



Water and Waste Department

SEWER BY-LAW FEEDBACK AND DISPOSITION OF COMMENTS

ORGANIZATION	COMMENT	DISPOSITION
Automobile Dealership	Requested information on how new Sewer By-law will affect this business and how to reduce pollution resulting from this business.	Sent email with copies of Toronto's Best Management Practices as examples of good practice for automobile maintenance facilities
Resident / and Major Food Waste Grinder Manufacturer / and Canadian Institute of Plumbing & Heating	<p>Recommended:</p> <ol style="list-style-type: none"> 1) changing the name from "garbage grinders" to the industry term of "food waste grinders" 2) using the standard issued by the American Society of Engineers 3) reconsidering the horsepower rating because it is not reflective of the larger ratings of grinders commonly sold for household use 	<p>Amended section 52 as per the recommendations:</p> <ol style="list-style-type: none"> 1) changed the name of the section to "Food Waste Grinders" 2) revised to state that grinders must meet the current version of the standard for performance requirement for plumbing aspects of food waste grinders issued by the American Society of Sanitary Engineers 3) revised the horsepower rating to reflect grinders commonly sold for household use
Winnipeg Regional Health Authority	Recommended amending the reference to the governing body in Schedule A, item 4 to reflect the current name of the governing body: from "Atomic Energy Control Board" to "Canadian Nuclear Safety Commission"	Amended Schedule A as per the recommendation
Risk Management Division, City of Winnipeg	Recommended deleting the insurance policy amount for the Sewer Contractor's Licence and stating that insurance would be as required by the Director. This allows for updates to remain current with Industry Standards or operational needs of the City without a By-law amendment.	<p>Amended section 20(3) as per the recommendation:</p> <ul style="list-style-type: none"> • "a commercial general liability insurance policy in an amount determined by the Director"

<p>Misericordia Health Centre</p>	<ol style="list-style-type: none"> 1) Concerned that it would be it illegal to operate water-cooled refrigeration systems since clean water is not to be discharged to the sewer, or at least to a combined sewer 2) Concerned that it would be impossible to operate a reverse osmosis water system since clean water is not to be discharged to the sewer. 3) Concerned that discharging molybdate to the sewer system would violate the By-law, and the By-law does not allow for dilution. It is used as a corrosion inhibitor in closed loop heating and cooling systems, and although not discharged during normal operation, it does need to be discharged infrequently, perhaps every “few years” when the system may need to be drained (e.g., to make repairs). 4) Concerned that it is not practical to prohibit dilution, as acid dilution systems are common in laboratory facilities. 	<ol style="list-style-type: none"> 1) This is not in the new Sewer By-law. It is in the Canadian Council of Ministers of the Environment Model Sewer Use By-law. 2) By-law refers to “non-contact cooling water” or “uncontaminated water”, so concern does not exist with the new By-law. 3) Recommend the customer discuss this situation with our Department to explore acceptable alternatives. The periodic disposal of molybdate to the sewer system would violate the By-law. As these circumstances are infrequent and specifics change on a case-by-case basis, the By-law cannot contain provisions that could address every unique case. 4) Amended section 14 to address this concern.
<p>Commercial Building Cleaning Company</p>	<ol style="list-style-type: none"> 1) Concerned that sewer rates were not made available during the public consultation process. 2) Concerned that certain common cleaning and disinfecting agents (e.g., quaternary ammonium compounds) may lead to respiratory and skin irritation, promote the growth of “super bugs” resistant to antibiotics, and be released in wastewater discharges, compromising the environment. 	<ol style="list-style-type: none"> 1) Rates could not be released because they were and still are under review. 2) The Sewer By-Law cannot address this issue. Controlling the use of such cleaning compounds must be addressed at either a Provincial or Federal government level.

Pool & Hot Tub Council of Canada	Recommended allowing practical disposal alternatives for swimming pool water that do not pose a risk to the environment or public safety.	Amended Section 53 as recommended to allow swimming pool water to be drained to the land drainage system with a Wastewater Discharge Licence. The licence would include conditions to protect the environment and public safety, such as: <ul style="list-style-type: none"> • prohibiting discharges when the water might freeze • adjusting select pool parameters before discharging (e.g., chlorine, bromine, pH)
Canadian Restaurant and Foodservices Assoc. / Manitoba Restaurant & Foodservices Assoc.	Concerned that adding a grease interceptor licence and a grease interceptor licence fee would unnecessarily add to the cost and complexity of operating a food service establishment in Winnipeg.	Amended the By-law to remove the requirement for a grease interceptor licence and licence fee.
Commercial Environmental Analytical Laboratory	<ol style="list-style-type: none"> 1) Recommended defining more specifically several of the compounds listed in Schedules B and D to provide clarity for business sectors as well as the testing process undertaken by analytical labs. 2) Asked why nitrates, ammonia, total nitrogen (TKN and Nitrate/Nitrite) and chemical oxygen demand (COD) are not part of the Schedules, noting that they are part of the Canadian Council of Ministers of the Environment Canada-wide Strategy for the Management of Municipal Wastewater Effluent. 	<ol style="list-style-type: none"> 1) Amended the definitions in Part 1 as recommended. These amended definitions are based on the CCME Model Sewer Use By-law, the Toronto Sewer By-law, and Manitoba Surface Water Quality Objectives. 2) Amended Schedule B to include total nitrogen. The other forms of nitrogen are not included because total nitrogen is being used as the basis for design of the wastewater treatment facility upgrades to meet the licence objectives for nutrients. Also, it is intended that a surcharge will eventually be established for businesses discharging total nitrogen to recover costs for treatment. A limit for ammonia is in Schedule D relevant to land drainage discharges due the toxic impact of ammonia when directly discharged to the aquatic environment.

	<p>3) Recommended listing the Canadian Analytical Society number for all parameters.</p> <p>4) Asked whether a definition of hazardous waste would be included in the By-law.</p>	<p>3) Neither the Canadian Council of Ministers of the Environment Model Sewer Use By-law nor the Toronto By-law use the Canadian Analytical Society number.</p> <p>4) Hazardous waste is defined in Part 1.</p>
The Canadian Petroleum Products Institute (CPPI)	<p>1) Recommends that Schedule E (business sectors required to prepare pollution prevention plans under Part 11), be expanded to include the gas stations /auto repair sector.</p> <p>2) Recommends that the Best Management Practices produced by CPPI for its members meet the requirements of Part 11 (Pollution Prevention Planning) of the new By-law.</p>	<p>1) Schedule E will be expanded to include more sectors on a phased basis following Council approval. This process will follow a sampling program with a focus on environmental impacts and public safety.</p> <p>2) The City welcomes discussions with business sectors to establish the best possible process for that sector to complete pollution prevention plans as required.</p>
Royal Canadian Mint	<p>1) Asked what the limit would be for the rate at which wastewater is discharged to the sewer, as specified in Part 7, and whether a limited discharge rate would be permanent or intermittent. Limiting the discharge rate of wastewater could impact the rate of production for some industries.</p> <p>2) Asked if the sediment interceptors required under 49(1) applies to parking lots that drain to a stormwater retention pond.</p> <p>3) Asked how the City plans to monitor compliance with the licensing requirements for oil, grease and sediment interceptors.</p>	<p>1) Discharge rates can't be specified in the Sewer By-law because they are:</p> <ul style="list-style-type: none"> ▪ highly situational and are based on specific hydraulic considerations that are relevant to the receiving sewer system. ▪ addressed under other City processes (e.g., building licence approvals, development approval process). ▪ conditional on seasonal criteria (e.g., whether or not rainfall is occurring). <p>2) The By-law does not require sediment interceptors for parking lots draining into retention ponds.</p> <p>3) The City plans to add two Pollution Prevention Inspectors to monitor compliance with the By-law.</p>

	<p>4) Concerned with Part 8 (discharges of land drainage), such as:</p> <ul style="list-style-type: none"> ▪ the requirement to prevent leaves from falling into an open body of water is unreasonable ▪ the definition of “land drainage” and “wastewater” are circular and confusing <p>5) Concerned that even if a sample was taken to monitor the concentration, it would be difficult to take corrective action and attempt to control the discharge source in regards to Schedule E, which limits the concentration of substances discharged to land drainage systems.</p> <p>6) Concerned about implementing the pollution prevention planning in Part 11.</p> <p>7) Asked whether business sectors with unique production requirements would have an opportunity to provide input into developing pollution prevention plan.</p>	<p>4) The By-law:</p> <ul style="list-style-type: none"> ▪ restricts directly disposing of leaves in a retention pond - incidental falling of leaves into a land drainage system through wind action would not be considered a violation of this By-law. ▪ accurately defines “land drainage” and “wastewater” in the context of their application to Winnipeg’s sewer system. <p>5) The By-law is intended to enforce direct discharges, not indirect discharges in trace quantities. However, if the discharge to the land drainage system is the result of operating procedures and exceeds the limits in Schedule E, a pollution prevention plan may be required to bring the operation into compliance with the By-law.</p> <p>6) Amended Part 11.</p> <p>7) Section 75(2) of Part 11 provides guidelines as to the form and content of a plan. It is expected, however, that particular details of submissions are likely to vary based on the specific nature of some businesses.</p>
<p>Agricultural Chemical Manufacturer/ City of Winnipeg Insect Control Branch</p>	<p>1) Concerned that the definition of pesticide was not specific enough and this could lead to contradictory limits in the By-law.</p> <p>2) Concerned that the By-law does not allow trace levels of registered pesticides to be released, which is not feasible.</p>	<p>1) Pesticide is clearly defined in Part 1. Since the definition references products registered under the <i>Pest Control Act (Canada)</i>, it remains both current and consistent with Federal regulations.</p> <p>2) Amended the wording of pesticides in Schedules A and C as per the recommendation to state “concentrated pesticides”. Therefore, the incidental release of trace quantities of pesticide that are unavoidable would not violate the new By-law.</p>

<p>Manitoba Conservation, Environmental Services</p>	<ol style="list-style-type: none"> 1) Concerned the term “substance” is not defined in Part 9 (Spills) and therefore could refer to anything, including non-hazardous commonly used household compounds (such as barbecue sauce). 2) Recommended defining the quantity of spilled compound that triggers reporting requirements. 3) Recommended more specific reporting requirements for spills so that not everything would appear reportable, which would overwhelm your reporting system. 	<ol style="list-style-type: none"> 1) Amended Part 9 as per the recommendation by removing the word “substance”. 2) Defining the quantity could result in underreporting. The danger posed to the environment or human health can vary substantially depending on the specific characteristics of the compound and the quantities. 3) Amended the definition of spills in Part 11 to address the recommendation.
<p>Manitoba Dental Association</p>	<p>Recommended that the By-law state that amalgam separators are required and need to comply with the policies and procedures of the Manitoba Dental Association. The Association has a good program in place, including education, facility assessment, and follow up actions when facilities are out of compliance. They track installations and assess when exemptions are required.</p>	<p>Amended section 51 of Part 7 as per the recommendation to state that dental waste amalgam separators be installed and operated in compliance with the requirements of the Manitoba Dental Association.</p>
<p>Winnipeg Airport Authority</p>	<ol style="list-style-type: none"> 1) Recommended clarifying “immediately” in the requirement to report a spill. They have 24 hours to report spills to Federal and Provincial authorities. 2) Recommended a spill report template, detailing the required reporting time frame and the information needed for the phone call as well as the written report. 	<ol style="list-style-type: none"> 1) A spill must be reported immediately so it can be mitigated quickly. Both the CCME Model Sewer Use By-law and the Toronto By-law require this as do Provincial regulations. 2) Amended Part 9 as per the recommendation to include a list of information required when reporting a spill.

	<p>3) Concerned that two working days to prepare a written report on a spill may be insufficient time for multi-layered organizations, especially if tenants and suppliers are involved, and gathering/verifying information is required.</p>	<p>3) Amended Part 9 as per the recommendation to allow five days to submit the formal report. Both the CCME and Toronto By-laws use a five day criteria for submission of the reports.</p>
<p>Manitoba Water Stewardship – Environmental Stewardship Division</p>	<p>1) Asked that the City notify Manitoba Conservation and Manitoba Water Stewardship when wastewater or land drainage is diverted to waterways to control flooding.</p> <p>2) Recommended that decommissioning be required for onsite wastewater systems that are no longer being used.</p> <p>3) Recommended that pharmaceuticals be defined in relation to the requirements of Part 7 (Discharges of Wastewater), specifying that wastewater cannot be discharged into the wastewater system if it contains either pharmaceuticals and/or pesticides.</p> <p>4) Concerned that discharges of wastewater to a waterway or land drainage system could be in violation of provincial statutes. Clarification is recommended to avoid this possibility.</p> <p>5) Recommended that all the business sectors required to prepare pollution prevention plans be listed now in the Schedule with staggered implementation timelines. This would give the sectors the maximum amount of notice of the requirement to prepare a pollution prevention plan and would ensure that all of the relevant sectors are captured by a specific date.</p>	<p>1) This is an administrative procedure and therefore does not need to be included in the By-law.</p> <p>2) This requirement is the responsibility of Manitoba Conservation and therefore not appropriate to include in the City’s Sewer By-law.</p> <p>3) It is not feasible to amend the By-law to include this recommendation because the availability of new pharmaceuticals occurs with great frequency and it would be a constant undertaking to keep the By-law current.</p> <p>4) Amended Part 7 as per the recommendation to include a clause stating that wastewater discharges are not permitted if they prevent the City from meeting limits imposed by the Province or Government of Canada for the disposal of liquid to waterways or of biosolids to land.</p> <p>5) As priorities for requiring specific business sectors to prepare a pollution prevention plan may change based on a City monitoring program, these will be defined over time as the data justifies. Part 11, Section 73(2), requires that the Director provide at least one year’s notice prior to the effective date for any business sector to prepare a pollution prevention plan.</p>

	<p>6) Recommended that specific direction be included 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.</p> <p>7) Concerned that the Director's actions as outlined in section 99 of Part 13 (Administration, Enforcement and Other Provisions), may violate provincial statues; close consultation with the Province respecting emergency conditions and powers is recommended.</p> <p>8) Recommend replacing "materials taken from the belly of slaughtered animals" with "offal" in Schedule A.</p> <p>9) Recommended that a 60 mg/L limit for total nitrogen be used in Schedule B rather than establishing a limit for kjeldahl nitrogen.</p> <p>10) Recommended including item 11(a) in item 4 in Schedule C.</p> <p>11) Recommended implementing and including information on a compliance monitoring program to ensure the success of regulating the discharge of prohibited substances in wastewater.</p>	<p>6) Amended Part 11 Section 75 as per the recommendation to clearly outline information that must be provided in a pollution prevention plan.</p> <p>7) During flood events the City has continuous dialogue with Provincial flood forecasters. The City operates its flood prevention infrastructure according to these forecasts and as outlined in the City's Flood Manual. Provincial legislation states that the responsibility for the operation of this flood protection infrastructure is the responsibility of the City.</p> <p>8) Although technically correct, the term "offal" is not consistent with the City's plain language approach to By-law drafting. Therefore this change has not been included.</p> <p>9) Amended the By-law as per the recommendation.</p> <p>10) Amended the By-law as per the recommendation.</p> <p>11) A compliance monitoring program is already in place and the intent is to expand the compliance monitoring program. The By-law will not be amended to include details of the program because this is administrative work and does not require By-law authority.</p>
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Note: The stakeholder comments have been summarized to the best of our understanding. For the original stakeholder feedback, please visit winnipeg.ca

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