

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW No. 2009-50

Sewer Use By-law

The Corporation of the City of Sault Ste. Marie hereby enacts as follows:

SECTION

1. DEFINITIONS

- .1 “acute hazardous waste chemical” means an acute hazardous waste chemical within the meaning of Ont. Reg. 347, as amended from time to time, as made under the Environmental Protection Act, R.S.O.1990;
- .2 “animate products of biotechnology” means a material that is an acute 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;
- .3 “biochemical oxygen demand (BOD)” means the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material, 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;
- .4 “biosolids” means the organic solid materials recovered from the wastewater treatment process;
- .5 “blowdown water” means recirculating water that is discharged from a cooling or heating 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;
- .6 “carrier” means person who transports liquid material to the sewage works for disposal;
- .7 “chemical oxygen demand (COD)” means the oxygen equivalent of the organic matter of a sample that is susceptible to oxidation by a strong chemical oxidant;
- .8 “City” means the Corporation of the City of Sault Ste. Marie;
- .9 “City Engineer” means the Sault Ste. Marie City Engineer responsible for the Construction and Environmental Engineering Division of the City of Sault Ste. Marie or his/her duly authorized representative;

- .10 “combined sewer” means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- .11 “combustible liquid” means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;
- .12 “Compliance Officer” means a person authorized by the City to carry out observations and inspections and take samples as prescribed by this By-law;
- .13 “composite sample” means a volume of sewage, storm water, uncontaminated water, or effluent made up of two or more grab samples that have been combined automatically or manually and taken at intervals during the sampling period;
- .14 “connection” or “drain” means that part or those parts of any pipe or system of pipes leading directly to a sewage works;
- .15 “cooling water” means water that is used in a process for the purpose of removing heat and that has not come into contact with any raw material, intermediate product, waste product, or finished product, but does not include blowdown water;
- .16 “discharger” means an individual, association, partnership, corporation, municipality, or an agent or employee thereof, in occupation or having the charge, management, or control of a plant, sewage, storm water, uncontaminated water or any combination thereof, to which this by-law applies;
- .17 “fuel” means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;
- .18 “grab sample” means a portion of the discharge from or deposit to the sewage works taken at one particular time and place;
- .19 “groundwater” means water beneath the earth’s surface accumulating as a result of seepage;
- .20 “hailed industrial waste water” means any industrial waste, which is transported to and deposited into any location in the sewage works excluding hauled sewage within the meaning of O.Reg. 347 under the Environmental Protection Act, R.S.O. 1990;
- .21 “hailed sewage” means waste removed from a sewage system including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank but does not include sludge removed from wastewater treatment plants;
- .22 “hailed waste” means any industrial waste, other than hauled sewage, which is transported to and deposited into any location in the sewage works excluding hauled sewage;

- .23 “hazardous industrial waste” means a material that is a hazardous waste within the meaning of O. Reg. 347, as amended from time to time under the Environmental Protection Act, R.S.O. 1990;
- .24 “hazardous waste chemical” means a material that is hazardous waste chemical within the meaning of O. Reg. 347 was amended from time to time under the Environmental Protection Act, R.S.O. 1990;
- .25 “ignitable waste” means a substance that,
- (i) is a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 61 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-79), the Setaflash Closed Cup Tester (ASTM D-3243-77 or ASTM D-3278-78) the Pensky-Martens Closed Cup Tester (ASTM D-9309), or as determined by an equivalent test method,
  - (ii) is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption or moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
  - (iii) 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,
  - (iv) 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;
- .26 “industrial” means of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- .27 “industry” means any owner or operator of industrial or commercial premise from which there is a discharge of any matter directly or indirectly into a City sanitary sewer, combined sewer or storm sewer;
- .28 “liquid material” means sewage that is suitable for treatment in a sewage works and is transported to a sewage works for disposal and includes hauled sewage and municipal sludge;
- .29 “maintenance access hole” means an access point in a private or municipal sewer to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein;
- .30 “matter” includes any solid, liquid or gas;
- .31 “municipal sewer connection” means that part of any drain leading from a 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;
- .32 “municipal sludge” means the semi solid material that is a By-product of municipally owned water and/or wastewater treatment facilities;

- .33 “pathological waste” means pathological waste within the meaning of Ont. Reg. 347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 or any material which may be designated in writing by the Chief Medical Officer of Health;
- .34 “PCB” means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;
- .35 “PCB waste” means a PCB waste within the meaning of Ont. Reg. 352, as amended, made under the Environmental Protection Act, R.S.O. 1990;
- .36 “person” means an individual, association, partnership, corporation, municipality or an agent or employee of such a person;
- .37 “pesticides” means a pesticide regulated under the Pesticide Act, R.S.O. 1990;
- .38 “plant” means any site capable of discharging to a sewage works covered by this by-law;
- .39 “pH” means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in moles per litre of solution;
- .40 “premise” means any land or building or both or any part thereof;
- .41 “private sewer connection” means 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;
- .42 “reactive waste” means a substance that,
- (i) is normally unstable and readily undergoes violent changes without detonating,
  - (ii) reacts violently with water,
  - (iii) forms potentially explosive mixtures with water;
  - (iv) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
  - (v) 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;
  - (vi) is capable of detonation or explosive reaction if it is subject to a strong initiating source or if heated under confinement;
  - (vii) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or

- (viii) is an explosive (Class 1) as defined in the regulations under the Transportation of Dangerous Goods Act, R.S.O. 1992, as amended;
- .43 “sanitary sewer” means a sewer for the collection and transmission of domestic, residential, commercial, institutional and industrial sewage or any combination thereof;
- .44 “severely toxic waste” means waste containing any contaminant listed in Section 3 of Ont. Reg. 347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990;
- .45 “sewage” means any liquid, solid or gas containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension but does not include storm water or uncontaminated water;
- .46 “sewage works” means any works for the collection, transmission, treatment or disposal of sewage and contaminated 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 regulations made under clause 75(3)(a) of the Ontario Water Resources Act, R.S.O. 1990.c.O.40. (OWRA) applies;
- .47 “sewer” means a pipe, conduit, drain, open channel, ditch or watercourse for the collection and transmission of sewage, stormwater, and/or uncontaminated water, or any combination thereof;
- .48 “spill” means a direct or indirect discharge or deposit to the sewage works or the natural environment that is abnormal in quantity or quality in light of all the circumstances of the discharge;
- .49 “Standard Methods” means 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 Water Environment Federation, latest edition;
- .50 “storm sewer” means a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land and from a watercourse or any combination thereof;
- .51 “storm water” means water from rainfall, other natural precipitation, drainage or from the melting of snow or ice;
- .52 “subsurface drainage pipe” means a pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes;
- .53 “total Kjeldahl nitrogen (TKN)” means the measure of both ammonia and organic forms of nitrogen. Both of these forms of nitrogen are present in nitrogenous organic detritus from natural biological activities. Organic nitrogen is present in proteins, amines, urea, etc. TKN is used as an indicator of sanitary water quality. Ammonia and organic nitrogen are important for assessing available nitrogen for biological activities.

- .54 “total PAH’s” means the total of all polycyclic aromatic hydrocarbons: anthracene, Benzo(a)pyrene, Benzo(a)anthracene, Benzo(e)pyrene, Benzo(b)fluoranthene, Benzo(j)fluoranthene, Benzo(k)fluoranthene, Benzo(g, h, l)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,l)pyrene, dibenzo(a,j)acridine, 7H-dibenzo(c,g)carbazole, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene;
- .55 “uncontaminated water” means water reaching a level of quality which is typical of potable water as supplied by the City or whose quality meets or exceeds the values in Table 2 of this document.
- .56 “waste disposal site leachate” means the liquid containing dissolved or suspended contaminants that emanates from waste and is produced by water percolating through the waste or by liquid in the waste;
- .57 “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 designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy;
- .58 “watercourse” means an open channel, ditch or depression either natural or artificial, in which water flows either continuously or intermittently; and
- .59 “waters” means a well, lake, river, pond, spring, stream, reservoir, artificial watercourse, intermittent watercourse, or other water or watercourse.

## SECTION

### 2. SANITARY SEWERS

- .1 No person shall discharge directly or indirectly, discharge or deposit or cause or permit the discharge of sewage into a sanitary sewer, combined sewer, municipal or private sewer connection to any sanitary sewer or combined sewer in circumstances where:
- (i) To do so may cause or result in,
    - (a) a health or safety hazard to a person authorized by the City or City Engineer to inspect, operate, maintain, repair, or otherwise work on a sewage works;
    - (b) an offence under the Ontario Water Resources Act or the Environmental Protection Act, as amended from time to time, or any regulation made thereunder from time to time;
    - (c) biosolids from a sewage works to which either sewage discharge, directly or indirectly, to fail to meet the objectives and criteria as set out in the Ministry of the Environment publication entitled “Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land” dated March 1996, as amended from time to time;

- (d) interference with the operation or maintenance of a sewage works, or the impairment or interference with any sewage treatment process;
  - (e) a hazard to any person, animal, property or vegetation;
  - (f) an offensive odour to emanate from sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, or other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
  - (g) damage to a sewage works; or
  - (h) an obstruction or restriction to the flow in the sewage works.
- (ii) The sewage has one or more of the following characteristics:
- (a) a pH of less than 6.0 or greater than 10.5; or
  - (b) two or more separate liquid layers; or
  - (c) a temperature greater than sixty (60) degrees Celsius.
- (iii) The sewage contains:
- (a) acute hazardous waste chemicals;
  - (b) biomedical waste, except where the sewage meets the Conditions for discharge as listed in the Ontario Ministry of Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated December 2001, as amended from time to time;
  - (c) combustible liquid;
  - (d) dyes or colouring materials which when passed through a sewage works discolour the sewage works effluent;
  - (e) fuel;
  - (f) hauled sewage, except where:
    - i. the hauled sewage is being discharged from a recreational vehicle;
    - ii. the carrier of the hauled sewage is a waste management system operating under a Certificate of Approval or Provisional Certificate of Approval issued under the EPA or is exempt from the requirement to have a certificate or Provisional Certificate of Approval;
    - iii. a copy of the most recent Certificate or Provisional Certificate and any amendment is provided to the City; and
    - iv. the carrier meets all conditions for discharge that are or may be required from time to time by the City.

- (g) hauled industrial wastewater, except where;
  - i. the carrier of the hauled sewage is a waste management system operating under a Certificate of Approval or Provisional Certificate of Approval issued under the EPA or is exempt from the requirement to have a Certificate or Provisional Certificate of Approval;
  - ii. a copy of the most recent Certificate or Provisional Certificate and any amendment is provided to the City; and
  - iii. hauled waste meets the conditions set out in clauses 23(3)(c) and 25(5)(b) of O.Reg. 347, R.R.O. 1990, as amended from time to time; and
  - iv. carrier meets all conditions for discharge that are or may be required from time to time by the City.
  
- (h) ignitable waste;
- (i) hazardous industrial waste;
- (j) hazardous waste chemicals;
- (k) municipal sludge, except where;
  - i.) the discharge is expressly authorized in writing by the City Engineer, in accordance with guidelines adopted by the City from time to time, prior to the discharge; and/or
  - ii.) the person has entered into an agreement with the City which expressly authorizes the discharge and includes such other conditions, including compensation and monitoring requirements; and
  - iii.) any fees required to be paid to the City pursuant to an agreement are paid within 30 days of the date of the invoice from the City.
  
- (l) pathological waste, except where the waste has been decontaminated prior to discharge and;
  - i.) the industry has a Certificate of Approval from the Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ministry of the Environment which expressly authorizes the discharge from the premise;
  - ii.) the industry has written approval from the City Engineer which expressly authorizes the discharge from the premise; and
  - iii.) a copy of the Certificate of Approval or written authorization referred to in clause (a) has been provided to the City.
  
- (m) PCBs, except where:
  - i.) the person has a Certificate of Approval for a mobile site or PCB mobile waste disposal system issued under the Environmental Protection Act ("EPA") or where the person is claiming exemption under a regulation, the person has demonstrated to the City Engineer that the conditions of the exemption are met;

- ii.) a copy of the most recent Certificate of Approval or Provisional Certificate of Approval and any amendment is provided to the City Engineer;
- iii.) the person has written approval from the City Engineer that the person has met a condition for an exemption under the regulations in relation to their discharge of PCBs to the sewage works; and
- iv.) the discharge contains a concentration of less than 1 microgram per litre of PCBs.

- (n) pesticides;
- (o) reactive waste;
- (p) severely toxic waste;
- (q) waste radioactive prescribed substances, except where:

- i.) the waste radioactive prescribed substances are being discharged under a valid and current license issued by the Atomic Energy Control Board or its successor; and
- ii.) a copy of the license and Certificate of Approval have been provided to the City Engineer.

- (r) waste disposal site leachate, except where:

- i.) the waste disposal site leachate is discharged pursuant to a Certificate of Approval or Order relating to the premise under the EPA or the *Ontario Water Resources Act* ("OWRA") which expressly allows the discharge;
- ii.) it has been deemed that the leachate is treatable by the City's operator and the operator is willing to accept the wastewater for treatment; and
- iii.) the person has written approval from the City Engineer to discharge the leachate into the City's sanitary sewer system prior to any discharge, subject to any limitation that may be imposed in granting such approval.
- iv.) the Certificate of Approval referred to in clause (a) has been provided to the City Engineer.

- (iv) The sewage contains a concentration, expressed in milligrams per litre, in excess of any one or more of the parameter limits set in Table 1.

.2 The discharge of storm water, surface water, ground water, non-contact cooling water or uncontaminated water to a sanitary or combined sewer is prohibited unless authorized in writing by the City Engineer in accordance with guidelines adopted by the City from time to time except where:

- (i) the owner or operator of the premise has entered into, or has expressed in writing the intent of the agreement or compliance program with the City; and
- (ii) any fee set by the City has been paid within 30 days of invoicing.

.3

- (i) No person shall discharge water originating from a source other than

the City water supply directly or indirectly to a sanitary sewer or combined sewer, unless:

- (a) the discharge is expressly authorized in writing by the City Engineer in accordance with any guidelines adopted by the City from time to time, prior to the discharge, and/or
- (b) the discharge is in accordance with any discharge agreement that has been entered into with the City; and
- (c) any fees required to be paid to the City pursuant to any discharge agreement or extra strength surcharge agreement has been paid within 30 days of the date of the invoice from the City.

(ii) The provisions of Section 2.3 do not apply where:

- (a) the discharge is in accordance with an extra strength surcharge agreement or expressly authorized in writing by the City Engineer in accordance with this by-law prior to the discharge; and
- (b) any fee set by the City has been paid within 30 days of the date of the invoice from the City.

.4 No person shall add water or any other material from any source of sewage for the purpose of dilution to achieve compliance with this By-law and any such added water or material shall be disregarded for the purpose of calculating whether a limit has been complied with.

**Table 1: Limits for Sanitary Sewer Discharges**

<b>Parameter</b>	<b>Limit (mg/L)</b>	<b>Parameter</b>	<b>Limit (mg/L)</b>
Biochemical Oxygen demand	300	Benzene	0.01
Cyanide (Total)	2.0	Chloroform	0.04
Fluoride	10.0	1, 2-Dichlorobenzene	0.05
Nitrogen (Total Kjeldahl)	100	1, 4-Dichlorobenzene	0.08
Oil & Grease – Animal and Vegetable	100	Cis-1, 2-Dichlorobenzene	4.0
Oil & Grease – Mineral & Synthetic	15	Trans-1, 3-Dichloropropylene	0.14
Phenolics (4AAP)	1.0	Ethyl benzene	0.16
Phosphorous (Total)	10	Methylene chloride	2.0
Suspended Solids (Total)	350	1, 1, 2, 2 - Tetrachloroethane	1.4
Aluminum (Total)	50	Tetrachloroethane	1.0
Antimony (Total)	5.0	Toluene	0.016
Arsenic (Total)	1.0	Trichloethylene	0.4
Cadmium (Total)	0.7	Xylenes (Total)	0.2 <sup>t</sup>
Chromium (Hexavalent)	2.0	Di-n-butyl phthalate	0.08
Chromium (Total)	2.0	Bis (2-ethylhexyl) phthalate	0.012
Cobalt (Total)	5.0	Nonylphenol	0.001
Copper (Total)	2.0	Nonylphenoethoxylates	0.01
Lead (Total)	1.0	Aldrin/dieldrin	0.0002
Manganese (Total)	5.0	Chlordane	0.1
Mercury (Total)	0.01	DDT	0.0001
Molybdenum (Total)	5.0	Hexachlorobenzene	0.0001
Nickel (Total)	2.0	Mirex	0.1
Selenium (Total)	1.0	PCBs	0.001
Silver (Total)	5.0	3, 3' – bichlorodenzidine	0.002
Tin (Total)	5.0	Hexachlorocyclohexane	0.1
Titanium (Total)	5.0	Pentachlorophenol	0.005
Vinyl Chloride	0.04	Total PAHs	0.005
Zinc (Total)	2.0		

## SECTION

### 3. STORM SEWERS

- .1 No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, drainage works, watercourse, pond, or municipal or private sewer connection to any storm sewer, which may or could:
- (i) interfere with the proper operation of a storm sewer or a storm water treatment facility;
  - (ii) obstruct or restrict a storm sewer or the flow therein;
  - (iii) damage a storm sewer or storm water treatment facility;
  - (iv) result in any hazard or other adverse impact to any person, animal, property or vegetation;
  - (v) contravene or result in the contravention of a Certificate of Approval or Provisional Certificate of Approval issued under the Ontario Water Resources Act or the Environmental Protection Act (Ontario) with respect to storm sewers and/or its discharge; and
  - (vi) have any one or more of the following characteristics:
    - (a) visible film, sheen or discolouration;
    - (b) two or more separate layers;
    - (c) a pH less than 5.5 or greater than 9.5;
    - (d) a temperature greater than 40 °C (degrees Celsius)
  - (vii) contain one or more of the following waste/product types:
    - (a) biomedical waste as defined by the Ontario Ministry of the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" Dated April, 1994 as amended from time to time;
    - (b) acute hazardous waste chemicals;
    - (c) blowdown water;
    - (d) combustible liquid;
    - (e) floating debris;
    - (f) fuel;
    - (g) hauled sewage;
    - (h) hauled industrial wastewater;
    - (i) hazardous industrial waste;
    - (j) hazardous waste chemicals;
    - (k) ignitable waste;
    - (l) pathological waste;
    - (m) PCBs
    - (n) pesticides
    - (o) reactive waste;
    - (p) severely toxic waste;
    - (q) sewage;
    - (r) waste radioactive prescribed substances;

- (s) waste disposal site leachate;
  - (t) a substance from raw materials, intermediate or final product, used or produced in, through or from an industrial process; or
  - (u) a substance used in the operation or maintenance of an industrial site.
- (viii) contain E.coli colonies in excess of 200 per 100 mL;
- (ix) contains a concentration expressed in milligrams per litre, in excess of any one or more of the limits established in Table 2.
- .2 No person shall add water or any other material from any source to storm water for the purpose of dilution to achieve compliance with this By-law.
- .3 Any such added water or material shall be disregarded for the purpose of calculating whether a limit has been complied with.
- .4 A discharger shall be required, upon receipt of a Notice from the City Engineer, to comply with one or more of the following initiatives addressing storm water discharged from a property which contains a concentration, expressed in milligrams per litre, in excess of any one or more of the criteria set out in Section 3.1 above:
- (i) a study of storm water quality and/or quantity;
  - (ii) maintenance, modification and/or construction of a stormwater management facility; or
  - (iii) development and implementation of a stormwater best management strategy.

**Table 2: Limits for Storm Sewer Discharges**

<b>Parameter</b>	<b>Limit (mg/L)</b>	<b>Parameter</b>	<b>Limit (mg/L)</b>
Biochemical Oxygen demand	15	1, 2-Dichlorobenzene	0.0056
Cyanide (Total)	0.02	1, 4-Dichlorobenzene	0.0068
Phenolics (4AAP)	0.008	Cis-1, 2-Dichlorobenzene	0.0056
Phosphorous (Total)	0.4	Trans-1, 3-Dichloropropylene	0.0056
Suspended Solids (Total)	15.0	Ethyl benzene	0.002
Oil & Grease – Mineral & Synthetic	15.0	Methylene chloride	0.0052
Aluminum (Total)	1.0	1, 1, 2, 2 - Tetrachloroethane	0.017
Ammonia	10.0	Tetrachloroethane	0.0044
Arsenic (Total)	0.02	Toluene	0.002
Barium (Total)	1.0	Trichlolethylene	0.0076
Cadmium (Total)	0.008	Xylenes (Total)	0.0044
Chlorine (Free)	0.1	Di-n-butyl phthalate	0.015
Chromium (Total)	0.08	Bis (2-ethylhexyl) phthalate	0.0088
Chromium (Hexavalent)	0.04	Nonylphenol	0.001
Copper (Total)	0.04	Nonylphenol ethoxylates	0.01
Lead (Total)	0.12	Aldrin/dieldrin	0.00008
Manganese (Total)	0.05	Chlordane	0.04
Mercury (Total)	0.0004	DDT	0.00004
Nickel (Total)	0.08	Hexachlorobenzene	0.00004
Selenium (Total)	0.02	Mirex	0.04
Silver (Total)	0.12	PCBs	0.004
Tin (Total)	1.0	3, 3' – bichlorodenzidine	0.008
Zinc (Total)	0.04	Hexachlorocyclohexane	0.04
Benzene	0.002	Pentachlorophenol	0.002
Chloroform	0.002	Total PAHs	0.002

## SECTION

### 4. LIQUID MATERIALS TRANSPORTED TO SEWAGE WORKS

- .1 Except as permitted by this Section, the disposal of liquid material to the sewage works is prohibited.
- .2 No person shall dispose of liquid material to the sewage works without having first procured an annual permit.
- .3 A carrier must submit to the City Engineer an application for an annual permit on the form provided by the City Engineering Department.
- .4 Upon the application for an annual permit by the carrier and the payment by the carrier of the annual permit fee, the City Engineer may issue an annual permit.
- .5 The City Engineer shall establish by annual permit the conditions for discharge and disposal of liquid material at the sewage works and the expiry of the annual permit.
- .6 A carrier with a valid permit shall:
  - (i) deliver and dispose of liquid material in accordance with the procedures for discharge that are or may be set from time to time by the City;
  - (ii) comply with all conditions of the annual permit;
  - (iii) pay fees for the disposal of liquid material that are or may be set from time to time by the City;
  - (iv) provide on request of the City Engineer, samples of the liquid material or analysis of such samples or both, prior to the discharge of liquid material at his or her cost; and
  - (v) submit prior to disposal of liquid material, manifests on the form issued by the City Engineer, each part of which has been accurately completed from that load of liquid material, unless otherwise directed by the City Engineer.
- .7 The City Engineer may:
  - (i) revise a valid annual permit issued to a carrier upon submission of an application and payment of any associated fees;
  - (ii) at any time collect samples of the liquid materials for analysis;
  - (iii) refuse to issue an annual permit or revise an annual permit if, among other things, the information provided on the application form is deficient or incorrect, the liquid materials to be transported to the sewage works is prohibited, the annual permit fee has not been paid for or the carrier has failed to comply with the conditions of the annual permit;

- (iv) establish, from time to time, application forms for annual permits, manifest forms for disposal of liquid material, and procedures relating the discharge and disposal of liquid material;
  - (v) cancel an annual permit if the carrier fails to comply with the conditions of the annual permit or fails to comply with the provisions of this Section;
  - (vi) exempt a carrier from the requirement to equip vehicles with automatic card swipe upon receipt of a written request from the carrier;
  - (vii) require the liquid material from an industrial premise be pretreated so that it is in compliance with all the discharge limits outlined in Table 1, prior to being discharged to the sewage works; and
  - (viii) require the carrier and/or generator of the liquid material to enter into an agreement pursuant to Section 7 of this By-law for the disposal of certain types of liquid material.
  - (ix) request the operator of the sewage works administer the permitting process.
  - (x) request the operator of the sewage works refuse liquid waste transported to the sewage works, if in their professional opinion there is reason to do so (ie: works are in by-pass conditions).
- .8 Liquid material generated outside the City that is subsequently transported to the sewage works for disposal shall be deemed to be sewage generated outside of the City for the purpose of paying fees, and shall be manifested as such. Permission/approval from the City Engineer shall be required prior to acceptance of any liquid material that has been generated outside the City limits.

## **SECTION**

### **5. DISCHARGER SELF-MONITORING**

- .1 A discharger shall complete any monitoring or sampling of any discharge to a sewage works, as required under any surcharge agreement or any discharge agreement and provide the results to the municipality in accordance with written notification of the City Engineer.
- .2 The obligation set out in or arising out of Section 5.1 shall be completed at the expense of the discharger unless the municipality has agreed in writing to share the expense with the discharger.

## **SECTION**

### **6. PLANNING AND REPORTING REQUIREMENTS**

- .1 The City Engineer may order a Subject Sector discharger which falls within one of the defined Subject Sector categories in Appendix 1, which discharges any amount of waste water which contains a subject pollutant, as listed in Appendix 2, to prepare and submit, within 90 days of the order, a Pollution Prevention Plan, in accordance with the Ontario Ministry of the Environment, to the City Engineer with respect to the premise from which the discharge occurs.
- .2 The pollution prevention plan shall compare waste water effluent characteristics from the ordered discharger's premise to applicable limits contained in this By-law for subject pollutants and shall identify a strategy for pollution prevention complete with implementation considerations for any discharge which exceeds the By-law limits.
- .3 The City Engineer shall review and approve the pollution prevention plan unless the City Engineer determines that the plan does not comply with the requirements of this By-law.
- .4 Summary Pollution Prevention Reports shall be prepared and submitted to the City Engineer annually, or by the 1<sup>st</sup> day of March each year, detailing effluent characteristics from the ordered discharger's premise for the subject pollutants and the progress that has been made to implement the pollution that prevention plan until the pollution prevention plan has been fully implemented or the City Engineer, by way of written notice to the ordered discharger, gives notice that the City is satisfied that all the waste water discharges are in compliance with this By-law.

## **SECTION**

### **7. SURCHARGE AGREEMENTS**

- .1 The municipality may authorize an extra strength surcharge agreement with a discharger to permit Table 1 exceedances, as set out in Section 2.1, for any one or more of the following parameters where sewage is discharged to a sanitary sewer or a combined sewer:
  - (i) biochemical oxygen demand (BOD<sub>5</sub>);
  - (ii) phenolics (4AAP);
  - (iii) oil and grease – animal and vegetables;
  - (iv) nitrogen (total kjeldahl);
  - (v) phosphorous (total);
  - (vi) suspended solids (total);
  - (vii) any one of benzene, toluene, ethylbenzene, or xylene provided that all of the other three BTEX parameters are in compliance with Table 1 and the wastewater is derived from a site cleanup project and has been treated prior to discharge.

- .2 The City Engineer may authorize temporary extra strength surcharge agreements for parameters as outlined in Section 6.1 where the discharge is a temporary use or an out of town source and the discharge period shall be less than 6 months in duration.
- .3 The surcharge agreement shall contain terms and/or conditions including terms and conditions related to payment of surcharge treatment fees as set out in Appendix 3, as amended from time to time and within the Sault Ste. Marie User Fee By-law.
- .4 During the term of the extra strength surcharge agreement, the discharger is exempted from meeting the limits as set out in Table 1, subsection 2.1, for such parameters, which have been agreed to be exceeded.
- .5 The surcharge agreement must specify an acceptable upper limit for the exempted parameter and must set out a specified period of time for an agreement to be reviewed or renewed. Exceeding a limit established in a surcharge agreement will not be grounds for a prosecution under the By-law but may be grounds for termination or review of the surcharge agreement as determined by the City Engineer.
- .6 The City Engineer may terminate an extra strength surcharge agreement, upon 30 days notice:
  - (i) if the term of the surcharge agreement is not upheld;
  - (ii) if the effluent to which the surcharge agreement applies causes the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act or the Environmental Protection Act, as amended from time to time, or any regulation made thereunder from time to time; or
  - (iii) if the effluent to which the surcharge agreement applies causes a hazard to a person, animal, property or vegetation.

## **SECTION**

### **8. DISCHARGE AGREEMENTS**

- .1 No person shall discharge hauled sewage or hauled industrial wastewater or sewage or any substance from lands which are not directly connected to a sewer, into a storm sewer, sanitary sewer, or a combined sewer, or a public or private connection leading to a storm sewer, sanitary sewer or combined sewer, without a discharge agreement approved by the City Engineer.
- .2 An application for a Discharge Agreement shall be submitted to the City Engineer on the form attached in Appendix 3, as amended from time to time.
- .3 The City shall designate approved locations for all hauled sewage or hauled industrial wastewater discharges or for any other substance discharged into the City's sewer system under a discharge agreement.

- .4 The City may, at its discretion, change the location of the designated discharge site at any time. All holders of a discharge agreement and those authorized to use a discharge site shall be given 30 days notice of the change and the agreement conditions shall automatically change accordingly, and the City shall not be liable for any costs that may accrue to the holder of the discharge agreement for a change in discharge location.
- .5 At any time the City may establish access security controls for any sewer access point and may require discharge agreement holders to use a security pass to obtain access to a designate discharge site.
- .6 The fees set out shall be paid to the City by the person holding the discharge agreement to use a security pass to obtain access to designated discharge site.
- .7 Any party to a discharge agreement who is in contravention to subsections 8.5 or 8.6 may be prohibited from use of the City's sanitary sewer system for the purpose of making discharges of hauled sewage or hauled industrial waste water by the order of the City Engineer.
- .8 No person shall discharge to a sewer of the City in contravention of an order by the City Engineer under Subsection 8.7.
- .9 Any party to a discharge agreement shall enable the City Engineer to carry out such audits or to undertake such sampling as may be required for the purposes of determining compliance with this By-law.
- .10 Any wastewater discharged to a municipal sewer under a discharge agreement exceeding the limits of this by-law shall require a separate extra strength surcharge agreement.
- .11 A sanitary sewer agreement may be entered into for the discharge of sewage containing water that has originated from a source other than the City's water distribution system.

## **SECTION**

### **9. COMPLIANCE PROGRAM**

- .1 An industry may submit to the City Engineer a proposed compliance program setting out activities to be undertaken by the industry that would result in prevention or reduction and control of the discharge or deposit of matter from the industries premise into municipal or private sewer connections to any sewer or combined sewer.
- .2 An industry may submit to the City Engineer a proposed compliance program setting out activities to be undertaken by the industry that would result in the prevention or the reduction and control of the discharge or deposit of uncontaminated water, or storm water from the industry's premise to eliminate the discharge of matter into municipal or private sewer connections to any storm sewer. [AMENDED BY BY-LAW 2009-185]

- .3 Upon receipt of an application pursuant to Subsection .1 and .2 above, the City Engineer may issue an approval for a compliance program for an industry to discharge an effluent that does not comply with Table 1 or Table 2 of this By-law. The industry shall be entitled to make non-complying discharges in the amount and only to the extent set out in the City Engineer's approval prior to the planning, design and construction or installation of facilities or works needed to implement the approved compliance program. [AMENDED BY BY-LAW 2009-185]
- .4 Every proposed compliance program shall be for the specified length of time during which treatment facilities are to be installed, and shall be specific as to the remedial actions to be carried out 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 and may provide for the payment of fees. The final activity completion dates shall not be later than the final compliance completion dates for the program.
- .5 The industry to which the compliance program has been issued shall submit a compliance program progress report to the City Engineer within 14 days of the completion date of each activity listed in the compliance program.
- .6 The City Engineer is authorized to execute agreements with respect to the approved compliance programs which agreements may in accordance with guidelines adopted by the City from time to time, including a provision for a reduction in the payment otherwise required from the industry to the City pursuant to a Special Discharge Agreement. The reduction in payment to the City may be in such an amount and for such duration as the agreement may specify.
- .7 The City Engineer may terminate any approved compliance program agreement entered into pursuant to this Section at any time on 30 days written notice 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 such termination, the industry shall pay to the City the full difference in amount between what was required to pay to the City pursuant to the discharge agreement, and the amount actually paid to the City as a result of having entered into an agreement with respect to the approved compliance program.
- .8 A compliance program contemplated by this Section may be terminated by the City by written notice at any time where there is an emergency situation or immediate threat or danger to any person, property, plant or animal life, or waters.
- .9 Any fees required to be paid to the City pursuant to an agreement are paid within 30 days of the date of the invoice from the City.
- .10 A permit may be issued by the City Engineer to other City's departments, commissioners or local boards where the provisions of this Part provide that the City Engineer may enter into a compliance program and such a permit shall set out the conditions for any discharge or deposits as would otherwise be set out by compliance programs.

## **SECTION**

### **10. SAMPLING AND ANALYTICAL REQUIREMENTS**

- .1 The sampling and analysis required by this By-law shall be carried out in accordance with the procedures, modified or unmodified, as described in Standard Methods of the "Guidance Document for Sampling and Analysis of Wastewater for the 1999 Model Sewer Use By-law", the United States Environmental Protection Agency methods adopted by the City.
- .2 Compliance or non-compliance with this By-law may be determined by the analysis of a grab sample or a composite sample done in accordance with subsection 10.1, may contain additives for its preservation and may be collected manually or may be done so using automated sampling devices.
- .3 Where there is no maintenance access hole meeting the requirements of Section 10 of the By-law, the City Engineer may, by written notice to an industry, make use of an alternative device or facility for the purpose of sampling a discharge to the sewage works.

## **SECTION**

### **11. SPILLS**

- .1 In the event of a spill to a sewage works; in addition to reporting responsibilities to the Ontario Spills Action Centre; the person responsible and/or the person having the charge, management and control of the spill shall immediately notify the City Engineer by reporting to the Public Works and Transportation Department (705-759-5201) and in the case of a spill into a sanitary sewer, the City's operating authority, and provide all pertinent information with regard to the spill that is being reported, including:
  - a) Company name and address and location of the spill;
  - b) Date, time and duration of the spill event;
  - c) Complete description of the spill, including type and volume of material discharged and any associated hazards as would be outlined on a material safety data sheet (MSDS);
  - d) A copy of the MSDS for the spilled material if available;
  - e) Details of clean up actions that have been initiated including actions taken to prevent the material from leaving the property, and the name(s) of any contractors that may be on site assisting with clean up;
  - f) If spilled material is being vacuumed or captured by another method, the destination of the captured material;
  - g) Agencies notified of the spill and corresponding notification times;
  - h) Name and phone number of the person reporting the spill and location where that person can be reached;
  - i) Name and phone number of the person in charge of cleaning up the spill and location where that person can be reached.

- (ii) The person reporting the spill shall provide a written report containing the above information with respect to the spill to be received by the City Engineer within 5 days after the spill. The written report shall also include the following:
  - (a) Detailed description of clean-up procedures on or off the property including dates, times and a list of the names of any contracted assistance utilized during the clean-up;
  - (b) Weather conditions at the time of the spill and clean-up;
  - (c) Corrective actions to prevent a similar occurrence in the future.
- .2 The person responsible for the spill or the person having the charge, management and control of the spill do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize property damage, protect the environment, clean up the spill and contain residue and restore the affected area to its condition prior to the spill.
- .3 All costs incurred by the City as a result of such discharge shall be borne by the person responsible for the spill.

## **SECTION**

### **12. GENERAL**

- .1 Maintenance hole access
  - (i) The owner or operator of commercial, institutional or industrial premise, or multi residential buildings, with more than 9 units, which is connected to a sewage works shall install and maintain in good repair in each connection to a sewage works, a suitable maintenance hole to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein, or provide, where the installation of a maintenance access hole is not possible, an alternative device or facility with the prior written approval of the City Engineer;
  - (ii) The maintenance access hole or alternative device or facility shall be located on the property of the owner or the operator of the premise, as close to the property line as possible, unless the City Engineer has given prior written approval for a different location;
  - (iii) Each maintenance access hole, device or facility installed as required under subsection 10.1 b) shall be designed and constructed in accordance with good engineering practices and shall be constructed and maintained at the owner or operator's expense; and
  - (iv) The owner or operator of a commercial, institutional or industrial premise, or a multi story residential building shall at all time ensure that all maintenance access holes required by this By-law are fully accessible to the City Engineer for the purpose of observing or sampling sewage, uncontaminated water or storm water therein.

.2 Monitoring devices

- (i) Monitoring devices may be required of the owner or operator of a commercial, institutional, or industrial premise, or multi-storey residential building to monitor sewage, uncontaminated water or stormwater discharges and to submit regular reports regarding discharges to the City.

.3 Food related grease interceptors

- (i) Every owner or operator of a restaurant in an industrial, commercial or institutional premise that prepares, cooks or processes food products and is connected directly or indirectly to a sewer, shall install and maintain a functioning grease interceptor;
- (ii) Every owner or operator of a grease trap required under subsection 12.3(i) shall ensure that every effort is taken to limit or minimize grease from entering the City's sanitary sewer system;
- (iii) All new or replacement grease traps required under Section 12.3(i) shall ensure that they are isolated from any discharge from a glass washer, dishwasher or any appliance which discharges hot water at a temperature greater than 65 °C (degrees Celsius) but not a hot water tank;
- (iv) The use of emulsifying degreasers to clean grease traps is prohibited;
- (v) The City Engineer may order an owner or operator of a grease trap required under Section 12.3(i) to undertake regular maintenance of the grease trap and to maintain a maintenance log to document when maintenance work is performed.
- (vi) The owner or operator of a grease trap required under Section 12.3(i) shall at all times ensure that all maintenance records required by way of the order are fully accessible to the City Engineer for the purpose of observing that proper maintenance practices are being followed; and
- (vii) Where the City of Sault Ste. Marie is required to remove blockages of grease from a sanitary sewer and an inspection of any adjacent premise with a grease trap required pursuant to Section 12.3(i) indicating that the grease trap is not functioning properly or is not being adequately maintained, the premise will be billed the City's cost to unplug even if it is not possible to show the premise caused the blockage. If the inspection shows that more than one premise has not maintained a grease trap the costs shall be split evenly between each premise.

- .4 Interceptors for motor oil and lubricating grease
- (i) Every owner of a commercial, industrial or institutional premise at which, floor drains designed to work on combustion engines which are connected directly or indirectly shall install and maintain an oil interceptor designed to prevent oil and lubricating grease from directly and indirectly entering the sewer.
- .5 Sediment interceptors:
- (i) Every owner or operator of any land or premise from which sediment may directly or indirectly enter a sewer, included but not limited to a ramp drain, an area drain, a construction area or parking area which is maintained for winter use and has capacity of 12 or more vehicles or car and vehicle wash establishments, shall take all necessary measures to ensure that sediment is prevented from entering a sewer; [AMENDED BY BY-LAW 2009-185]
  - (ii) Every owner or operator required to have a sediment interceptor pursuant to Section 12.5(i) shall ensure that each and every sediment interceptor is properly and adequately maintained to prevent sediment from entering a sewer.
- .6 Waste grinders, compactors and autoclaves
- (i) No person shall install or operate within the City any garbage or waste grinding device or autoclave used for industrial or commercial purposes, the effluent from which will discharge directly or indirectly into a sewer;
  - (ii) Section 12.6(i) does not apply to autoclaves used to sterilize medical instruments;
  - (iii) No person shall install or operate within the City any garbage or waste compacting device for commercial or industrial purposes, where the effluent from which will discharge directly or indirectly into a storm sewer;
  - (iv) No person shall install or operate within the City any garbage or waste grinding device for domestic purposes, where the effluent from which will discharge directly or indirectly into a storm sewer;
  - (v) No person shall install or operate within the City any garbage or waste grinding device for domestic purposes, where the effluent from which will discharge directly or indirectly into a sanitary sewer unless the garbage grinding device is of a type which will permit forty percent of all grindings to pass through a 2.36mm sieve, sixty percent to pass through a 6.35mm sieve and all grindings to pass through a 12.7mm sieve.

- .7 Dental waste amalgam separators
- (i) Every owner or operator of a premise from which dental waste amalgam may be discharged directly or indirectly into a sewer, shall install, operate and properly maintain a dental waste amalgam separator on every discharge piping system connected to and carrying such waste material; and
  - (ii) Notwithstanding compliance with Section 12.7(i) all persons operating or carrying out the business of a dental practice shall comply with Section 2.
- .8 Right of entry
- (i) No person shall prevent, hinder, obstruct or interfere in any way with the City Engineer or an inspector and persons deemed, by the City Engineer, to be essential to an inspection and sampling, bearing proper credentials and identification from:
    - (a) entering in or upon, at any reasonable time without a warrant, any land or premise, except land or a premise being used as a dwelling house;
    - (b) making such tests, taking such samples or gathering any necessary information including the taking of any photographs as the City Engineer or inspector deems necessary; and
    - (c) inspecting or observing any plant, machinery, equipment, work activity or documents including maintenance records.
- .9 Protection from damage
- (i) No person shall uncover, remove, make any connection with, or opening into, break, alter, damage, destroy, deface or tamper or cause or permit the removal, breaking, damaging, destroying, defacing or tampering with:
    - (a) any part of a sewage works; or
    - (b) any device, being temporarily or permanently, installed in a sewage works for the purpose of flow measurement, sampling, observing, testing or detecting sewage, uncontaminated water or storm water.
  - (ii) Any person discharging sewage, uncontaminated water, or storm water to a municipal sewage works shall be responsible for ensuring that such sewage, uncontaminated water or storm water conforms at all times to the provisions of this By-law, and shall be liable for any damages or expense arising out of his/her failure to properly check or control any such discharge, including the cost of investigation, repairing or replacing any part of any municipal sewage works damaged thereby.
- .10 Unauthorized entry into a sewage works
- (i) No person shall enter into any sanitary or storm sewer or appurtenance unless authorized by the City Engineer.

## SECTION

### 13. SEWER CONNECTIONS

#### .1 General

No person shall:

- (i) erect or cause or permit to be erected any new building on lands that are serviced by a sanitary sewer unless the new building is connected to the sanitary sewer; or
- (ii) construct, install, maintain or cause or permit to be constructed, installed or maintained, whether installed prior to the date of the passing of this By-law or any of its predecessors, a direct or indirect connection to the sanitary sewer connection which would permit anything other than domestic and industrial sewage to the discharge into the sanitary sewer connection.

#### .2 Resubdivision of Lots

In those cases where the existing municipal sewer connection does not meet the standard therefore as adopted by the City from time to time as a result of a resubdivision of lots or change of location of a building on a lot, the owner or agent shall apply for and pay to the City for new installation or installations and for the disconnection of existing sewer connects where necessary and on an actual cost basis with a minimum charge equal to the applicable flat rate, as determined by the City from time to time.

#### .3 Reconstructed Buildings

- (i) Wherever a reconstructed building is substantially demolished, the existing municipal sewer connection shall be disconnected at the municipal sewer or sealed at the property line as determined by the City Engineer at the owner's expense.
- (ii) For the purpose of this Section an existing building is deemed to be substantially demolished when fifty percent or more of the exterior wall of the first story above grade are removed whether or not they are substantially replaced.
- (iii) An owner who is applying for a permit to construct a replacement building or to disconnect a dwelling from a septic tank to connect to a sanitary sewer connection shall be entitled to use an existing municipal sewer connection that, upon inspection by the City Engineer, is found to be in satisfactory condition.

#### .4 Construction of a New Sewer Connection

- (i) No person shall install a private sanitary sewer connection until:
  - (a) a municipal sewer connection has been properly installed;

- (b) the municipal sewer main to which the municipal sewer connection is to be made is fully constructed and accepted by the City for operation;
  - (c) backfilling around the building or buildings being serviced is complete and sufficiently graded to eliminate the possibility of surface water ponding on the property and the sub floor has been installed over the foundation to prevent storm water from entering a private sewer connection; and
  - (d) all surface water in the excavation and in the basement that could enter the sanitary sewer has been pumped out.
- (ii) No person shall install a municipal sewer connection servicing two or more properties. A single service connection will be allowed for a property with multiple units subject to the approval of the City Engineer.
- (iii) Any person desiring a sewer connection shall make application to the City on forms supplied by the City and accompanied by such plans and drawing as may be required and payment of fees for the application. The owner of the property to be serviced, or the owner's agent shall sign the application, and the owner shall be responsible for the completeness and accuracy of the information furnished on such applications, drawings and plans.
- (iv) A sewer connection on public property between the sewer main and private property shall be installed by the City at the expense of the owner on conditions and rates and to the specifications as determined by the City from time to time. The City Engineer may authorize a private contractor to install a sewer connection to a main on public property through a service agreement or by Municipal consent. The requirements of the Sault Ste. Marie Streets By-law shall be satisfied. A sewer connection on private property shall be installed by the owner pursuant to a building permit having been previously issued for such purpose by the City and at the expense of the owner.
- (v) No owner of an industrial, commercial or institutional premise or multi-residential development of four (4) units or greater shall undertake any works or make any connection or do anything that would increase peak flow rates of storm water or which would impair the quality of storm water which is discharged to a sewer without prior approval of the City Engineer. (AMENDED BY BY-LAW 2009-185]
- (vi) Approval to discharge to a storm sewer or natural environment must be applied for as an Industrial Sewage Works permit directly to the Ministry of the Environment, if a treatment facility is required or implemented. This may include gas stations, auto repair garages and car washes. (AMENDED BY BY-LAW 2009-185]

- (vii) No person shall cause the direct connection of any new private drainage works to the municipal storm sewer system without prior approval of the City Engineer. The City Engineer may grant such approval where, in the opinion of the City Engineer, there is no practical alternative means of drainage available.
- (viii) Where a new connection to a storm sewer is approved by the City Engineer and the purpose of the connection is to provide groundwater drainage, the discharge must be regulated by:
  - (a) means of a sump pump which must elevate the water via a looped system, to an elevation above the centerline of the road before being discharged into a private storm drainage system as detailed in Schedule A and B;
  - (b) a back flow flap valve in circumstances where grades permit a connection of a gravity drainage system as detailed in Schedule C to the municipal storm sewer system to prevent any surcharge of storm water from a municipal storm sewer system. The City Engineer may disallow, at his or her sole discretion a gravity connection to the municipal storm sewer, if in his or her opinion, given the application of sound engineering principles there is reason to do so.
- (ix) No direct or indirect interconnection between a private storm sewer and sanitary sewer is permitted;
- (x) Any groundwater drainage system approved as set out in Section 13.4 (vii) shall be installed and maintained by the owner or operator of the premise at his or her sole expense.
- (xi) Every owner shall ensure that all new service connections to a municipal sanitary or storm sewer shall be tested by Public Works and Transportation, by a building inspector, or by a certified plumber to verify, by means of dye or another suitable method, that all service connections are properly connected to the intended municipal service prior to occupancy or commissioning of the service.
- (xii) Every owner shall ensure that the sewer connection shall resist root penetration, acid or alkali damage, groundwater penetration, sewage exfiltration and otherwise comply with any condition or requirement as determined by the City from time to time.
- (xiii) Backwater valves shall be installed in storm and sanitary drains. (AMENDED BY BY-LAW 2009-185]

.5 Connections in Contravention of this By-law

- (i) In the event that a sewer connection is installed or is operated in contravention of any provision of this By-law, the City Engineer may, until such time as the violations are rectified, order the temporary disconnection of such sewer connections. At any time

during the period of disconnection in accordance with this Section, no person shall use or cause to be used or permit the use of such a connection.

- (ii) The City Engineer shall not order such temporary disconnection unless the City Engineer has first mailed to the property owner and occupant, if any, a registered letter specifying the nature of the violation or violations of this By-law and specifying the intentions of the City Engineer to order a temporary disconnection of the sewer by a specified date, to be calculated 30 days from the date of the mailing notice, and specifying the cost of the disconnection and reconnection to be borne by the property owner and payable to the City before any reconnection is made.
- (iii) If a person constructs a municipal sewer connection without authorization in a manner which violates any Section of this By-law, the City Engineer may order the re-excavation of the service for inspection, testing, and if necessary, reconstruct the service connection at the owner's expense or may disconnect the service in which case it shall not be reconstructed without the approval of the City Engineer.

#### .6 Inspections of Sewer Connections

- (i) An owner may request an inspection of an existing municipal sewer connection by means of an excavation, closed circuit TV camera inspection, or dye testing to determine if a cross connection has been made or to examine structural integrity and viability of a service connection. The owner shall deposit a security with the City prior to an inspection, the amount that shall be determined by the City from time to time. If an inspection shows that a structural or other problem is attributable to the City portion of the service connection, the security shall be refunded to the owner.
- (iii) If, as a result of the inspection carried out pursuant to 13.6(i), it is determined by the City Engineer that infiltration of storm water into a sanitary sewer is a result of a structural problem in the City's portion of the service, the provisions of 13.6(i) shall not apply to the owner provided that the owner has completed all repairs or corrected all deficiencies to the owner's portion of the service connection.

#### .7 Sewer Connection Backups

- (i) In the event of a sewer connection backup an owner should contact Public Works and Transportation at (705) 759-5201 for the services of a sewer crew. The service call may include cleaning a p-trap, clearing a jammed back check valve or a sewer rodding. If the blockage is found to be on private property or if the blockage is found to have been introduced by the owner, then the owner is charged for the rodding.

- (ii) If the basement floor is submerged, the services of a qualified electrician will be required to turn off the building's main power panel prior to the crew entering the building to conduct the sewer lateral rodding. This is a requirement of the Occupational Health and Safety Act. The owner shall select, arrange for and pay for the electrician. The Public Utilities Commission may disconnect the power at the request of the owner, by direct arrangement with the PUC.
- (iii) Sewer service crews do not perform roddings in crawl spaces due to health and safety concerns.
- (iv) A fee for a sewer service crew may apply; however, it is subject to the determination of the cause of the backup.
- (v) Public Works and Transportation has a Sanitary Sewer Service Call Policy that is amended from time to time and shall be adhered to by City staff.

.8 Stormwater Outlet on a Street with No Storm Sewer

- (i) The owner of a building that abuts a street, which is not serviced by a storm sewer shall construct any downspout from any eaves trough or roof drainage system so that the storm water discharges at grade in a manner which does not permit storm water to accumulate or pond near buildings, which does not adversely affect adjacent properties and which does not cause soil erosion as is detailed in Schedule D.
- (ii) Section 13.8 (i) does not apply if:
  - (a) the grade elevation of the edge of the roof at the front or at the side of the building are lower than the grade elevation of the street;
  - (b) the storm sewer service connection is determined to be insufficiently graded to act as a conduit for roof or weeping tile drainage;
  - (c) the building or structure is constructed adjacent to a watercourse and roof drains and weeping tile drains are directed to the watercourse as detailed in Schedule E, subject to the approval of the City Engineer and the local Conservation Authority; or
  - (d) the property from which the connection services has a properly constructed and maintained storm water management structure requiring an overflow outlet.

.9 Private Catchbasins

- (i) Every owner shall ensure that where a catchbasin is constructed on private property to protect a structure from overland flows and the protected structure is downgradient of the catch basin the installation shall include:

- (a) a backflow flap valve installed immediately downstream of the private catch basin to ensure that storm water cannot back up from municipal storm sewer and surcharge from the private catch basin;
  - (b) a sump pump, located in the private catchbasin for the overflow sump hole to discharge any collected surface flows which collect in the private catch basin when backflow flap valve is closed; and
  - (c) a backflow flap valve installed on the sump pump discharge line so that the stormwater cannot discharge back into the sump overflow basin.
- (ii) The backflow flap valve installed on the sump pump required in Section 13.9(i) shall be installed and maintained by the owner or operator of the premise at his or her own expense.

.10 Roof leaders Connected to Sanitary Sewer

- (iii) The owner of any building that has any roof down spout or roof drainage system which discharges storm water either directly or indirectly to a municipal sanitary sewer shall disconnect the downspout or roof drainage system at grade and direct all storm water at grade in a manner which does not permit storm water to accumulate or pond near buildings, which does not adversely affect adjacent properties and which does not cause soil erosion as is detailed in Schedule D.
- (ii) For the purposes of this Section:
  - (a) "directly" means any physical connection or series of connections between the roof drainage system and a sanitary combined sewer;
  - (b) "indirectly" means any manner whatsoever whereby storm water may enter into the sanitary sewer system and includes water seeping into open joints in an underground sewer connection in which groundwater can seep into the sanitary sewer system.

.11 Swimming Pool Discharge

- (i) No person shall discharge wastewater from a swimming pool or wading pool:
  - (a) into a storm drainage system;
  - (b) such that it flows onto adjacent property;
  - (c) onto a steep slope such as a ravine valley wall which may erode; or
  - (d) in any manner which causes soil erosion.
- (ii) Wastewater from a swimming or wading pool may be discharged by way of temporary connection to a sanitary sewer, transported by a licensed hauler or discharged in a controlled manner onto the owners property such that at all times the discharge is contained within the property until it evaporates or infiltrates into the ground.

- (iii) Notwithstanding Section 13.11(i)(a) rainwater or melt water resting on a tarp which covers a swimming pool may be discharged into a storm sewer provided that it is in compliance with Section 3 of this By-law.

## SECTION

### 14. CONFIDENTIAL INFORMATION

- .1 All information submitted to and collected by the City of Sault Ste. Marie in the administration of this By-law including information contained in the extra strength surcharge agreements, discharge agreements, pollution control plans and from sampling activity 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* (R.S.O. 1990).
- .2 In the event that any person in submitting information to the City of Sault Ste. Marie or the City Engineer in any form, as required under this By-law, 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* (R.S.O. 1990), the person submitting the information shall so identify that information upon its submission to the City or the City Engineer and shall provide sufficient details as to the reason for its purported exemption from disclosure.

## SECTION

### 15. OFFENSES

- .1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine and/or damages under the *Provincial Offences Act*.
- .2 Every person other than a corporation who contravenes any provision of Section 2 or 3 of By-law No. 2009-50 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 not more than \$20,000 for any subsequent conviction.
- .3 Every corporation which contravenes any provision of Section 2 or 3 of By-law No. 2009-50 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.
- .4 In this By-law, "subsequent conviction" means a conviction for an offence that occurs after the date of conviction for an earlier offence under this By-law.

## SECTION

### 16. REPEAL

- .1 The City of Sault Ste. Marie By-law No. 4440 being a By-law to regulate the discharge of sewage and land drainage in the City of Sault Ste. Marie as amended from time to time is hereby repealed.

- .2 Notwithstanding 16.1, sanitary discharge agreements for hauled sewage or hauled industrial wastewater, entered into by the City of Sault Ste. Marie under Bylaw No. 4440 or its predecessors, and which were in effect immediately prior to the passage of this By-law, shall remain in effect with their terms and conditions.
  
- .3 Notwithstanding 16.1, industrial wastewater surcharge agreements entered into by the City of Sault Ste. Marie under By-law No. 4440 or its predecessors, and which were in effect immediately prior to the passing of this By-law, shall remain in effect with their terms and conditions until March 23, 2009 at which time this By-law will come into effect.

## Appendix 1: Subject Sectors

<u>Industrial Category</u>	<u>NAICS Code</u>
Support Activities for Metal Mining	213114
Roofing, Siding & Sheet Metal Contractors	23561
Household Furniture (except Wood & Metal) Manufacturing	337125
Nonferrous Metal (except copper & aluminium) Rolling, Drawing	331461
Fabricated Structural Metal Manufacturing	332312
Metal Window & Door Manufacturers	332321
Metal Tank (heavy gauge) Manufacturing	33242
Sheet Metal Work Manufacturing	332322
Ornamental & and Architectural Metal Work Manufacturing	332323
Fabricating Structural Metal Manufacturing	332312
Metal Coating, Engraving & Allied Services to Manufacturers	332812
Powder Metallurgy Part Manufacturing	332117
Machine Tool (metal cutting types) Manufacturing	333512
Machine Tool (metal forming types) Manufacturing	333513
Electroplating, Plating, Polishing, Anodizing & Colouring	332813
Gasoline Station with Convenience Store	44711
Other Gasoline Stations	44719
Automotive Body, Paint & Interior Repair & Maintenance	811121
Automotive Exhaust System Repair	811112
All other Automotive Repair & Maintenance	811198
Automotive Transmission	811113
General Automotive Repair	811111
Other Automotive Mechanical & Electrical Repair & Maintenance	811118
Automotive Oil Change & Lubrication Shop	811191
Photofinishing Laboratories (except one-hour)	812921
One-Hour Photofinishing	812922
Dental Offices	62121
General Medical % Surgical Hospitals	62211
Psychiatric and Substance Abuse Hospitals	62221
Specialty (except psychiatric & substance abuse) Hospitals	62231
Medical Laboratories	62151
Dental Laboratories	339116
Testing Laboratories	54138
Dry Cleaning & Laundry Services (except coin-operated)	81232
Support Activities for Rail Transportation	48821
All Other Transit & Ground Passenger Transportation	485999
Interurban & Rural Bus Transportation	48521
School & Employee Bus Transportation	48541
Special Needs Transportation	485991
All Other Support Activities for Road Transportation	48849
Scheduled Passenger Air Transportation	481111
Scheduled Passenger Freight Transportation	481112
Non-scheduled Chartered Freight Air Transportation	481212
Non-scheduled Chartered Passenger Air Transportation	481211
Scenic & Sightseeing Transportation, Other	48799
Quick Printing	323114
Other Commercial Printing	323119
Commercial Lithographic Printing	323110
Commercial Gravure Printing	323111
Commercial Flexographic Printing	323112
Commercial Screen Printing	323113
Other Commercial Printing	323119
Manifold Business Forms Printing	323116
Printing Inc Manufacturing	32591
Gum & Wood Chemical Manufacturing	325191
Plastic Material & Resin Manufacturing	325211
Leather & Hide Tanning & Finishing	3161
Personal Leather Goods (except women's handbags) Manuf.	316993

## Appendix 2: Subject Pollutants

Arsenic	Benzene
Cadmium	Chloroform
Cobalt	1, 2-Dichlorobenzene
Chromium	1, 4-Dichlorobenzene
Copper	Cis-1, 2-Dichlorobenzene
Mercury	Trans-1, 3-Dichloropropylene
Molybdenum	Ethyl benzene
Nickel	Methylene chloride
Lead	1, 1, 2, 2-Tetrachloroethane
Selenium	Tetrachloroethane
Zinc	Toluene
	Trichloethylene
	Xylenes (Total)
	Di-n-butyl phthalate
	Nonylphenol
	Nonylphenol ethoxylates
	Aldrin/dieldrin
	Chlordane
	DDT
	Hexachlorobenzene
	Mirex
	PCBs
	3, 3' – bichlorodenzidine
	Hexachlorocyclohexane
	Pentachlorophenol
	Total PAHs

**Appendix 3**

**Application Form for a Discharge Agreement  
For Hauled Sewage or Hauled Industrial Wastewater**

**COMPANY INFORMATION**

Legal Name: \_\_\_\_\_  
Doing Business As: \_\_\_\_\_ (If Any)

Contact Person: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(If Different from Business Address) \_\_\_\_\_  
\_\_\_\_\_

MOE Licence #: \_\_\_\_\_

**SEPTAGE HAULING VEHICLE INFORMATION**

Include details on all vehicles that will be off-loading at the Septage Receiving Station. Access Cards will be assigned to each vehicle. Copy this page if registering more than 3 vehicles.

Licence Plate:	_____
Year:	_____
Make:	_____
Tank Volume:	_____

Licence Plate:	_____
Year:	_____
Make:	_____
Tank Volume:	_____

Licence Plate:	_____
Year:	_____
Make:	_____
Tank Volume:	_____

