

**City of Cornwall
By-law No. 103-2003**

A By-law with respect to the regulation of the discharge of wastes and sewage into the public sewers, under Sections 87 and 92.1 and 92.2 of the Municipal Act, 2001, S.O. 2001, C.25

WHEREAS it is deemed expedient for the proper safe and efficient use and operation of the public sewers and the disposal of sewage to make regulations concerning the discharge of sewage into the said sewers; and

WHEREAS the Corporation of the City of Cornwall has received a Certificate of Approval from the Ministry of the Environment to operate the sewage treatment facilities; and

WHEREAS this Certificate of Approval outlines the parameters of which the quality of effluent must be met before it is being discharged into the receiving stream.

WHEREAS to ensure that the City of Cornwall can achieve the parameters for the quality of effluent, as outlined in the Certificate of Approval, the Municipality should have a by-law which regulates the discharge of sewage into the public sewer system in order to ensure that this septage can be properly treated at the City of Cornwall's Waste Water Treatment Facility, so that the effluent will meet the parameters as outlined in the Certificate of Approval for the Waste Water Treatment Facility.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE CITY OF CORNWALL ENACT THE FOLLOWING BY-LAW:

Section 1 - Definitions

In this Bylaw:

1. ***"acute hazardous waste chemicals"*** means acute hazardous waste chemicals within the meaning of O.Reg. 347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E. 19 (EPA);
2. ***"biochemical oxygen demand (BOD)"*** means the 5-day BOD which is the determination of the molecular oxygen utilized during a 5-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced form of nitrogen (nitrogenous demand);
3. ***"biosolids"*** means organic solid material recovered from the wastewater treatment process;
4. ***"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;

Section 1 - Definitions (con't)

5. **"City"** means
the City of Cornwall
6. **"combined sewer"** means
a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
7. **"combustible liquids"** means
any liquid that does not meet the definition of any other hazard class specified in this by-law and has a flash point above 60.5° C (141° F) and below 93° C (200° F);
8. **"Corporation"** means
a body formed and authorized by law to act as a single person although constituted by one or more persons and legally endowed with various rights and duties including the capacity of succession;
9. **"composite sample"** means
a volume of sewage, storm water, uncontaminated 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;
10. **"connection" or "drain"** means
that part of those parts of any pipe or system of pipes leading directly to a sewage works;
11. **"cooling water"** means
water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product, or finished product, but does not include blowdown water;
12. **"fuels"** means
alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;
13. **"grab sample"** means
a volume of sewage, storm water, uncontaminated water, or effluent of at least 100 millilitres which is collected over a period not exceeding fifteen minutes;
14. **"groundwater"** means
water beneath the earth's surface;
15. **"hailed sewage"** means
waste removed from a sewage system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, or a sewage holding tank;
16. **"hailed waste"** means
any industrial waste, which is transported to and deposited into any location in the sewage works including, hailed sewage;
17. **"hazardous industrial waste"** means
hazardous industrial waste within the meaning of O.Reg. 347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E. 19 (EPA);

Section 1 - Definitions (con't)

18. **"hazardous waste chemicals"** means hazardous waste chemicals within the meaning of O.Reg. 347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E. 19 (EPA);
19. **"ignitable waste"** means a substance that,
 1. is a liquid, other than an aqueous solution containing less than 24 per cent alcohol by volume and has a flash point less than 61 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setafash 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,
 2. 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;
 3. is an ignitable compressed gas (Class 2, Division D) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended, or,
 4. is an oxidizing substance (Class 5, Divisions 1 and 2) as defined in the regulations under the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended;
20. **"industrial"** means of or pertaining to manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
21. **"industry"** means any owner or operator of industrial or commercial premises from which there is a discharge of any matter directly or indirectly into a City sanitary sewer, combined sewer or storm sewer.
22. **"maintenance access hole"** means an access point in a private sewer connection to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein;
23. **"Manager"** means Manager of Engineering, Environmental and Construction Services of the City of Cornwall and his/her successor or his/her duly authorized representative;
24. **"matter"** includes any solid, liquid or gas;
25. **"municipal sewer connection"** means that 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;
26. **"pathological waste"** means pathological waste within the meaning of O.Reg. 347 as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E.19 (EPA);

Section 1 - Definitions (con't)

27. **"PCBs"** means
any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contain one or more of them;
28. **"person"** means
an individual, association, partnership, corporation, Municipality or an agent or employee of such a person;
29. **"pesticides"** means
a pesticide regulated under the Pesticides Act, R.S.O. 1990, c.P. (PA);
30. **"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;
31. **"reactive waste"** means
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 initiating 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 the Transportation of Dangerous Goods Act, 1992, S.C. 1992, as amended;
32. **"sanitary sewer"** means
a sewer for the collection and transmission of domestic or industrial sewage or any combination thereof;
33. **"severely toxic waste"** means
waste containing any contaminant listed in Schedule 3 of O.Reg. 347, as amended from time to time, made under the Environmental Protection Act, R.S.O. 1990 c.E. 19 (EPA);
34. **"sewage"** means
any liquid waste containing animal, vegetable, mineral or chemical matter in solution or in suspension but does not include storm water or uncontaminated water;
35. **"sewage works"** means
any works for the collection, transmission, treatment and disposal of sewage, storm water or uncontaminated water, including a combined sewer, sanitary sewer or storm sewer, or any part of such works, but does not include plumbing or other works to which the Building Code Act, 1992 applies;

Section 1 - Definitions (con't)

36. **"sewer"** means
a pipe, conduit, drain, open channel, or ditch for the collection and transmission of sewage, storm water and/or uncontaminated water, or any combination thereof;
37. **"spill"** means
a direct or indirect discharge into the sewage works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge;
38. **"Standard Methods"** means
a procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Health Association, American Water Works Association and the Water Environment Federation, latest edition;
39. **"storm sewer"** means
a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof;
40. **"storm water"** means
water from rainfall, other natural precipitation, drainage or from the melting of snow or ice;
41. **"subject pollutant"** means
the element, material or compound listed in Appendix 2 to this Bylaw, or designated by the City in accordance with subsection 5(15) of this Bylaw;
42. **"subject sector"** means
any class of business or activity designated in Appendix 1 to the Bylaw or designated by the City in accordance with subsection 5(14) of this Bylaw;
43. **"Subject industry sector"** means
any industry which carries out an activity listed in Appendix 1 to this Bylaw at its premises or at any of its premises, even if the activity is not a primary activity of the industry at any premises;
44. **"subsurface drainage pipe"** means
a pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes;
45. **"total PAHs"** means
the total of all the polycyclic aromatic hydrocarbons listed under Canada Ontario Agreement Tier I and II Substances Lists, i.e. anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(e)pyrene, benzo(b)fluoranthene, benzo(j)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, dibenzo(a,i)pyrene, dibenzo(a,j)acridine, 7H-dibenzo(c,g)carbazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene;
46. **"uncontaminated water"** means
water with a level of quality which is typical of potable water normally supplied by the City or whose quality meets or exceeds the values in Table 2 - Limits for Storm Sewer Discharge of this Bylaw;

Section 1 - Definitions (con't)

47. **"waste disposal site leachate"** means the liquid containing dissolved or suspended contaminants which emanates from waste at the waste disposal site and is produced by water percolating through waste or by liquid in waste;
48. **"waste radioactive prescribed substances"** means uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the Atomic Energy Control Board should be by regulation, designate as being capable of releasing atomic energy or as being requisite for the production, use or application of atomic energy; and
49. **"watercourse"** means an open channel, ditch or depression either natural or artificial, in which flow of water occurs either continuously or intermittently.

Section 2 - Sanitary and Combined Sewer Requirements

- 2.1 No discharger shall cause or permit the deposit or discharge of sewage into a sanitary or combined sewer in any of the circumstances set out in 2.1.1. to 2.1.4.
- 2.1.1. Sewage which causes or may cause or results or may result in any one or more of the following conditions:
1. a health or safety hazard to a sewage works person authorized to operate, maintain, repair or otherwise work on a sewage works;
 2. An offence under the Ontario Water Resources Act (OWRA) or the Environmental Protection Act (EPA), as amended from time to time, or any regulation made there under from time to time;
 3. biosolids from a sewage works to fail, either directly or indirectly as a result of the sewage discharge, to meet the objectives and criteria as set out in the Ministry of the Environment publication entitled "Guidelines for the Utilization of Biosolids and Other Waste on Agricultural Land" dated March 1996, as amended from time to time;
 4. an obstruction or restriction to the flow of the sanitary sewer or combined sewer;
 5. an offensive odour to emanate from the sanitary sewer, combined sewer or sewage works;
 6. damage to the sanitary or combined sewer works infrastructure;
 7. Interference with the operation and maintenance at a sewage works;
- 2.1.2. Sewage with any one or more of the following characteristics:
1. a pH less than 6.0 or greater than 10.0;
 2. consisting of two or more separate liquid layers;
 3. having a temperature greater than 60 degrees Celsius.
- 2.1.3. Sewage containing one or more of the following:
1. biomedical waste, except where the sewage meets the conditions for discharge as listed in the Ontario Ministry of the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended from time to time;
 2. combustible liquid;
 3. fuel;
 4. hauled sewage, except where:
 - a) the carrier of the hauled sewage is a waste management system operating under a certificate of approval or provisional certificate of approval issued under the EPA or is exempt from the requirement to have a certificate or provisional certificate of approval;

Section 2 - Sanitary and Combined Sewer Requirements (Cont'd)

- b) a copy of the most recent certificate or provisional certificate and any amendment is provided to the Municipality; and
 - c) the carrier meets all conditions for discharge that are or may be required from time to time by the Municipality;
 - 5. Hauled waste, except where:
 - a) the carrier of the hauled waste is a waste management system operating under a certificate of approval or provisional certificate of approval issued under the EPA or is exempt from the requirement to have a certificate or provisional certificate of approval;
 - b) a copy of the most recent certificate or provisional certificate and any amendment is provided to the Municipality;
 - c) hauled waste meets the conditions set out in clauses 23(3)(c) and 25(5)(b) of O.Reg 347, R.R.O. 1990, as amended from time to time; and
 - d) the carrier meets all conditions for discharge that are or may be required from time to time by the Municipality;
 - 6. ignitable waste;
 - 7. hazardous industrial waste;
 - 8. hazardous waste chemicals;
 - 9. pathological waste;
 - 10. PCB waste, except where:
 - a) the discharger has a certificate of approval for a mobile site or PCB mobile waste disposal system issued under the EPA or where the discharger is claiming an exemption, the discharger has demonstrated to the Municipality that the conditions of the exemption are met;
 - b) a copy of the most recent certificate or provisional certificate and any amendment is provided to the Municipality;
 - c) the discharger has written approval from the Municipality for the discharge of the PCB waste to the sewage works; and
 - d) all requirements of O.Reg. 352 are met;
 - 11. pesticides;
 - 12. reactive waste;
 - 13. waste radioactive prescribed substances, except where:
 - a) the waste radioactive prescribed substances are being discharged under a valid and current licence issued by the Atomic Energy Control Board or its successor;
and
 - b) a copy of the licence has been provided to the Municipality; or
 - 14. waste disposal site leachate, except where:
 - a) the discharger has written approval from the Municipality which authorizes the discharge or deposit of the waste disposal site leachate to the sewage works; and
 - b) where a certificate of approval or order has been issued which includes a provision for the disposal of waste disposal site leachate, a copy of the certificate of approval or order is provided to the Municipality or where the discharger is claiming an exemption, the discharger has demonstrated to the Municipality that the conditions of the exemption are being met;
- 2.1.4. Sewage containing a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Table 1 of this bylaw entitled "Limits for Sanitary and Combined Sewers".

Section 2 - Sanitary and Combined Sewer Requirements (Cont'd)

- 2.2 Discharge of cooling water, storm water and uncontaminated water is prohibited to a sanitary sewer except where:
1. discharges which have been permitted by the Municipality or its predecessor prior to the enactment of this bylaw or discharges which have been regularly made since the enactment date of this bylaw are identified to the Municipality by the discharger by July 1, 2004 and the Municipality has provided exemption in writing to the discharger; or
 2. The discharger has entered into an agreement with the Municipality regarding the discharge prior to any discharge and the discharger is complying with the agreement.
- 2.3 Discharge of water which originates from a source separate from the potable water supplied by the Municipality is prohibited to a combined sewer or sanitary sewer except where the following is met:
1. the amount of water, location of the water source, and address of discharger where the water is being used is provided to the Municipality;
 2. in the case where the amount of water taken is greater than 50,000 litres per day and a copy of the Permit to Take Water issued under the OWRA is required, a copy of the Permit to Take Water is provided to the Municipality;
 3. in the case where the discharger is claiming exemption from the requirement to have a certificate of approval, the discharger has demonstrated to the Municipality that the conditions are met; and
 4. the discharger has entered into an agreement with the Municipality regarding the discharge prior to any discharge and the discharger is complying with the agreement.

Table 1 - Limits for Sanitary and Combined Sewers

ATG*	Parameter	Limit (mg/L)
1a	Biochemical Oxygen Demand	300
2	Cyanide, Total	2
4a	Kjeldahl Nitrogen, Total	100
6	Phosphorus, Total	10
8	Suspended Solids, Total	350
9	Cadmium, Total	0.7
	Chromium, Total	5
	Cobalt, Total	5
	Copper, Total	3
	Lead, Total	2
	Molybdenum, Total	5
	Nickel, Total	3
	Silver, Total	5
	Zinc, Total	3
10	Antimony, Total	5
	Arsenic, Total	1
	Selenium, Total	5
12	Mercury, Total	0.05
14	Phenolics (4AAP)	1.0
16	Chloroform	0.04
	1,4 - Dichlorobenzene	0.47
	Methylene chloride	0.21
	1,1,2,2 - Tetrachloroethane	0.04
	Tetrachloroethylene	0.05
	Trichloroethylene	0.07
17	Benzene	0.01
	Ethylbenzene	0.16
	Toluene	0.27
	o-Xylene	0.52
25	Solvent Extractables - mineral or synthetic in origin	15
	Solvent Extractables - animal or vegetable in origin	150
30	Fluoride	10

* ATG - Analytical Test Group as used and presented in the Protocol referenced in Part 8.

Section 3 - Prohibition of Dilution

- 3.1 The addition of water or any other material from any source which is added to sewage for the purposes of dilution to achieve compliance with Part 2 is prohibited.

Section 4 - Storm Sewer Requirements

- 4.1 Discharge to a storm sewer is prohibited unless all of the following are met:
- a) the discharge is cooling water or storm water or uncontaminated water;
 - b) the discharge does not interfere with the proper operation of a storm sewer;
 - c) the discharge does not obstruct or restrict a storm sewer or the flow therein;
 - d) the discharge does not result in any hazard or other adverse impact, to any person, animal, property, or vegetation;
 - e) the discharge does not impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
 - f) the discharge does not contravene or result in the contravention of a certificate or provisional certificate issued under the Ontario Water Resources Act (OWRA) or the Environmental Protection Act (EPA);
 - g) the discharge (other than storm water) does not have one or more of the following characteristics:
 - (i) two or more separate layers;
 - (ii) a pH less than 6.5 or greater than 8.5;
 - (iii) a temperature greater than 40 degrees Celsius;
 - h) The discharge does not contain one or more of the following:
 - (i) biomedical waste as defined in the Ontario Ministry of the Environment Guideline C-4 entitled "The Management of Biomedical Waste in Ontario" dated April 1994, as amended from time to time;
 - (ii) combustible liquids;
 - (iii) fuels;
 - (iv) hauled sewage;
 - (v) hauled waste;
 - (vi) ignitable waste;
 - (vii) PCB waste;
 - (viii) pesticides;
 - (ix) reactive waste;
 - (x) waste radioactive prescribed substances;
 - (xi) waste disposal site leachate; and
 - i) the discharge does not contain contaminants from raw materials, intermediate or final products or wastewater from an industrial operation;
 - j) contain E. Coli colonies in excess of 200 per 100 mL;
 - k) contain a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Table 2 of this Bylaw entitled "Limits for Storm Sewer Discharge";
 - l) a discharger may be required, upon receipt of notice from the Municipality, to complete one or more of the following activities in a reasonable amount of time, as stated in the notice addressing storm water from the discharger's site:
 - (i) a study on stormwater quality and/or quantity;
 - (ii) modification and/or construction of stormwater facilities;
 - (iii) development and implementation of a best management plan;
 - (iv) adoption and implementation of pollution prevention techniques and measures;
 - (v) development and adoption of an environmental management system; or
 - (vi) any other requirement as specified by the Municipality.

Table 2 - Limits for Storm Sewer Discharge

Parameter	Limited (mg/L)	Parameter	Limit (mg/L)
Biochemical Oxygen Demand	15	Trans, 1,3-dichloropropyene	0.0056
Cyanide (total)	0.02	Ethyl benzene	0.002
Phenolics (4AAP)	0.008	Methylene chloride	0.0052
Phosphorus (total)	0.4	1,1,2,2-tetrachloroethane	0.017
Suspended Solids (total)	15	Tetrachloroethylene	0.0044
Arsenic (total)	0.02	Toluene	0.002
Cadmium (total)	0.008	Trichloroethylene	0.0076
Chromium (total)	0.08	Xylene (total)	0.0044
Chromium (hexavalent)	0.04	Di-n-butyl phthalate	0.015
Copper (total)	0.04	Bia (2-ethylhexyl) phthalate	0.0088
Lead (total)	0.12	Nonylpyhenols	0.001
Manganese (total)	0.05	Nonylphenol ethoxylates	0.01
Mercury (total)	0.0004	Aldrin/dieldrin	0.00008
Nickel (total)	0.08	Chlordane	0.04
Selenium (total)	0.02	DDT	0.00004
Silver (total)	0.12	Hexachlorobenzene	0.00004
Zinc (total)	0.04	Mirex	0.04
Benzene	0.002	c,c'-dichlorobenzidine	0.0008
1,2-dichlorobenzene	0.0056	Hexachlorocyclohexane	0.04
1,2-dichlorobenzene	0.0068	Pentachlorophenol	0.002
Cis-1,2-dichloroethylene	0.0056	Total PAHs	0.002

- 5.1 Prior to any discharge of sewage, storm water, cooling water, uncontaminated water or any combination thereof, to a sewage works, an industrial discharger is required to complete and return to the Municipality the following reports:
- a) the "Short Version of the Discharger Information Report" attached as Form #1; and
 - b) the "Complete Discharger Information Report" attached as Form #2 under the following conditions:
 - (i) where in the sole opinion of the Municipality, the discharger may have a significant impact on the sewage works and the Municipality has provided notice to complete the report; or
 - (ii) the discharger has or may require an extra strength surcharge agreement with the Municipality.
- 5.2 If a discharger was discharging to the sewage works prior to the enactment of this bylaw, the discharger shall comply with the requirements of 5.2 and 6.1 on or before November 1, 2003.
- 5.3 The requirements in 5.2 do not apply to the discharger, if in the sole opinion of the Municipality, adequate information has been provided to and accepted by the Municipality, prior to the date of enactment of this bylaw.
- 5.4 The discharger shall provide written notification to the Municipality of any change to the information required under 5.1, 5.2 or 5.3 within thirty (30) days of the change.

Section 6 - Discharger Self-Monitoring

- 6.1 The discharger shall complete any monitoring or sampling of any discharge to a sewage works, as required by the Municipality, and provide the results to the Municipality in accordance with written notification from the Municipality.
- 6.2 The obligations set out in or arising out of 6.1 shall be completed at the expense of the discharger unless the Municipality has agreed in writing to share the expense with the discharger.

Section 7 - Extra Strength Surcharge Temporary Agreement

- 7.1 The Municipality may authorize an extra strength surcharge temporary agreement (for a mutually agreed upon time) with a discharger to permit exceedances for any one or more of the following parameters set out in Table 1, referred to in 2.1.4, for the following, where sewage is discharged to a sanitary sewer or combined sewer:
- (i) Biochemical Oxygen Demand;
 - (ii) Phenolics (4AP);
 - (iii) Solvent Extractables - animal or vegetable in origin;
 - (iv) Kjeldahl Nitrogen, Total;
 - (v) Phosphorus, Total; or
 - (vi) Suspended Solids, Total.
- 7.2 The agreement may contain terms and conditions including terms and conditions related to the calculation and payment for the discharge to the sanitary sewer or combined sewer.
- 7.3 During the term of agreement, the discharger is exempt from meeting the limits set out in the Table referred to in 2.1.4 for the parameter(s) included in the agreement, if all conditions stipulated by the Municipality in the agreement are met.

Section 7 - Extra Strength Surcharge Temporary Agreement (Cont'd)

- 7.4 The Municipality may terminate the agreement at any time and the termination will be effective within thirty (30) days of the delivery of a written notice to the discharger's site or head office.
- 7.5 The applicable agreement is outlined in Schedule A of this by-law.

Section 8 - Compliance Agreement

- 8.1 The Municipality may authorize a compliance agreement with a discharger, to eliminate a non-compliance situation, where the discharger is out of compliance with one or more conditions in Section 2.
- 8.2 The agreement shall have the following characteristics:
- a) be for a fixed term;
 - b) contain reporting requirements to the Municipality on significant stages in the progress towards compliance as determined by the Municipality; and
 - c) list the condition or conditions identified in 8.1 and include a maximum interim limit for the parameter of parameters covered by the agreement.
- 8.3 During the term of the compliance agreement, the discharger shall be exempt from those parts of Part 2 specified in the compliance agreement provided that all of the conditions of the agreement are met by the discharger.
- 8.4 The agreement provided for in 8.1 may be terminated without notice, by the Municipality at any time, where in the opinion of the Municipality, there is an immediate threat or danger to any person, animal, property, vegetation, or in any hazard or other adverse impact to a sanitary sewer, a combined sewer or a sewage works and the discharger is required to immediately comply with Section 2 of this bylaw.

Section 9 - Sampling and Analytical Requirements

- 9.1 The sampling and analysis required by this bylaw shall be done in accordance with the procedures described in the "Protocol for the Sampling and Analysis for the Municipal Sewer Use Bylaw" in the Municipality of Cornwall dated June 23, 2003, as amended from time to time.
- 9.2 Non-compliance with this bylaw may be established through the analysis of a single grab sample done in accordance with 9.1.
- 9.3 In the case of sampling a discharge to a combined sewer, any storm water or uncontaminated water which is discharged at the time of sampling, is not to be considered a component of the sample for determining compliance with 2.1.2. or 2.1.4 of this bylaw.
- 9.4 A discharger is responsible for any requirements set out in this bylaw in respect of discharges or deposits of sewage, storm water or uncontaminated water into that part of a sewage works over which the discharger has or could have control.

Section 10 - Maintenance Access Points

- 10.1 The Municipality may require in written notification, the installation of maintenance access points or the upgrading of existing maintenance access points, for each connection to the sewage works at the site of a discharger, for the purpose of monitoring or sampling discharges as set out in 9.4.
- 10.2 Maintenance access points required under 10.1 shall be:
- a) located on the property of the discharger unless the Municipality permits an alternative location;
 - b) accessible at all times by the Municipality;
 - c) constructed in a manner which meets the standards of the Municipality;
 - d) maintained to ensure access and structural integrity; and
 - e) maintained and constructed at the expense of the discharger.

Section 11 - Spills

- 11.1 In the event of a spill to a sewage works, the discharger shall immediately notify the Municipality, provide any information with respect to the spill which the Municipality advises it requires and complete any work the Municipality requires to mitigate the spill.
- 11.2 The discharger shall provide a report on the spill to the Municipality, within five days after the spill, containing the following information:
- a) location where spill occurred;
 - b) name and phone number of person who reported the spill and location where they can be contacted;
 - c) date and time of spill;
 - d) material spilled;
 - e) characteristics of material spilled;
 - f) volume of material spilled;
 - g) duration of spill event;
 - h) work completed and/or still in progress in the mitigation of the spill; and
 - i) preventative actions being taken to ensure the situation does not occur again.

Section 12 - Offences

- 12.1 Every person other than a corporation who contravenes any provision of **Section 2 or 4** of this bylaw is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine or not more than \$10,000 for a first offence and \$25,000 for any subsequent conviction, as outlined in Section 92 of the Municipal Act.
- 12.2 Every corporation which contravenes any provision **Section 2 or 4** of this bylaw is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$50,000 for a first offence and \$100,000 for any subsequent conviction, as outlined in Section 92 of the Municipal Act.
- 12.3 Notwithstanding subsection 12.1 and 12.2, every person who contravenes any provision of any other section of this bylaw, is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine or not more than \$5,000.
- 12.4 Any expense incurred by the Municipality to do work required under this By-law because of default by the owner may be levied against the owner and recovered in like manner as municipal taxes.

Section 13 - Other Provisions

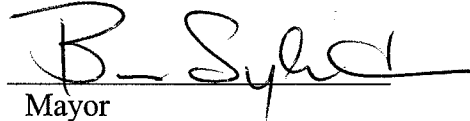
Where grease, oil and grit interceptors are provided at the cost of the owner to prevent the discharge of wastewater containing amounts of these substances in excess of the amounts permitted by this By-law, they shall be properly maintained and placed in locations readily accessible for cleaning and inspection and shall be of a design in keeping with good engineering practice.

Section 14 - Repeal

The previous City of Cornwall Sewer Use Bylaw known as 322-1967 is repealed as of June 23, 2003.

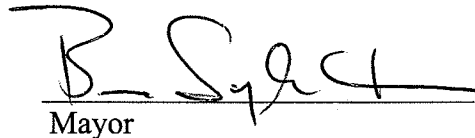
READ a First and Second Time, in Open Council this 23rd, day of June A.D. , 2003.


Clerk


Mayor

READ a Third and Final Time, Signed and Sealed in Open Council this 23rd day of June A.D., 2003.


Clerk


Mayor

SCHEDULE A
to By-law No. 103-2003

This Agreement made in duplicate this ___ day of _____ A.D. 20__.

BETWEEN

The Corporation of the City of Cornwall,
(hereinafter called the "City")
OF THE FIRST PART

AND

Name of Industry
OF THE SECOND PART

WHEREAS (Name of Industry) is a company having manufacturing processes within the City, such manufacturing processes producing process wastes, the characteristics of which are considered by the City to be unacceptable for discharge of the said wastes to a municipal sanitary or combined sewer; and

WHEREAS (Name of Industry) is desirous of discharging its process wastes to the municipal sanitary or combined sewer located on or adjacent to the property of (Name of Industry); and

WHEREAS the City owns and maintains the sewer through which the process wastes of the (Name of Industry) would pass;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the premises and the sum of \$_____ of lawful money of Canada now paid by (Name of Industry) to the City (the receipt of which is hereby acknowledged) the parties hereto mutually covenant and agree as follows:

1. (Name of Industry) is permitted to discharge all of its processing wastes to the municipal sanitary or combined sewers provided that pre-treatment and/or maximum permissible discharge limits are established.
2. This Agreement is to remain in force for (a mutually agreed upon time period) from the date of the initial discharge of (Name of Industry) effluent to the sanitary or combined sewerage system and subject to review and revision at the end of the period and thereafter continue subject to review and revision at mutually agreed upon time intervals. The Agreement may

also be reviewed and revised as deemed necessary by the Municipality if the following should occur:

- (a) in the opinion of the Municipality, the process wastes are causing damage to, and/or materially increasing maintenance costs and/or causing dangerous conditions in the sewers or pumping stations leading to the sewage treatment plant;
- (b) in the opinion of the Municipality, the process wastes are causing damage to, and/or materially increasing operating costs and/or causing a dangerous condition in the sewage treatment process as operated by the Municipality.

Any changes necessary in the treatment of the wastes by (Name of Industry) as a result of such reviews in order to bring the characteristics of the process wastes within the terms of this Agreement, shall be made within a mutually agreed upon time period from the date of written notification of the necessity of such changes.

- 3. (Name of Industry) in consideration for the Municipality accepting the said process wastes into the municipal sanitary sewer under the conditions of the Agreement for a period _____, hereby agrees and consents to pay a sum of \$_____ for additional cost incurred by the City in sewage treatment.
- 4. The Municipality shall establish such necessary sampling and inspection in the municipal sewerage system as is necessary to ensure that the intent of this Agreement is fulfilled. The charge for treatment of the process wastes shall be subject to review at the termination of this agreement.

This agreement shall ensure to the benefit of, and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

This agreement shall be effective as and from the ____ day of _____ A.D. 20__.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals.