

THE CORPORATION OF THE TOWN OF  
NEW TECUMSETH

**BY-LAW**

Number 2002-151

"MUNICIPAL SEWERS DISCHARGE BY-LAW"

A by-law to Control Discharges to Municipal Sewers  
Pursuant to *the Municipal Act*, R.S.O. 1990, C.M.45

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**NOW THEREFORE the Council of The Corporation of the Town of New Tecumseth enacts as follows:**

**SECTION 1**

**DEFINITIONS**

1. In this by-law:
  - 1.1 "acute hazardous waste chemicals" means acute hazardous waste chemicals within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA);
  - 1.2 "authorized representative of the owner or operator" means
    - a) A principal executive officer of at least the level of vice president, if the owner or operator is a corporation; or
    - b) A general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively; or
    - c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the sewage discharge originates;
  - 1.3 "biochemical oxygen demand" means carbonaceous oxygen demand (biochemical) as determined by Method 5210-B in Standard Methods when an inhibiting chemical has been added to prevent ammonia oxidation;
  - 1.4 "blowdown" means the discharge of recirculating noncontact cooling water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentrations in amounts exceeding limits established by best engineering practices;
  - 1.5 "combustible liquids" means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;
  - 1.6 "combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
  - 1.7 "composite sample" means a sample which is composed of a series of grab samples taken at intervals during the sampling period;
  - 1.8 "cyanide (total)" means cyanide as determined by Method 4500-CN- C plus one of Method 4500-CN- D, or E in Standard Methods;
  - 1.9 "de minimis dose" means a dose of radiation to an individual of .05 millisieverts per year;

- 1.10 "de minimis waste" means any waste radioactive material that will not result in a dose of radiation exceeding the de minimis dose regardless of the quantity of the material or how it is used or managed;
- 1.11 "fuels" means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;
- 1.12 "grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
- 1.13 "hauled sewage" means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank;
- 1.14 "hazardous industrial waste" means hazardous industrial waste within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA);
- 1.15 "hazardous waste chemical" means a material which is a hazardous waste chemical within the meaning of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA);
- 1.16 "ignitable waste" means a substance that,
- a) is a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method,
  - b) is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
  - c) is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended, or,
  - d) is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended.
- 1.17 "industrial" shall mean of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- 1.18 "industrial process area" means any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, byproduct, or waste product;
- 1.19 "Kjeldahl Nitrogen" means organic nitrogen as determined by one of Method 4500-N0rg B or C in Standard Methods;
- 1.20 "matter" includes any solid, liquid or gas;
- 1.21 "Municipality" means The Corporation of the Town of New Tecumseth or its designated representative;

- 1.22 "noncontact cooling water" means 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 product other than heat, or finished product;
- 1.23 "once-through cooling water" means noncontact cooling water that has been circulated once through the cooling device;
- 1.24 "owner" or "operator" means the owner or operator of any facility or activity subject to the provisions of this by-law;
- 1.25 "pathological waste" means pathological waste within the meaning of O.Reg. 347. as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E.19 (EPA);
- 1.26 "PCB" means any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;
- 1.27 "person" includes an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or an agent or employee thereof;
- 1.28 "pesticides" means a pesticide regulated under the *Pesticides Act*, R.S.O. 1990, c.P.11 (PA);
- 1.29 "pH" means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- 1.30 "phenolic compounds" means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring as determined by one of Method 5530 C or D in Standard Methods;
- 1.31 "phosphorus - soluble" means dissolved reactive phosphorus or phosphorus as determined by filtration of the sample through 0.45 um membrane filter followed by one of Method 4500-P C, D, E or F in Standard Methods;
- 1.32 "phosphorus - total" means total phosphorus as determined by both Method 4500-P B plus one of Method 4500-P C, D, E or F in Standard Methods;
- 1.33 "reactive waste" means a substance that, is normally unstable and readily undergoes violent changes without detonating;
- a) reacts violently with water;
  - b) forms potentially explosive mixtures with water;
  - c) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
  - d) 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;
  - e) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
  - f) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure;

- g) is an explosive (Class 1) as defined in the regulations under the *Transportation of Dangerous Goods Act, 1992*, S.C. 1992, as amended;
- 1.34 "sanitary sewer" means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof;
- 1.35 "severely toxic waste" means waste containing any contaminant listed in Schedule 3 of O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c.E. 19 (EPA);
- 1.36 "sewage" means any liquid waste containing animal, vegetable or mineral matter in solution or in suspension, except uncontaminated water;
- 1.37 "sewage works" means any works for the collection, transmission, treatment or disposal of sewage, or any part of such works including a sanitary sewer or a combined sewer;
- 1.38 "SIC code" means Standard Industrial Classification Code contained in either the Standard Industrial Classification Manual published by the Minister of Supply and Services Canada, 1980 (Canadian SIC) or the Standard Industrial Classification Manual published by the Executive Office of the President, Office of Management and Budget, 1972 (U.S. SIC);
- 1.39 "solvent extractable matter of animal, vegetable, mineral or synthetic origin" means grease and oil as determined by one of Methods 5520 B, C, D in Standard Methods;
- 1.40 "Standard Methods" means a procedure 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 Water Pollution Control Federation, 20th Edition (1998), current at the date of testing, or a procedure published by the Ontario Ministry of the Environment as a standard method or the equivalent of a standard method;
- 1.41 "storm sewer" means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof;
- 1.42 "stormwater" means water from rainfall or other natural precipitation or from the melting of snow or ice;
- 1.43 "suspended solids" means solid matter in or on a liquid which matter is removable by filtering and dried at 103-105 degrees Celsius as determined by Method 2540 B in Standard Methods;
- 1.44 "uncontaminated water" means water to which no matter has been added as a consequence of its use, or to modify its use, by any person;
- 1.45 "waste disposal site leachate" means leachate from any waste disposal site; and
- 1.46 "waste radioactive prescribed substances" means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board may by regulation designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy.

**SECTION 2****DISCHARGES TO SANITARY SEWERS AND COMBINED SEWERS**

- 2.1 No person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in the Municipality's Sanitary Sewage Works and Systems, including into or in any land drainage works, private branch drains or connections to any sanitary sewer or combined sewer:
- 2.1.1 matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a sewage works employee, or which may be or may become harmful to a sewage works, or which may cause the sewage works effluent to contravene any requirement by or under the *Ontario Water Resources Act* or the *Environmental Protection Act (Ontario)*, or which may cause the sludge from sewage works to fail to meet the criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Sewage Sludge Utilization on Agricultural Lands (as revised January, 1986) unless the person has been advised in writing by the operator of the sewage treatment works that the sludge from the sewage treatment works will never be used on agricultural lands, or which may interfere with the proper operation of a sewage works, or which may impair or interfere with any sewage treatment process, or which is or may result in a hazard to any person, animal, property or vegetation and;
- 2.1.2 Without limiting the generality of the foregoing, any of the following:
- a) Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal guts or tissues, paunch manure, and whole blood.
  - b) Sewage that may cause an offensive odour to emanate from a sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity that may cause an offensive odour.
  - c) Except in the case of discharge into a combined sewer, stormwater, water from drainage of roofs or land, water from a watercourse or uncontaminated water.
  - d) Water other than stormwater that has originated from a source separate from the water distribution system of the municipality.
  - e) Sewage or uncontaminated water at a temperature greater than 65 degrees Celsius.
  - f) Sewage having a pH less than 5.5 or greater than 9.5.
  - g) Sewage containing more than 15 milligrams per litre of solvent extractable matter of mineral and synthetic origin or containing more than 150 milligrams per litre of animal and vegetable origin.
  - h) Sewage in which the composite biochemical oxygen demand concentration exceeds 300 milligrams per litre.

- i) Sewage in which the composite sample contains more than 400 milligrams of suspended solids per litre.
- j) Sewage in which the composite sample contains more than 10 milligrams per litre of phosphorus-soluble.
- k) Sewage in which the composite sample contains more than 40 milligrams per litre of Total Kjeldahl nitrogen.
- l) Sewage containing more than 1 milligram per litre of phenolic compounds.
- m) Sewage which consists of two or more separate liquid layers.
- n) Sewage containing dyes or colouring materials which pass through a sewage works and discolour the sewage works effluent.
- o) Sewage containing any of the following in excess of the indicated concentrations;

2000 milligrams/litre  
Chlorides expressed as Cl

1500 milligrams/litre  
Sulphates expressed as S04

50 milligrams/litre  
Aluminum expressed as Al

10 milligrams/litre  
Fluorides expressed as F

5 milligrams/litre  
Antimony expressed as Sb  
Bismuth expressed as Bi  
Cobalt expressed as Co  
Lead expressed as Pb  
Manganese expressed as Mn  
Molybdenum expressed as Mo  
Selenium expressed as Se  
Silver expressed as Ag  
Tin expressed as Sn  
Titanium expressed as Ti  
Vanadium expressed as V

3 milligrams/litre  
Copper expressed as Cu  
Nickel expressed as Ni  
Zinc expressed as Zn

2 milligrams/litre  
Cyanide (total) expressed as CN  
Total Chromium expressed as Cr

1 milligram/litre  
Arsenic expressed as As  
Cadmium expressed as Cd

0.1 milligrams/litre

Mercury expressed as Hg

Chromium VI expressed as Cr

- p) The following materials or sewage containing any of the following in any amount;

Fuels

PCBs

Pesticides

Severely Toxic Waste

Waste Radioactive Prescribed Substances

- q) The following materials or sewage containing any of the following in any amount;

Hauled Sewage

Waste Disposal Site Leachate

- r) The following hazardous wastes in any amount;

Acute Hazardous Waste Chemicals

Hazardous Industrial Wastes

Hazardous Waste Chemicals

Ignitable Wastes

Pathological Wastes

PCB Wastes

Reactive Wastes

- 2.2 In determining whether the limit with respect to any matter prescribed in subsection 2.1 is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met and of any storm sewer discharges to a combined sewer shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be attained by dilution.
- 2.3 Subclauses 2.1.2(b) and 2.1.2(r) do not apply to prevent the discharge of human waste.
- 2.4 Subclause 2.1.2(d) does not apply to prevent the discharge of:
- 2.4.1 Water taken in an amount greater than 50,000 litres per day from a separate source when the owner or operator of the premises has a Permit To Take Water issued by the Ontario Ministry of the Environment and a copy of such permit has been provided to the municipality, or
- 2.4.2 Water taken in an amount less than 50,000 litres per day from a separate source when the owner or operator of the premises has provided the municipality with the following information:
- a) Address of premises where the water is being used;
- b) Location of the water source; and
- c) Amount of water being taken.
- 2.5 Subclause 2.1.2(q) does not apply to prevent the discharge of waste radioactive materials where they are being discharged in accordance with a licence from the Atomic Energy Control Board and a copy of the licence has been provided to the municipality or to the discharge of de minimis waste.

- 2.6 Subclause 2.1.2(q) does not apply to prevent the discharge of PCBs when,
- a) the owner or operator of the premises has a certificate of approval relating to the premises from the Ontario Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ontario Ministry of Environment which expressly authorizes the discharge from the premises;
  - b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises;
  - c) the discharge contains a concentration of less than 5 micro-grams per litre of PCBs; and
  - d) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.
- 2.7 Subclause 2.1.2(r) does not apply to prevent the discharge of waste disposal site leachate when,
- a) the waste disposal site leachate is being discharged pursuant to a certificate of approval or order relating to the premises under the *Environmental Protection Act (Ontario)* or the *Ontario Water Resources Act* which expressly allows the discharge;
  - b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
  - c) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.
- 2.8 Subclause 2.1.2(r) does not apply to prevent the discharge of hauled sewage when,
- a) the carrier of the hauled sewage is a waste transportation system operating under a licence issued under the *Environmental Protection Act (Ontario)*;
  - b) the carrier has written approval from the municipality which includes a specified time and location for the discharge; and
  - c) the discharge occurs at the approved time and location.
- 2.9 Subclause 2.1.2(r) does not apply to prevent the discharge of pathological waste that has been decontaminated prior to discharge when,
- a) the owner or operator of the premises has a certificate of approval from the Ontario Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment which expressly authorizes the discharge from the premises;
  - b) the owner or operator of the premises has written approval from the municipality which expressly authorizes the discharge from the premises; and
  - c) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the municipality.



**SECTION 3****DISCHARGES TO STORM SEWERS**

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 the Municipality's storm sewer systems or into or in any land drainage works, private branch drains or connections to any storm sewer, or combined 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 Water 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 Cr

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
    - Once-through cooling water
    - Blowdown
  - h) the following materials in any amount:
    - Automotive or Machine Oils and Greases
    - Fuels
    - Paints and Organic Solvents
    - PCBs
    - Pesticides
    - Severely Toxic Materials
    - Waste Disposal Site Leachate
    - Waste Radioactive Materials
  - i) the following hazardous wastes in any amount:
    - Acute Hazardous Waste Chemicals
    - Hazardous Industrial Wastes
    - Hazardous Waste Chemicals
    - Ignitable Wastes
    - Pathological Wastes
    - PCB Wastes
    - Reactive Wastes
- 3.2 Subclause 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 order relating to the premises 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 order referred to in clause (a) has been provided to the municipality.
- 3.3 The provisions of Clause 3.1.2 apply only to (1) the discharge of stormwater runoff from industrial process areas to a storm sewer, and (2) to any stormwater discharge to a storm sewer to which the matter prohibited by subsection 1 has been added for the purpose of disposing of the matter.
- 3.4 The provisions of Subclauses 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 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 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) which has been prepared in accordance with Schedule A, or is ISO14001 certified.

**SECTION 4****REPORTS**

- 4.1 Notwithstanding sections 2 and 3, the owner or operator of any industrial premises or class of industrial premises listed in Schedule B shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer, after the day of passing of this by-law.
- 4.2 Subsection 4.1 does not apply with respect to any industrial premises for which a current Waste Survey Report prepared in accordance with Subsections 4.3 and 4.4 has been filed at the municipality.
- 4.3 The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the owner or operator:
- a) name and address of the premises, and names of its owner and operator;
  - b) description of process operations, including waste discharge rates and contaminant concentrations, hours of operation, and Canadian or U.S. Standard Industrial Classification codes;
  - c) a schematic process diagram indicating waste discharge points and waste descriptions;
  - d) the generator registration number, if any, assigned with respect to the premises made under the *Environmental Protection Act (Ontario)*; and
  - e) the hazardous waste class, hazardous waste number, primary and secondary characteristics and analytical data and the name of the laboratory, if any, furnished to the Ontario Ministry of the Environment under O.Reg. 347, as amended from time to time, made under the *Environmental Protection Act*, R.S.O. 1990 c. E. 19 (EPA); relating to any hazardous material discharged into or in land drainage works, private branch drains or connections to any sanitary, combined or storm sewer.
- 4.4 The Waste Survey report shall be in the form attached as Schedule B.
- 4.5 Where a change occurs in the information required under Clause (3)(a) contained in a Waste Survey Report, the owner or operator of the premises shall submit the new information within 30 days of the change.
- 4.6 Where a change occurs in any information required under Clauses 4.3(b),(c),(d), or (e) described in a Waste Survey Report, the owner or operator of the premises shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer, after 60 days after the change occurs unless a new Waste Survey Report has been submitted setting out the change.

**SECTION 5****AGREEMENTS**

- 5.1 Subject to subsections 5.2, 5.3, and 5.4, the discharge or deposit of sewage that would otherwise be prohibited by this by-law may be permitted into or in any connection to any sanitary sewer or combined sewer to an extent fixed by agreement with the municipality under such conditions with respect to payment of additional sewage service rates or otherwise as may be necessary to compensate for any additional costs of operation, repair, and maintenance of the sewage works.
- 5.2 An agreement can only be made for discharge of the following parameters in sewage: suspended solids, biochemical oxygen demand, phenolic compounds, solvent extractable matter of animal or vegetable origin, Kjeldahl nitrogen, Fluoride and phosphorus.
- 5.3 The agreement shall be in the form attached as Schedule C and, upon recommendation of the Director of Public Works is authorized to execute such agreements under authority of this by-law.
- 5.4 Where the operating authority for the sewage treatment plant which is receiving sewage defined in the agreement is not the municipality, an agreement under this section does not become effective unless the operating authority has reviewed and approved the agreement.
- 5.5 A person who has entered into an agreement with the municipality shall not be prosecuted under Section 2 of this by-law for the discharge or deposit of sewage containing the matters specified in the agreement and in compliance with the agreement during the period within which the agreement is applicable and so long as the agreement is being fully complied with.

**SECTION 6****COMPLIANCE PROGRAM**

- 6.1 A compliance program may be issued as set out in subsections 6.2 to 6.6 and 6.9 for the discharge of a non-complying effluent during the period of planning, design, construction or installation of facilities to eliminate the non-compliance.
- 6.2 The owner or operator of industrial premises may submit to the municipality a program to prevent or to reduce and control the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer from premises.
- 6.3 The owner or operator of industrial premises may submit to the municipality a program to prevent or to reduce and control the discharge or deposit of uncontaminated water or stormwater or eliminate the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any storm sewer from the premises.
- 6.4 The municipality may issue an approval for a compliance program to the person who submitted the program.
- 6.5 Every compliance program shall be for a specified length of time during which the facilities are to be installed and shall be specific as to the remedial actions to be implemented, the dates of commencement and completion, and the materials or other characteristics of the sewage, uncontaminated water or stormwater to which it relates. The final activity completion date shall not be later than the final compliance date in the compliance program.

- 6.6 The compliance program shall be in the form attached as Schedule D and, upon recommendation of the Director of Public Works is authorized to execute such compliance programs under the authority of this by-law.
- 6.7 A person to whom a compliance program has been issued shall submit a compliance program progress report within 14 days after the scheduled completion date for each activity listed in the compliance program.
- 6.8 The compliance program progress report shall be in the form attached as Schedule E.
- 6.9 Where the operating authority for the sewage treatment plant, land drainage works, or storm sewer which is receiving sewage, uncontaminated water or stormwater from the premises identified in the letter of compliance program is not the municipality, the compliance program does not become effective unless the operating authority has reviewed and approved the compliance program.
- 6.10 A person to whom a compliance program has been issued shall not be prosecuted under section 2 or 3 of this by-law for the discharge or deposit of sewage, uncontaminated water or stormwater containing the matters specified in the compliance program and in compliance with the compliance program during the period within which the compliance program is applicable and so long as the compliance program is being fully complied with.

## **SECTION 7**

### **SAMPLING AND ANALYSIS**

- 7.1 Where a sample is required for the purpose of determining the characteristics or contents of the sewage, uncontaminated water or stormwater to which reference is made in this by-law;
- 7.1.1 one sample alone is sufficient and, without limiting the generality of the foregoing the sample may be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
- 7.1.2 except as otherwise specifically provided in this by-law, all tests, measurements, analyses and examinations of sewage, uncontaminated water and stormwater, shall be carried out in accordance with Standard Methods; and
- 7.1.3 for each one of the following metals: aluminum, antimony, arsenic, bismuth, cadmium, chromium, chromium III, chromium VI, cobalt, copper, lead, manganese, mercury, molybdenum, nickel, selenium, silver, tin, titanium, vanadium and zinc whose concentration is limited in Subclauses 2.1 - 2.1.2(o) and 3.1 - 3.1.2(f), the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.
- 7.1.4 The frequency of sampling and analysis for determining compliance with the Sewer Use Bylaw must be at a frequency of at least one sample every 3 months. The day of the week for compliance sampling must be varied, i.e. samples should not always be taken on the same weekday. The sample analytical report must be available for review by the Town of New Tecumseth and the Director of Public Works.

**SECTION 8**  
**SPILLS**

- 8.1 Every person who discharges or deposits or causes or permits the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.
- 8.2 Every person who discharges or deposits or causes or permits the discharge or deposit of uncontaminated water or stormwater into or in land drainage works, private branch drains or connections to any storm sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the municipality or agency responsible for managing the land drainage works or storm sewer.
- 8.3 Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in subclauses 2.1.2.(q) and (s) into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, forthwith notify the municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.
- 8.4 Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in Subclauses 3.1.2(b), (h) and (i) into or in land drainage works, private branch drains or connections to any storm sewer shall forthwith notify the municipality or agency responsible for managing the land drainage works or storm sewer.
- 8.5 For any of the discharges in subsections 8.1, 8.2, 8.3 and 8.4 for which the person is required to forthwith notify the municipality or agency, the notification shall include the following information:
- a) name of the company and the address of location of spill;
  - b) name of person reporting the spill and telephone number where that person can be reached;
  - c) time of the spill;
  - d) type and volume of material discharged and any associated hazards;  
and
  - e) corrective actions being taken to control the spill.
- 8.6 Within five days following a discharge to which subsection (5) applies, the person shall submit to the municipality or agency a detailed written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence.

**SECTION 9****GENERAL CONDITIONS**

- 9.1 The owner or operator of industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the sewage and measurement of the flow of sewage therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Director of Public Works of the Town of New Tecumseth.
- 9.2 The manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Director of Public Works of the municipality has given written approval for a different location.
- 9.3 Every manhole, device or facility installed as required by subsection (2) 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 expense.
- 9.4 The owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by subsection (2) is at all times accessible for purposes of observing and sampling the sewage and measuring the flow of sewage therein.
- 9.5 The municipality may require the owner or operator of industrial premises to install and maintain devices to monitor sewage discharges and to submit regular reports regarding the discharges to the municipality.
- 9.6 For the purpose of the administration of this by-law, a person appointed by council for the purpose may, upon production of his identification, enter any industrial premises, to observe, to measure the flow of sewage to any sewer and to collect any samples required.
- 9.7 No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:
- a) any part of a sewage works; or
  - b) any permanent or temporary device installed in a sewage works for the purpose of measuring, sampling and testing of sewage.
- 9.8 The agreement contemplated by Section 5 and the compliance program contemplated by Section 6 may be terminated by the municipality on 30 days written notice if the discharge of sewage covered by such agreement or compliance program is causing contravention of Clauses 2.1.1 and 3.1.1 of the by-law.
- 9.9 The agreement contemplated by Section 5 and the compliance program contemplated by Section 6 may be terminated by the municipality by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
- 9.10 All information submitted to and collected by the Town 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).

- 9.11 In the event that any person in submitting information to the Town or to the Director of Public Works in any form, as required under this By-law, where such information is confidential or proprietary or otherwise may be exempt from disclosure under MFIPPA, the person submitting the information shall so identify that information upon its submission to the Director of Public Works and shall provide sufficient details as to the reason for its purported exemption from disclosure.

**SECTION 10**

**OFFENCES**

- 10.1 Every person other than a corporation who contravenes any provision of this by-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$10,000 for a first offence and \$25,000 for any subsequent conviction.
- 10.2 Every corporation which contravenes any provision of this by-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$50,000 for a first offence and \$100,000 for any subsequent conviction.
- 10.3 In this by-law, subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this by-law or any predecessor by-law or by-laws.

**SECTION 11**

**ADDITIONAL PROVISIONS**

- 11.1 Notwithstanding the provisions of this by-law, nothing herein is intended to limit or restrict the provisions of the *Building Code Act*, R.S.O. 1990, c.B.13 or the powers of the Chief Building Official pursuant thereto.
- 11.2 In the event that any section, sub-section, clause, paragraph or other provision of this by-law should be declared by a Court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, the same shall not affect the validity of the by-law as a whole.
- 11.3 This by-law shall be called the "Municipal Sewers Discharge By-Law".

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 4TH DAY OF NOVEMBER, 2002.**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



**SCHEDULE A - BEST MANAGEMENT PRACTICES (BMP) PLAN**

A Best Management Practices Plan is a plan agreed to by the municipality with guidance from the Ontario Ministry of the Environment and is developed for activities which are associated with or ancillary to industrial manufacturing or treatment processes. The ancillary sources addressed in BMP plan are material storage areas; loading and unloading areas; plant site runoff; in-plant transfer, process, and material handling areas; and sludge and hazardous waste disposal areas. In general, the BMP Plan will include practices used by industry for pollution control from these sources, safety programs, fire protection, protection against loss of valuable raw materials or products, etc. The following elements must be included in a BMP Plan:

**General**

1. Name and location of facility
2. Statement of BMP policy and objectives
3. Review by plant manager

**Specific**

1. Establishment of BMP Committee
2. Risk Identification and Assessment
3. Reporting of BMP Incidents
4. Materials Compatibility
5. Good Housekeeping
6. Preventive Maintenance
7. Inspection and Records
8. Security
9. Employee Training

**SCHEDULE B - WASTE SURVEY REPORT**

**Town of New Tecumseth  
WASTE SURVEY REPORT**

**SECTION 1 - General Information**

(a) Name of Person Submitting Report: \_\_\_\_\_  
(name)

\_\_\_\_\_  
(company name, corporation, owner) (telephone no.)

\_\_\_\_\_  
(postal address) (postal code)

(b) Company Officer responsible for effluent control:

\_\_\_\_\_  
(name) (telephone no.)

(c) Location of Premises:

\_\_\_\_\_  
(number, street, or road, municipality)

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

\_\_\_\_\_  
(authorized representative)

\_\_\_\_\_  
(title) (date)

**SECTION 2 - Product or Service Information**

(a) NAICS = North American Industrial Classification System

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) Brief description of manufacturing or service activities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Principal products produced or services rendered:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(d) Number of employees:

plant: \_\_\_\_\_ office: \_\_\_\_\_

(e) Number of shifts per day: \_\_\_\_\_ Number of days per week: \_\_\_\_\_

(f) Are major processes:

batch                       continuous                       both

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

(g) Is the production subject to seasonal variation:

yes                       no

If yes, briefly describe seasonal production cycle:

\_\_\_\_\_

\_\_\_\_\_

(h) Is there a special clean-up period:  yes                       no

If yes, briefly describe clean-up period activities:

\_\_\_\_\_

\_\_\_\_\_

**SECTION 3 - Waste Characteristics**

(a) List all sources of water supply: \_\_\_\_\_

\_\_\_\_\_

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

<u>TYPE</u>	<u>AVERAGE FLOW/DAY</u> (m <sup>3</sup> /day)		
<input type="checkbox"/> sanitary	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> noncontact cooling	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> contact cooling	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> process	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> other	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

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

<u>TYPE</u>	<u>AVERAGE FLOW/DAY</u> (m3/day)		
<input type="checkbox"/> sanitary #1	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> sanitary #2	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> storm sewer #1	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> storm sewer #2	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> ground water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> surface water	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured
<input type="checkbox"/> evaporation	_____	<input type="checkbox"/> estimated	<input type="checkbox"/> measured

(attach additional list as necessary)

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

**SECTION 4 - Physical Lay-out**

Layout sketch of property (to scale or approximate) to co-ordinate buildings, pretreatment works, property boundaries, effluent lines, and sanitary and storm sewer connections. (Number sewers so that they can be related to Pollutant Information Sheets (section 8)).

**SECTION 5 - Ontario Regulation 347 Information**

For wastes discharged into or in connections to any sanitary sewer or combined sewer or storm sewer.

(a) Generator registration number: \_\_\_\_\_

**SECTION 6 - Ontario Regulation 347 Information**

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

(a) Description of waste: \_\_\_\_\_

\_\_\_\_\_

(b) Description of generating process: \_\_\_\_\_

\_\_\_\_\_

(c) Primary characteristic: \_\_\_\_\_

Analytical data (if applicable): \_\_\_\_\_

\_\_\_\_\_

Name of Laboratory (if applicable): \_\_\_\_\_

\_\_\_\_\_

Waste Class: \_\_\_\_\_ Hazardous Waste Number: \_\_\_\_\_

(d) Secondary characteristic: \_\_\_\_\_

Analytical data (if applicable): \_\_\_\_\_

**SECTION 7 - Pretreatment**

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

- Air flotation
- Centrifuge
- Chemical precipitation
- Chlorination
- Cyclone
- Filtration
- Flow Equalization
- Grease or oil separation, type \_\_\_\_\_
- Grease trap
- Grit Removal
- Ion Exchange
- Neutralization, pH correction
- Ozonation
- Reverse Osmosis
- Screening
- Sedimentation
- Septic tank
- Solvent separation
- Spill protection
- Sump
- Biological treatment, type \_\_\_\_\_
- Rainwater diversion or storage \_\_\_\_\_
- Other chemical treatment, type \_\_\_\_\_
- Other physical treatment, type \_\_\_\_\_
- Other, type \_\_\_\_\_
- No pretreatment provided

**SECTION 8 - Pollutant Information Sheet (Controlled Matter)**

Information for:  sanitary sewer  storm sewer

Sewer number \_\_\_\_\_

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

<u>Parameter</u>	<u>Known Present</u>	<u>Suspected Present</u>	<u>Known Absent</u>	<u>Suspected Absent</u>	<u>Concentration mg/Litre</u>
1. chlorides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. sulphates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. aluminum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. iron	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. fluoride	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
6. phosphorus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
7. antimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
8. bismuth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
9. chromium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
10. cobalt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
11. lead	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
12. manganese	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
13. molybdenum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
14. selenium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
15. silver	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
16. tin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
17. titanium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
18. vanadium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
19. copper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
20. cyanide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
21. nickel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
22. zinc	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
23. arsenic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
24. cadmium	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
25. phenolic compounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
26. mercury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

**SECTION 8 - Pollutant Information Sheet (Controlled Matter)**

<u>Parameter</u>	<u>Known Present</u>	<u>Suspected Present</u>	<u>Known Absent</u>	<u>Suspected Absent</u>	<u>Concentration mg/Litre</u>
27. BOD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
28. TSS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
29. oil & grease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
30. Kjeldahl nitrogen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
31. Soluble phosphorus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
32. Total phosphorus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

**SECTION 9 - Pollutant Information Sheet (No Discharge)**

Information for:  sanitary sewer number \_\_\_\_\_

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

<u>Parameter</u>	<u>Known Present</u>	<u>Suspected Present</u>	<u>Known Absent</u>	<u>Suspected Absent</u>	<u>Concentration mg/Litre</u>
33. pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
34. acute hazardous waste chemicals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
35. fuels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

36. hazardous industrial wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
37. hazardous waste chemicals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
38. ignitable wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
39. pathological wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
40. PCB wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
41. reactive wastes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
42. severely toxic materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
43. waste radio-active materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

**SECTION 10 - NAICS North American Industrial Classification System**

**Subject Sectors**

- 212299 All Other Metal Ore Mining
- 213114 Support Activities for Metal Mining
- 213115 Support Activities for Nonmetallic Minerals (except Fuels)
- 212399 All Other Nonmetallic Mineral Mining
- 23561 Roofing, Siding, and Sheet Metal Contractors
- 337124 Metal Household Furniture Manufacturing
- 337125 Household Furniture (except Wood and Metal) Manufacturing
- 332999 All Other Miscellaneous Fabricated Metal Product Manufacturing (pt)
- 212399 All Other Nonmetallic Mineral Mining
- 327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing (pt)
- 331112 Electrometallurgical Ferroalloy Product Manufacturing
- 331419 Primary Smelting and Refining of Nonferrous Metal
- 331492 Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum) (pt)
- 331491 Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding (pt)
- 332811 Metal Heat Treating
- 332431 Metal Can Manufacturing
- 332439 Other Metal Container Manufacturing
- 332919 Other Metal Valve and Pipe Fitting Manufacturing
- 332998 Enameled Iron and Metal Sanitary Ware Manufacturing
- 332312 Fabricated Structural Metal Manufacturing
- 332321 Metal Window and Door Manufacturing
- 33242 Metal Tank (Heavy Gauge) Manufacturing
- 332322 Sheet Metal Work Manufacturing
- 332323 Ornamental and Architectural Metal Work Manufacturing
- 332311 Prefabricated Metal Building and Component Manufacturing
- 332312 Fabricated Structural Metal Manufacturing
- 332321 Metal Window and Door Manufacturing
- 33637 Motor Vehicle Metal Stamping
- 332116 Metal Stamping
- 332812 Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers

332117	Powder Metallurgy Part Manufacturing
333512	Machine Tool (Metal Cutting Types) Manufacturing
333513	Machine Tool (Metal Forming Types) Manufacturing
333518	Other Metalworking Machinery Manufacturing
42151	Metals Service Centers and Offices
42194	Jewelry, Watch, Precious Stone, and Precious Metal Wholesalers
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring
334412	Bare Printed Circuit Board Manufacturing
334416	Electronic Coil, Transformer, and Other Inductor Manufacturing
44711	Gasoline Stations with Convenience Store
44719	Other Gasoline Stations
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811112	Automotive Exhaust System Repair
811198	All Other Automotive Repair and Maintenance
811113	Automotive Transmission Repair
811111	General Automotive Repair
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
811191	Automotive Oil Change and Lubrication Shops
812921	Photofinishing Laboratories (except One-Hour)
812922	One-Hour Photofinishing
62121	Offices of Dentists
62211	General Medical and Surgical Hospitals
62221	Psychiatric and Substance Abuse Hospitals
62231	Specialty (except Psychiatric and Substance Abuse) Hospitals
621511	Medical Laboratories
339116	Dental Laboratories
54138	Testing Laboratories
81232	Dry Cleaning and Laundry Services (except Coin-Operated)
48821	Support Activities for Rail Transportation
485999	All Other Transit and Ground Passenger Transportation
48541	School and Employee Bus Transportation
48711	Scenic and Sightseeing Transportation, Land
485991	Special Needs Transportation
485999	All Other Transit and Ground Passenger Transportation
48521	Interurban and Rural Bus Transportation
48541	School and Employee Bus Transportation
48849	Other Support Activities for Road Transportation
481111	Scheduled Passenger Air Transportation
481112	Scheduled Freight Air Transportation
481212	Nonscheduled Chartered Freight Air Transportation
481211	Nonscheduled Chartered Passenger Air Transportation
48799	Scenic and Sightseeing Transportation, Other
323117	Books Printing
323114	Quick Printing
323119	Other Commercial Printing
323110	Commercial Lithographic Printing
323111	Commercial Gravure Printing
323112	Commercial Flexographic Printing
323113	Commercial Screen Printing
323119	Other Commercial Printing
323116	Manifold Business Forms Printing
32591	Printing Ink Manufacturing
325188	All Other Basic Inorganic Chemical Manufacturing
325191	Gum and Wood Chemical Manufacturing
32511	Petrochemical Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
32532	Pesticide and Other Agricultural Chemical Manufacturing
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing
42269	Other Chemical and Allied Products Wholesalers
325211	Plastics Material and Resin Manufacturing



325611	Soap and Other Detergent Manufacturing
325412	Pharmaceutical Preparation Manufacturing
32551	Paint and Coating Manufacturing
32411	Petroleum Refineries
324191	Petroleum Lubricating Oil and Grease Manufacturing
324199	All Other Petroleum and Coal Products Manufacturing
324121	Asphalt Paving Mixture and Block Manufacturing
324122	Asphalt Shingle and Coating Materials Manufacturing
32616	Plastics Bottle Manufacturing
326191	Plastics Plumbing Fixture Manufacturing
326199	All Other Plastics Product Manufacturing
31611	Leather and Hide Tanning and Finishing
316999	All Other Leather Goods Manufacturing
316993	Personal Leather Goods (except Women's Handbag and Purse) Manufacturing



(d) Total Kjeldahl Nitrogen - \_\_\_\_\_ milligrams/litre or the mass discharge day flow times composite concentration on any day may not exceed \_\_\_\_\_ kg/day

- 3.1 **THE DISCHARGE OF SEWAGE BY** the Company from the said premises containing B.O.D., Total Suspended Solids, Fluorides and Total Kjeldahl Nitrogen, **IN EXCESS OF THE ABOVE LIMITS** shall constitute a contravention of this agreement and thus a contravention of the By-law.
- 4.1 In determining the quality of sewage for the purposes of this agreement, the volume of any stormwater or any water which is required to be deducted for the purposes of Section 5.1 of By-law No. 2002-151 shall be deducted and Standard Methods as defined in the by-law shall be used.
- 5.1 **THIS AGREEMENT SHALL REMAIN IN FORCE** from \_\_\_\_\_ until December 31st, 2003, and be automatically renewed on a three year basis, on the same terms, unless a new agreement is reached or this agreement is terminated as hereinafter provided. The first renewal will be on January 1st, 2004.
- 6.1 **THIS AGREEMENT MAY BE TERMINATED BY THE MUNICIPALITY** at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if:
- 6.1.1 The sewage is causing a health or safety hazard to a sewage works employee; or
- 6.1.2 The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
- 6.1.3 The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
- 6.1.4 The sewage is causing the sludge from the sewage works, to fail to meet criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Sewage Sludge Utilization on Agricultural Lands (as revised January, 1986); or
- 6.1.5 The sewage is causing the sewage works effluent to contravene any requirement by or under the *Ontario Water Resources Act* or the *Environmental Protection Act (Ontario)*; or
- 6.1.6 The sewage is causing a hazard to any person, animal, property, or vegetation; or
- 6.1.7 The sewage is contrary to By-law No. 2002-151 in any way other than as provided herein.
- 7.1 **THIS AGREEMENT MAY BE 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.
- 8.1 **THIS AGREEMENT MAY BE TERMINATED BY THE COMPANY** at any time on 30 days written notice sent by registered mail addressed to the Director of Public Works of the Municipality.

- 9.1 **IN THE EVENT OF A RENEWAL, IF THE MUNICIPALITY GIVES WRITTEN NOTICE** sent by registered mail to the Company as aforesaid at any time within 30 days before or after the start of each calendar year, **THAT THE AMOUNT OF THE FEE OR ANY OF THE LIMITS HEREINBEFORE SET OUT ARE TO BE CHANGED** and no new agreement can be reached between the Municipality and the Company, this agreement may be terminated at the option of the Municipality at any time without notice 90 days after the registered notice was sent.
- 10.1 **EXCEPT AS HEREIN OTHERWISE EXPRESSLY PROVIDED THE COMPANY SHALL CONFORM TO THE PROVISIONS OF THE SAID BY-LAW** of the Municipality relating to the discharge of sewage and in the event of termination of this agreement the Company shall conform to the provisions of the said By-law.
- 11.1 **THE COMPANY HEREBY COVENANTS AND AGREES TO PAY TO THE MUNICIPALITY** a fee based on exceeding an average suspended solids loading of \_\_\_\_\_, or an average B.O.D. loading of \_\_\_\_\_, or an average Fluoride loading of \_\_\_\_\_, or an average Kjeldahl nitrogen loading of \_\_\_\_\_, or an average soluble phosphorus concentration of \_\_\_\_\_ based on a 24-hour composite sample. An estimated annual plant discharge of \_\_\_\_\_ cubic meters per day, and at a treatment cost set by the Municipality on a year to year basis.
- The said fee shall become due and be paid quarter yearly on the last days of March, June, September and December in each year of any renewal until terminated as herein provided. The fee payable for each day that any of the above loading limits for B.O.D, suspended solids, Fluoride, Kjeldahl Nitrogen and Soluble Phosphorous concentration are exceeded, will be \_\_\_\_\_ per day, based on a 24-hour composite sample.
- 12.1 **THE COMPANY COVENANTS AND AGREES TO PAY TO THE MUNICIPALITY** on demand interest on overdue amounts at the prime rate existing for the day on which such amount is due and calculated from such date to the date of payment.
- 12.2 In Subsection (1), "Prime rate" means the lowest rate of interest quoted by chartered banks to the most creditworthy borrowers for prime business loans as determined and published by the Bank of Canada in the periodic publication entitled the Bank of Canada Review.
- 13.1 **THE MUNICIPALITY MAY TERMINATE THIS AGREEMENT** at its option without notice if the Company fails for more than two months to pay an overdue amount but such termination shall not relieve the Company from its liability to make such payment.
- 14.1 Where the Company has substantially reduced the quantity of the substances discharged under the terms of this agreement by reason of the installation of pretreatment facilities or a change in its processes or operations, the Company shall be entitled to a reduction in the charge so that the payments shall be based on the reduced quantity discharged.
- 14.2 A reduction under Subsection (1) in the amount of the charge shall not take effect until 30 days from the date that the Company notifies the Municipality in writing of the change and until the Municipality has had such additional time as may be necessary in the circumstances to take samples and re-evaluate the waste being discharged.
- 14.3 Where it is determined that the quantity of the substances discharged under the terms of this agreement has substantially increased, the Municipality shall be entitled to increase the charge so that payments shall be based on the increased quantity discharged.

14.4 An increase under Subsection (3) shall not take effect until the Municipality notifies the Company in writing of the increase in the amount of the charge, and the effective date of the increase.

15. **THIS AGREEMENT** shall enure 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 affixed their Corporate Seals attested to by the hands of their respective proper officers in that behalf duly authorized.

**SIGNED, SEALED AND  
DELIVERED in the presence of:**

) MUNICIPALITY  
)  
)  
)  
) \_\_\_\_\_  
) Municipal Official  
)  
)  
) \_\_\_\_\_  
) Treasurer  
)  
)  
) \_\_\_\_\_  
) Operating Authority of STP )  
)  
)  
) \_\_\_\_\_  
) Company Name  
)  
)  
) \_\_\_\_\_  
) Company Official

**SCHEDULE D - LETTER OF COMPLIANCE PROGRAM**

Address: \_\_\_\_\_ Date: \_\_\_\_\_

Attention of: \_\_\_\_\_

COMPLIANCE PROGRAM NUMBER \_\_\_\_\_

In accordance with the provision of Section \_\_\_\_\_ of Municipal Sewers Discharge By-law 2002-151, you are hereby granted a compliance program for the attached program identified in Appendix I subject to the following conditions:

1. During the period covered by this compliance program only, the quality of the \_\_\_\_\_ (sewage, uncontaminated water, or stormwater) discharged by your Company from the said premises to the \_\_\_\_\_ (sanitary, combined or storm) sewer system or land drainage works may exceed the limits set by By-law 2002-151 with respect to the parameters listed below provided that they shall not exceed the following limits at any time:

<u>parameter</u>	<u>limit (mg/litre)</u>
(a) _____	_____
(b) _____	_____
(c) _____	_____
(d) _____	_____
(e) _____	_____
(f) _____	_____

2. The discharge of \_\_\_\_\_ (sewage, uncontaminated water or stormwater) by your company from the said premises containing the parameters listed in Item 1 in excess of the limits listed in Item 1 shall constitute a contravention of this compliance program and thus a contravention of the said by-law.

3. The compliance program may be terminated at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if
  - (a) The sewage is causing a health or safety hazard to a sewage works employee; or
  - (b) The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
  - (c) The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
  - (d) The sewage is causing the sludge from the sewage works, to fail to meet criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Sewage Sludge Utilization on Agricultural Lands (as revised January, 1986); or
  - (e) The sewage is causing the sewage works effluent to contravene any requirement by or under the *Ontario Water Resources Act* or the *Environmental Protection Act (Ontario)*; or
  - (f) The sewage is causing a hazard to any person, animal, property, or vegetation; or
  - (g) The sewage is contrary to By-law No. 2002-151 in any way other than as provided herein.

(The above clauses should be appropriately changed if the compliance program is being issued for the discharge of stormwater.)

- 4. The compliance program may be terminated at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
- 5. This compliance program shall remain in force until \_\_\_\_\_ provided the following timetable is adhered to:

<u>Compliance Program Activities</u>	<u>Scheduled Commencement Date</u>	<u>Scheduled Completion Date</u>
a. Select Engineer	_____	_____
b. Engineering Investigation of Plant Conditions (Industrial Process Review & Wastewater Characterization)	_____	_____
c. Select Treatment Process & Design Criteria (Treatability Studies)	_____	_____
d. Detailed Design of Treatment System (Plans & Specifications)	_____	_____
e. Preparation of Operations Manual	_____	_____
f. Select Contractor For Installation/Construction	_____	_____
g. Commence Construction		
i. Site Preparation (survey, excavation, etc.)	_____	_____
ii. Foundation Work & Underground Utilities (slabs, sewer, etc.)	_____	_____
iii. Structural Work (bldgs., etc.)	_____	_____
iv. Mechanical Work (control panels, etc.)	_____	_____
v. Electrical Work (control panels, etc.)	_____	_____
vi. Site Finish Work (fences, clean-up, etc.)	_____	_____
h. Pretreatment System Start Up	_____	_____

- 6. You must, however, take all necessary steps to ensure that all other conditions and parameters listed in the By-law are not exceeded, as there are no other exemptions.
- 7. This Compliance Program has been reviewed and is acceptable to the operating authority of the Sewage Treatment Plant. (This section is to be deleted where the municipality is the operating authority).

8. This Compliance Program has been reviewed and is acceptable to the Corporation of The \_\_\_\_\_ of \_\_\_\_\_. (This section is only used where the contaminants dealt with may have an effect on sewers of a second municipality e.g., where the sewage first runs through an area municipality's collector sewers before entering a regional municipality's sewage works).
9. You must acknowledge your acceptance of this compliance program by returning a signed copy of this letter of compliance program within 30 days of your receipt of the letter.

\_\_\_\_\_  
Municipal Officer

\_\_\_\_\_  
Operating Authority of STP

Signed and Accepted by:

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Company Name



**SCHEDULE E - COMPLIANCE PROGRAM PROGRESS REPORT\***

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

ADDRESS: \_\_\_\_\_

DATE SUBMITTED: \_\_\_\_\_

AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

1. COMPLIANCE PROGRAM ACTIVITY DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

2. SCHEDULED COMPLETION DATE FOR ABOVE ACTIVITY: \_\_\_\_\_

3. ACTIVITY COMPLETED ON SCHEDULE? YES  NO

4. IF NOT ON SCHEDULE, INDICATE ANTICIPATED COMPLETION DATE:

\_\_\_\_\_

5. STATE REASON FOR DELAY, IF APPLICABLE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. WHAT ACTION HAS BEEN INITIATED TO RETURN PROJECT TO ORIGINAL SCHEDULE?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Report is to be submitted within 14 days after scheduled completion of each Activity listed in the Compliance Program.