



SEWER BY-LAW REVIEW PUBLIC PARTICIPATION REPORT

April 2010

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BACKGROUND

In February 2010, the City of Winnipeg initiated a public consultation process to review proposed changes to the Sewer By-law.

Information about the review was available on the web site and a linked button was featured on winnipeg.ca. Several methods were used to inform stakeholders of the review:

- Public meeting invitations were mailed out to a database of over 1,840 stakeholders
- Wastewater Improvement eNewsletter was mailed out to 342 subscribed e-mail addresses
- A press release with several news stories ran
- A print advertisement was placed in the Winnipeg Free Press and the Winnipeg Sun

Public feedback was collected from January 19 to March 12, 2010, through:

- Feedback forms that were available online and public meetings – 14 respondents
- Inquiries received through 311 Contact Centre – 4 calls
- Emails from our web form – 10 emails
- Several direct phone calls and discussions at two public meetings:

| Date | Attendees |
|------------------------------|-----------|
| Tuesday, February 9, 2010 | 23 |
| Wednesday, February 10, 2010 | 54 |

More detailed meetings were also held with stakeholders upon request:

- Province of Manitoba
- Restaurant and Foodservices associations

This report is broken down into two sections:

- **Section 1 – Feedback Summary:** These are comments received in formal submissions from several stakeholders.
- **Section 2 – Sewer By-law Consultation Feedback Form Report:** These research results are based on a feedback form used in the public consultation process.

SECTION 1 – FEEDBACK SUMMARY

Formal submissions were received from several stakeholders. Comments have been organized in accordance with the draft Sewer By-law.

PART 1 INTRODUCTION

► “Pesticide Definition

To begin with, we are concerned that “pesticides” as a broad grouping are included as substances prohibited in discharges to the Wastewater System (Schedule B) and Land Drainage System (Schedule D).

The term “pesticide” includes a wide range of compounds, consisting of herbicides, fungicides, insecticides, and rodenticides. With regard to pesticides, the bylaw has a number of sections that contradict itself.

For example, Schedules C and E list concentration limits for the discharge of selected pesticides (e.g., chlordane, DDT, and lindane), yet in Schedules B and D, pesticides as a broad group are prohibited. Chlordane, DDT, and lindane have long been banned by the PMRA (Pest Management Regulatory Agency) in Canada, so listing them in the bylaw seems redundant. The way the by-law reads, these old, banned pesticides can be released into wastewater as long as they are below the listed limits, yet currently registered pesticides are prohibited from release at any concentration level.”

PART 2 AUTHORITY

Section 4

- “This section states “that a designated employee may allow or cause wastewater or land drainage to flow into a waterway, in order to control flooding.” Manitoba Conservation and Manitoba Water Stewardship should be notified of incidents where wastewater or land drainage is diverted to waterways to control flooding.”

PART 6 CONNECTION REQUIREMENTS

Section 33

- “It is recommended that decommissioning be required for onsite wastewater systems that are no longer being used.”

PART 7 DISCHARGES OF WASTEWATER

Section 41

- “This section specifies that wastewater cannot be discharged into the wastewater system if it contains either pharmaceuticals and/or pesticides. It is recommended that pharmaceuticals be defined in the introduction and/or that a list of pharmaceuticals captured by this clause be included.”

- ▶ “As I mentioned the cleaning industry has largely taken a step in recent years to throw as much chemical as possible at cleaning rather than old fashioned two step cleaning. I believe this compromises our environment significantly. Proper cleaning is an essential part of the process and then simply disinfecting touch points makes more sense. You need not use disinfectants with surfactants. Many disinfectants contain quaternary ammonium compounds (quats), phenolics, hydrogen peroxide or sodium hypochlorite's which cause skin and respiratory irritation: These same Quats encourage the development of many germs and become a superbug highway. There was a pioneering study done at Tufts University on this. Like bacteria's developing resistance to antibiotics many bugs become resistant to these quats. These disinfectants get into our waste waters and often do not get filtered out along with resistant bugs and end up in our water drainage, compromising our environment. These disinfectants are being used at alarming rates today. Focus must be given to this issue.”

Section 42

- ▶ “Discharges of wastewater to a waterway or land drainage system could be in violation of provincial statutes. Clarification is recommended to avoid this possibility.”

Section 43

- ▶ “Discharge rate limits 43(1) states that a wastewater generator may be limited to the rate at which wastewater be discharged to the sewer. There is no indication in the document as to what the limit rate may be. Also would a limited discharge rate be permanent or intermittent? For some industry limiting the discharge rate of wastewater could impact the rate of production.”

Section 46

- ▶ “ISSUE: The requirement of CAN CSA B481.1 – Grease Interceptor Standard: The Standard is currently referenced in the 2010 National Plumbing Codes which the province of Manitoba is in the process of implementing. CIPH believes that by the time the provincial codes are updated and implemented, this will provide suitable notice for certified product to reach the market, thus eliminating construction delays due to shortages. This will also allow ample time for inventory currently in the distribution chain to be replaced with new certified product.

Recommendation: Align the implementation date for the requirement of the CSA B481 with the “coming into force” date as it is announced by the Province of Manitoba’s Plumbing Code.

The institute believes that by allowing these amendments to your municipal sewer bylaws, they will disrupt the supply chain, and cause confusion in the marketplace. We recommend that the City work with the Institute and with Manitoba’s Office of the Fire Commissioner on the adoption of provincial codes, and align these with your municipal sewer bylaws.”

Section 47

- ▶ “In regards to the licensing requirements for oil, grease and sediment interceptors how does the City propose to monitor compliance?”
- ▶ “Ensuring Winnipeg is an attractive place to do business is an objective that the city has been working towards for some time. Unfortunately, many foodservice operators have faced more red tape, fees and regulations from City Hall in recent years.

2008's *Doing Business in Winnipeg* red tape reduction project was good news for some industries. Overall, it reduced the number of licenses that the city issues. But to the dismay of Winnipeg restaurant operators, the exercise had the opposite effect on the foodservice industry. Under the project, the cost of a food service establishment license increased from \$330 to \$400 - \$550 (depending on the type of establishment), and if an operator runs a cocktail lounge, a separate license is now also required. This second license carries an annual cost of \$330.

The proposed new annual grease trap licensing fee of \$75 adds more salt to this wound, and we are concerned about the message it sends to prospective foodservice operators who are considering the pros and cons of establishing a business in Winnipeg.

In the past 10 years, Manitoba has seen a steady decline in the number of foodservice establishments across the province. Since 1999, the number of bars and restaurants in the province has shrunk by nearly 500 units. One of the reasons behind these closures is a steady increase in the cost of doing business. Manitoba is now home to just under 2200 foodservice establishments, offering employment to more than 38,000 people.

Many foodservice operators are diligent about maintaining their grease interceptors. Not doing so can have disastrous ramifications for a business if the interceptor clogs or backs up. They currently take these precautions without having to purchase a license. By introducing a fee that is applicable across the industry, the city is lumping good operators in with the bad. If there are problem operators, it makes more sense to work with them directly to address problems. You referenced the camera technology you currently have in place to determine where problems exist in the system. Using this technology to focus on the “bad apples” is a more strategic way to address this issue.

If this new licensing fee is passed, Winnipeg will be the only jurisdiction in Canada that has a license on grease interceptors. This is not a trail we believe the city should be blazing, especially at a time when businesses and governments alike are struggling to make ends meet as a direct result of the worst global economic downturn since the Great Depression.

An Alternative to Licensing

During our discussions, you indicated that the city's goal is to reduce the amount of fat, oil and grease in the sewer system. We believe that there is a step the city can take to reach this goal, before a licensing fee is introduced.

Under the existing Sewer Bylaw, most foodservice operators are required to install grease interceptors in their establishments. We appreciate the city's realistic approach to this requirement. If an establishment does not use fat, oil or grease in their food preparation, they can be exempt from this provision of the sewer bylaw.

When properly maintained, grease interceptors effectively catch fats oil and greases before they enter the sewer system. We all agreed that reducing these materials in the sewer system is the most desirable outcome, since there will be less wear on city infrastructure and less work to be done to treat the city's non-household wastewater.

Therefore, we recommend an awareness and education campaign be launched, which targets foodservice operators and teaches them how to properly maintain their grease interceptors to "decrease the grease" in the city's sewer system. We propose that the new grease interceptor license that is recommended in the Draft Sewer Bylaw be postponed for 18 months, until an education campaign can be completed, and the city has time to measure the impact of such a program on the amount of fat, oil and grease in the sewer system.

As promised, we have included copies of the materials prepared for a similar campaign in Halifax, Nova Scotia. CRFA and MRFA are ready to work with your department to tailor these materials to the Winnipeg market, and to help you distribute the materials to operators across the city. By working together, we feel that we can have a more positive impact on the quality of non-household wastewater in Winnipeg."

Section 49

- ▶ "Sediment interceptors required 49(1) states that a vehicle parking area must have a sediment interceptor. Are these required for parking lots that drain to a storm water retention pond?"

Section 42

- ▶ "Rather than specifically stating the requirements in the By-law, the City could instead state that the City of Winnipeg is working with the Manitoba Dental Association and simply make reference to the fact that amalgam separators are required and need to comply with their policies and procedures.

Otherwise, will the City begin enforcing the requirement under the By-law? The Manitoba Dental Association could better assess the requirements and achieve better compliance. The By-law doesn't allow for any exemptions, but the Association

could provide exemptions and better assess when an exemption would be acceptable.

The program is currently working well, so what would be the reason for a change?”

Section 53

- ▶ “The bylaw proposed contains a section on Garbage grinders that if made law would outlaw all grinders over 1/2 HP. While this may be desirable, it should be noted that the most common sizes of grinders appear to be 3/4 and 1 HP based on number of models available. If the city is adding a provision like this, the city should make an effort to prevent the sale and installation of the soon to be illegal grinders. Permits/inspections should require the grinder specification be checked, the public should be notified and educated about the bylaw, and retailers should be asked/forced not to carry offending appliances. Without enforcement, what is the benefit of the bylaw?

Alternatively, if reducing ground kitchen waste in the system is not critical to safe and efficient operation of our sewers, this provision for waste grinders could be omitted.

Depending on the city's policy direction regarding kitchen waste, it may be desirable to encourage kitchen waste in the wastewater stream, this depends on many factors, but from a Climate Change perspective it is likely that there are lower emissions when kitchen waste is treated at a WWTP vs. sent to Brady Road.”

- ▶ “The proposed by-law makes reference to two performance metrics: particle size of the discharge from a disposer; and, the power rating (horsepower) of disposers.

Regarding the first concern (i.e., particle size), the proposed language regarding particle size discharge appears intended to further define the phrase “properly shredded garbage” contained in 25(12) of Winnipeg’s current By-Law. However, the Model Sewer Use By-Law developed by CCME appears to be silent on this specification.

Therefore, please consider use of the attached Standard 1008 issued by the American Society of Sanitary Engineers (ASSE). ASSE 1008 was initially developed in 1970 and updated as recently as 2006; Section III clearly describes a demanding protocol for testing of particle size discharge, including specifying the composition of a test-load of typical household food scraps – which is an essential component of such a standard.

ASSE 1008 serves as the standard for all manufacturers of disposers, is often referred to directly within plumbing and sewer codes, and exceeds the discharge requirement specified in the draft By-Law. As such, Winnipeg would be well-served by incorporating ASSE 1008 into its By-Law as an effective substitute for the proposed language.

With respect to the second concern (i.e., power rating): the proposed By-Law mimics the CCME Model by suggesting a prohibition on “food waste grinders with motors in excess of ½ horsepower” (or “a combined rating of .40 KW”). This power rating means little when it comes to grinding capacity or rate of grind of food waste disposers currently on the market, and as such should be eliminated or revised.

For decades, standard household food waste disposers are designed with horsepower increments ranging from 1/3 to 1 horsepower. If necessary to make such a reference, for the sake of clarity and simplicity Winnipeg’s By-Law should reflect the long-standing industry standard for household disposers of “up to 1 horsepower.”

Finally, the heading of section 53 should be updated to refer to “Food Waste Disposer Discharge Restrictions (instead of “garbage grinder”). Updating this language in Winnipeg’s By-Law also mimics the CCME Model that refers to “Food Waste Grinders.”

Language is important in this regard. Disposers are designed to only handle food scraps, not “garbage”. Increasingly, food scraps are regarded as a resource – not a waste – suitable for proper collection and processing at wastewater treatment plants into clean water, fertilizer products and renewable energy. Indeed, the name of such plants is shifting into ‘resource recovery’ facilities, underscoring the evolution of their important function within communities. “Garbage” is a term now reserved for non-recyclable or non-reusable waste.”

- ▶ “ISSUE: Section 53 (2) (b) Garbage grinder discharge restrictions [sieve requirements]:
The requirements stated in the proposed bylaw are not as current as what has been developed by ASSE, but is based on older work done for the City of Toronto.

Recommendation: Adopt the sieve requirements for food waste disposer discharge criteria to comply with ASSE 1009 – Performance Requirements for Commercial Food Waste Grinder Units.”

Section 54

- ▶ “On behalf of the Pool & Hot Tub Council of Canada, and specifically the Prairie Chapter membership encompassing the City of Winnipeg, I commend the efforts of your municipality in addressing the issue of water discharge under the By-law revisions. Our organization has worked successfully with communities across the country to minimize the environmental impact of our products. More than three hundred industry representatives in Canada have accredited themselves as certified service providers through our course, “Environmental Best Management Practices for Swimming Pools and Hot Tubs”. As well, the Council has collaborated with the City of Toronto in the preparation of the enclosed brochure.

As presented, the new By-law specifically describes where swimming pool water may not be discharged. It would be useful to provide a list of acceptable alternatives for homeowners and service companies, such as:

- i) allowing for the discharge of water through the sanitation sewer system,
- ii) sanctioning the release of discharge water onto one's own property,
- iii) permitting the removal of discharge water for subsequent treatment offsite.

In addition, two supplementary options might be worthy of consideration by the City. The environmental impact of either or both of these options would be negligible. At the same time it would significantly ease the burden on pool owners. Many of our members in the region have communicated to us that the system presently in place is not working and that homeowners are unable to comply, so these steps would provide citizens with practical options for regulated discharge:

- i) The discharge of swimming pool water directly into storm sewers could be deemed permissible under a proviso that the water has been effectively neutralized by the virtual elimination of contaminants.

Possible limits could be set as follows:

| | |
|----------|-------------------|
| Chlorine | 0.01 mg/L or less |
| Bromine | 0.01 mg/L or less |
| Copper | 0.04 mg/L or less |
| pH | 6 to 9.5 |

(Note: Toronto Water does random testing to ensure compliance within their jurisdiction.)

- ii) The release of relatively small volumes of swimming pool water directly into wastewater sewers when backwashing could be deemed acceptable. Volumes could be limited to less than 4500 litres, and only for discharge waters that have salt concentrations of less than 3 g/L.

In closing, we are pleased to report that employees from a number of companies in Winnipeg have already successfully completed our organization's Certification Program covering pool discharge best management practices. We highly recommend certified Members of the Pool & Hot Tub Council of Canada to carry out such services since they are qualified, competent and abide by our Code of Ethics.

Gaining from experience with the new By-law adoption in Ontario, we have learned that a strong education program has helped both communicate the message and execute desired results amongst homeowners and stakeholder companies. Our Association is committed to assisting with professional development and training that may be required."

PART 8 DISCHARGES OF LAND DRAINAGE

Section 57

- ▶ “This Part that has been added is difficult to interpret as the definitions for this section do not provide any clarification as to what the regulation is referring to. For example the definition identifies a “storm water retention basin” as a land drainage system and “leaves” as a prohibited substance. Preventing leaves from falling into an open body of water is unreasonable. Another example is a circular statement regarding the definition of “land drainage” which is defined as water that has not mixed with wastewater but the definition of “wastewater” is land drainage that contains substances outlined in Schedule D or substance concentrations that exceed the limits set out in Schedule E.

I realize that these are extreme examples but it shows that as the By-law currently reads it can be confusing for a stakeholder trying to determine if this Part applies to them or if they are in compliance. This section should be rewritten to focus on the land drainage concerns that can be managed with specific actions and with definitions that provide clarification, not confusion.

In regards to Schedule E, which limits the concentration of substances discharged to land drainage systems, even if a sample was taken to monitor the concentration it can be difficult to take corrective action and attempt to control the discharge source.”

- ▶ “Trace Levels of Pesticides
The new sewer by-law does not seem to allow for the release of trace levels of registered pesticides. The prohibition sections simply refer to “pesticides” as a blanket statement.
It is not feasible to reduce residual pesticide levels in surface water down to “0”, as there will always be some trace levels present (i.e., low ppm or ppb levels), even after we pass the water through our treatment system.

It is also very likely that the City’s own pesticide fogging and spraying programs will result in residual pesticide levels on the ground that will undoubtedly be washed into the land drainage system. The use of lawn pesticides by home-owners and golf course operators will also result in pesticide residues on the ground, which eventually will be washed into the city’s land drainage system. Although these levels will be low, according to the new by-law they would not be allowed.

We believe this section of the by-law needs to change. When “pesticides” are listed, does the City mean “concentrated pesticides”? Perhaps the pesticide definition should be clarified, to allow for the release of trace levels.”

- ▶ “Need clarification about pesticides: the By-law prohibits them; however they are used for mosquito control. Insect Control deposits a 10 gram pouch into catch basins on a monthly basis during the summer. How should this product/process be dealt with in the By-law?”

PART 9 SPILLS

- ▶ “The By-law refers to spills of a substance and that the spill must be reported. Substance is not defined. Spill however is. Spill is defined in part asa discharge of a substance or wastewater.... Has entered or could enter the wastewater or land drainage system.

From reading this I can interpret the by law as such: I have spilled a bottle of barbeque sauce in my backyard and it is raining. The rain “may” wash the barbeque sauce to the storm drain therefore I must report.

Substance can be anything. I think that needs to be better defined, for example may include, hazardous waste (by definition in Provincial Act and Regs.) may include dangerous goods (by definition in Federal and Provincial Acts and Regs.) However you slice it I think you need to describe a bit better what you want here otherwise everything is reportable.

I may suggest you even apply amounts to certain things, those amounts that may cause a problem for your sewer system and downstream operations. For example a one litre bottle of drain cleaner inadvertently dropped out of the grocery bag onto the street and washed into the drain should not cause a problem to the infrastructure therefore you don't need a report of that spill, however a punctured 45 gallon drum of hydrochloric acid that drains into the sewer at an industrial location may be of more concern depending on the piping etc. Maybe you can exempt domestic quantities (you would have to define domestic quantities, normally are those quantities that can be purchased at the retail level for domestic use)

When writing spill requirements you always must be concerned with getting the information you want not just throwing out the net and capturing everything because you put people in the position of having to report everything and that can sometimes overwhelm your reporting system. Not only that it gives an over active by-law officer the ability to cause an offence against someone for spilling a substance that may be trivial.

You also need to break out those common things that are released and may end up in the sewer but you are not interested in hearing about. For example, someone fertilizes their lawn and it rains immediately after and washes the fertilizer to the storm drain. This in my opinion is a discharge of a substance by your definition and it entered the drain therefore it is reportable. Another example, road dust suppression, how many times is the “substance” applied to the road surface and washed off by the rain into the storm drain or ditch. We get reports of this all the time; people think it is an oil release. By your by-law however this would be reportable.”

- ▶ “With respect to the new provisions in Part 9 (Spills), we would like to offer a number of suggestions for your consideration:
 - While a spill is to be reported “immediately”, this could be further clarified. For example, we have 24 hours to report spills to Federal and Provincial authorities.
 - It may be helpful to provide a spill report template, detailing the required reporting time frame and the information needed for the phone call as well as the written report.
 - Two working days to prepare a written report to the City may be insufficient time for multi-layered organizations, especially if tenants and suppliers are involved, and gathering/verification of information is required.”

PART 11 POLLUTION PREVENTION PLANNING

- ▶ “The CPPI believes in the effective and practical methods for controlling discharge quality and quantity from our car washes, service bays, and other fuel related facilities. To this end, CPPI has produced a set of Best Management Practices (BMPs) and CPPI members are committed to implementing these BMPs at all their operations across Canada and will work with municipalities to determine if the BMPs can be incorporated into their sewer use by-laws. Once incorporated, municipalities can audit CPPI facilities against the BMPs.

CPPI believes that the development of municipal sewer use by-laws will include the following:

1. Level Playing Field

Many facilities are impacted by the by-laws including non-CPPI competitors, vehicle dealerships, engine repair shops, radiator repair shops, non-petroleum car washes, etc. CPPI members are committed to operate within the principles of the BMPs as a means of complying with all by-laws and will seek a “level playing field” to ensure that the requirements and intentions of the by-laws are applied equally to all facilities.

2. Effective Consultation

CPPI advocates consultation at an early stage of public policy development to make sure that the policy is practical and in line with the overall objective of protecting human health and the environment.

3. Consistency Among Jurisdictions

Since CPPI members operate facilities across Canada, a high level of consistency of by-law requirements is very important. In most cases, the management systems in place at petroleum marketing facilities are set by company head offices and are consistent throughout the organization. We find the BMP approach the only feasible means of attaining this consistency.

4. Achievable Effluent Criteria

The effluent criteria that has been specified in some by-laws is not achievable in practical terms (eg. some parameters are set at levels more stringent than drinking water standards). CPPI firmly believes that implementation of BMPs at our facilities

will result in the best effluent quality and makes the imposition of effluent criteria unwarranted. However, if some municipal jurisdictions believe effluent criteria should be set for our facilities, CPPI would like to work with them to ensure the by-laws contain achievable, scientifically-based criteria which, at the same time, protect human health and the environment.

The CPPI recommends that Schedule F – *Business sectors required to prepare pollution prevention plans under Part 11*, be expanded to include the Sector – Gas Stations / Auto Repair, and that the Best Management Practices (BMPs) CPPI members are committed to implementing at all their operations, meet the requirements of Part 11 (Pollution Prevention Planning) of the proposed by-law. The CPPI member approved BMPs can be viewed on our website at http://www.cppi.ca/index_e.php?p=30.”

- ▶ “Plan required 74(1) provides the criteria that in addition to your business falling within one of the business sectors listed in Schedule F would trigger you to submit a plan. The four (4) criteria identified are prohibited actions within the By-law. So is the purpose of the P2 planning to allow a business time to work towards compliance and if so should this not be stated and is there an eventual deadline by when this would need to be completed?

Under section 74(1) there is no clarification if a business must be consistently out of compliance with the discharge criteria or if even a onetime incident will trigger them to complete a P2 plan.

Plan required 74(2) states that the Director will approve the BMP guidelines for a business sector. Will stakeholders be notified regarding the BMP guidelines they must use to develop their Plan? Will stakeholders have input into the guideline selection as some industries may have unique production requirements and developing a Plan based on standard industry practices would be difficult?

Renewing the Plan 76(1) states every 5 years but in 76(2) the Director may change that and make it more frequently. There should be just one set of criteria in regards to when a plan should be renewed.

Regular submission of progress updates 77(1) states the owner “regularly” submit progress updates but 77(2) states annually. 77(2)(b) states “a form approved by the Director” is this meaning there will be a form developed by the City to use for progress updates?”

- ▶ “While we are pleased to see that pollution prevention planning has been incorporated into the draft sewer by-law, for a short list of metal finishing industries, we recommend that Schedule F be expanded to include other sectors. Some examples of sectors missing from Schedule F are food processing facilities, hospitals, dentists, laboratories, industrial laundries, other types of manufacturing industries, and printers.

If the intent is to implement the requirement for pollution prevention planning gradually, over a specific period of time, we strongly recommend that the other sectors be listed in Schedule F now but include staggered implementation timelines. This would give the sectors the maximum amount of notice of the requirement to prepare a pollution prevention plan would ensure that all of the relevant sectors are captured by a specific date.

We recommend that the by-law include specific direction on the required content of the pollution prevention plans as in the Toronto sewer by-law and the Canadian Council of Ministers of the Environment draft model sewer use by-law.”

PART 13 ADMINISTRATION, ENFORCEMENT AND OTHER PROVISIONS

- ▶ “It is noted that the Director’s actions may violate provincial statutes; close consultation with the Province respecting emergency conditions and powers is recommended.”

SCHEDULE A FEES AND CHARGES PAYABLE UNDER THE SEWER BY-LAW

- ▶ “I would like to encourage The Water and Waste Department to have all their math in place before proceeding with any taxes or license's as I think it's a crucial step in your desire to be transparent.”

SCHEDULE B SUBSTANCES PROHIBITED IN DISCHARGES TO WASTEWATER SYSTEM

- ▶ “I suggest that consideration is given to amending Schedule B, #4, (g) (i): "Atomic Energy Control Board" to "Canadian Nuclear Safety Commission" see <http://www.cnscc.gc.ca/eng/> CNSC replaced AECB in 2000! ”
- ▶ “How do you see Schedule B, #4 (g) (ii) actually working?
Will the designated employee and their e-mail address be identified on the Water & Waste portion of Winnipeg.ca web-site?

Our office administers approximately 12 CNSC Nuclear Substances licences, majority of drain disposal of aqueous wastes is done under two licences, one for WRHA Health Sciences Centre and one for St Boniface General Hospital (Research Centre) and relatively small quantities (we don’t get anywhere near the CNSC disposal limit).

Typically CNSC Nuclear Substances Licences are valid for five years, what I would see our office doing is scanning a particular licence then e-mailing it to the “designated employee” and then submitting the renewed licence every renewal period. ”

- ▶ “Item 11 – “materials taken from the belly of slaughtered animals” could be replaced with “offal” ”

SCHEDULE C CONCENTRATION LIMITS FOR DISCHARGES INTO THE WASTEWATER SYSTEM

- ▶ “We would recommend establishing a 60 mg/L limit for total nitrogen rather than Kjeldahl nitrogen.”
- ▶ “It's common practice to use molybdate treatment as a corrosion inhibitor in closed loop heating & cooling systems. While no water is discharged to the sewer during normal operation, once in a while, (perhaps every few years), a situation arises that requires draining of portions of the system to either make repairs or connections for new equipment. Typically, the systems may run around 60 to 80 ppm molybdate concentration. It's reasonable to consider dilution, but the proposed by-law says dilution is not permitted. It would be extremely costly to have to dispose of, say 1,000 gallons of treated water as hazardous waste. (This is not a common occurrence, and it's avoided as much as possible because of the cost of treating the make-up water to the system.) Molybdate treatment became popular perhaps around the early 1990's as a preferable alternative to chromate.”
- ▶ “Notes for Schedule C - these suggestions are made to simplify the testing process with analytical labs:
Alkyl phenols- should list which ones
Alkyl phenol ethoxylates- should list which ones
BOD \dot{V} state 5 day
Chlordane- is it cis, trans, or technical?
Nonyl phenols- should list which ones
Nonyl phenol ethoxylates- should list which ones
Phenolics (4AAP) should be Total Phenol by 4-AAP method
PCBs-Total - Arochlors should be listed
PAHs- should list which ones

Nitrates, ammonia, total nitrogen (TKN and Nitrate/Nitrite) and COD are not part of this schedule. However, they are part of the CCME Canada-wide Strategy for the Management of Municipal Wastewater Effluent. Is there a reason these parameters have been omitted?

We would recommend that the CAS number be listed for all parameters.”

SCHEDULE D SUBSTANCES PROHIBITED IN DISCHARGES TO LAND DRAINAGE SYSTEM

- ▶ “Item 11 (a) – This item could be included in Item 4.”

OTHER

- ▶ “Compliance Monitoring – The draft by-law does not specify whether the City of Winnipeg intends to establish a compliance monitoring program, to ensure the success of regulating the discharge of prohibited substances in wastewater. If a compliance monitoring program is not already in place, we recommend that a program be implemented.”
- ▶ “I’m writing from the Risk Management Division at the suggestion of Legal Services. We had discussed a couple of years ago the prudence of leaving actual insurance requirements out of by-laws; simply referencing that insurance would be required as per the departmental director. Since many by-laws are in place for years, referencing insurance, without detailing the requirements, allows updates to be made without the need to revisit the by-law wording. (Insurance changes are dictated by Industry Standards or operational needs of the City.) If this is something you’d consider, Section 26 (1) (b) of the Private Access By-law has suitable wording.”
- ▶ “I agree with the new restrictions and guidelines being proposed. This would bring more attention to our continuous degrading water ways that are the life line for surrounding ecology, and a source of water we could utilize sustainably.

We need to see our water ways/rivers as more than a dumping ground for raw sewage, antibiotics, hormones, factory farm renderings, and street sewer runoffs. There is an uproar towards water privatization but our waterways are facing an even more tragic loss as they deteriorate and die a little more each year along with its inhabitants and the ecosystems it supports.

If we are no longer dependent on the water that flows through our communities we will destroy it through neglect and ignorance...and in turn our health will soon deteriorate as it is this water that flows through our veins as well. We need to make our waterways a high priority through preservation and protection. When a community can no longer drink from or utilize the river that flows through its community, it has greatly reduced its sustainability and is no longer fully capable of supporting itself, or future generations. We are dependent on an unrealistic, unsustainable sewage situation that should not exist. The earth is far more capable of recycling sewage waste than the rivers. The rivers should not be a dumping ground for our over consumptive society.

We need to keep our water as local as possible, and as many sources as possible. Why do we restrict our use of water ways with pollution? Rivers are meant to nurture and distribute riparian nutrients throughout its journey. The greatest civilizations were established along water ways, and utilized this source of nurture for thousands of years. We have polluted our water ways in less than 100 years; and in turn are polluting other water ways, lakes, streams, riparian areas, whole ecosystems..the ocean.

When will society become aware enough to understand that we thrive within this delicate living system of rivers, vegetation and wildlife; full of life and purpose. This is our foundation for life and our survival, as well as all that exists and thrives within it...the river is their home.

Would you live in a house filled with raw sewage, industrial chemicals, factory runoffs.. ? How long would you survive?"

SECTION 2 – SEWER BY-LAW CONSULTATION FEEDBACK FORM REPORT

TABLE OF CONTENTS

EXECUTIVE SUMMARY 19

1.0 BACKGROUND AND METHODOLOGY..... 20

2.0 RESEARCH RESULTS 21

2.1 Understanding of Information Presented 21

2.2 Proposed Changes to the Sewer By-law..... 22
Agreement with Proposed Changes..... 22
Intent of Proposed Changes..... 23
Extent of Proposed Changes 24

2.3 Impact of Proposed Changes 25
Extent of Impact 25
Impact of New Requirements..... 26
Need to Make Changes 27

2.4 Additional Comments 28

APPENDIX A Feedback Form 29

APPENDIX B Invitation Letter..... 32

APPENDIX C List of Attendees..... 35

EXECUTIVE SUMMARY

In February 2010, the City of Winnipeg initiated a public consultation process to review proposed changes to the Sewer By-law. The process included the use of a feedback form to collect data (Appendix A).

Most respondents agreed with the proposed changes in the Sewer By-law. Respondents also felt that the proposed changes were “just right”.

The proposed changes in the Sewer By-law would affect at least half of respondents. The “new restrictions on substances that could be put down the drain” would have the most impact.

Most respondents felt that they would not have to make changes to their business as a result of the proposed changes in the Sewer By-law.

1.0 BACKGROUND AND METHODOLOGY

A feedback form was administered at information sessions that were held on February 9 and 10, 2010. In addition, the feedback form was also available to fill out online. The objective of the feedback form was to capture stakeholders' opinions of the proposed changes to the Sewer By-law.

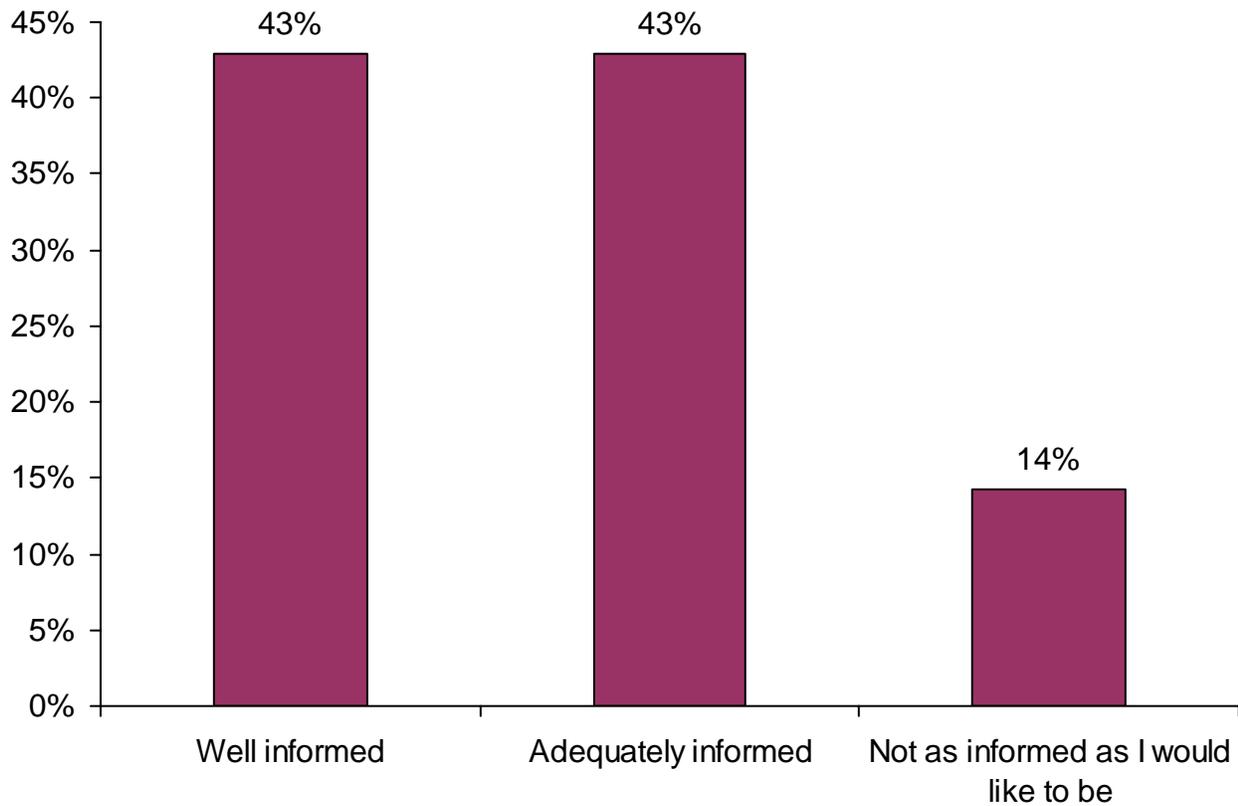
Since the respondents of the feedback form are self-selecting, the results of the survey are not scientific and only a summary of the responses received. This means that no estimates of sampling error can be calculated and, therefore, no margin of error is attributed to the results in the report.

2.0 RESEARCH RESULTS

2.1 Understanding of Information Presented

Most respondents were either well informed (43%) or adequately informed (43%) about the changes to the Sewer By-law.

*“How informed do you feel about the changes to the Sewer By-law?” (n=14)**



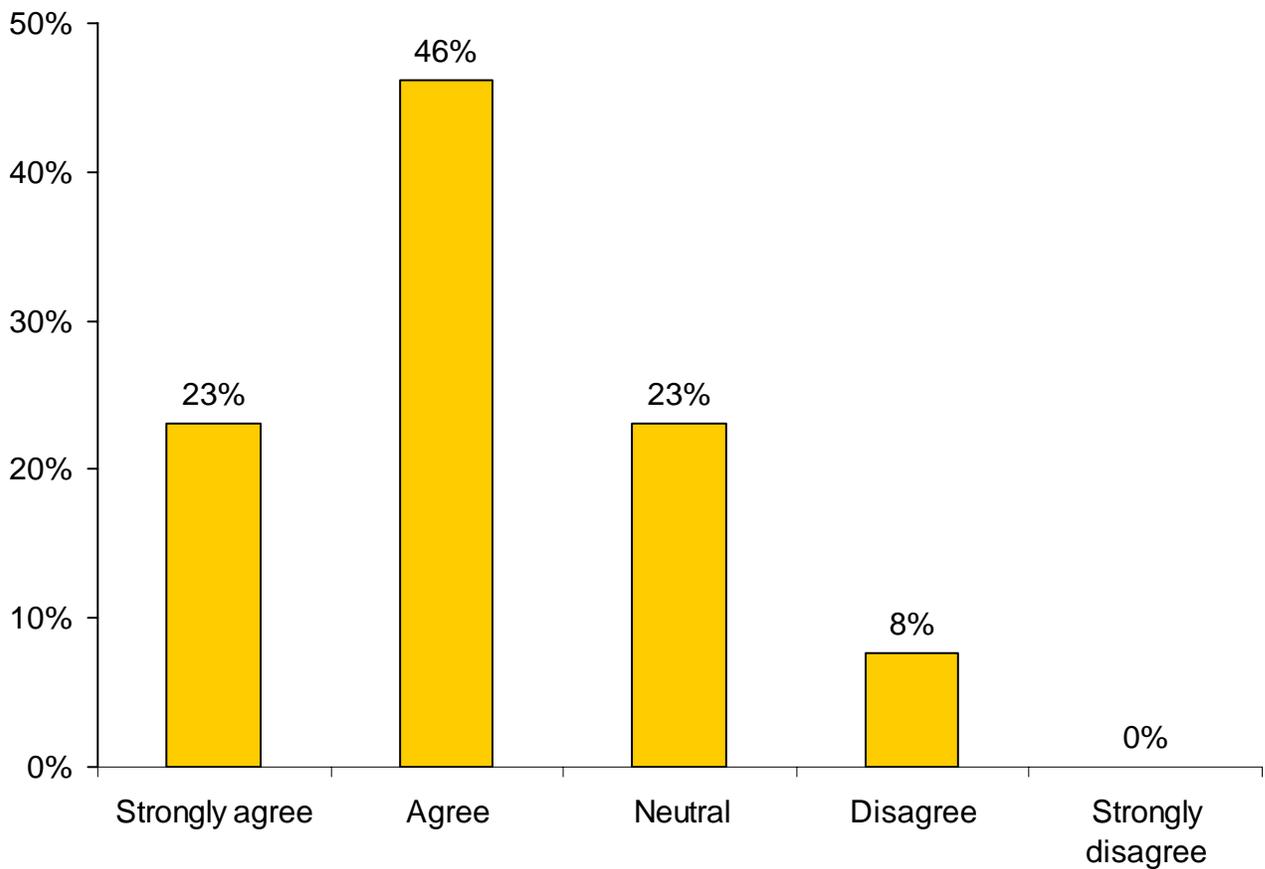
* n represents the number of responses received for that question

2.2 Proposed Changes to the Sewer By-law

Agreement with Proposed Changes

A majority (69%) of respondents agreed with the proposed changes in the Sewer By-law. No one strongly disagreed with the changes.

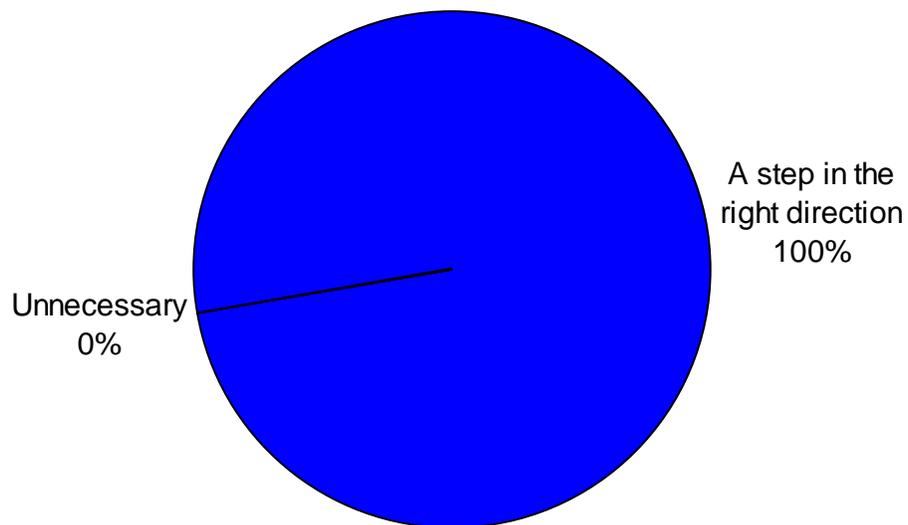
“Overall, do you agree with the proposed changes in the draft Sewer By-law?” (n=13)



Intent of Proposed Changes

There was a consensus among respondents that the changes in the By-law were “a step in the right direction.”

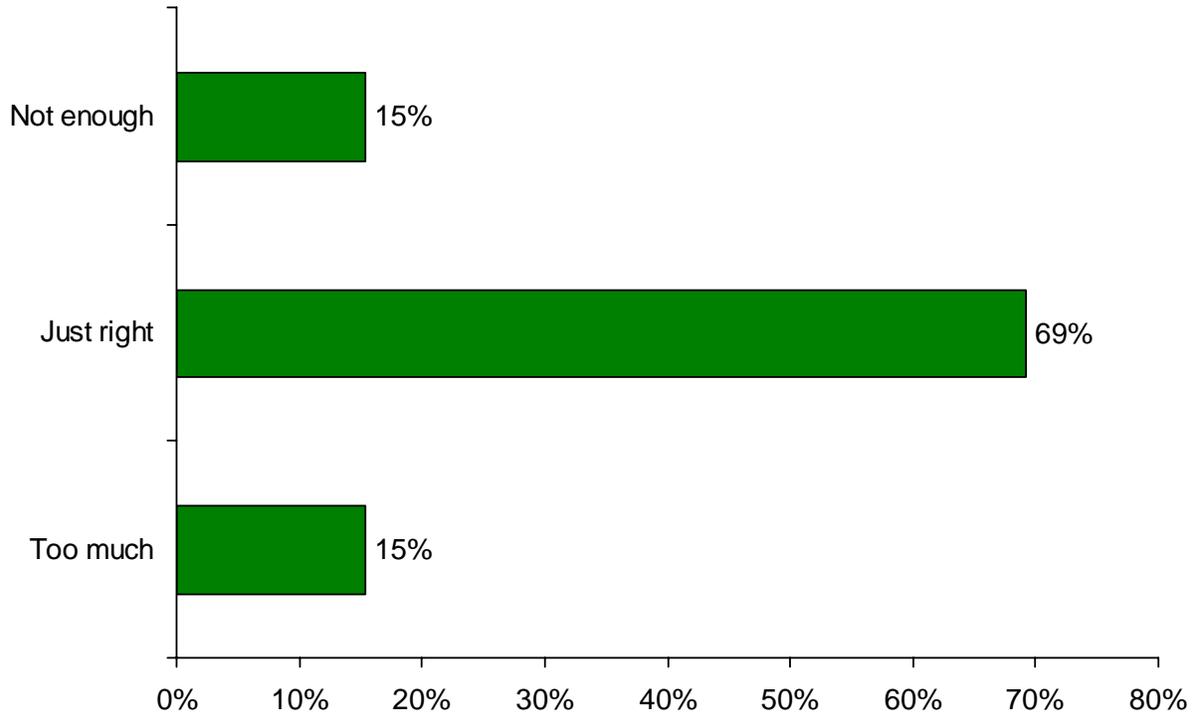
“The Sewer By-law was revised to further protect our wastewater, land drainage and river systems. Do you feel that the changes are:” (n=14)



Extent of Proposed Changes

Most (69%) respondents felt that the proposed changes in the By-law were “just right.”

“Overall, do you feel the changes proposed in the draft Sewer By-law are?” (n=13)



A few comments were provided when asked whether “*something else should be included in the Sewer By-law*”:

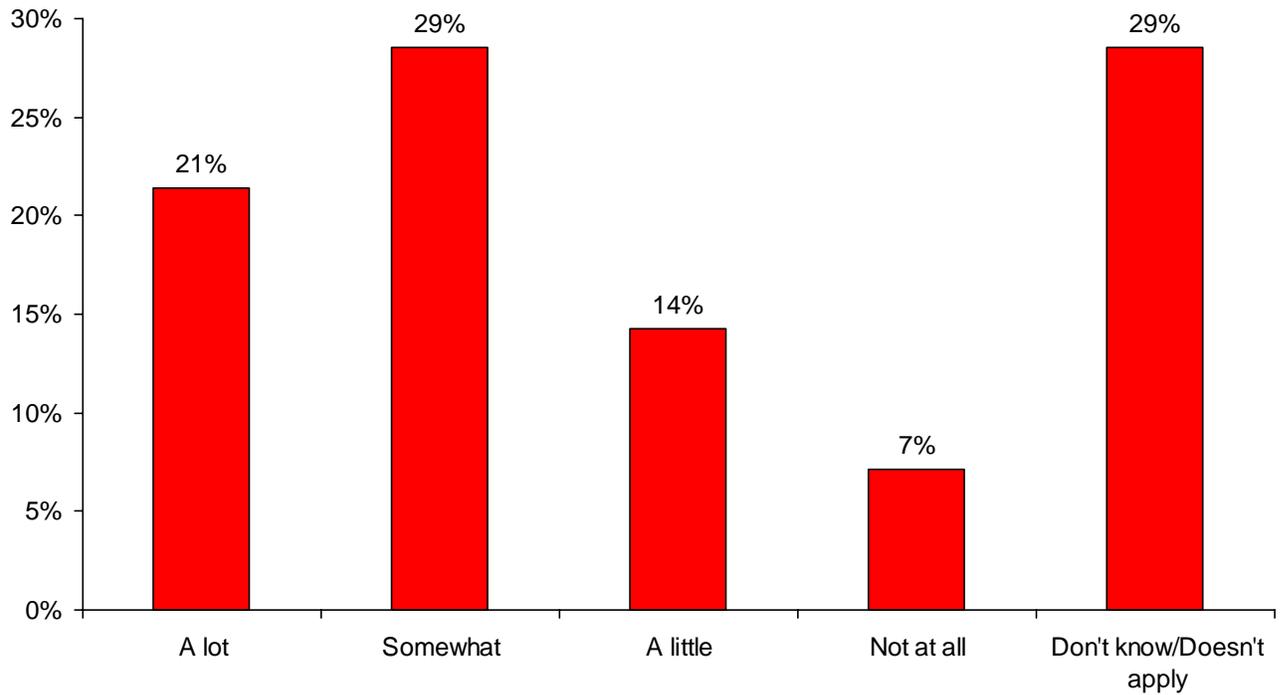
- “Phosphates/phosphorus should be totally banned - at least consumer use.”
- “Discourage the use of home garburators - recycle not flush down the drain (peelings, coffee grounds, etc.)”
- “Don't overlook all the pollution from homeowners.”

2.3 Impact of Proposed Changes

Extent of Impact

Half (50%) of respondents felt they would be affected either somewhat or a lot by the proposed changes. Only 7% felt that they wouldn't be affected.

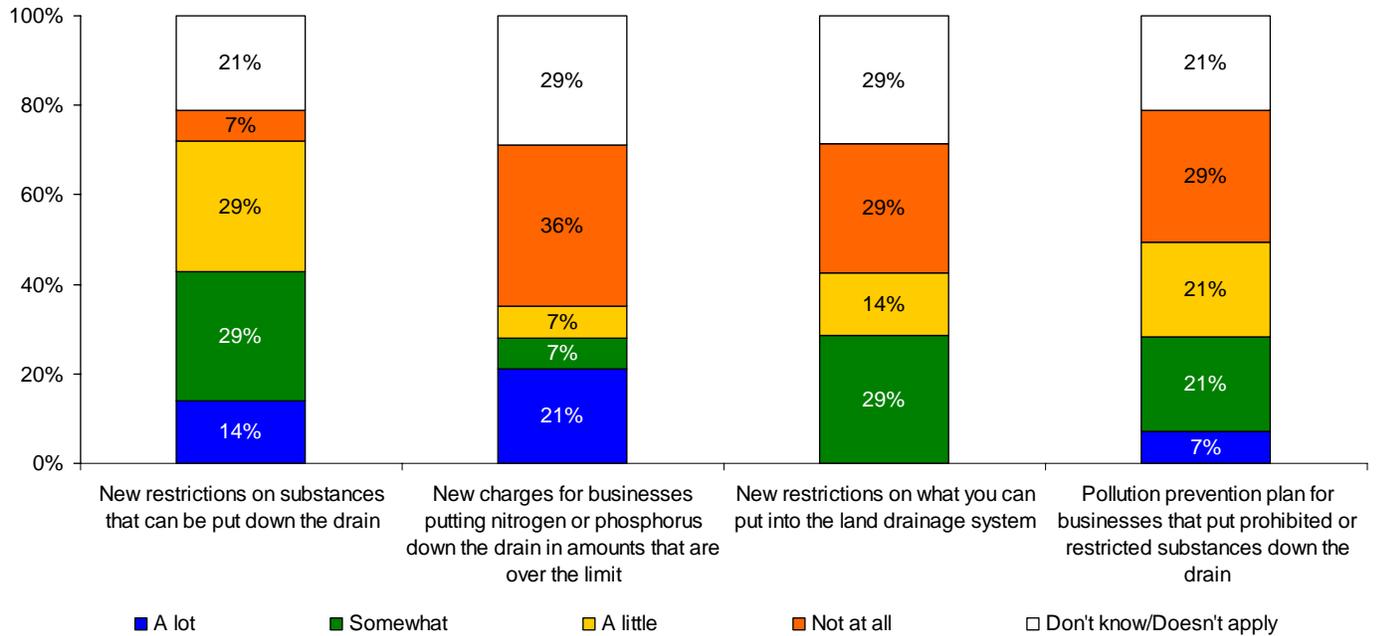
“Do you expect the changes in the Sewer By-law to affect you/your business:” (n=14)



Impact of New Requirements

Over four-in-ten (43%) respondents felt that “new restrictions on substances that can be put down the drain” would affect them somewhat or a lot. The other requirements would affect respondents about the same (either 28% or 29%).

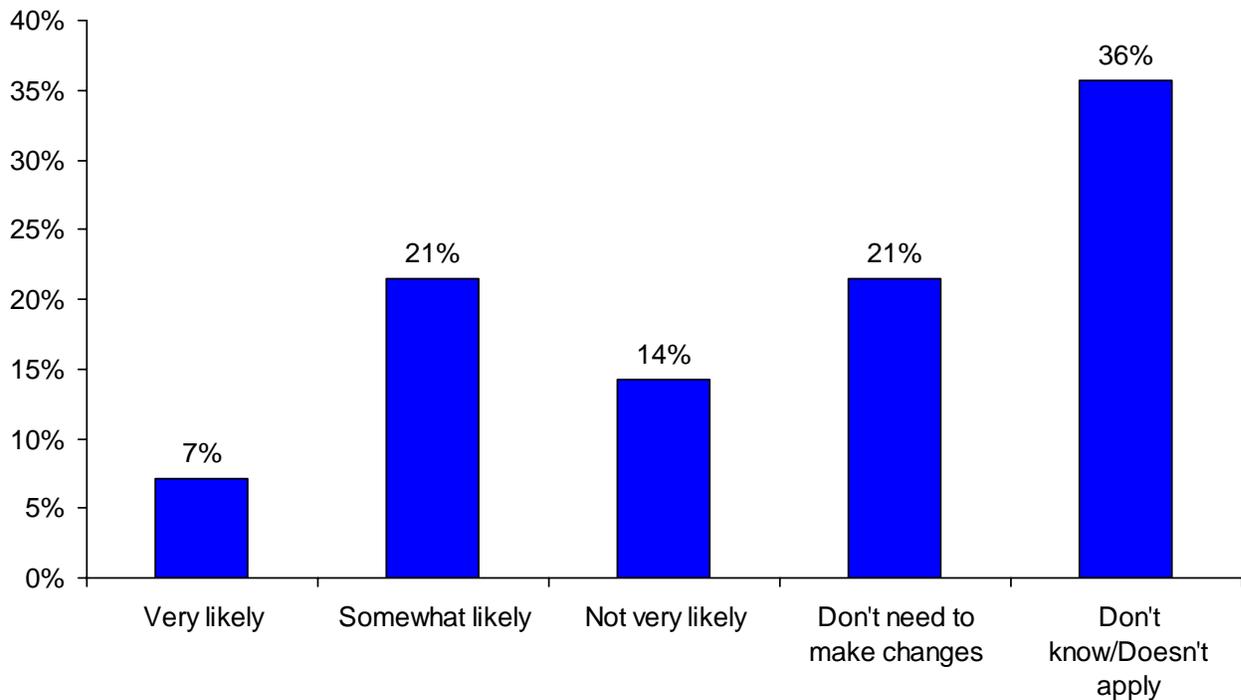
“How much will the following requirements impact you/your business?” (n=14)



Need to Make Changes

Most respondents (35%) felt that they would not have to make changes to their business as a result of the proposed changes in the Sewer By-law.

“Based on the proposed changes in the draft Sewer By-law, how likely are you to make changes to your business?” (n=14)



A few comments were provided when asked what kinds of changes were expected to be made:

- “Ensure solids don't go into sewer system.”
- “I will have to find a company that doesn't charge a ridiculous price for cleaning grease trap.”
- “Further development of industrial waste water management.”

2.4 Additional Comments

Some additional comments were provided:

- “Phosphates and fertilizers seem extremely harmful to our land drainage system. If there were a way to target consumer use of fertilizers and phosphates - that would be a step in the right direction.”
- “I think to charge 2 companies for the same waste water is theft. Either charge the restaurants or the company that cleans the grease trap not both. I understand one charge but not 2.”
- “We support continued expansion of restrictions of source materials that are potentially harmful to the environment. It is important that the city continues to lobby for the CEC to remove the nitrogen focus on wastewater department.”

APPENDIX A

FEEDBACK FORM



SEWER BY-LAW CONSULTATION FEEDBACK FORM

Name of Company/Organization (optional): _____

1. How informed do you feel about the changes to the Sewer By-law?

| | | |
|--------------------------|--------------------------|--|
| Well informed | Adequately informed | Not as informed as I would like to be |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. The Sewer By-law was revised to further protect our wastewater, land drainage and river systems. Do you feel that the changes are:

| | |
|-------------------------------|--------------------------|
| A step in the right direction | Unnecessary |
| <input type="checkbox"/> | <input type="checkbox"/> |

3. Do you expect the changes in the Sewer By-law to affect you/your business:

| | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|------------------------------|
| A lot | Somewhat | A little | Not at all | Don't know/ Doesn't apply |
| <input type="checkbox"/> |

4. How much will the following requirements impact you/your business?

| | Not at all | A little | Somewhat | A lot | Don't know/ Doesn't apply |
|--|--------------------------|--------------------------|--------------------------|--------------------------|------------------------------|
| a) New restrictions on substances that can be put down the drain | <input type="checkbox"/> |
| b) New restrictions on what you can put into the land drainage system | <input type="checkbox"/> |
| c) New charges for businesses putting nitrogen or phosphorus down the drain in amounts that are over the limit | <input type="checkbox"/> |
| d) Pollution prevention plan for businesses that put prohibited or restricted substances down the drain | <input type="checkbox"/> |

please see over

5. Based on the proposed changes in the draft Sewer By-law, how likely are you to make changes to your business?

- | | | | | |
|--------------------------|--------------------------|--------------------------|----------------------------|---------------------------|
| Very likely | Somewhat likely | Not very likely | Don't need to make changes | Don't know/ Doesn't apply |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

6. If you plan on making changes, what kind of changes do you expect to make?

7. Overall, do you feel the changes proposed in the draft Sewer By-law are:

- | | | |
|--------------------------|--------------------------|--------------------------|
| Too much | Just right | Not enough |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

8. Do you feel that something else should be included in the Sewer By-law?

9. Overall, do you agree with the proposed changes in the draft Sewer By-law?

- | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Strongly agree | Agree | Neutral | Disagree | Strongly disagree |
| <input type="checkbox"/> |

Please let us know any other comments you have:

If you would like to speak with someone about your concerns, please give your contact information.

Name: _____ Phone: _____

Thank you for participating.

Please return survey to: Tiffany Skomro; c/o City of Winnipeg Water and Waste Dept.; 112-1199 Pacific Ave.; Winnipeg, MB; R3E 3S8; Fax 986-3745; e-mail: tskomro@winnipeg.ca

APPENDIX B

INVITATION LETTER



Water and Waste Department • Service des eaux et des déchets

January 18, 2010

Attention: Sewer By-law Stakeholders

Invitation to Review a Draft of the Revised Sewer By-law

Recommendations from the Clean Environment Commission (CEC) in 2003 to the Minister of Conservation led us to review the existing Sewer By-law 7070/97.

The recommendation stated that we should update our By-law to:

- expand the list of restricted substances,
- prevent disposal of contaminants of concern,
- encourage treatment at source,
- improve enforcement of the By-law, and
- increase penalties for violations.

We have prepared a draft By-law with these and other changes and are now seeking feedback from the public before we send it to City Council for consideration.

We invite you and other interested representatives of your organization to a public meeting on the draft Sewer By-law.

| Date | Tuesday, February 9, 2010 | Wednesday, February 10, 2010 |
|----------------------------|------------------------------|---------------------------------|
| Registration and coffee | 5:30-6:00 pm | 9:00-9:30 am |
| Presentation | 6:00-6:30 pm | 9:30-10:00 am |
| Question and answer period | 6:30-7:30 pm | 10:00-11:00 am |

Location: Masonic Memorial Temple, 420 Corydon Avenue

There will be an opportunity for you to ask questions and provide comments. We will include your feedback in our report to City Council.

A summary of the key changes is attached.

You can see the draft By-law, as well as supporting information, on our web site at winnipeg.ca/waterandwaste/sewage/projects/

You can request written copies of the information by contacting our 311 Centre, open 24 hours every day, by phone at 311 or by email at 311@winnipeg.ca

see over

You can also give us your comments by **Friday, March 12, 2010**:

- by email at wwdfeedback@winnipeg.ca, or
- by mail to 112-1199 Pacific Ave, Winnipeg MB, R3E 3S8, Attention: Sewer By-law Consultation

If you have any questions about the public meetings or the draft By-law, please contact Arnold Permut, Wastewater Systems Planning Engineer, by phone at 986-4817 or by email at apermut@winnipeg.ca.

We look forward to seeing you there.

APPENDIX C

LIST OF ATTENDEES

LIST OF SEWER BY-LAW CONSULTATION ATTENDEES

1. Aqua Pleasure Pools Ltd.
2. D&S Industrial Inc. (DSI) (x2)
3. Maxxam Analytics
4. Cantest Ltd.(x2)
5. Zellers
6. Xtra Mile Wash Inc.
7. Pinchin Environmental (x2)
8. Westrans Ltd.
9. Manitoba Conservation (x2)
10. Winnipeg Condominium Corporation (WCC) #97
11. Manitoba Restaurant & Foodservice Association (MRFA)
12. HAZCO Environmental Services
13. Rainbow Carwash
14. University of Manitoba (x3)
15. Crown Spas
16. Westclean Equipment & Cleaning Supplies
17. Canadian Council of Ministers of the Environment (CCME)
18. Standard Aero (x3)
19. Misericordia Hospital
20. Perth Services
21. Cross Canada Collision Parts Specialists
22. SNC-Lavalin Inc.
23. Department of National Defense (DND) 17 Wing
24. Royal Canadian Mint
25. Western Reman Industrial
26. Victoria General Hospital
27. Cadillac Fairview Corporation
28. Stantec Consulting
29. Cadorath Plating (x2)
30. Red River Basin Commission
31. Miller Environmental Corporation (x2)
32. Carroll & Associates Ltd.
33. Maple Leaf Construction
34. Pool Pros Ltd.
35. GE Water
36. ALS Laboratory Group
37. Manitoba Hydro
38. Via Rail Canada
39. Manitoba Water Stewardship
40. Province of Manitoba
41. Borland Construction Inc. (x2)
42. Jade Transport
43. WRS Environmental (x2)
44. Frontier Toyota
45. Gordon Hotels
46. Forks Renewal Corporation (x2)
47. Winnipeg Free Press
48. Vita Health Products
49. Interprovincial Co-op (x2)
50. KGS Group
51. Brenntag Canada
52. PC Caucus – Legislature
53. Health Sciences Centre (HSC)
54. Manitoba Eco-Network (x2)
55. Winnipeg Regional Health Authority (WRHA)
56. General citizen (x3)