

## **The Township of Cavan Monaghan Sewer use By-law No. 2023-48**

**Being a by-law to prohibit, regulate and control the discharge of water and wastes into the municipal sanitary and storm sewer systems, and wastewater treatment works and to regulate and control extensions, alterations or enlargements to the sewer system within the municipality.**

**Whereas** Council deems it expedient and necessary to regulate the management of sewers, sewer systems, wastewater works and watercourses and to regulate the manner, extent and nature of the reception and disposal of wastewater and land drainage within the municipality, and every other matter related to or connected therewith;

**And Whereas** the objectives of this By-law are to:

- Protect the sewer collection system from corrosion, other damage and obstruction;
- Protect the wastewater treatment process from upset;
- Protect the public, municipal works and property from hazardous conditions;
- Assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system;
- Protect the environment from contaminants that are not removed by treatment systems; and
- Assist the municipality in maintaining compliance with the operating conditions established by the Province of Ontario.

**And Whereas** it is necessary and proper to regulate such matters outlined above in order to secure from the inhabitants of the Municipality and adequate system of wastewater and land drainage disposal in accordance with the powers described in the Municipal Act, 2002, S.O 2001, c.25, as amended.

**Now Therefore** the Council of the Township of Cavan Monaghan enacts as follows:

1. That the Mayor and Clerk be and are hereby authorized to execute the Sewer Use By-law 2023-48 on Behalf of the Township of Cavan Monaghan.
2. This By-law hereby repeals and replaces By-law 2010-86.
3. That this By-law become effective immediately upon passing thereof.

**READ a first, second and third time and passed this 26th day of June, 2023.**

  
\_\_\_\_\_  
Matthew Graham  
Mayor

  
\_\_\_\_\_  
Cindy Page  
Clerk



**Sewer Use By-Law  
No. 2023-48**

2023-48

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## Introduction

This By-law outlines controls for the discharge of pollutants to the sewer system within the boundaries of the Township of Cavan Monaghan. The objectives of the By-law are to:

- Protect the municipal sanitary collection system from corrosion, obstruction and other damage;
- Protect the municipal wastewater treatment process from upset;
- Protect the public, municipal workers and property from hazardous conditions;
- Assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system;
- Protect the environment from contaminants that are not removed by the wastewater treatment system;
- Assist the Township in maintaining compliance with the operating conditions established by the Province of Ontario.

## 1. Definitions

As used in this By-law, the following terms shall have the meanings indicated:

**Accredited Laboratory** – means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories" established by the Standards Council of Canada, as amended, or "ISO/IEC 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended.

**Authorized representative** – means:

- (a) A principal executive officer of at least the level of vice president, if the owner or operator is a corporation;
- (b) A general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively;
- (c) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the wastewater discharge originates.

**Biochemical Oxygen Demand (BOD)** – means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at twenty (20) degrees Celsius as determined in accordance with Standard Methods and expressed in milligrams per litre.

**Biomedical Waste** - means material as defined in the Ontario Ministry of the Environmental Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended.

**Biosolids** – means the organic soil conditioner recovered from the Township of Cavan Monaghan's Wastewater Treatment Plant.

**Blowdown Water** – means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system.

**Building Code** – means the regulations governing standards for construction and demolition of buildings made under the *Building Code Act, S.O. 1992, c.23*, as amended.

**CCTV** – means Closed Circuit Television.

**Chemical Oxygen Demand (COD)** – means the measure of the capacity of water to consumer oxygen as a result of oxidation or inorganic chemicals and decompositions of organic matter as determined by the appropriate procedure in Standard Methods.

**Clear-Water Waste** means non-contact cooling water and other water that has not come into contact with wastewater contaminant sources.

**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.

**Composite Sample** – means a volume of wastewater, storm water, uncontaminated water, clear-water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods.

**Connection or Drain** – means the part or those parts of any pipe or system of pipes leading directly to a sewer works.

**Cooling Water** – means the 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 blowdown water.

**Dental Amalgam** – means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.

**Dental Amalgam Separator** – means any technology, or combination of technologies, designed to separate dental amalgam particles from the dental operation's wastewater.

**Director** – means the Director, Public Works Department, Township of Cavan Monaghan, or his/her duly authorized representative.

**Domestic Wastewater** – means the waste produced on a residential premises, or sanitary waste and wastewater from showers and restroom washbasins produced on a non-residential property.

**EPA** – means the *Environmental Protection Act R.S.O, 1990* as amended.

**Extra Strength** - means wastewater released to the sewer that is higher in concentration for one or more constituent concentrations set out in Schedule A or containing constituents identified in Schedule A.

**Flow Monitoring Point** - means an access place to the sewer system for the purpose of:

- (a) Measuring the rate or volume of wastewater, storm water, clear water waste or subsurface water released from the premises; and
- (b) Collecting representative samples of the wastewater, storm water, clear water waste or subsurface water released from the premises.

**Fuels** – means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.

**Grab Sample** – means a volume of wastewater, storm water, uncontaminated water or effluent which is collected over a period not exceeding 15 minutes.

**Ground Water** – means water beneath the earth's surface accumulating as a result of seepage.

**Hauled Waste** – means any industrial waste which is transported to and deposited into any location in the sewer works, excluding hauled sewage.

**Hauled Sewage** – means waste removed from a wastewater system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a wastewater holding tank.

**Hazardous Substances** – means:

- (a) Any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosively, reactivity or toxicity; and
- (b) Any substance that is designated as a hazardous substance within the meaning of Ontario Regulation 309 as amended from time to time.

**Hazardous Waste** – means any Hazardous Substance disposed of as waste.

**Ignitable Waste** – means a substance that:

- (a) Is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and as a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester ASTM D-56- 97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D- 3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
- (b) Is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
- (c) Is an ignitable compressed gas as defined in the regulations under the *Ontario Regulation 309* as amended; or
- (d) Is an oxidizing substance as defined in the regulations under the *Ontario Regulation 309* as amended.

**Industrial** – means of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential.

**Industry** – means any owner or operator of industrial, commercial or institutional premises from which there is a discharge of any matter directly or indirectly into a sewer of the Township.

**Inspector** – means a person authorized by the Township to carry out observations and inspections and take samples as prescribed by this By-law.

**Institution** – means a facility, usually owned by a government, operated for public purposes, such as schools; universities; medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, and industrial processes.

**Matter** - means any solid, liquid or gas.

**Monitoring Access Point** – means an access point, such as a chamber, in a sewer connection to allow for observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

**Township** - means the Township of Cavan Monaghan.

**Municipal Sewer Connection** - means part of any drain leading from the private sewer connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public lands or public land interests held for sewerage purposes.

**Multiple Sewer Connection** – means a municipal sewer connection providing service to two or more premises.

**Non-Contact Cooling Water** – means water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate or finished product other than heat.

**Non-Domestic Wastewater** – means all Wastewater except domestic wastewater, storm water, uncontaminated water, and septic tank water.

**Oil and Grease** – means any hydrocarbons, fatty acids, soaps, fats, waxes, oils and any other material that is extracted with an extraction solvent as prescribed by Standard Methods for the Examination of Water and Wastewater.

**OWRA** – means the *Ontario Water Resources Act R.S.O, 1990* as amended.

**Pathological Waste** – means pathological waste within the meaning of *Ontario Regulation 309*, as amended.

**PCBs** – mean any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.

**Person** – means an individual, association, partnership, corporation, Township or an agent or employee of such a person.

**Pesticide** – means a pesticide regulated under the *Pesticides Act R.S.O 1990*, as amended.

**Pollution Prevention** – means the use of processes, practices, materials, products or energy that avoid or minimize the creation of pollutants and wastes, at the source.

**Pretreatment** – means the reduction, elimination or alteration of pollutants in wastewater prior to discharge into the sanitary sewer. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants.

**Private Sewer Connection** – means that part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the private lands and leading to a municipal sewer connection whose responsibility for maintenance is the property owner's.

**Prohibited Waste** - means prohibited waste as defined in Schedule A to this By-law.



**Reactive Waste** - A substance that:

- (1) Is normally unstable and readily undergoes violent changes Without detonating;
- (2) Reacts violently with water;
- (3) Forms potentially explosive mixtures with water;
- (4) When mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- (5) Is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- (6) Is capable of detonation or explosive reaction if it is subjected to a strong igniting source or if heated under confinement;
- (7) Is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
- (8) Is an explosive (Class 1) as defined in the regulations under Ontario Regulation 309 as amended.

**Restricted Waste** - means restricted waste as defined in Schedule A to this By-law.

**Sanitary Sewer** - means a sewer for the collection and transmission of domestic or industrial wastewater or any combination thereof.

**Septic Tank Waste** – means any waste extracted from a cesspool, septic tank, sewage holding tank, seepage interceptor or other containment for human excretion and wastes.

**Sewer** – means a pipe, conduit, drain, open channel or ditch for the collection and transmission of wastewater, storm water or uncontaminated water, or any combination thereof.

**Spill** – means a direct or indirect discharge into the wastewater works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.

**Standard Methods** – means a procedure or method set out in Standard Methods for the Examination of Water and Wastewater, as amended time to time.

**Storm Sewer** – means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof.

**Storm Water** – means drainage water resulting from rainfall or other natural precipitation from the atmosphere and includes, but is not limited to, water from melting snow or naturally occurring ice.

**Subsurface Drainage Pipe** – means a pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes.

**Subsurface Water** – means groundwater including foundation drain water.

**Total Suspended Solids (TSS)** – means insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.

**Total PAHs** – means the total of all of the following polycyclic aromatic hydrocarbons: Acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, benzo(k)fluoranthene, chrysenes, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, methylanthracene, naphthalene, phenanthrene; pyrene.

**Toxic Substance** – means any substance defined as toxic under the *Canadian Environmental Protection Act 1999*, as amended.

**Uncontaminated Water** – means water with a level of quality which is typical of potable water normally supplied by the Township.

**Waste Disposal Site Leachate** – means the liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste.

**Waste Radioactive Substances** – means substances defined in the *Nuclear Safety and Control Act 1997* and the regulations passed thereunder, as amended.

**Wastewater** – means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source.

**Wastewater Sludge** – means solid material recovered from the wastewater treatment process.

**Wastewater Treatment Facility** - means any structure or thing used for the physical, chemical, biological or radiological treatment of wastewater, and includes sludge treatment, wastewater sludge storage and disposal facilities.

**Wastewater Works** – means any works for the collection, transmission, treatment and disposal of wastewater, storm water or uncontaminated water, including a sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the applicable Building Code applies.

**Watercourse** – means open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.

## **2. Sanitary Sewer Requirements**

- (1) No person shall discharge, or deposit or cause to permit to discharge or deposit, any matter into the sanitary sewer system except;
  - (a) Wastewater that complies with the requirements of this By-law;
  - (b) Domestic wastewater;
  - (c) Non-domestic wastewater that complies with the requirements of this By-law;
  - (d) Hauled sewage, including septage that complies with the requirements of this By-law,
  - (e) Wastewater that complies with a permit or agreement as outlined in this By-law;
  - (f) Extra Strength matter where an Extra Strength Surcharge Agreement is in place.
- (2) No person shall discharge, or permit the discharge, or wastewater directly or indirectly into a municipal sanitary sewer system unless authorized to do so by the Township.
- (3) No person shall discharge storm water, subsurface water, or uncontaminated water from drainage works of roofs or building foundations, including sump pumps; or from land of watercourse or dewatering activities into the municipal sanitary sewer system unless authorized by the Township.
- (4) No person shall discharge, or deposit or cause to permit to discharge or deposit, any matter into the sanitary sewer system, private drains or connections to any sanitary sewer;
  - (a) in circumstances where to do so may cause or result in,
    - i. a health or safety hazard to a person authorized by the Director to inspect, operate, maintain, repair or otherwise work on a sewage works;
    - ii. an offence under the OWRA or the EPA, or any regulation made thereunder from time to time;
    - iii. biosolids from the sewage works to which either sewage discharges, directly or indirectly, to fail to meet the objectives and criteria as listed in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Wastes on Agricultural Land: dated March 1996, as amended;

- iv. interference with the operation or maintenance of a sewage works, or which may impair or interfere with any municipal wastewater treatment process;
  - v. a hazard to any person, animal, property or environment;
  - vi. an offensive odour to emanate from the sanitary sewer, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulphide, other reduces sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
  - vii. damage to municipal sewage works infrastructure;
  - viii. an obstruction or restriction to the flow in the sanitary sewer; or
  - ix. dyes or colouring materials which pass through a sewage works and may discolour the sewage works.
- (5) No person shall directly or indirectly discharge wastewater that contains any of the following into a municipal sanitary sewer system:
- (a) Biomedical waste;
  - (b) Combustible liquid;
  - (c) Dyes or colouring materials which may or could pass through a municipal sanitary sewer system and discolour the final effluent;
  - (d) Explosive products or substances’;
  - (e) Fertilizers;
  - (f) Fuel;
  - (g) Hazardous wastes;
  - (h) Herbicides;
  - (i) Ignitable waste;
  - (j) Pathological waste;
  - (k) PCBs;
  - (l) Pesticides;
  - (m) Radioactive materials;
  - (n) Solid or viscous substances in quantities of such size to be capable of causing obstruction to flow in a sewer; or
  - (o) Waste radioactive prescribed substances.
- (6) No person shall discharge, or permit to the discharge of, any restricted substances listed in Schedule A which exceeds the respective concentrations listed in Schedule A, Table 1 of this By-law into the municipal sanitary sewer system unless approved by a permit or agreement issued under this By-law.
- (7) Hauled sewage dischargers shall not discharge to the sanitary sewer system until the discharger has obtained a Waste Discharge Permit from the Director.

- (8) The Director may issue, and amend, a Waste Discharge Permit to allow the discharge of non-domestic waste and hauled sewage into a sewer upon such terms and conditions as the Director considers appropriate and, without limiting the generality of the foregoing, may in the Waste Discharge Permit:
- (a) Place limits and restrictions on the quantity, composition, frequency and nature of the waste permitted to be discharged;
  - (b) Require the holder of a Waste Discharge Permit to repair, alter, remove, or add to works or construct new works; and
  - (c) Provide that the Waste Discharge Permit will expire on a specified date, or upon the occurrence of a specified event.

(9) The Director may issue a Discharge Abatement Order to:

- (a) Require a person to alter the quantity, composition, duration and timing of the discharge or cease discharge of non-domestic waste or hauled sewage to a sewer or wastewater facility;
- (b) Include any terms or conditions that could be included in a Waste Discharge Permit; and
- (c) Shut down all non-compliant releases.

The Director may amend or cancel a Discharge Abatement Order.

(10) All connections to the municipal sanitary sewer system must be installed in accordance with the Building Code.

### **3. Storm Sewer Requirements**

- (1) No person shall discharge directly or indirectly matter of any type or any temperature, or in any quantity, into a municipal storm sewer or drainage works which may result in or results in any of the following:
- (a) interfere with the proper operation of a municipal storm sewer system;
  - (b) obstruct a municipal storm sewer or the flow therein;
  - (c) result in a hazard to any person, animal, property or environment;
  - (d) impair the quality of the water in any well, lake, river, pond spring, stream, reservoir or other water or watercourse; or
  - (e) result in the contravention of an approval, requirement, direction or other order under the OWRA or the EPA with respect to the storm sewer or its discharge; and

- (f) water containing any of the following in excess of the indicated concentrations:

<b>Substance</b>	<b>Concentration Limit</b>
Chromium expressed as Cr	200 micrograms/litre
Zinc expressed as Zn	50 micrograms/litre
Lead expressed as Pb	
Nickel expressed as Ni	
Copper expressed as Cu	10 micrograms/ litre
Cadmium expressed as Cd	1 microgram/ litre
Mercury expressed as Hg	
Fecal coliforms	200 per 100 millilitre

- (g) the following matter in any amount:

- i. Sewage;
- ii. Once through cooling water;
- iii. Blowdown;
- iv. Chlorinated water;
- v. Fertilizers;
- vi. Floating debris;
- vii. Automotive or machine oils and greases;
- viii. Fuels;
- ix. Paints and Organic Solvents;
- x. PCBs;
- xi. Pesticides;
- xii. Severely Toxic Materials;
- xiii. Waste Disposal Site Leachate;
- xiv. Waste Radioactive Materials;
- xv. Acute Hazardous Waste Chemicals;
- xvi. Hazardous Industrial Wastes;
- xvii. Hazardous Waste Chemicals;
- xviii. Ignitable Wastes;
- xix. Pathological Wastes;
- xx. Reactive Wastes;
- xxi. Wastewater.

- (2) No person shall discharge, or permit to discharge of, any restricted substances listed in Schedule A which exceeds the respective concentrations listed in Schedule A, Table 2 of this By-law in the municipal storm sewer system.
- (3) No person shall discharge, or permit the discharge, of surface water, uncontaminated water, or wastewater generated as a result of dewatering activities from land drainage or watercourse without obtaining an approved permit or agreement which expressly allows this discharge under this By-law.
- (4) All connections to the municipal storm sewer system must be installed in accordance with the Building Code.

## **4. Pollution Prevention Plans**

- (1) The Township may require an industrial sewer user to develop a Pollution Prevention Plan for the discharge of any parameter designated by the Township where the industrial sewer user has:
  - (a) failed to comply with Section 2 – Sanitary Sewer Requirements;
  - (b) failed to comply with Section 3 - Storm Sewer Requirements;
  - (c) been responsible for one or more spills to a sewer system.

## **5. Sewer Use Report**

- (1) At the request of the Township, an industry shall complete and submit a Sewer Use Report (SUR) for review by the Township and participate in a facility inspection. The industry shall return the SUR to the Township and allow the Director to inspect the facility within thirty (30) calendar days of the request.
- (2) Information collected on the SUR, inspection observations and supporting documentation may be used to determine compliance with this By-law.
- (3) At the discretion of the Township, the Director may amend the SUR from time to time.

## **6. Discharge Permits and Agreements**

- (1) The Township may issue and agreement or permit to the discharger for any one or more of the following:
  - (a) Extra Strength Surcharge Agreement:
    - i. An Extra Strength Surcharge Agreement may only be entered into for the discharge of the treatable wastewater parameters Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS).
  - (b) Hauled Sewage Program in accordance with Section 11 of the By-law;
  - (c) Waste Discharge Permit;
    - i. Notwithstanding Section 2 or Section 3 of the By-law, the Township may issue a Waste Discharge Permit, in its sole discretion and on such terms and conditions as it may deem appropriate; including but not limited to terms and conditions to protect the municipal sewage works and compensation for costs related to the operation, maintenance and/or repair

of the municipal sewage works, treatment or monitoring of the discharge and administration of the permit.

- ii. Notwithstanding Section 3 of the By-law, the Township in its sole discretion, may issue a Waste Discharge Permit for a discharge of wastewater from a dewatering activity into a municipal sewer system on such terms and conditions it may deem appropriate, including but not limited to; terms and conditions to protect the municipal sewer system, the natural environment, standards for the parameters in the discharge, volume of the discharge, and compensation for costs related to maintenance and/or repair of the municipal sewage works and facilitating the administration of the permit.
  - iii. All reasonable pre-treatment measures shall be utilized to ensure the discharge meets Section 3 and Schedule A, Table 2 of the By-law prior to requesting to discharge to the municipal sewer system.
- (2) A person applying for a permit or agreement shall submit a completed application and all required supporting documentation to the Township.
- (3) Permits or agreements are non-transferable and shall expire.
- (a) in the case of:
    - i. Extra Strength Surcharge Agreement – five (5) years from the date of issuance;
    - ii. Waste Discharge Permit – maximum one (1) year from the date of issuance; or
    - iii. Upon the written notice of cancelation by the Township.
  - (b) In accordance with Section 6(3)(a) unless written approval to extend a permit or agreement is provided by the Township.
- (4) A holder of any permit or agreement issued under this By-law shall forthwith inform the Township of any change to:
- (a) The information contained in an application;
  - (b) The information contained in a permit or agreement that has been issued; or
  - (c) The characteristics of the discharge for which the approval has been issued.
- (5) The Township may amend the terms and conditions in any permit or agreement after it has been issued.



- (6) The Township may suspend or revoke a permit or agreement at any time, or where:
- (a) There may be an adverse effect to the municipal sewage works;
  - (b) In an emergency situation, as determined by the Township; or
  - (c) The permit or agreement holder:
    - i. Fails to comply with the terms and conditions of a permit or agreement or with any of the provisions of this By-law;
    - ii. Fails to notify the Township forthwith of any changes referred to in Section 6(4); or
    - iii. Provides false or inaccurate information in an application for a permit or agreement.
- (7) Permits and agreements are subject to an application fee as specified by the Township, and the fee shall be paid prior to the issuance of any permit or agreement.
- (8) Where a request is made for an amendment to an existing permit or agreement prior to the expiry date of the permit or agreement, the amendment will be subject to the approval of the Township.
- (9) A person who has received written notice from the Director that a permit or agreement is required shall submit a completed application as specified in Section 6(1) to the Township within 30 days from the date of written notification.
- (10) A person who has been issued a permit or agreement under this By-law authorizing a discharge that is otherwise prohibited by this By-law, shall not be prosecuted under the provision of the By-law prohibiting the discharge so long as the permit remains valid and the terms and condition of the permit are fully complied with.
- (11) At the Township's request, a flow meter approved by the Township must be installed on the discharge line into the municipal sewage works, at the expense of the owner, as a condition of entering into an Extra Strength Surcharge Agreement, and/or a Waste Discharge Permit.
- (12) The discharger shall comply with all other aspects of this By-law that are not contained within the valid permit or agreement.

## **7. Prohibition of Dilution**

- (1) No person shall discharge directly or indirectly, or permit the discharge or deposit of wastewater into a sanitary sewer where water has been added to

the discharge for the purposes of dilution to achieve compliance with this By-law.

- (2) No person shall discharge directly or indirectly, to permit the discharge or deposit of matter into a storm sewer where water has been added to the discharge for the purposes of dilution to achieve compliance with this By-law.

## **8. Maintenance Access Points**

- (1) The owner or operator of commercial, institutional or industrial premises or apartment/condominium building with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable maintenance access point to allow observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein. Provided that where installation of a maintenance access point is not possible, an alternative device or facility may be substituted with the written approval of the Director.
- (2) Where there is no maintenance access point meeting the requirements of this By-law, the Township may require in written notification, the installation of a maintenance access point within a specified period of time or may permit the use of an alternative device or facility for the purpose of sampling a discharge to the sewage works.
- (3) Maintenance access points required under this By-law shall be:
  - (a) located on the property of the discharger as close to the property line as;
  - (b) practicable unless the Township permits an alternative location;
  - (c) accessible at all times by the Township;
  - (d) constructed in a manner which meets standards of the Township;
  - (e) maintained to ensure access and structural integrity; and
  - (f) maintained and constructed at the expense of the discharger.

## **9. Sampling and Analytical Requirements**

- (1) Where sampling is required for the purposes of determining the concentration of constituents in the wastewater, storm water or uncontaminated water, the sample may;
  - (a) be collected manually or by using an automatic sampling device; and
  - (b) contain additives for its preservation.
- (2) For the purpose of determining compliance with this By-law, discrete wastewater streams within premises may be sampled, at the discretion of the Director.
- (3) Any single grab sample may be used to determine compliance with this By-law.

- (4) All tests, measurements, analyses and examinations of sewage, uncontaminated water, and stormwater and its characteristics or contents pursuant to this By-law shall be carried out in accordance with "Standard Methods" and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Director as agreed in writing prior to sample analysis.
- (5) Non-compliance with this By-law may be determined by analysis of:
  - (a) A single grab sample;
  - (b) Discrete samples; or
  - (c) A composite sample done in accordance with this By-law.

## **10. Discharger Self-Monitoring**

- (1) The Township may require that a discharger monitor or sample any discharge into a municipal sewer system and provide the results to the Township in the form specified by the Township.
- (2) The obligations set out in or arising out of Section 9 shall be completed at the expense of the discharger.
- (3) All tests, measurements, analysis and examinations of wastewater, its characteristics or contents pursuant to this By-law shall be carried out in accordance with Standard Methods and/or performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation.
- (4) The sampling and monitoring results as described in Section 9 can be used by the Township to determine compliance of the By-law.

## **11. Pretreatment Devices**

### **11.1 Food Related Grease Interceptor**

- (1) Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to a sanitary sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the sanitary sewer in excess of the provisions of this By-law. Grease interceptors shall not discharge to storm sewers.
- (2) The owner or operator of the premises as set out in this Subsection shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements

of the applicable Building Code. The installation of the oil and grease receptor shall meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481.2, as amended.

- (3) All oil and grease interceptors shall be maintained according to the manufacturer's recommendations. Interceptors should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five (25) percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be posted in the workplace in proximity to the grease interceptor.
- (4) A maintenance schedule and record of maintenance shall be available to the Director upon request for each interceptor installed.
- (5) The owner or operator of the restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, shall, for minimum two years, keep the document of proof for interceptor clean-out and oil and grease disposal.
- (6) Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor.

### **11.1 Vehicle and Equipment Service Oil and Grease Interceptors**

- (1) Every owner or operator of a vehicle or equipment service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to a sewer shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the sanitary sewer in excess of the limits in this By-law.
- (2) The owner or operator of the premises as set out in Subsection 11.2(1) shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Petroleum Products Institute (CPPI).
- (3) All oil and grease interceptors and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and inspected to ensure the surface oil and sediment levels do not exceed the recommended level.

- (4) A maintenance schedule and record of maintenance shall be submitted to the Director annually for each oil and grease interceptor installed.
- (5) The owner or operator of the premises as set out in Subsection 11.2(1), shall, for two years, keep the document of proof for interceptor clean-out and oil and grease disposal.
- (6) Emulsifiers shall not be discharged to the sewer system into interceptors. No person shall use enzymes; bacteria; solvents, hot water or other agents to facilitate the passage of oil and grease through an oil and grease interceptor.

## **11.2 Sediment Interceptors**

- (1) Every owner or operator of the premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the drain or sewer in excess of the limits in this By-law.
- (2) Catch basins installed on private property for the purposes of collecting storm water and carrying it into the storm sewers shall be equipped with an interceptor and the installation of these catch basins on private property shall comply with the Township's Standards, as they may be amended from time to time.
- (3) All sediment interceptors shall be maintained in good working order and according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance.
- (4) The owner or operator of premises as set out in Subsection 11.3(1), shall, for two (2) years, keep documentation of interceptor clean-out and sediment disposal.
- (5) A maintenance schedule and record of maintenance shall be submitted to the Director upon request for each sediment interceptor installed.

## **11.3 Waste Grinders**

- (1) No person shall install or operate within the Township any waste grinding devices for industrial, commercial or residential purposes the effluent from which will discharge directly or indirectly into the sewage works.
- (2) No person shall replace any existing garbage grinding devices for industrial, commercial or residential purposes installed prior to the passage of this by-law.

## **12. Hauled Sewage**

- (1) No person shall discharge hauled sewage to the wastewater works unless:
  - (a) A sewage hauler shall only deposit hauled sewage into the wastewater works if they have a current Environmental Compliance Approval (ECA) or Certificate of Approval (CofA) under the EPA and only if the hauled sewage meets the conditions set out in O.Reg. 347, as amended, and has originated from sources approved by the Township;
  - (b) The carrier meets all conditions for discharge that are or may be set from time to time with respect to the haulage of wastewater by the Township.
- (2) No person shall discharge or permit the discharge of hauled sewage:
  - (a) At a location other than a hauled sewage discharge location approved by the Township.
  - (b) Without a manifest, in a form approved by the Director, completed and signed by the carrier and deposited in an approved location at the time of discharge.
  - (c) Without the use of a discharge hose placed securely in the discharge portal at the approved location.

## **13. Water Originating From a Source Other Than the Municipal Water Supply**

- (1) The discharge of water originating from a source other than the Township water supply, including stormwater or groundwater, directly or indirectly to a sanitary sewer works is prohibited, unless:
  - (a) The discharge is in accordance with a Waste Discharge Permit; and
  - (b) The discharge does not exceed the limits set out under Schedule A,
  - (c) In the event the discharge does exceed the limits set out under Schedule A, with respect to biochemical oxygen demand, total phosphorus, or total suspended solids, the discharge is in accordance with an Extra Strength Surcharge Agreement.

## 14. Spills

- (1) In the event of a spill to a municipal sanitary sewer works and/or storm sewer works, the person responsible or the person having the charge, management, and control of the spill shall immediately notify the Township and provide any requested information with regard to the spill to:
  - (a) 911 and/or the Ministry of Environment Spills Action Centre (1-800-268-6060)
- (2) The person shall provide a detailed report on the spill to the Township, within five (5) business days after the spill, containing the following information to the best of his or her knowledge:
  - (a) Location where spill occurred;
  - (b) Name and telephone number of the person who reported the spill and the location and time where they can be contacted;
  - (c) Date and time of spill;
  - (d) Material spilled;
  - (e) Characteristics and composition of material spilled;
  - (f) Volume of material spilled;
  - (g) Duration of spill event;
  - (h) Work completed and any work still in progress in the mitigation of the spill;
  - (i) Preventive actions being taken to ensure a similar spill does not occur again; and
  - (j) Copies of applicable spill prevention and spill response plans.
- (3) The person responsible for the spill and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of the public, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.
- (4) Nothing in this By-law relieves any persons from complying with any notification or reporting provisions of:
  - (a) Other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the spill; or,

- (b) Any other By-law of the Township.
- (5) The Township may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.
- (6) The Township may require the person responsible for the spill to prepare and submit a spill contingency plan to the Township to indicate how the risk of future incidents will be reduced and how future incidents will be addressed.

## **15. Authority of Director to Investigate**

- (1) The Director has the authority to carry out any inspection reasonably required to ensure compliance with this By-law, including but not limited to:
  - (a) Inspecting, observing, sampling, CCTV inspection and measuring the flow in any private
    - i. drainage system;
    - ii. wastewater sewer system;
    - iii. storm water management facility; and
    - iv. flow monitoring point.
  - (b) Determine water consumption by reading water meters;
  - (c) Test flow measuring devices;
  - (d) Take samples of wastewater, storm water, clear-water waste and subsurface water being released from the premises or flowing within a private drainage system;
  - (e) Perform on-site testing of the wastewater, storm water, clear-water waste and subsurface water within or being released from private drainage systems, pretreatment facilities and storm water management facilities;
  - (f) Collect and analyze samples of hauled sewage coming to a discharge location;
  - (g) Make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or watercourse;
  - (h) Require information from any person concerning a matter,
  - (i) Inspect and copy documents or remove documents from premises to make copies;



- (j) Inspect chemical storage areas and spill containment facilities and request Safety Data Sheets (SDS) for materials stored or used on site;
  - (k) Inspect the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that in their opinion could have been part of the release.
- (2) No person shall hinder or prevent the Director from carrying out any of their powers or duties.

## **16. Sewer Connections**

### **16.1 General**

- (1) No person shall:
- (a) Erect or cause to permit to be erected any new building on lands that are serviced by a sanitary sewer unless the new building is connected to or will be connected to the sanitary sewer;
  - (b) Erect or cause or permit to be erected any new building on lands that are serviced by both sanitary and storm unless the new building is connected to both sanitary and storm sewers;
  - (c) Construct, install, maintain or cause or permit to be constructed, installed or maintained, whether installed prior to the date of the passing of this by-law or any of its predecessors, a direct or indirect connection to the sanitary sewer connection which would permit anything other than sanitary sewage to discharge into the sanitary sewer connection; and
  - (d) Construct, install, maintain, or cause or permit to be constructed, installed, or maintained a direct or indirect connection to the sanitary sewer connection without authorization and final inspection by the Township and all such connections require a clean out at the property line as per municipal standards.
- (2) No person shall construct a sewer connection on any road allowance, easement or other public land unless under a contract or written agreement with the Township.
- (3) Reconstructed Buildings:
- (a) Whenever an existing building is substantially demolished, the existing municipal sewer connections shall be disconnected at the municipal sewers and inspected at the expense of the owner of the building or agent. The

owner or agent holding the permit to construct the replacement building shall be required to apply and pay for the installation of new municipal sewer connections through the building permit process. For the purpose of this section, an existing building is substantially demolished when more than fifty percent of the exterior walls of the first story above grade are removed whether or not they are subsequently replaced.

- (b) An owner or agent who is applying for a permit to construct a replacement building or to disconnect a dwelling from a septic tank to connect to a sanitary sewer connection shall be entitled to use an existing municipal sewer connection, which, upon inspection by the Township, is found to be in satisfactory condition. The applicant shall pay for the cost of the inspection, the amount of which shall be determined from time to time by the Township through the building permit process.
- (4) Any person desiring a sewer connection shall make an application to the Township on forms supplied by the Township and accompanied by such plans may be required and pay a fee for the application. The owner of the property to be served, or the owners' agent shall sign the application, and the owner shall be responsible for the completeness and accuracy of the information furnished on such application and plans.
- (5) A sewer connection on public property between the sewer main and private property shall be installed by the owner or agent at their expense. Sewer connections on private property shall be installed by the owner pursuant to a building permit having been previously issued for such purpose by the Township and at the expense of the owner or agent;
- (a) Methods and materials used in the construction of sewer connections shall resist entry of roots and acid or alkali damage and shall be acceptable to the Director.
  - (b) Two municipal sewer connections will not be permitted unless authorized by the Township.
- (6) A private sewer connection shall not be installed until:
- (a) The municipal sewers to which the municipal sewer connection is made are fully completed and accepted for operation;
  - (b) The municipal sewer connection is satisfactorily installed;
  - (c) The backfilling is properly completed around the building and the lot has been sufficiently graded to eliminate the possibility of any ponding on the property and the sub-flooring has been installed over foundation to prevent

the entry of storm water which could run off through the private sewer connection; and

- (d) All existing surface water in the excavation or basement has been pumped out.
- (7) In event that any person constructs a municipal sewer connection in a manner other than provided for herein, the Director may order the re-excavation of the connection for the purpose of inspection and testing, and if necessary, performed at the expense of the owner or may disconnect the said sewer connection, in which case it shall not be reconstructed except with the approval of the Director.
- (8) Private Storm water management shall;
  - (a) Have appropriate lot level storm water management measures to be used to reduce storm water quantity and improve storm water quality.
  - (b) The direct connection of any drainage works to the municipal storm sewer system is prohibited unless, in the opinion of the Director, there is no practical alternate means of drainage available. Where a new connection is deemed necessary for the servicing of hard surface parking or vehicle access areas, the applicant may be required to submit a Storm Water Management Report identifying the storm water control measures being proposed for the site to the satisfaction of the Director. Where a new connection is deemed to be necessary for the purposes of providing groundwater drainage, the discharge must be regulated by means of:
    - i. a sump pump, that must elevate the water, via a loop system, to an elevation above that of the center line elevation of the road before being discharged to the private storm drainage system. A flap gate check valve shall be installed on the sump pump discharge pipe so that no storm water may flow from the storm sewer into the weeping tile system. No direct or indirect interconnection between the private storm drain system and the sanitary drainage system is permitted. The above systems shall be installed and maintained by the owner and operator of the premises at their expense; and
    - ii. a backwater valve in circumstances where a storm sewer connection is at such an elevation so as to provide gravity flow. The above system shall be installed and maintained by the owner or operator of the premises at their expense.
  - (c) The owner of any building erected upon lands that abut on a street which is not serviced by a storm sewer shall construct a down-pipe from the eaves trough that shall discharge the water at a grade with provisions to prevent soil erosion and shall conduct storm water away from the building in such a matter

that the storm water will not accumulate at or near the building and will not adversely affect adjacent properties.

- (d) No person shall construct, install, maintain, or cause or permit to be constructed, installed or maintained, drainage from any roof water leader or down spout that conveys storm water to the sanitary sewer. The Director may waive this provision in appropriate circumstances.

## **16.2 Private Swimming Pool Water**

- (1) The wastewater from a swimming or wading pool shall not be discharged directly into a storm drainage system, onto an adjoining property, or over a valley/ravine wall such that it may cause erosion or instability of the valley or ravine slope.
- (2) The wastewater from a swimming or wading pool shall be discharged in a controlled manner to the owner's property such that the discharge evaporates or infiltrates into the ground.

## **17. Disconnection of Sewer**

- (1) The Director may, in addition to any other remedy available, disconnect, plug or seal off the sewer line discharging the unacceptable wastewater of any sewer connection whenever the Director considers it necessary and for so long as the Director considers it necessary to prevent continued or repeated violations of this By-law, and;
  - (a) During that time no person shall use or cause or permit the use of such a connection.
  - (b) The Director shall not order such temporary disconnection unless the Director has first mailed to the property owner and occupant, if any, a registered letter specifying the nature of the violation of this By-law and indicating the intention to order temporary disconnection no sooner than thirty days after the date of mailing unless the Director can be satisfied such violations will not continue or recur.
  - (c) Where the Director takes action pursuant to subsection (1), the Director may by notice in writing advise the owner or occupier of the premises from which the wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse the Township for all such costs which were incurred. The cost of the disconnection and reconnection shall be borne by the property owner and shall be payable before any reconnection is made.

## **18. Notice of Violation and Orders**

- (1) A Notice of Violation (Notice) or Order may be issued by the Director to a person who contravenes any provision of this By-law. The Notice or Order will specify the contravention and require the person receiving such Notice or Order to comply with all directives stated in Notice or Order.
- (2) When a Notice or Order is issued by the Director, the person to whom the Notice or Order is made shall be deemed to have received the Notice or Order on the date it is posted in a conspicuous place at the subject property or delivered to the premise owner or operator.
- (3) When an Order is made and the person required to take action fails to comply by the due date, the Township will complete such action at the cost and expense of the owner of the property, and such costs and expenses may be added to the tax roll for the property, and such costs shall represent a lien against the land.

## **19. Offences**

- (1) Where the Director has a reason to believe that a contravention of this By-law has occurred, the Director may make an Order requiring the person who has contravened the By-law to carry out work to correct the contravention. If an Order has been issued and the Order has not been complied with, the contravention of the Order shall be deemed to be continuing offense for each day that the Order is not complied with.
- (2) When a Notice of Violation or Order is made and the person required to take action fails to comply by the due date, the City will complete such action at the cost and expenses of the owner of the property, and such costs and expenses may be added to the tax roll for the property, and such costs shall represent a lien against the land.
- (3) Every person who contravenes and provision of this By-law is guilty of an offence and liable on conviction to a penalty no exceeding \$5,000, exclusive of costs and the provisions of the *Provincial Offences Act, R.S.O 1990, c P.33*, as amended, shall apply to said fine.
- (4) Every person or corporation that contravenes the provisions of any section of this By-law is guilty of an offence under the provisions of the *Municipal Act, S.O 2001, c.25, s. 433(1)*.
- (5) Every person or corporation who contravenes any of this By-law is guilty of an offence and liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fines shall not exceed \$100,000 exclusive of costs under the provisions of the *Municipal Act 2001, s.429*, as amended.

- (6) For the purpose of continuous and/or multiple offences, every person or corporation who contravenes any provision of this By-law is guilty of an offence and liable on conviction to a penalty where the minimum fine shall not exceed \$500 and a maximum fine shall not exceed \$10,000 per day or part thereof, exclusive of costs' under the provisions of the *Municipal Act 2001, s.429*, as amended.

## **20. Access to Information**

- (1) All information submitted to and collected by the Township that is contained in plan summaries, reports, surveys, monitoring, inspections and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the *Freedom of Information and Protection of Privacy Act, R.S.O 1990*, as amended from time to time.
- (2) In the event that any person submitting information to the Township, as required under this article, where such information is confidential or proprietary or otherwise, may be exempt from disclosure under *the Freedom of Information and Protection of Privacy Act R.S.O 1990*, the person submitting the information shall so identify that information upon its submission to the Township or the Township and where such information is confidential or proprietary or otherwise, may be exempt from disclosure.
- (3) The Director shall have access to the information contained in or related to the Certificate of Approval or Environmental Compliance Approval, Permit to Take Water, Environmental Activity Sector Registry or any other permit of approval made under the EPA which permits discharger to the Municipal sewer system(s).

## **21. Limitations**

- (1) Nothing in this By-law shall be constructed as to permit anything, which by the provisions of any applicable Act, Regulations, or By-law is otherwise prohibited.
- (2) Where there is a conflict between federal or provincial legislation and this By-law, the most stringent abiding legislation shall prevail.

## Schedule A Restricted Wastes Sewer Discharges

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

Substance	Concentration Limit – (mg/L, except as noted)
Biochemical Oxygen Demand	300
Chemical Oxygen Demand	600
Oil and Grease – animal and vegetable	150
Oil and Grease – mineral and synthetic/hydrocarbon	15
Total Kjeldahl Nitrogen	100
Total Suspended Solids	350
pH	6.0 -9.5 (unitless)
Temperature	60 Degrees Celsius
Phosphorus (Total)	10
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.06
Hexachlorobenzene	0.0001
Methylene chlorine (dichloromethane)	0.09
PBCs (chlorobiphenyls)	0.004
Phenols, Total (or Phenolic compounds)	0.1
Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Toluene	0.02
Trichloroethylene	0.05
Xylenes, Total	0.3

Refer to Section 2 for parameters not listed in the above table.

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

Substance	Concentration Limit – (mg/L, except as noted)
Biochemical Oxygen Demand	15
Total Suspended Solids	15
pH	6.0 -9.5 (unitless)
Temperature	30 Degrees Celsius
Phosphorus (Total)	10

Refer to Section 3 for parameters not listed in the above table.