

3. AMENDMENT TO PART 5.2 OF THE REGIONAL REGULATORY CODE - SEWER, SEWAGE WORKS & CONTROL OF DISCHARGES

**COMMITTEE RECOMMENDATION**

**That Council approve the amendments to Part 5.2 of the Regional Regulatory Code in accordance with this report.**

**DOCUMENTATION:**

1. Director, Water Environment Protection Division, Environment and Transportation Department report dated 19 Feb 98 is immediately attached.

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON  
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT  
RAPPORT

Our File/N/Réf.                   **50 40-96-0578-CC**  
Your File/V/Réf.

DATE                               19 February 1998

TO/DEST.                         Co-ordinator  
                                      Planning and Environment Committee

FROM/EXP.                        Director Water Environment Protection Division  
                                      Environment and Transportation Department

SUBJECT/OBJET                   **AMENDMENT TO PART 5.2 OF THE REGIONAL  
REGULATORY CODE - SEWER, SEWAGE WORKS &  
CONTROL OF DISCHARGES**

### **DEPARTMENTAL RECOMMENDATION**

**That the Planning and Environment Committee recommend that Council approve the amendments to Part 5.2 of the Regional Regulatory Code in accordance with this report.**

### **PURPOSE**

The purpose of this report is to recommend changes to Part 5.2 of the Regional Regulatory Code (Sewer Use By-law). The proposed changes will streamline the administration of the Industrial Waste Programme and Sewer Use By-law and will address a number of technical issues with the By-law which will result in a more concise and consistent programme and by-law implementation.

### **BACKGROUND**

The Sewer Use By-law was updated in 1994 in order to establish uniform sewer use requirements and to bring the Sewer Use By-law in line with the Ontario 1988 Model Sewer Use By-law. Since then, the Sewer Use By-law has been revised to reflect rate changes and to implement the hauled waste strategy.

Over the past three years, staff have identified potential improvements to the Sewer Use By-law. These improvements relate primarily to the administration of the hauled waste requirements, the administration of Compliance Programmes and Agreements, non-standardized fees for Compliance Programmes and Agreements and the complexity of the Waste Survey Report.

DISCUSSION**Recommended changes**

Updating the definition of “Commissioner”.

**Current provisions**

Environmental Services Commissioner

Rationale: To reflect the Environment and Transportation Commissioner’s current title.

Impact: None.

**Recommended changes**

Amend Subsection 5.2.2(5) which concerns the discharge of water from a separate source from the Region’s water distribution system, to require that water discharged to the sewage system from serviced premises, in any amount, or from non-serviced premises of more than 3000 litres per day, is subject to a sanitary sewer agreement, including the fee as set out in Schedule C.

**Current provisions**

The current threshold for discharging water from a separate source at no charge is 50,000 litres per day. If water is discharged at greater than 50,000 litres per day the fee for non-municipal water set out in Schedule C applies.

Rationale: Under the current system, industrial dischargers such as groundwater remediation systems, construction sites and waste transfer stations may discharge up to 50,000 litres per day of non-municipal water into the waste water collection system without charge.

The proposed changes will enable the Region to track the volumes of groundwater, confirm the quality of the groundwater discharged to the sanitary sewer system and recover the sewer surcharge fee of \$0.495 per cubic meter which would otherwise be paid on the discharge of Regional water. The purpose of this proposed fee is to apply the sewer surcharge to the discharge of effluent to the sanitary sewer system which would, under the current system, be discharged free of charge.

Impact: Waste transfer stations, construction sites and groundwater remediation systems will be impacted by these changes. During 1997, of the 12 groundwater remediation systems which discharged to the sanitary sewer system only one required a sanitary sewer agreement.

Residential dwellings with up to 13 residents should not be impacted by the change. The table below identifies the average daily flow for residential dwellings on a sewer system. This data represents residents using publicly supplied water and often, dwellings on a well are more diligent about water conservation.

Source of Statistic	Average Daily Flow of Wastewater (litres /day per person)	# residents in dwelling which would cause an exceedance of 3000 litres per day
United States Environmental Protection Agency	227	13
Water Pollution Control Federation	300 to 500	6 to 10
RMOC Water Billing	250	12

Commercial and industrial enterprises with connections to the sanitary sewer system and which use well water may also be impacted if the volume of effluent discharged to the sanitary system is not adequately compensated for under another Regional Regulatory Code provision. For example, a waste transfer station connected to a sanitary sewer is likely to discharge quantities of effluent which would not be discharged by a typical commercial enterprise.

According to 1997 Regional records, revenue of approximately \$11,000.00 could have been recovered under the proposed changes from the groundwater remediation systems and waste transfer station of which we are currently aware.

### **Recommended changes**

#### Hauled Waste Programme:

- authorize the Commissioner to waive manifest requirements.
- provide for a fee, as set out in Schedule C (\$25.00 per revision), for revising annual permits.
- authorize the Commissioner to cancel an annual permit if the carrier fails to comply with its conditions or the provisions of Part 5.2.
- exempt a carrier from access tag requirements.
- specify that liquid material transported from outside the Region to transfer stations within the Region and hauled to the treatment plant for disposal, attract the fee for waste generated outside the Region.

### **Current provisions**

- Manifests must be completed for each load of Liquid Material prior to disposal
- Revisions are provided at no cost.
- No provision to cancel a permit if carrier fails to comply with by-law requirements.
- Every vehicle must have an access tag.
- This reflects the current practice.

**Rationale:** The proposed changes for manifesting and access tags is to provide more flexibility in permitting access to the Pickard Centre and form completion by the waste hauling companies. The ability to cancel a permit will enable the Industrial Waste Section to more effectively manage recalcitrant companies.

Waste which is imported into the Region and delivered to a waste transfer station is currently considered to be out-of-Region waste when it is transported to the Pickard Centre. The proposed change is to formalize the manner in which this waste is to be handled under the Hauled Waste Policy.

The fee of \$25.00 for revisions to permits is both a cost recovery fee as well as an incentive fee for waste hauling companies to ensure that the initial permit application contains all the necessary information so that it will be reflected in the annual permit.

**Impact:** The majority of the waste hauling companies registered with the Region would not be impacted by this change. Of the 18 amendments made in the last six months, seven were requested by one company. Only six out of 28 companies required amendments. The total fees collected since September 1997 would have been \$400.00.

#### **Recommended changes**

Delete the reference to the grace period of “six months from the date on which this Part takes effect” in subsection 5.2.5(1).

#### **Current provisions**

This section requires that the owner or operator of any industrial premises must file a Waste Survey Report within six months from 12 January 1994 in order to discharge sewage into the sewer system.

**Rationale:** The proposed change is to delete the reference to the grace period since it has expired.

**Impact:** All industrial dischargers who did not file a Waste Survey Report within the six months are currently not in compliance with this section and therefore there would be no change in their status. New industries are required to submit a Waste Survey Report since this grace period has expired, there is no impact.

#### **Recommended changes**

Amend Section 5.2.6 to consolidate the termination provisions set out in subsections (6),(7) and (8).

#### **Current provisions**

Overstrength agreements may be entered into for six treatable parameters under this section. The authority to terminate the agreement is set out in three different subsections. One dealing with emergency situations, another dealing with contraventions of discharge requirements and on 30 days notice.

**Rationale:** The proposed change is editorial.

Impact: None

**Recommended changes**

Amend Section 5.2.7 to delegate to the Commissioner the authority to enter into the Compliance Programmes, to impose fees in accordance with Schedule C, to allow for the provision of dates on which the interim limits expire and to consolidate the termination provisions set out in Subsections (11),(12) and (13) and amend the form set out at Schedule F accordingly.

**Current provisions**

This provision authorizes a company to discharge overstrength waste during the period of planning, design, construction or installation of facilities to eliminate the non-compliance. Currently, the Regional Clerk and Regional Chair are authorized to execute such compliance programmes on the recommendation of the Commissioner. The authority to terminate the agreement is set out in three different subsections: one dealing with emergency situations, another dealing with contraventions of discharge requirements and on 30 days notice.

Rationale: The proposed change is to remove a step in the process of authorizing a company to implement compliance measures for bringing its discharge into compliance with Regulatory Code requirements. It would also eliminate the need to enter into both a discharge agreement and a compliance programme for the same discharge. The proposed change regarding the termination provisions is editorial.

Impact: The proposed changes should streamline the process and allow for a faster response to the industry.

**Recommended changes**

Amend Subsection 5.2.7(9) by deleting the word “storm” in the second line.

**Current provisions**

The local operating authority of the sewage works into which the waste is discharged must approve of a proposed compliance programme to discharge overstrength waste. The sewage works in this subsection identifies only sewage treatment plants and storm sewers.

Rationale: The deletion of the word “storm” will broaden the section to apply to sanitary sewers. This reflects current practice in that the local municipality is requested to approve compliance programmes since their infrastructure may also be impacted.

**Recommended changes**

Amend Section 5.2.8 to authorize the Commissioner to establish specific sampling and analysis standards for sewage, uncontaminated water and stormwater in addition to Standard Methods.

**Current provisions**

This provision provides that all sampling and analysis will be conducted in accordance with Standard Methods published by the American Public Health Association, American Water Works Association and Water Pollution Control Federation or a procedure published by the Ontario Ministry of the Environment.

**Rationale:** The proposed change adds to this section the authority for the Commissioner to establish standards which would be specific to Ottawa-Carleton. This will allow for the development of standardized practices for use by the Industrial Waste Section and the WEPD Laboratory which are specific to field conditions found in Ottawa-Carleton in addition to the use of Standard Methods.

**Impact:** Standardized practices for use in Ottawa-Carleton will improve the manner in which sampling and analysis are conducted.

**Recommended changes**

Clarify Subsection 5.2.10(9) to stipulate that permits for Regional departments, commissions or local boards may be issued by the Commissioner where he has the authority under this Part to enter into agreements or Compliance Programmes.

**Current provisions**

This section provides that permits may be issued by the Commissioner to departments, commissions or local boards in place of agreements.

**Rationale:** The purpose of the amendment is to make it clear that the Commissioner may issue permits where he has the delegated authority to enter agreements.

**Impact:** None.

**Recommended changes**

Amend Schedule A, Annual Permit, to reflect the amendments made to Section 5.2.4, to specify disposal location as the Robert O. Pickard Environmental Centre (unless otherwise directed by the Commissioner) and to specify additional information for vehicle identification.

**Current provisions**

The form which is issued to waste hauling companies is set out in Schedule A.

**Rationale:** To ensure that the Permit issued reflects the provisions contained in the by-law.

**Impact:** None.

**Recommended changes**

Add:

<u>Administrative</u>	<u>Fees:</u>
Special Discharge Agreement fee:	\$500.00
Sanitary Sewer Agreement fee:	\$100.00
Compliance Programme fee:	\$500.00
Sanitary Sewer Agreement Revision fee:	\$25.00 per revision
Compliance Programme Revision fee:	\$100.00 per revision
[To be paid (cash or cheque) at the time of entering into such agreement or programme.]	

**Current provisions**

There are no administrative fees currently.

**Rationale:** The introduction of the fees for the Agreements, compliance programmes and revisions are for the purpose of recouping partial costs for analyzing discharges and authorizing the discharge of overstrength waste to the sewer system. A typical overstrength discharge agreement or compliance programme requires approximately 45 hours of staff time and costs approximately \$1200.00 to \$1600.00 for laboratory analyses. The staff time includes educating the industry regarding requirements, sampling of effluent, analyzing test results and negotiating agreements.

The purpose of such fees is two-fold. First, it is an incentive for industry to evaluate the most economical method for treating their effluent. This reflects the philosophy of the Industrial Waste Programme which is to encourage industries to control pollutants at the source. Payment of that fee would also demonstrate the industry's commitment to take the necessary steps to enter voluntarily into compliance with the Sewer Use By-law. Secondly, it is to recover part of the cost of the effort required to administer these compliance agreements.

**Impact:** The introduction of these fees will impact approximately 20 to 25 industries per year.

**Recommended changes**

Schedule E, Waste Survey Report, is amended to clarify the type of information to be provided by companies pertaining to waste generation, spill prevention and wastewater discharge information and to delete the reference to water usage.

**Current provisions**

Schedule E sets out the Waste Survey Report which is to be completed by all significant industrial discharges.

**Rationale:** The proposed changes include a simplification of the survey by combining water usage and wastewater information. A process diagram has been included to facilitate the current requirement for a description of the process. A table has also been designed to facilitate the listing of materials and waste products and their corresponding volumes which are stored on-site of an industrial premises.



Impact: All new significant industrial discharges will be required to complete this Report.

### CONSULTATION

Public Consultation sessions were held on 10 & 11 February 1998. These sessions included an explanation of the Industrial Waste Programme and an introduction of the proposed new fees. Positive feedback was received on the objectives of the Industrial Waste Programme and its implementation in the Region.

### FINANCIAL IMPLICATIONS

The implementation of these Sewer Use By-law amendments will result in a more efficient and cost effective application of the Industrial Waste Programme for the Region and its industrial clients.

*Approved by  
Nancy B. Schepers, P. Eng.*

FJ/jp