

TOWN OF WESTVILLE
RESPECTING DISCHARGE INTO PUBLIC SANITARY SEWERS

1 - Short Title

1(1) This By-Law shall be known the "Wastewater Discharge By-Law".

2 - Definitions

2(1) In this By-Law:

"beneficial use" means taking advantage of the nutrient content and soil conditioning properties of a bio-solids product to supply some or all of the fertilizer needs of an agronomic crop for vegetative cover (such as in land reclamation, silviculture, landfill cover, or similar ventures);

"biochemical oxygen demand" means the quantity of oxygen utilized, expressed in milligrams per litre, in the biochemical oxidation of matter within a 120 hour period at a temperature of 20 degrees Celsius;

"bio-solids" means organic, stabilized material produced during the treatment of sewage and septage sludge. These include the solid, semi-solid, and liquid residue removed from wastewater treatment processes, but do not include screenings and grit removed during the preliminary treatment stages of these processes. Bio-solids differ from sewage and septage sludge in that they have been treated to reduce pathogen content.

"blow down" means the discharge of re-circulating non-contact cooling water for the purpose of discharging materials contained in the water;

"Building By-law" means the Town of Westville Building By-law, adopted accordingly under authority of the *Municipal Government Act of Nova Scotia, RSNS 1998*, or preceding provincial statute legislation;

"chemical oxygen demand" means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per litre;

"combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;

"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;

"commission" means the Pictou County District Planning Commission, a body corporate established by Ministerial Order dated March 4, 1970 as amended April 24, 1989 and continued under the *Municipal Government Act of Nova Scotia, RSNS, 1998*, and for the purpose of this by-law, shall also include ERPAS;

"cooling water" means water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product, or finished product,

but does not include blow down water;

“discharge” means to discharge, release, permit or cause to be discharged into the municipal wastewater facilities;

“discharger” means the owner, occupant or a person who has charge, management or control of sewage, contaminated or uncontaminated water, or any combination thereof, which is discharged to the municipal wastewater facilities;

“effluent” means wastewater treated in a wastewater facility and released back into the natural environment;

“Engineer” means the Municipal Engineer for the Town of Westville, and includes a person acting under the supervision and direction of the Engineer;

“ERECC” means the “East River Environmental Control Center”, and shall have the same meaning as “ERPAS” as defined under this by-law:

“ERPAS” means the East River Pollution Abatement System, established under the commission, and includes any property, facilities, or infrastructure of the ERPAS, and any person acting under the supervision and direction of the ERPAS;

“fuel” includes alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;

“hailed industrial wastewater” means any industrial wastewater transported to and deposited into any location in the municipal wastewater facilities;

“industrial”, “commercial” or “institutional” includes or pertains to industry, manufacturing, commerce, trade, business, or institutions, as distinguished from domestic or residential;

“Land Use By-law means the Town of Westville Land Use By-law, adopted accordingly under authority of the *Municipal Government Act of Nova Scotia, RSNS 1998*, or preceding provincial statute legislation;

“leachate” includes any liquid that has percolated through solid waste and has extracted, dissolved or suspended materials from it, including the liquid produced from the decomposition of waste materials, and liquid that has entered the waste material from external sources including surface drainage, rainfall and groundwater;

“municipality” means the Town of Westville;

“pathological waste” includes those fluids or materials which may contain pathogens of human or animal origin;

“person” includes an individual, firm, partnership, agency or body corporate, group of individuals, firms, partnerships, agencies or bodies corporate, or any combination of them;

“pesticides” includes any substance that is a pest control product within the meaning of the *Pest Control Products Act* (Canada) or a fertilizer within the meaning of the *Fertilizers Act* (Canada) that contains a pest control product;

“phenolic compounds” means hydroxyl derivatives of benzene and its condensed nuclei;

“sanitary sewer” means a sewer receiving and carrying liquid and water-carried wastes, and to which surface or groundwater are not intentionally admitted;

“sewage” means the combination of liquid and water-carried wastes from buildings, containing animal, vegetable or mineral matter in suspension or solution, together with such groundwater, surface water or other water as might be present;

“sewer” means a pipe or conduit for carrying sewage, combined sewage or surface runoff, and includes all sewer drains, clear water sewers, and combined sewers vested in, or under the control of, the municipality;

“solvent extractable matter” includes grease or oils from animal, vegetable, mineral or synthetic sources;

"Standard Methods" means Standard Methods for the examination of water and wastewater by the utilization of analytical and examination procedures provided in the edition current at the time of testing, published jointly by the American Public Health Association and the American Water Works Association, or any publication by or under the authority of the Canadian Standards Association for the testing of water and waterworks to determine water quality standards;

“storm sewer” means a sewer and all related structures designed exclusively for the collection and transmission of uncontaminated water, storm water, drainage from land or from any watercourse, or a combination of any of these;

“suspended solids” means the insoluble matter suspended in wastewater that is separable by laboratory filtration:

“total Kjeldahl nitrogen” means organic nitrogen;

“uncontaminated water” means potable water or any other water to which no matter has been added as a consequence of its use;

“waste radioactive substances” includes 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 ionizing radiation;

“wastewater facilities” means the structures, pipes, devices, equipment, processes or other things used, or intended, for the collection, transportation, pumping or treatment of sewage and disposal of the effluent;

“waste” means any material discharged into wastewater facilities;

“wastewater” means liquid waste containing animal, vegetable, mineral or chemical matter in solution or suspension carried from any premises;

3 - Prohibited Discharges to Wastewater Facilities

- 3(1) No person shall discharge into wastewater facilities, sewage or wastewater that causes or may cause, or results or may result in:
- (a) a health or safety hazard;
 - (b) obstructions or restrictions to the flow in the wastewater facilities;
 - (c) an offensive odor to emanate from wastewater facilities, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines, or ammonia in such quantity that may cause an offensive odor;
 - (d) damage to wastewater facilities;
 - (e) interference with the operation and maintenance of wastewater facilities;
 - (f) a restriction of the beneficial use of bio-solids from the municipality’s wastewater facilities;
 - (g) effluent from municipal wastewater facilities to be in violation of any Provincial or Federal Acts or Regulations.
- 3(2) No person shall discharge into wastewater facilities, sewage or wastewater with any one or more of the following characteristics:
- (a) a pH less than 5.5 or greater than 9.5;
 - (b) two or more separate liquid layers;
 - (c) a temperature greater than sixty five (65) degrees Celsius.
- 3(3) No person shall discharge into wastewater facilities, sewage or wastewater containing one or more of the following:
- (a) combustible liquid;
 - (b) fuel;
 - (c) hauled sewage, hauled wastewater or leachate, except where written permission from the commission has been obtained;
 - (d) ignitable waste, including but not limited to, flammable liquids, solids and/or gases, capable of causing or contributing to explosion or supporting combustion in wastewater facilities;
 - (e) detergents, surface-active agents or other substances that may cause excessive foaming in the wastewater facilities, other than that occurring from standard residential usage;
 - (f) sewage containing dyes or coloring materials which pass through wastewater facilities and discolor the wastewater facility or effluent, other than that occurring from standard residential usage;
 - (g) pathological waste in any quantity;
 - (h) material containing polychlorinated biphenyls (PCBs);
 - (i) pesticides;
 - (j) reactive materials;
 - (k) radioactive substances;
 - (l) leachate, except where the discharger has written permission from the commission.

3(4) No person shall discharge into wastewater facilities, sewage or wastewater, containing a concentration in excess of any of the limits set out in Table 1:

Table 1 - Concentration Limits - Wastewater Facilities

Substance	Milligrams Per Litre
Aluminum. Total	50
Antimony. Total	5
Arsenic. Total	1
Barium. Total	5
Benzene	0.01
Beryllium. Total	5
Biochemical Oxygen Demand	300
Bismuth. Total	5
Cadmium. Total	1
Chemical Oxygen Demand	1000
Chlorides	1500
Chloroform	0.05
Chromium. Total	2
Cobalt. Total	5
Copper. Total	1
Cyanide. Total	2
1,2 - Dichlorobenzene	0.1
1,4 - Dichlorobenzene	0.1
cis - 1,2 - Dichloroethylene	4.0
Trans - 1,3 - Dichloropropylene	0.15
Ethylbenzene	0.15
Fluoride	10
Iron. Total	50
Lead. Total	2
Manganese. Total	5
Mercury. Total	0.1
Methylene chloride	0.2
Molybdenum. Total	5
Nickel. Total	2
Oil & Grease - mineral or synthetic in origin	15
Oil & Grease - animal or vegetable in origin	150
o-Xylene	0.5
Phenolic Compounds (4AAP)	1
Phosphorus. Total	30
Selenium. Total	5
Silver. Total	2
Sulphates Expressed as SO ₄	1500
Suspended Solids. Total	300
1,1,2,2 - Tetrachloroethane	1.0
Tetrachloroethylene	1.0

Substance	Milligrams Per Litre
Tin. Total	5
Titanium. Total	5
Toluene	0.01
Total Kieldahl Nitrogen	100
Trichloroethvlene	1.0
Vanadium. Total	5
Xvlenes. Total	1.5
Zinc. Total	3

* A reference to "Total" in this table denotes total concentrations of all forms of the metal and ion including both particulate and dissolved species.

- 3(5) No person shall discharge into wastewater facilities, sewage or wastewater under circumstances where water has been added for the purpose of dilution to achieve compliance with Sections 3(2) or 3(4).
- 3(6) No person shall discharge cooling water or uncontaminated water to wastewater facilities unless the discharge has been permitted by the municipality or the commission.

4 - Grease, Oil, Sediment, Sand Traps and Interceptors

- 4(1) Grease, oil, sediment and sand traps or interceptors, shall be installed in all **new** food service establishments or operations, vehicle service facilities, car or truck washes, or any other development requiring such treatment under the National Plumbing Code of Canada. The design and installation of traps and interceptors is subject to the National Plumbing Code of Canada.
- When the concentration limits exceed any of those permissible under Section 3(4) in **existing** food service establishments or operations, vehicle service facilities, and car and truck washes, or any other development the nature of which requires grease, oil, sediment or sand traps or interceptors to be installed under the National Plumbing code of Canada, the municipality or the commission will require the owner to correct the situation in accordance with its instructions, which may include the installation of grease, oil, sediment or sand traps or interceptors.
- 4(2) Traps and/or interceptors required pursuant to Section 4(1) shall be installed such that they are easily accessible for all aspects of cleaning and inspection, and each device shall be registered with the Engineer and the Commission.
- 4(3) Traps and/or interceptors required pursuant to Section 4(1) shall be maintained by the owner of the establishment in which they are located in a condition of continuous efficient operation at the owner's expense. The owner shall be responsible for ensuring that each trap and/or interceptor is inspected annually by engineer licensed to practice in the Province of Nova Scotia, or by another qualified inspector acceptable to the Engineer or the Commission. The results of the inspection shall be provided to the Engineer or the Commission in the form of written report.
- 4(4) No retained or trapped oil, grease, sediment, sand, silt or other matter in any form shall be allowed to pass from the installed trap, and/or interceptor required pursuant to Section 4(1) or connecting pipe into the wastewater facilities. Removal of retained or trapped materials shall be completed by pumping or other physical means, and all such retained or trapped materials shall be taken away and disposed of as required by law.
- 4(5) Whenever an inspection of an installed trap and/or interceptor required pursuant to Section 4(1) results in a written notice for action on the part of the owner of the installed device, such action shall be completed within the compliance period required by the written notice.
- 4(6) The owner of the establishment in which the trap and/or interceptor required pursuant to Section 4(1) shall provide the municipality and the commission, upon request, with all information required by the municipality and/or the commission relating to the maintenance of the trap and/or interceptor, including without limitation information relating to the frequency of inspection and maintenance of any installed traps and/or interceptors, as well as information as to the disposal method employed, and location of hauled waste material.
- 4(7) Any reasonable request for inspection by the municipality or the commission shall be granted by the owner of the establishment in which a trap and/or interceptor is required pursuant to Section 4(1)..

5 - Reporting Requirements

- 5(1) No industrial, commercial or institutional discharger shall discharge sewage, wastewater, cooling water, uncontaminated water or any combination thereof, to wastewater facilities without first submitting to the Engineer and the commission the following completed reports:
- (a) the "Short Version of the Discharger Information Report" (attached as Form 1); and
 - (b) the "Complete Discharger Information Report" (attached as Form 2) where, in the opinion of the Engineer or the commission, the discharge may have a significant impact on the wastewater facilities, and the municipality or the commission has notified the discharger that completion of the report is required, or where the discharger has or requires an extra strength or large volume surcharge agreement with the municipality.
- 5(2) If a discharger has been discharging to wastewater facilities prior to the enactment of this by-law, the discharger shall comply with the requirements set out in subsection 5(1) within thirty (30) days of receipt of written notice from the Engineer or the commission.
- 5(3) The discharger shall provide written notification to the Engineer and the commission of any changes to the information filed pursuant to subsections 5(1) and 5(2) within sixty (60) days of the change.
- 5(4) Any industrial, commercial or institutional discharger who is required to apply for a development and/or building permit under the municipality's *Building By-law* or *Land Use By-law* must comply with the reporting requirements of Section 5(1).

6 - Discharger Self-Monitoring and Reporting of Spills

- 6(1) The discharger shall undertake the monitoring or sampling of any discharge to the wastewater facilities as may be required by the Engineer or the commission, and provide the results in accordance with written notice from the Engineer or the commission.
- 6(2) The obligations outlined in or arising out of subsection 6(1) shall be completed at the expense of the discharger, and shall be carried out by a professional engineer licensed to practice in the Province of Nova Scotia, or by a qualified professional acceptable to the Engineer.
- 6(3) Every person who discharges, deposits, causes or permits the discharge or deposit of any matter in any sewer that, in nature or quantity is not in the ordinary course of events, shall immediately notify the municipality or the commission.
- 6(4) For any of the discharges in subsection 6(3) for which the person referred to in subsection 6(3) is required to immediately notify the municipality or the commission, the notification shall include the following information:
- (a) the name of the person and the address of the spill;
 - (b) the name of the person reporting the spill and telephone number where that person is to be reached;
 - (c) time of the spill;
 - (d) type and volume of material discharged and any associated hazards;
 - (e) corrective actions being taken to control the spill.

6(5) Within five (5) days following a spill, the person referred to in subsection 6(3) shall submit to the municipality or the commission a detailed written report describing the cause of the spill and the actions taken to prevent a recurrence.

7 - Extra Strength and Volume Surcharge Agreement

- 7(1) Where large volumes of sewage, extra strength sewage or wastewater, as determined by the municipality or the commission in their sole discretion, are discharged to wastewater facilities, the municipality may require the discharger to enter into a surcharge agreement (based on the "Surcharge Agreement", attached as Schedule "A") with the municipality permitting an excess of the limits outlined in subsection 3(4), including, but not limited to, any one or more of the following:
- (a) biochemical oxygen demand;
 - (b) solvent extractables - animal or vegetable in origin;
 - (c) total kjeldahl nitrogen;
 - (d) phosphorous, total;
 - (e) suspended solids, total; or
 - (f) large volumes.
- 7(2) The surcharge agreement may include terms and conditions under which the discharge is permitted and the method by which the municipality shall recover costs incurred by the pumping and treatment of the wastewater.
- 7(3) During the term of the surcharge agreement, the discharger shall be exempt from meeting the limits set out in subsection 3(4) for the parameter(s) included in the agreement, if all conditions stipulated in the agreement are met.
- 7(4) Notwithstanding Section 7(1), where a discharger has entered into a surcharge agreement, any anticipated change in the information provided pursuant to Section 5 must be submitted to the Engineer and the commission prior to the change to allow an assessment of the impact of the change on the surcharge agreement.
- 7(5) The municipality may terminate the surcharge agreement at any time and the termination shall be effective within thirty (30) days of the delivery of a written notice to the discharger's site or head office.

8 – Letter of Compliance Program

- 8(1) Where the discharger, at the coming into force of this by-law, is not in compliance with one or more conditions in Section 3, the municipality may require the discharger to enter into a compliance program (based on the “Letter of Compliance Program”, attached as Schedule “B”) with the municipality to provide a plan for achieving compliance with the by-law within a specified time.
- 8(2) The program contemplated by subsection (1) shall:
- (a) be for a fixed term;
 - (b) contain reporting requirements to the Engineer and the commission on significant stages in the progress towards compliance as determined by the municipality or the commission; and
 - (c) include a maximum interim limit for the parameter or parameters covered by the agreement.
- 8(3) During the term of the compliance program, the discharger shall be exempt from those parts of Section 3 specified in the compliance program provided that all of the conditions of the program are met by the discharger prior to the expiry of the program.
- 8(4) The compliance program may be terminated with thirty (30) days notice by the municipality at any time where the terms and conditions of the agreement are not being met, or immediately where an emergency situation of an immediate threat or danger to any program, property, plant or animal life, or waters exists.

9 - Sampling and Analytical Requirements

- 9(1) Where the Engineer or the commission determines that monitoring of any discharge from an industrial, commercial or in institutional premises to the wastewater facilities is required, the municipality or the commission may require the owner of such industrial, commercial or institutional premises to monitor and analyse the discharge, and report to the Engineer and the commission the results of the monitoring program, at the owner’s expense.
- 9(2) The Engineer or the commission may specify specific time periods for collection of samples and analytical requirements based on practices of the business, as required.
- 9(3) The Engineer or the commission may from time to time enter any premises and conduct such sampling and tests as deemed necessary. Should the premises be found to be in compliance with this by-law, the commission will be responsible for any costs associated with the sampling and testing.
- 9(4) Should the testing outlined in 9(3) result in a non-compliance to this by-law, the owner shall be responsible for any costs associated with further testing, sampling, and remedial or corrective action(s) necessary to bring the premises into compliance.
- 9(5) All tests, measurements, analyses and sample handling shall be carried out in accordance with Standard Methods, and by a laboratory certified by the Canadian Association of Environmental Laboratories.

10 - Control Service Access

- 10(1) The Engineer or the commission may require the installation of a control service access or the upgrading of an existing control service access, for each connection to the wastewater facilities for the purpose of monitoring or sampling discharges.
- 10(2) A control service access required under subsection 10(1) shall be:
- (a) located on the property of the discharger unless the municipality or the commission permits an alternative location;
 - (b) constructed and maintained at the expense of the discharger;
 - (c) accessible at all times by the municipality or the commission;
 - (d) constructed in a manner which meets the standards of the municipality; and
 - (e) maintained to ensure access and structural integrity.

11 – Penalty, Enforcement and Finances

- 11(1) Any person who contravenes any provision of this by-law shall be liable upon summary conviction for every such offence to a penalty not exceeding ten thousand dollars (\$10,000.00), or in default of payment to imprisonment for a term not exceeding ninety (90) days, and each day that the offence continues shall constitute a new offence.
- 11(2) Any person alleged to have violated any provision of this by-law, who is given notice of the alleged violation and where the said notice so provides for payment, may pay a penalty in the amount of \$500.00 to the Town of Westville, provided that said payment is made within a period of fourteen (14) days following the day on which the alleged violation was committed, and said payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.
- 11(3) Unless otherwise stipulated by resolution or by-law, the commission is hereby delegated all necessary rights and powers and may perform all necessary duties as required to carry out the functions of it under this by-law and, without limiting the generality of these rights, powers and duties, shall have the authority to utilize its staff and resources, including the staff and resources of ERPAS, in order to assist the municipality with the monitoring, compliance and enforcement of this by-law as contemplated herein.
- 11(4) This by-law shall apply to the Town of Westville, and any property, equipment, machinery, or apparatus owned and operated by the commission on behalf of ERPAS within the municipality.
- 11(5) Any financial proceeds to the municipality resulting from the provisions of this by-law, including fines, penalties, and fees for compliance, extra-strength and volume agreements, shall be deposited in a separate account to be managed by the commission.

E.R.P.A.S. Pollution Prevention Program

**Discharger Information Report
(Form 1)**

1. General Information

(Company Name, Corporation, Owner)

(Telephone Number)

(Fax Number)

(Mailing address)

(Postal Code)

Location of Premises:

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

Company Officer responsible for waste effluent control:

(Name)

(Title)

(Telephone Number)

2. Product or Service Information

(1) Number of Employees: _____
Plant: _____ Office: _____

(2) Number of shifts per day: _____ Number of days per week: _____

(3) What are your principal products produced or services provided:

(4) Provide a brief description of your manufacturing or service activities:

3. Waste Characteristics and Disposal

(1) Consumption of water:

(Please provide a recent copy of water billing records)

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

Chemicals:

Quantities:

- (3) Please list the type of chemicals, cooling water or other waste materials that are discharged to the sanitary sewer.

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

- (5) Has your company sampled and analyzed wastewater that is discharged to the sewer system? If yes, please provide details and attach a copy of any available sample information.
