
  - 13.1.2 determine water consumption by reading water meters;
  - 13.1.3 test flow measuring devices;
  - 13.1.4 take samples of wastewater, storm water, clear-water waste and subsurface water being released from the premises or flowing within a private drainage system;
  - 13.1.5 perform on-site testing of the wastewater, storm water, clear-water waste and subsurface water within or being released from private drainage systems, pretreatment facilities and storm water management facilities;
  - 13.1.6 collect and analyze samples of hauled wastewater coming to a discharge location;
  - 13.1.7 make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or watercourse;
  - 13.1.8 require information from any person concerning a matter;
  - 13.1.9 inspect and copy documents or remove documents from premises to make copies;
  - 13.1.10 inspect chemical storage areas and spill containment facilities and request Material Safety Data Sheets (MSDS) for materials stored or used on site;
  - 13.1.11 inspect the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that in his/her opinion could have been part of the release.
- 13.2 No person shall hinder or prevent the Designated Sewer Officer from carrying out any of his/her powers or duties.

## 14. DISCONNECTION OF SEWER

14.1 Where wastewater which:

14.1.1 Is hazardous or creates an immediate danger to any person;

14.1.2 Endangers or interferes with the operation of the wastewater collection system;

or

14.1.3 Causes or is capable of causing an adverse effect;

is discharged to the wastewater collection system, the Designated Sewer Officer may, in addition to any other remedy available, disconnect, plug or seal off the sewer line discharging the unacceptable wastewater into the wastewater collection system or take such other action as is necessary to prevent such wastewater from entering the wastewater collection system.

14.2 The wastewater may be prevented from being discharged into the wastewater collection system until evidence satisfactory to the Designated Sewer Officer has been produced to assure that no further discharge of hazardous wastewater will be made to the wastewater collection system.

14.3 Where the Designated Sewer Officer takes action pursuant to Section 14.1, the Designated Sewer Officer may by notice in writing advise the owner or occupier of the premises from which the wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse the Municipality for all such costs which were incurred.

14.4 No person shall connect, cause to be connected, disconnected or alter an authorized connection disconnection or alteration to a sanitary sewer or storm sewer.

14.5 No person shall connect or cause to be connected a rain water leader, storm water leader, ground water drainage or sump pump lateral directly or indirectly to the sanitary sewer.

## 15. ACCESS TO INFORMATION

15.1 All information submitted to and collected by the Municipality that is contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

15.2 In the event that any person in submitting information to the Municipality, as required under this article, where such information is confidential or proprietary or otherwise, may be exempt from disclosure under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the person submitting the information shall so identify that information upon its submission to the Municipality and where such information is confidential or proprietary or otherwise, may be exempt from disclosure.

15.3 The Designated Sewer Officer shall have access to information contained in the Certificate of Approval or Environmental Compliance Approval of any wastewater dischargers to the Municipal sewer system.

- 15.4 No holder of a Certificate of Approval or Environmental Compliance Approval shall fail to provide requested information to the Municipality as directed.

## **16. MONITORING ACCESS POINTS**

- 16.1 When deemed necessary by the municipality, the owner or operator of commercial, institutional or industrial premises or multi-storey residential buildings with one or more connections to a wastewater works shall install and maintain in good repair in each connection a suitable monitoring access point to allow observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein, provided that, where installation of a monitoring access point is not possible, an alternative device or facility may be substituted with the prior written approval of the Designated Sewer Officer.
- 16.2 The monitoring access point or alternative device such as a sampling port shall be located on the property of the owner or operator of the premises, as close to the property line as possible, unless the Designated Sewer Officer has given prior written approval for a different location.
- 16.3 Each monitoring access point, device or facility installed shall be designed and constructed in accordance with good engineering practice and the requirements of the Municipality, and shall be constructed and maintained by the owner or operator of the premises at his or her expense.
- 16.4 The owner or operator of an industrial, commercial or institutional premises or a multi-storey residential building shall at all times ensure that every monitoring access point, alternative device or facility installed as required by this bylaw is accessible to the Designated Sewer Officer for the purposes of observing, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.
- 16.5 No person shall without authority, uncover, open, break, alter, remove, damage, destroy or tamper with a monitoring access point.
- 16.6 The following discharger activities require sampling ports when it is not possible to install a monitoring access point:
- (a) dental offices;
  - (b) businesses using photographic processing units; and
  - (c) brewery.

## **17. EXTRA STRENGTH SURCHARGE**

- 17.1 The discharge or deposit of wastewater by a person that would otherwise be prohibited by this bylaw may be permitted to an extent fixed by:
- 18.1.1 an Extra Strength Surcharge Agreement, including conditions for payment of additional costs of operation, repair and maintenance of the Wastewater works, and on other terms and conditions as may be deemed appropriate by the Municipality; and
  - 18.1.2 a Sanitary Discharge Agreement, including conditions for payment for water pollution control treatment that otherwise would have been obtained from a surcharge on the water had it been supplied by the Municipality and on other terms and conditions as may be deemed appropriate by the Municipality.

- 17.2 The Designated Sewer Officer may assess an Extra Strength surcharge for Wastewater releases that exceed the limits of treatable parameters. An Extra Strength Surcharge Agreement may only be entered into with respect to the discharge of the following treatable parameters in wastewater: biochemical oxygen demand and/or chemical oxygen demand, total phosphorus, oil and grease of animal and vegetable origin, total suspended solids and total Kjeldahl nitrogen. Schedule "C" provides the maximum concentrations the Designated Sewer Officer will consider for Extra Strength Surcharge Agreements. The discharger shall pay the assessed amount per the terms established by the Designated Sewer Officer for the duration of the discharge.
- 17.3 Should testing of the Wastewater being discharged into the Wastewater collection system be required for the purpose of determining the Wastewater surcharge rate, such testing shall be conducted by the Designated Sewer Officer, or by the owner to the satisfaction of the Designated Sewer Officer, using automated sampling devices or in accordance with the following manual sampling protocol:
- (a) samples from the effluent produced at a location will be collected each day for a minimum of two days;
  - (b) a minimum of four grab samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;
  - (c) the analysis shall be conducted on a composite sample made of each day's grab samples; and
  - (d) the respective results of these tests shall be averaged to determine the characteristics and concentration of the effluent being discharged into the Municipal wastewater collection system.
- 17.4 A Sanitary Discharge Agreement may be entered with respect to the discharge of wastewater, which contains water that has originated from a source other than the Municipal water supply system.
- 17.5 Extra Strength Surcharge Agreement and Sanitary Discharge Agreements shall be generally in the form designated by the Designated Sewer Officer from time to time. The Designated Sewer Officer shall be authorized to execute Extra Strength Surcharge Agreements and Sanitary Discharge Agreements on behalf of the Municipality.
- 17.6 The Extra Strength surcharge rate and the sanitary discharge rate will be reviewed and adjusted accordingly from time to time as determined by the Municipality.
- 17.7 The agreements contemplated in this Section may be terminated by the Municipality by written notice at any time, including but not limited to an emergency situation of immediate threat or danger to any person, property, plant or animal life, water or wastewater works.

## **18. COMPLIANCE PROGRAMS**

- 18.1 An Industry may submit to the Designated Sewer Officer a proposed compliance program setting out activities to be undertaken by the Industry that would result in the prevention or reduction and control of the discharge or deposit of matter from the Industry's premises into municipal or private sewer connections to any sanitary sewer or combined sewer. Compliance

program submissions will only be considered for existing industries.

- 18.2 An Industry may submit to the Designated Sewer Officer a proposed compliance program setting out activities to be undertaken by the Industry that would result in the prevention or reduction and control of the discharge or deposit of uncontaminated water, ground water or storm water from the Industry's premises to eliminate the discharge of matter into municipal or private sewer connections to any storm sewer.
- 18.3 Upon receipt of an application pursuant to Section 18.1 or 18.2 above, the Designated Sewer Officer may issue an approval for a compliance program for an Industry to discharge an effluent that does not comply with Schedule "B" or Section 3 of this bylaw, such approval to be in accordance with the Township of Wellington North as amended guidelines, from time to time. The Industry shall be entitled to make non-complying discharges in the amount and only to the extent set out in the Municipality's approval during the planning, design and construction or installation of facilities or works needed to implement the approved compliance program.
- 18.4 Every proposed compliance program shall be for a specified length of time during which pretreatment facilities or other measures are to be installed or implemented and shall be specific as to the remedial actions to be implemented by the Industry, the dates of commencement and completion of the activity and the materials or other characteristics of the matter to which it relates. The final activity completion date shall not be later than the final compliance date in the compliance program.
- 18.5 The Industry to which a compliance program has been issued shall submit a compliance program progress report to the Municipality within 14 days after the scheduled completion date of each activity listed in the compliance program.
- 18.6 The Municipality may terminate any proposed compliance program by written notice at any time to the Industry in the event that the Industry fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program.
- 18.7 The Municipality is authorized to execute agreements with industries with respect to approved compliance programs. These agreements may, in accordance with guidelines adopted by the Municipality from time to time, include a provision for a reduction in the payment otherwise required from the Industry to the Municipality pursuant to an Extra Strength Surcharge Agreement. The reduction in payment to the Municipality may be in such an amount and for such duration as the agreement may specify.
- 18.8 The Municipality may terminate any approved compliance program entered into pursuant to Section 19 by written notice at any time to the Industry in the event that the Industry fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program, and in the event of any such termination, the Industry shall pay to the Municipality the full difference in amount between what it was required to pay to the Municipality pursuant to the Extra Strength Surcharge Agreement, and the amount actually paid to the Municipality as a result of having entered into an agreement with respect to the approved compliance program.

## **19. CODES OF PRACTICE**

- 19.1 Application:



- 20.1.1 A Code of Practice applies to the Designated sector operations, as outlined in Schedule "D" of this bylaw.
- 20.1.2 A Code of Practice does not apply to a discharging operation that is subject to a Waste Discharge Permit, unless otherwise specified in the Waste Discharge Permit.
- 20.1.3 A Code of Practice does not apply to the discharge of domestic wastewater.
- 19.2 Nothing in a Code of Practice relieves a person discharging waste from complying with this bylaw, a Waste Discharge Permit or any other applicable enactment.
- 19.3 The Designated Sewer Officer may require a discharging operation to obtain a Waste Discharge Permit if considered necessary by the Designated Sewer Officer because of circumstances not covered by a Code of Practice.
- 19.4 As a condition of discharge of waste into a sewer connected to a wastewater facility, an operator of a discharging operation must submit to the Municipality a completed Code of Practice registration form attached as Schedule "D" to this bylaw:
  - 19.4.1 within 90 days of the date of adoption of the applicable Code of Practice in the case of a discharging operation in existence on the adoption date; or
  - 19.4.2 in all other cases, within 30 days of the discharging operation commencing the discharge of waste into a sewer connected to a wastewater facility.
- 19.5 An operator must report any change in the ownership, name, location, contact person, telephone number, or fax number of a discharging operation registered under a Code of Practice to the Designated Sewer Officer within 30 days of the change by submitting a completed Code of Practice registration form referred to in Section 20.4 showing the changes.
- 19.6 An operator must report any change in the discharging operation registered under a Code of Practice resulting in the operation no longer meeting the definition applicable to that type of discharging operation within 30 days of the change by submitting a completed Code of Practice registration form referred to in Section 20.4 describing the changes.
- 19.7 If a Code of Practice establishes a requirement in relation to a specific discharging operation which differs from a provision in this bylaw, the requirement in the Code of Practice prevails.

## **20. POLLUTION PREVENTION PLANNING**

- 20.1 When deemed necessary by the municipality, every subject sector Industry identified in Schedule "E" of this bylaw and every Industry which discharges any amount of a subject pollutant identified in Schedule "F" of this bylaw shall prepare a Pollution Prevention Plan and submit a copy to the Municipality with respect to the premises from which the discharge occurs, unless such Industry continually meets the requirements of Schedule "A" and Schedule "B".
- 20.2 Pollution Prevention Plans submitted to the Municipality shall be approved by the Municipality unless the Municipality determines that the Pollution Prevention Plan does not comply with the requirements of this article.
- 20.3 The Pollution Prevention Plan shall be in the form designated by the Municipality for that

purpose from time to time.

- 20.4 In addition to any other matter or requirement designated by the Municipality, and notwithstanding Subsection 21(3), each Pollution Prevention Plan shall include the following:
- 20.4.1 a description of the processes at the premises which use or produce subject pollutants;
  - 20.4.2 a description of those processes at the premises which are to be the subject of Pollution Prevention Planning;
  - 20.4.3 a list of the subject pollutants present at the premises at any stage of the operations of the premises;
  - 20.4.4 a description setting out the types, quantities and concentrations of all subject pollutants discharged, directly or indirectly, to a sewer;
  - 20.4.5 a description of current waste reduction, recycling, waste treatment and pollution prevention activities with respect to sewer discharges at the premises;
  - 20.4.6 a description of pollution prevention options for subject pollutants and sewer discharge and an evaluation of those options;
  - 20.4.7 a list of possible targets and timeframes *as specified by the municipality* to reduce or eliminate the discharge of subject pollutants to the Municipality's sewers; and
  - 20.4.8 a declaration from an authorized person that the content of the plan is, to the best of that person's knowledge, true, accurate and complete.
- 20.5 In the event that the activity or business of an Industry which discharges any amount of a subject pollutant listed in Schedule "F" is not listed in Schedule "E" of this bylaw, then that Industry shall prepare a Pollution prevention Plan and submit a copy of the Pollution Prevention Plan by no later than the date specified by the Municipality.
- 20.6 Any subject sector Industry and any Industry discharging any amount of a subject pollutant which commences business operations shall have one year from the date of the commencement of its business operations to prepare a Pollution Prevention Plan and submit a copy of the Pollution Prevention Plan to the Municipality.
- 20.7 In the event that an Industry submitting a Pollution Prevention Plan is not sent written notice from the Municipality that its Pollution Prevention Plan is not approved by the Municipality within 90 days of the Industry delivering a copy of the Pollution Prevention Plan to the Municipality, the Pollution Prevention Plan shall be deemed to have been approved by the Municipality.
- 20.8 Where an Industry receives notice from the Municipality that its Pollution Prevention Plan has not been approved, the Industry shall have 90 days to amend and resubmit its Pollution Prevention Plan to the Municipality for approval in accordance with this article.
- 20.9 In the event that a Pollution Prevention Plan resubmitted to the Municipality in accordance with Section 21.8 of this section continues to fail to comply with the requirements of this bylaw, the Municipality shall so notify the Industry, and the Industry shall be in contravention of Subsection 21.1 and shall continue to be in contravention of this section until such time as the Municipality approves of an amended Pollution Prevention Plan resubmitted by the Industry, in accordance

with this section.

- 20.10 Every subject sector Industry and every Industry discharging a subject pollutant shall submit a revised Pollution Prevention Plan for the approval of the Municipality at least once every three years from the date which the original plan was required to be submitted. Such revised and updated Pollution Prevention Plan shall, in addition to the requirements otherwise set out in this section, detail and evaluate the progress of the Industry to accomplish the objectives set out in its Pollution Prevention Plan and the Industry's ability to accomplish those pollution prevention objectives.
- 20.11 Every subject sector Industry and every Industry discharging a subject pollutant shall prepare a revised and updated Pollution Prevention Plan no less frequently than once every six years from the date which the original plan was required to be prepared, and shall prepare and submit for the Municipality's approval a copy of the Pollution Prevention Plan with respect thereto no later than the date by which any revised and updated Pollution Prevention Plan must be prepared.
- 20.12 Where a subject sector Industry makes changes to the process(es), product(s) or facility configuration that will result in changes to the Pollution Prevention Plan, a revised or updated Pollution Prevention Plan must be prepared and a copy of the Pollution Prevention Plan shall be submitted for the Municipality's approval within 2 calendar months of the change(s).
- 20.13 The Municipality may designate any class of business or activity not included in Schedule "E" of this bylaw, as a subject sector Industry and may designate a date with respect to which any such subject sector shall be required to submit to the Municipality a copy of the Pollution Prevention Plan.
- 20.14 The Municipality may designate any matter as a subject pollutant and may designate a date with respect to which any Industry discharging such subject pollutant shall be required to submit to the Municipality a copy of the Pollution Prevention Plan.
- 20.15 A copy of the Pollution Prevention Plan shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by the Municipality at any time.
- 20.16 Implementation of the Pollution Prevention Plan shall be initiated within one year of Plan approval by the Municipality.
- 20.17 No person shall discharge pollutants into the sanitary sewer without or in contravention of an approval Pollution Protection Plan or this section 20.

## **21. FAILURE TO COMPLY AND COST RECOVERY**

- 21.1 Where a person defaults in complying with a direction, requirement or order under this By-law to do a matter or thing, an officer or agent on behalf of the Municipality may, with such assistance from others as may be required, enter the land on which the contravention occurred at any reasonable time, and carry out such direction, requirement or order at the person's expense.
- 21.2 In accordance with section 446 of the *Municipal Act, 2001* the Municipality may recover the costs, from the person directed, required or ordered to do a matter or thing under this By-law, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes, and such costs to the tax roll and collecting them in the same manner as property taxes, and such costs shall include interest at an annual rate of 15 per cent.

- 21.3 For the purpose of subsection 21.2, interest shall be calculated for the period commencing the day the Municipality incurs the costs and ending on the day the costs including the interest are paid in full.
- 21.4 The amount the Municipality's costs incurred plus interest to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land.

## **22. OFFENCES, PENALTY AND FINE RECOVERY**

- 22.1 Subject to subsection 22.2, any person who contravenes a provision of this By-law, and an officer or director of a corporation in the event of a contravention by a corporation, is guilty of an offence and upon conviction is liable to a fine or penalty as follows:
- (a) for a first offence, a minimum of \$100.00 and a maximum of \$5,000.00;
  - (b) for a second offence, a maximum of \$15,000.00; and
  - (c) for a third or subsequent offence, a maximum of \$30,000.00.
- 22.2 In addition to the provisions of 22.1 above, any person who contravenes any provisions of this By-law is guilty of an offence and is liable upon conviction to the set fine, set out in Schedule H exclusive of costs.
- 22.3 Any person who contravenes any order made under this by-law, or an officer or director of a corporation in the event of a contravention by the corporation, is guilty of a continuing offence upon conviction is liable to a daily fine or penalty of a maximum of \$2,500.00 for each day or part of a day that the offence continues, and despite subsection 22.1, the total of all the daily fines imposed for an offence is not limited by the maximums listed in subsection 22.1.
- 22.4 Notwithstanding Section 22.1:
- 22.4.1 where any person contravenes the same provisions of this Bylaw twice within one twelve month period, the specified penalty payable in respect to the second contravention is doubled the amount shown in Schedule H of this Bylaw in respect of that provision; and
  - 22.4.2 where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in Schedule H of this Bylaw in respect of that provision.
- 22.5 If this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order:
- (a) prohibiting the continuation or repetition of the offence by the person convicted; and
  - (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 22.6 Pursuant to section 441 of the *Municipal Act, 2001* if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under section 66 of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended, including any extension of time for payment ordered under that section, the Municipality may give the person against whom the

fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than twenty one (21) days after the date of the notice.

- 22.7 If the fine remains unpaid after the final date specified in the notice, the fine shall be deemed to be unpaid taxes for the purposes of section 351 of the *Municipal Act, 2001*.
- 22.8 In accordance with section 441.1 of the *Municipal Act, 2001* any part of a fine owing pursuant to this by-law or a related provincial offence may be added to the tax roll for any property in the Municipality for which all of the Owners are responsible for paying the fine, and collect such fine in the same manner as municipal taxes.

**23. REPEAL**

- 23.1 By-laws 91-123, 55-09 and 18-10 are repealed in their entirety.
- 23.2 Notwithstanding subsection 23.1, the provisions of By-law 91-123, 55-09 and 18-10 will be deemed to continue in force and effect with respect to any and all orders, appeals or prosecutions issued, filed or commenced under that by-law, and any assessment, rate, charge, tax, fee, liability or penalty outstanding under that by-law may be collected as if that by-law had not been repealed.

**24. EFFECTIVE DATE**

- 24.1 This By-law shall take effect on the date of its final passage by Council.

**READ A FIRST AND SECOND THIS 5TH DAY OF DECEMBER, 2016.**

\_\_\_\_\_  
**ANDREW LENNOX, MAYOR**

\_\_\_\_\_  
**KARREN WALLACE, CLERK**

**READ A THIRD TIME AND FINALLY PASSED THIS 19TH day of DECEMBER, 2016**

\_\_\_\_\_  
**ANDREW LENNOX , MAYOR**

\_\_\_\_\_  
**KARREN WALLACE, CLERK**

## SCHEDULE "A" - PROHIBITED WASTES

1. No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of wastewater into a sanitary sewer, combined sewer, municipal or private sewer connection to any sanitary sewer, combined sewer works or in land drainage works, private branch drains or connections to any storm sewer in circumstances where:
  - 1.1 the Wastewater or storm water has two or more separate liquid layers.
  - 1.2 the Wastewater or storm water contains:
    - 1.2.1 Hazardous substances;
    - 1.2.2 Combustible liquid;
    - 1.2.3 Biomedical waste, including any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group4" as defined in "Laboratory Biosafety Guidelines" published by Health Canada, dated, 2004, as amended;
    - 1.2.4 specified risk material for bovine spongiform encephalopathy as defined in the federal Fertilizers Regulations (C.R.C., c. 666), as amended from time to time, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages;
    - 1.2.5 dyes or colouring materials which may or could pass through a wastewater works and discolour the wastewater works effluent;
    - 1.2.6 Fuel;
    - 1.2.7 Ignitable Waste;
    - 1.2.8 pathological waste;
    - 1.2.9 PCBs;
    - 1.2.10 Pesticides which are not otherwise regulated in this bylaw;
    - 1.2.11 Reactive Waste;
    - 1.2.12 Toxic Substances which are not otherwise regulated in this bylaw;
    - 1.2.13 Waste Radioactive Substances in excess of concentrations greater than those specified for release to the environment under the *Nuclear Safety and Control Act* and Regulations or amended versions thereof;
    - 1.2.14 Solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics,

wood, unground garbage, animal parts or tissues, and paunch manure;

1.2.15 carbon tetrachloride;

1.2.16 chloroform;

1.2.17 methylene chloride;

1.2.18 pentachlorophenol;

1.2.19 dioxane-1,4;

1.2.20 one or more Polycyclic Aromatic Hydrocarbons (PAH's);

1.2.21 tetrachloroethylene/Perchloroethylene (PCE);

1.2.22 trichloroethylene or another non-aqueous phase liquid (DNAPL) that could degrade into trichloroethylene; and

1.2.23 vinyl chloride or another non-aqueous phase liquid (DNAPL) that could degrade into vinyl chloride.

2. The Wastewater contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Schedule "B" of this Bylaw, unless:

- 2.1 the discharge is in accordance with a valid Sanitary Discharge Agreement, Extra Strength Surcharge Agreement or compliance program;
- 2.2 the discharge is authorized in a Code of Practice approved by the Municipality; or
- 2.3 all requirements of Section 7 "Additional Requirements" have been fully satisfied.

To do so may cause or result in:

a health or safety hazard to a person authorized by the Municipality to inspect, operate, maintain, repair or otherwise work on a wastewater or storm water works;

an offence under the Environmental Protection Act (Ontario) as amended from time to time, or any regulation made thereunder from time to time;

Wastewater sludge from the wastewater treatment facility works to which either wastewater discharges, directly or indirectly, to fail to meet the objectives and criteria as listed in the Environmental Protection Act (Ontario) as amended from time to time;

interference with the operation or maintenance of a wastewater works, or which may impair or interfere with any wastewater treatment process;

a hazard to any person, animal, property or vegetation;

an offensive odour to emanate from wastewater works, and without limiting the generality of the foregoing, wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;

damage to wastewater or storm water works; or

an obstruction or restriction to the flow in wastewater or storm water works.



**SCHEDULE “B” RESTRICTED WASTES SANITARY AND COMBINED SEWER DISCHARGES**

**Table A - CONVENTIONAL CONTAMINANTS and PHYSICAL PARAMETERS**

Substance	Concentration Limit– [mg/L, except as noted]
Biochemical oxygen demand	300
Chemical Oxygen Demand	600
Oil and grease - animal and vegetable	150
Oil and grease - mineral and synthetic/ hydrocarbon	15
Total Suspended Solids	300
pH	6.0 - 10.5 (unitless)
Temperature	60 Degrees Celsius

**Table B - ORGANIC CONTAMINANTS**

Substance	Concentration Limit– [mg/L, except as noted]
Benzene	0.01
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.06
Hexachlorobenzene	0.0001
PCBs (chlorobiphenyls)	0.004
**Phenols, Total (or Phenolic compounds)	0.1
Toluene	0.02
Xylenes, total	0.3

**Table C - INORGANIC CONTAMINANTS**

Substance	Concentration Limit– [mg/L, except as noted]
Arsenic, total	1.0
Cadmium, total	0.7
Chromium, total	3.0
Cobalt, total	5.0
Copper, total	2.0
Cyanide, total	1.2
Lead, total	3.0
Mercury	0.10
Molybdenum, total	5.0
Nickel, total	2.0
Nitrogen, Total Kjeldahl	50
Phosphorus, total	10
Selenium, total	2.0
Silver, total	1.0
Sulphide (as H <sub>2</sub> S)	1.0
Zinc, total	2.0

**SCHEDULE “C”- MAXIMUM WASTEWATER STRENGTH LIMITS UNDER EXTRA STRENGTH SURCHARGE AGREEMENT**

Substance	Maximum Concentration Limits under an Extra Strength Surcharge Agreement, mg/l	
	Mount Forest	Arthur
Biochemical Oxygen Demand (BOD)	1000	1000
Chemical Oxygen Demand (COD)	1200	1200
Total Suspended Solids (TSS)	1200	1200
Oil and grease - animal and vegetable (O&G)	450	450
Total Phosphorus (TP)	20	15
Total Kjeldahl Nitrogen (TKN)	100	75

## SCHEDULE “D”- CODE OF PRACTICE REGISTRATION FORM FOR DESIGNATED SECTOR OPERATIONS

Director of Public Works, Township of Wellington North, Public Works Department, 7490 Sideroad 7 West, P.O. Box 125, Kenilworth, Ontario N0G 2E0

The following is an application to register a discharging operation under a CODE OF PRACTICE as outlined in the Township of Wellington North Sewer Use Bylaw No. [number] **or** to change or cancel an existing registration. This application is to be filed with the Designated Sewer Officer, at the above address, per the requirements of the sewer use bylaw. To apply for a change of information or cancellation of an existing registration, an application is to be filed with the sewage control manager within 30 days of the date on which the applied changes will take effect at the operation.

**1. Operation Name (name of company, partnership, individual or institution):**

**Hereby apply to:** (Check one of the following)

- Register as a discharging operation under one or more of the following Codes of Practice:**

Check applicable code(s) below	Service or Industrial Category for Designated Sector Operations	Applicable Code of Practice
	Food Services Operations	[Identify Schedule or Source of Code of Practice]
	Dry Cleaning Operations	
	Photographic Imaging Operations	
	Dental Operations (including Dental Schools)	
	Automotive Repair Operations	
	Vehicle Wash Operations	
	Carpet Cleaning Operations	
	Fermentation Operations	
	Printing Operations	
	Recreation Facility Operations	
	Laboratory Operations	
	Etc, as determined by the <u>municipality</u>	

**Or**

- Change an existing registration under a Code of Practice**

Reason for change:

**Or**

- Cancel an existing registration under a Code of Practice**

Reason for cancellation:

**Operation Located at:**

Postal Code:  
Telephone:  
Fax:  
Company Name (if different from above):  
Mailing Address (if different from above):  
Postal Code: Telephone: Fax:

**Contact Information**

**Owner**

Name:  
Telephone:  
Fax:

**Facility Manager**

Name:  
Telephone:  
Fax:

**2. Code of Practice Information** (Please check the appropriate box for each question)

Is this operation **connected to a municipal sanitary sewer system**?

Yes       No       Don't know

Is waste from this operation discharged to **pretreatment works** specified in the applicable Code of Practice?

Yes       No       Don't know

Does this operation use **off-site waste management** to comply with the requirements of the applicable Code of Practice?

Yes, all wastes       Yes, some wastes       No       Don't know

**3. Declaration**

**I hereby acknowledge that the information on this form is correct to the best of my knowledge.**

Signature:  
Name (please print):  
Title:  
Date:

**SCHEDULE “E” - SUBJECT SECTORS FOR POLLUTION PREVENTION PLANS**

<b>North American Industry Classification System (NAICS) Code</b>	<b>Industrial Category</b>	<b>Due Date for P2<sup>8</sup> Plan (as determined by the municipality)</b>
<b>311</b>	Food Manufacturing	
<b>321</b>	Wood Product Manufacturing	
<b>325</b>	Chemical Manufacturing	
<b>332</b>	Fabricated Metal Product Manufacturing	
	ICI <sup>9</sup> sectors discharging Schedule “F” pollutants	

<sup>8</sup> P2 means Pollution prevention

<sup>9</sup> ICI is industrial, commercial or institutional sectors

**SCHEDULE “F” - SUBJECT POLLUTANTS FOR SUBJECT SECTORS REQUIRING  
POLLUTION PREVENTION PLANS**

<b>Substance</b>
Arsenic
Cadmium
Cobalt
Chromium
Copper
Mercury
Molybdenum
Nickel
Lead
Selenium
Zinc
Carbon tetrachloride
Chloroform
Methylene chloride
Pentachlorophenol
Dioxane-1,4
One or more Polycyclic Aromatic Hydrocarbons (PAH's)
Tetrachloroethylene/Perchloroethylene (PCE)
Trichloroethylene or another non-aqueous phase liquid (DNAPL) that could degrade into trichloroethylene
Vinyl chloride or another non-aqueous phase liquid (DNAPL) that could degrade into vinyl chloride
Additional substances, for example organic parameters, as determined by the municipality for its customer base and pollution prevention goals

**SCHEDULE "G" - EXTRA STRENGTH SURCHARGE AGREEMENT**

This AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

BETWEEN:

TOWNSHIP OF WELLINGTON NORTH

(hereinafter called the Municipality)

ON THE FIRST PART

-and-

\_\_\_\_\_

(hereinafter called the Industry)

OF THE SECOND PART

**WHEREAS** the Municipality enacted By-law No. \_\_\_\_\_

on the \_\_\_ day of \_\_\_\_\_, relating to the discharge of the wastewater into any sanitary sewer in the Municipality; and

**WHEREAS** the said By-law prohibits the discharge of industrial wastewater containing certain substances in quantities in excess of the limits set by the By-law but provides that the Municipality may permit the discharge of industrial waste which would otherwise be prohibited by this By-law to an extent fixed by agreement with the Municipality under such conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment; and

**WHEREAS** the Industry carries on an industrial activity within the Municipality at premises known as

\_\_\_\_\_ which activity produces wastewater discharge in which the quantity of one or more of Biochemical oxygen demand (BOD) and or Chemical oxygen demand (COD), Total Suspended Solids (TSS), Oil & Grease of animal or vegetable origin (O&G), Total Phosphorus (TP), and Total Kjeldahl Nitrogen (TKN) is above the acceptable limits set out in Schedule B of this By-law which results in an increase in cost of treatment at the Municipalities wastewater works.

**NOW THEREFORE THIS AGREEMENT WITNESSES THAT** the parties hereto mutually agree as follows:

1. Throughout the duration of this Agreement the quantity of wastewater discharge by the Industry for the premises to the sanitary sewer system will not exceed \_\_\_\_\_ cubic meters per day and the rate of which wastewater is discharged will not exceed \_\_\_\_\_ cubic meters per hour.

2. Throughout the duration of this agreement only, the quality of the wastewater discharged by the Industry to the sanitary sewer system may exceed the limits set out in Schedule B of this By-law with respect to the quantity of Biochemical oxygen demand (BOD) and or Chemical oxygen demand (COD), Total Suspended Solids (TSS), Oil & Grease of animal or vegetable origin (O&G), Total Phosphorus (TP), and Total Kjeldahl Nitrogen (TKN) provided that they shall not exceed the following limits at any time:

(a) BOD	_____	milligrams/litre
(b) COD	_____	milligrams/litre
(c) Total suspended solids	_____	milligrams/litre
(d) Oil & Grease (animal & vegetable)	_____	milligrams/litre
(e) Total Phosphorous	_____	milligrams/litre
(f) Total Kjeldahl Nitrogen	_____	milligrams/litre

3. The discharge of wastewater by the Industry that is in excess of the limits as set out in clause (2) of this agreement shall constitute a contravention of this agreement and thus a contravention of this By-law.

4. (1) The Industry shall install and maintain suitable measuring devices approved by the Designated Sewer Officer in order to measure the quantity of wastewater and all wastewater covered in this agreement shall flow through these measuring devices. The measuring devices shall be positioned in the sanitary sewer monitoring access point located farthest downstream on the sanitary sewer lateral, and located at a point just prior to entry into the Municipal sanitary sewer system or at a sampling point mutually agreed to by the Designated Sewer Officer and the Industry.

(2) Where, in the opinion of the Designated Sewer Officer it is impractical to install and maintain suitable measuring devices in order to measure the quantity of the wastewater, then the Designated Sewer Officer may permit the utilization of water consumption records or such other method as deemed appropriate as a basis of estimating the quantity of wastewater flowing to the sewers.

(3) Any measuring device for measuring the quantity of wastewater shall be read by persons appointed by the Municipality for the purpose of calculating the extra-strength surcharge fee under this agreement.

(4) The Industry agrees to conduct the sampling program for the purposes of assessing the quality of the wastewater being discharged pursuant to this agreement. The Industry shall conduct the sampling program in accordance with Section 18 defined in this By-law, current at the date of testing. The Industry acknowledges and agrees that the sampling program requirements may be changed by the Designated Sewer Officer at any time during the term of this agreement and renewals thereof if, in the sole opinion of the Designated Sewer Officer such change(s) is/are necessary.

(5) If the Industry fails to comply any of the requirements of the sampling protocol, the Designated Sewer Officer may terminate this agreement within 10 days written notice.

5. Subject to the right of termination proved for herein, this agreement shall remain in force from \_until December 31st, \_\_, and may be renewed on January 1st,\_\_\_\_\_, and annually thereafter, on the same terms and conditions provided the parties so agree in



writing.

6. This agreement may be terminated by the Municipality at any time upon 30 days written notice if the wastewater being discharged by the Industry is:
  - (1) causing a health or safety hazard to a wastewater treatment facility operator;
  - (2) causing damage to the sewers, materially increasing sewer maintenance costs or causing a dangerous condition;
  - (3) causing damage to the wastewater treatment process or causing dangerous condition in the treatment works;
  - (4) causing the sludge from the wastewater works to fail to meet criteria relating to contaminants for spreading the sludge on agricultural land under the current Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land;
  - (5) causing the wastewater works effluent to contravene any requirement by or under the Ontario Water Resources Act, R.S.O. 1990, c.0.40, as amended, repealed or replaced from time to time or the Environmental Protection Act, R.S.O 1990, c. E.19, as amended; repealed or replaced from time to time;
  - (6) causing a hazard to any person, animal, property, or vegetation;
  - (7) contrary to this By-law in any way other than as provided in this Agreement.
7. This agreement may be immediately terminated by the Municipality at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
8. This agreement may be terminated by the Industry at any time on 30 days written notice.
9. If at any time the Industry fails to comply with the provisions of this Agreement, the Municipality shall terminate the Agreement by written notice at which point the Industry shall comply with the provisions of this By-law.
10. The Industry agrees to pay to the Municipality a fee based on an excess B.O.D. of \_\_\_milligrams/litre, an excess of C.O.D. of \_\_\_milligrams/litre, an excess of total suspended solids of \_illigrams/litre, an excess of Oil & Grease of \_\_\_\_\_ milligrams/litre, an excess of total phosphorous of \_\_milligrams/litre, and an excess of Kjeldahl Nitrogen of \_\_\_milligrams/litre. The quantity of the sewage discharged shall be determined as set out in section 4 of this agreement. The extra-strength discharge fee for each quarter shall be based on the additional costs of treatment of the aforementioned sewage as set by the Municipality annually.
11. The Industry shall pay to the Municipality a quarterly fee for the amount of Extra Strength surcharge being discharged into the wastewater system and such fee shall be in the amount determined using the Extra Strength Surcharge Fee Formula in accordance with the surcharge rate as set out in the Municipality's Fees and Charges Schedule, as may be amended from time to time.

12. The Extra Strength Surcharge Fee Formula is as follows:

The excess concentration of each parameter is multiplied by the daily volume of the discharge and the current surcharge rate. The total surcharge is the sum of the surcharge fee associated with each parameter. The surcharge rate is applied to each parameter and represents the cost of wastewater treatment per kilogram of contaminant loading.

The surcharge fee for each parameter is calculated using the limits contained in Schedule "B" Table A of this By-law as follows:

Parameter Surcharge Fee

$$= (\text{actual concentration mg/l} - \text{parameter limit mg/l}) \times (\text{flow m}^3/\text{d}) / 1000 \times \text{rate}$$

(\$/kg) The total surcharge is the sum of the surcharge fee for each parameter.

13. The Industry agrees to pay to the Municipality, interest on overdue amounts as referenced in the Fees and Charges By-law and that interest will be charged after each 30 day interval for the outstanding remaining amount.

14. If the Industry fails to pay for more than two months the overdue amount, the Municipality may decide to terminate this Agreement, however such termination does not relieve the Industry from its liability to make such payments.

15. This Agreement shall ensure to the benefit of, and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands of their respective proper officers in that behalf duly authorized.

SIGNED, SEALED AND DELIVERED in the presence of:

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
AUTHORIZED SIGNATURE(S)

\_\_\_\_\_  
Date  
TOWNSHIP OF WELLINGTON NORTH

\_\_\_\_\_  
Designated Sewer Officer (or designate)

\_\_\_\_\_  
Date

**SCHEDULE “H”**  
**The Corporation of the Township of Wellington North**  
**PART I Provincial Offences Act**  
**Bylaw 095-16: Sewer Use**

Item	Short Form Wording	Provision Creating of Defining Offence	Set Fine
1	Discharge wastewater into the sanitary sewer that may interfere with the operation and maintenance of the treatment	2.1 (Schedule “A”)	\$500.00
2	Discharge wastewater into the sanitary sewer that may be harmful to a person, animal, property or vegetation	2.1 (Schedule “A”)	\$500.00
3	Discharge wastewater into the sanitary sewer that may cause/result in obstructing or restricting flows	2.1 (Schedule “A”)	\$500.00
4	Discharge wastewater into the sanitary sewer that has two or more separate liquid layers	2.1 (Schedule “A” 1.1)	\$500.00
5	Discharge prohibited substance matter into the sanitary sewer	2.2	\$1000.00
6	Discharge wastewater into the sanitary sewer which contains concentrations above the allowable limits as set out in Schedule B without the proper approvals/permits	2.3	\$1000.00
7	Discharge into the storm sewer, any matter or at any temperature or in any quantity that may interfere with the proper operation	3.1.1(a)	\$500.00
8	Discharge into the storm sewer, any matter or at any temperature or in any quantity that may cause/result in obstructing or restricting flows	3.1.1(b)	\$500.00
9	Discharge into the storm sewer, any matter or at any temperature or in any quantity that may be harmful to a person, animal, property or vegetation	3.1.1(c)	\$500.00
10	Discharge into the storm sewer, any matter or at any temperature or in any quantity that may impair the quality of any	3.1.1(d)	\$500.00
11	Discharge into the storm sewer, any matter or at any temperature or in any quantity that may contravene an approval, requirement or direction under the Ontario Resource Act or the Environment Protection Act	3.1.1(e)	\$500.00
12	Discharge prohibited substance matter into the storm sewer	3.5	\$500.00
13	Discharge mater into the storm sewer which contains concentrations above the allowable limits as set out in Section 3 without the proper approvals/permits	3.1.2	\$1000.00
14	Discharge wastewater into the sanitary sewer where water has been added for the purpose of dilution to achieve compliance with Schedule B	4.1	\$500.00
15	Discharge matter into the storm sewer where water has been added for the purpose of dilution to achieve compliance with Section 3	4.2	\$500.00
16	Fail to comply with a monitoring protocol as directed by the Municipality	6.1	\$500.00

17	Discharge wastewater into the sanitary sewer without the proper food related grease interceptor installed	7.1.2	\$500.00
18	Failing to monitor, operate, properly maintain and clean each food related grease interceptor as required	7.1.3	\$500.00
19	Failing to ensure that wastewater does not exceed the maximum allowable concentration limits for food related grease as set out in Schedule B	7.1.1	\$500.00
20	Fail to install the proper vehicle and equipment service oil and grease interceptor	7.2.1	\$500.00
21	Failing to monitor, operate, and properly maintain each vehicle and equipment service oil and grease interceptor as required	7.2.2	\$500.00
22	Failing to ensure that wastewater does not exceed the maximum allowable concentration limits for vehicle and equipment service oil and grease as set out in Schedule B	7.2.1	\$500.00
23	Discharge wastewater into the storm sewer without the proper sediment interceptor installed	7.3.2	\$500.00
24	Failing to maintain each sediment interceptor as required	7.3.3	\$500.00
25	Failing to ensure that wastewater does not exceed the maximum allowable concentration limits for sediment as set out in Schedule "B"	7.3.1	\$500.00
26	Discharge amalgam waste into the sanitary sewer or without the proper amalgam separator installed and maintained	7.4.1	\$500.00
27	Failing to monitor, operate, properly maintain and clean each amalgam separator as required	7.4.4	\$500.00
28	Discharge wastewater into the sanitary sewer through the use of a food waste grinder	7.5.1	\$500.00
29	Failing to install a pre-treatment treatment facility	7.6.1	\$500.00
30	Discharge hauled wastewater into the sanitary sewer without the proper approvals/permits	8.1	\$500.00
31	Failing to discharge hauled wastewater at an approved location	8.2.1	\$1000.00
32	Discharge hauled waste into the sanitary sewer without the proper approvals/permits	9.1.1	\$500.00
33	Failing to discharge hauled waste at an approved location	9.1.5	\$1000.00
34	Discharge of non-contact cooling water or uncontaminated water into the sanitary sewer	10.1	\$500.00
35	Discharge of water originating from a source other than the Municipal water supply into the sanitary sewer without the proper approvals/permits	11.1	\$500.00
36	Fail to report a spill event	12.1	\$500.00
37	Fail to manage, control, and contain a spill in order to protect the health and safety of citizens, neighboring properties, and the environment	12.3	\$1000.00
38	Fail to clean up a spill and the contaminants, restoring the affected area to its original condition prior to the spill	12.3	\$500.00
39	Obstructing an Designated Sewer Officer in the exercise of their powers or duties	13.2	\$500.00

40	Unauthorized connection/disconnection or alteration to a sanitary sewer or storm sewer	14.4	\$500.00
43	Connection of rain water leaders, storm water leader, ground water drainage or sump pump lateral directly or indirectly to the sanitary sewer	14.5	\$500.00
44	Fail to provide requested information to the Municipality as directed	15.4	\$500.00
45	Fail to install and maintain in each connection a suitable monitoring access point to allow monitoring, sampling and flow measurement of the sewage, uncontaminated water or storm water therein	16.4	\$500.00
46	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with a monitoring access point	16.5	\$500.00
47	Discharge Extra Strength matter into the sanitary sewer without the proper approval/permits	2.1.5	\$1000.00
48	Discharge wastewater into the sanitary sewer or storm sewer that does not comply with a specified compliance program	2.1	\$500.00
49	Discharge wastewater into the sanitary sewer or storm sewer without complying with a condition in a written approval	2.1	\$500.00
50	Discharge of pollutants into the sanitary sewer without an approved Pollution Prevention Plan in place	20.17	\$500.00

**Note: the general penalty provisions for the offences listed above is section 22 of bylaw 095-16, certified copies of which have been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33**

**APPENDIX “A” - DISCHARGE APPLICATION AND DISCHARGE PERMIT FORMS**

**Form #1 Abbreviated Discharger Information Report  
 The Corporation of the Township of Wellington North Sewer Use Program**

The completion of this form is required by all dischargers to sewage works under Bylaw # \_\_\_\_\_ addressing sewer use in The Corporation of the Township of Wellington North.

\*\*If you have any questions on the form, please call 1-519-848-3620

The completed form is to be forwarded to:  
 Attention: Designated Sewer Officer, Municipality of the Township of Wellington North,  
 Director of Public Works, Public Works Department,  
 7490 Sideroad 7 West, P.O. Box 125, Kenilworth, Ontario N0G 2E0

Please print clearly while completing the form.

<b>The Abbreviated Discharger Information Report</b>	
1	<b>Name of Company</b>
2	<b>Address of Company</b>  Phone: Fax:
3.	<b>Owner of property</b> (if different from Company listed above)  Phone: Fax:
4	<b>Brief Description of Product or Service</b>
5	<b>Brief Description of the Process(es) used in the Manufacturing or Servicing</b>
6	<b>‘Are there’ or ‘Will there be’ any of the following wastewater discharges from the description as provided in #5?</b>  Process <u>wastewater</u> Yes / No Non-contact <u>cooling water</u> Yes / No Other sources of <u>wastewater</u> (other than sanitary) Yes / No (If yes, brief description)
7	<b>Does the site have any existing <u>connections</u> to the following sewers?</b>  Sanitary Yes / No Combined Yes / No Storm Yes / No

8	Location of Process units? Storage of raw materials? Storage of intermediate products? Storage of final products?	Inside / Outside / Outside but covered Inside / Outside / Outside but covered Inside / Outside / Outside but covered Inside / Outside / Outside but covered
9	<b>Does the site have any of the following programs in place to address discharges to the sewer system?</b>	
	Pollution prevention	Yes / No
	Best Management Plan	Yes / No
	Environmental Management System	Yes / No
	Other program / practices	Yes / No
Date form completed : Name and Title of Company Representative:  Signature of Authorized Company Representative		
Note: Completion of the "Complete Discharger Information Report" may be required based on this report and/or subsequent verification of the site by the Municipality.  For Municipality use only - date completed form received :		

**Form #2 Detailed Discharger Information Report**

**The Corporation of the Township of Wellington North Sewer Use Program**

The completion of this form by dischargers to the sewage works is required under certain circumstances by Bylaw #\_\_\_\_\_ addressing sewer use in The Corporation of the Township of Wellington North.

\*\*If you have any questions on the form, please call 1-519-848-3620

The completed form is to be forwarded to:

Attention: Designated Sewer Officer, Corporation of the Township of Wellington North,  
 Director of Public Works, Public Works Department,  
 7490 Sideroad 7 West, P.O. Box 125, Kenilworth, Ontario N0G 2E0

Please note the following:

Print clearly while completing the form.

Additional information and attachments - are required.

Indicate what material has been attached to ensure that the municipality is aware of all the information provided.

<b>The Detailed Discharger Information Report</b>	
1	<b>Name of Company</b>
2	<b>Address of Company</b>  Phone: Fax:
3.	<b>Owner of property</b> (if different from Company listed above)  Phone: Fax:
4	<b>General Site Operation Information</b>  Number of Employees involved in plant:                      office:                      other:                      Total:  Number of Shifts per day:                      Number of operating days per week:
5	<b>Description of Product(s) or Service</b>  Include Standard Industrial Code (SIC) - state if SIC is Canadian or American
6	<b>Description of the Process(es) used in the Manufacturing or Servicing</b>  Include characteristics such as Batch (how many per time period), Continuous, or Both (explanation to be provided), Seasonal Production Cycles, Specific Clean-up Periods and Clean-up Activities, Production Rates



7	<p><b>Average Daily Water Use and Sources</b></p> <p>Municipal Supply                            Yes / No _____m3/day Estimated or Measured  Surface Water**                            Yes / No _____m3/day Estimated or Measured  Groundwater*                            Yes / No _____m3/day Estimated or Measured  Other sources**                            Yes / No _____m3/day Estimated or Measured</p> <p>If flow rate varies significantly provide peak flow rates per day and month and explanation.</p> <p>* Provide copy of the Permit to Take Water [<i>or other documentation per relevant jurisdictional requirements</i>]</p> <p>** If 'Yes' - provide explanation as an attachment.</p>
8	<p><b>Discharge Points from Site</b></p> <p>List all liquid effluent discharge points from the site and average daily flow for each point in cubic metres per day of sanitary, noncontact cooling water, process wastewater, contact cooling water and other discharge water to the sanitary sewer, combined sewer, storm sewer, groundwater, surface water, evaporation losses (if applicable), and percent of water in final manufactured product (if significant and applicable to the site).</p> <p>For example: process wastewater from manufacturing line to sanitary sewer at an average daily flow of 200 m3/day (measured)</p>
9	<p><b>Known Characteristics of Discharges</b></p> <p>Provide existing data on the chemical composition and constituent concentrations of the discharges listed above in #8</p>
10	<p><b>Physical Layout</b></p> <p><input type="checkbox"/> Provide sketch of property (to scale or approximate) showing buildings, pretreatment works, property boundaries, effluent lines, and connections to sanitary, combined and storm sewers.</p> <p><input type="checkbox"/> Please identify sewers as listed on the Parameter Information Form as completed above.</p> <p><input type="checkbox"/> Layout may be attached as separate document - leave note to indicate submission with this form.</p> <p><input type="checkbox"/> A flow diagram of the site flows/processes is also required.</p>
11	<p><b>Generation Registration Information</b></p> <p>Provide any Generator Registration Numbers that the site has under the requirements of the governing jurisdiction [<i>For example, Ontario Regulation 347 under the Environmental Protection Act</i>]</p>

12	<p><b><u>Extra Strength Surcharge Agreements (ESSA)</u></b></p> <p>Does the site have an existing ESSA with the Municipality? Yes / No          Did the site previously have an ESSA with the Municipality? Yes / No</p> <p>If yes, to either question – Attach a copy of each agreement to this form.</p>
13	<p><b>Pretreatment of Discharges Prior to Discharge</b></p> <p>Does the site have any pretreatment systems for process effluents prior to discharge to the sewer system? Yes / No</p> <p>If yes – attach copy of each to the form and explanation for implementation.</p>
14	<p><b>Does the site have any of the following programs addressing discharges to the sewer system in place?</b></p> <p>Pollution prevention Yes / No          Best Management Plan Yes / No          Environmental Management System Yes / No          Water Conservation Yes / No          Other program / practices Yes / No</p> <p>If yes - attach copy of each to the form and explanation for implementation.</p>
<p>Date form completed:</p> <p>Name and Title of Company Representative:</p> <p>Signature of Authorized Company Representative:</p>	
<p>The information submitted in this form may subject to verification by the municipality:</p> <p>For Municipality use only          Date completed form received:          Date information verified/approved:</p>	

### **Form #3 The Corporation of the Township of Wellington North Waste Discharge Permit**

Under the provisions of The Corporation of the Township of Wellington North Sewer Use Bylaw No. \_\_\_\_\_, hereinafter referred to as the Permittee, is authorized to discharge Non-Domestic Waste to the Sanitary located at \_\_\_\_\_.

This Waste Discharge Permit, hereinafter referred to as the "Permit", has been issued under the terms and conditions, including definitions, prescribed in The Corporation of the Township of Wellington North Sewer Use Bylaw No. \_\_\_\_\_ hereinafter referred to as the "Bylaw".

This Permit sets out the standard conditions, engineering units, and the requirements for emergency procedures.

#### **A. STANDARD CONDITIONS**

1. Except as otherwise provided in this Permit, all terms and conditions stipulated in the Bylaw shall apply to this Permit.
2. The terms and conditions of this Permit may be amended by the Municipality pursuant to the Bylaw.

#### **B. MAINTENANCE AND OPERATION OF WORKS AND PROCEDURES**

Wastewater control works and procedures associated with maintaining the discharge criteria and/or the monitoring requirements specified in the Permit shall be employed at all times during the discharge of industrial/commercial wastes to sewer. All such works and procedures shall be inspected regularly and maintained in good working condition.

#### **C. EMERGENCY PROCEDURES**

In the event of an emergency or condition which prevents the continuing operation of any wastewater works or procedures designated by this Permit or results, or may result in a violation of any discharge criteria specified in this Permit, the Permittee shall notify the Municipality at 519-848-2120 (24 hours) at the first available opportunity, and shall undertake appropriate remedial action as soon as possible.

#### **D. BY-PASSES**

The discharge of wastes which by-pass any wastewater works, or which are not in accordance with procedures designated by the Permit, is prohibited unless prior approval of the Municipality is obtained and confirmed in writing.

#### **E. DISCHARGE MONITORING**

1. Discharge measurement, sampling, analysis and reporting shall be undertaken by the Permittee when required by the Designated Sewer Officer. The Designated Sewer Officer may also undertake audit sampling, at the Designated Sewer Officer's discretion.

#### **F. pH MONITORING**

Enforcement of pH levels, as listed in this Permit, shall be based on grab samples. The Permittee should be aware that pH levels measured in a composite sample [if required] will provide an average

pH of the waste stream and will not indicate the total range of pH in the effluent. The Permittee is encouraged to do periodic grab sample pH analyses to ensure permit compliance.

## G. DISCHARGE SAMPLING AND ANALYSES

The Permittee shall carry out the following sampling and analysis program, to commence on \_\_\_\_\_.

### 1. Continuous Discharges

(a) Effective \_\_\_\_\_, the Permittee shall measure or estimate, using an approved flow monitoring device(s) or method(s), the daily discharge for each sampling location during each month of operation. The following information shall be recorded for each sampling location:

- Total flow for the month (m3)
- Number of operating days during the month
- Average daily flow for the month (m3/day)
- Maximum daily flow for the month (m3/day)

### 2. Continuous and Batch Discharges

(a) Composite samples – A 24 hour [if facility operates 24 hours per day] or 8 hour [if facility operates 8 hours per day] composite sample shall be taken by the discharger using sampling equipment installed in the monitoring access point(s), or other sample point(s) approved by the Designated Sewer Officer at the following frequency: \_\_\_\_\_. The Discharge flow for the periods that the composite sample(s) [if required] are collected shall be recorded. *[If the Industry does not have a composite sampler or samplers available to be installed in the monitoring access point(s), the Municipality will use its own composite sampling equipment to collect required samples, and may recover costs of sample collection from the Industry.]*

Composite sample(s) shall be analyzed for the following parameters:

*[insert parameters]*

(b) One grab sample shall be collected from each monitoring access point(s), or other sample point(s) approved by the Designated Sewer Officer during normal facility operating hours, and at the time of day approved by the Designated Sewer Officer, at the following frequency: \_\_\_\_\_. The sample date and time shall be recorded.

Grab Sample(s) shall be analyzed for the following parameters:

*[insert parameters]*

### 3. Sample Analysis

All sampling, measurements, tests and analyses of waste discharges shall be carried out in accordance with the latest edition of STANDARD METHODS or an alternate method approved by the Designated Sewer Officer. Samples shall be submitted for analysis to an ACCREDITED LABORATORY, at the expense of the discharger, unless other arrangements have been approved by the Designated Sewer Officer. The owner shall supply hard copies of the results of the analysis to the Designated Sewer Officer in a format acceptable to the inspector within the time specified by the inspector.

## H. LOCATION OF APPROVED SAMPLE POINTS

The approved sample points are as follows and as shown on the attached schematic of approved sample points and treatment processes. Sample point \_\_\_\_\_ is considered to be the point of discharge to sewer.

### SAMPLE POINT NO. DESCRIPTION

Sample Point 1 \_\_\_\_\_

Sample Point 2 \_\_\_\_\_

## PHOTOGRAPH OF APPROVED SAMPLING POINT SUPPLIED BY PERMITTEE

### I. AUTHORIZED DISCHARGE CHARACTERISTICS

#### 1. Authorized Rate of Discharge

The Permittee shall not exceed the following:

*[insert flow rates]*

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#### 2. Authorized Discharge Criteria

This Permit sets out requirements for the quantity and quality of the discharge of Non-Domestic wastewater from a \_\_\_\_\_. Where a compliance program has been specified, existing works or procedures must be maintained in good operating condition and operated in a manner to minimize the discharge of contaminants during the interim period until the new works have been installed.

a) The Permittee shall not discharge prohibited waste, as defined in Schedule "A" of the Bylaw.

b) The Permittee shall not discharge restricted waste, as defined in Schedule "B" of the Bylaw with the following exceptions:

*[insert Parameter Authorized Range or Maximum Concentration]*

Compliance with the above-noted exceptions is to be achieved by: \_\_\_\_\_

c) The Permittee shall not discharge storm water or cooling water into the sanitary sewer system.

### J. AUTHORIZED WORKS AND PROCEDURES

This Permit sets out the waste sources, works and procedures for the authorized discharges to sewers. The Designated Sewer Officer may require that further works be installed if the existing works, in his opinion, do not provide an acceptable level of treatment. New works or alterations to existing works must be approved, in principle, by the Designated Sewer Officer.

New waste sources must be authorized, in writing, by the Designated Sewer Officer.

The authorized waste sources, works and procedures to treat and/or control the waste discharge are:

**SOURCE COMPLETION DATE WORKS & PROCEDURES**

1. \_\_\_\_\_
2. \_\_\_\_\_

**K. REPORTING REQUIREMENTS FOR WASTE DISCHARGE PERMIT**

The Permittee is required to submit the following reports to the Designated Sewer Officer:

- a) The Permittee shall submit the results of effluent sampling (as required by the Designated Sewer Officer) to the Designated Sewer Officer at the following frequency *[insert frequency]*.
- b) By not later than \_\_\_\_\_, the Permittee shall submit a written report outlining the specifications of the flow monitoring device or method used to determine the discharge flow rate.
- c) Additional reporting shall be undertaken by the Permittee when required by the Designated Sewer Officer. *[i.e. insert reporting requirements for compliance programs, status on pollution prevention activities, etc.]*