

## Sewer Use Policy

**BE IT ENACTED** as a Policy of the Council of the Municipality of the County of Colchester:

### 1. Introduction

- a. This Policy is entitled the Sewer Use Policy.
- b. The Council hereby delegates to the Engineer designated pursuant to section 39 of the *Municipal Government Act*, all of its authority pursuant to Part XIV of the *Municipal Government Act* as set out in the Sewer Use By-law of the Municipality of the County of Colchester.
- c. The current Sewer Use By-law of the Municipality of the County of Colchester requires Council to adopt a Sewer Use Policy to:
  - i. Regulate the concentration and flow of substances permitted to be discharged into the sewerage system;
  - ii. Restrict the discharge and concentration of substances that may adversely affect the sewerage system, the treatment process carried out at the Municipality's wastewater facilities or the quality of treated effluent from the Municipality's wastewater facilities;
  - iii. Implement a structure for cost recovery for connection, conveyance and treatment of sewage and/or wastewater from residential premises or industrial premises; and
  - iv. Implement any other provisions of the Sewer Use By-law as required under the said By-law.

### 2. Definitions

- a. In this Policy,
  - i. all words used in the singular shall include the plural except where otherwise indicated and the words used in the plural shall indicate the singular;
  - ii. "Hydraulic fracturing wastewater" means any water used in or produced from hydraulic fracturing or other geological formation simulation, and includes produced or formation water resulting from wells that have been hydraulically fractured; and
  - iii. all other words shall carry their customary meaning, except those defined in the Sewer Use By-law of the Municipality of the County of Colchester or as defined in this Policy.

### 3. Decision-Making Procedures of the Engineer

- a. The Engineer shall make decisions as authorized by the Sewer Use By-law in accordance with this Policy.
- b. The Engineer shall have the discretion to delay the effective date of any decision after taking into account the nature of the decision, the impact on the applicant and the potential of other interested parties.
- c. Where the Engineer makes a decision pursuant to clause 5.12 of the Sewer Use By-law, the Engineer shall make such decisions in the following manner:
  - i. The Engineer's decisions shall be made in writing, in the format deemed appropriate by the Engineer from time to time;
  - ii. The Engineer's decision shall be delivered to the affected party or parties by registered mail, personal service or any other method of delivery authorized by the affected party or parties; and
  - iii. If, based upon the subject-matter of the appeal, the Engineer decides that his or her decision is of a nature that warrants notification to the general public,
    - 1. the Engineer's decision shall be posted in at least one (1) publically accessible forum within two (2) days of delivering the decision to the affected party or parties, and
    - 2. the Engineer's decision shall clearly state that the Engineer has deemed it appropriate to notify the general public of the Engineer's decision and when and how notification to the general public will occur.
- d. When the an appeal has been filed pursuant to Part 20 of the Sewer Use By-law:
  - i. The Chief Administrative Officer shall immediately advise the Engineer and the Sewer Use Appeals Committee that an appeal of a decision of the Engineer has been submitted;
  - ii. The appeal shall be heard by the Sewer Use Appeals Committee, as established by the Sewer Use By-law and clause 4 of this Policy, and should be scheduled to be heard to within thirty (30) days from the filing date of the appeal, or as soon as reasonably possible thereafter, following which the decision of the Engineer shall be affirmed, varied or reversed;
  - iii. Notice of the appeal and its hearing date shall be given to the party appealing the decision of the Engineer, at the address designated by the party in the written form of appeal submitted to the Chief Administrative Officer, no less than ten (10) days in advance of the date on which the appeal is scheduled to be heard;
  - iv. If the Chief Administrative Officer decides that there are other interested parties to whom notice of the appeal and its hearing date ought to be given, then notice of the

appeal and its hearing date shall be given to those interested parties, in the manner deemed appropriate by the Chief Administrative Officer, no less than ten (10) days in advance of the date on which the appeal is scheduled to be heard; and

- v. If the Chief Administrative Officer decides that the subject-matter of the appeal is of a nature that warrants notifying the general public of the appeal and its hearing date, then notice of the appeal and its hearing date shall be posted in at least one (1) publically accessible forum no less than ten (10) days in advance of the date on which the appeal is scheduled to be heard.

#### **4. Standing Committee of Council**

- a. There is hereby a Standing Committee of Council, to be called the “Sewer Use Appeals Committee,” to which Council hereby delegates its authority to hear appeals from decisions of the Engineer pursuant to the Sewer Use By-law.
- b. The Sewer Use Appeals Committee shall have 5 Councillors.
- c. The quorum for the Sewer Use Appeals Committee shall be set at 3 Councillors.
- d. The procedures to be followed by the Sewer Use Appeals Committee shall be as determined by the Sewer Use Appeals Committee from time to time.
- e. For further clarity, there is no appeal from a decision of the Sewer Use Appeals Committee.

#### **5. Schedule of Fees and Charges**

- a. All Fees and charges for the connection to and the use of the sewerage system referred to in this Policy are contained in the Municipal Fees Policy as approved by Council.
- b. For any costs, fees or expenses which are not specifically addressed in this Policy, the Engineer may, at his or her discretion, levy other charges for services on a case by case basis to cover costs, fees or expenses, including but not limited to:
  - i. Cost of material, use of municipal equipment and contracted equipment and machinery;
  - ii. Cost of field staff time, engineering and administration; and
  - iii. Capitalized cost of service delivery over the life cycle of the facility provided.

#### **6. Parameter Limits for Discharge into Sewerage System**

- a. The following parameter limits for sewage and/or wastewater proposed to be discharged into the sewerage system shall apply unless the proposed discharge is specifically prohibited by this Policy:

Substance	Limit (mg/l)	Substance	Limit (mg/l)
Aluminum (Total)	50.0	Manganese (Total)	5.0
Antimony (Total)	5.0	Mercury (Total)	0.01
Arsenic (Total)	1.0	Methylene Chloride	0.09
Barium (Total)	5.0	Molybdenum (Total)	5.0
Benzene (Total)	0.01	Nickel (Total)	2.0
Beryllium (Total)	5.0	Oil & Grease (mineral or Synthetic)	15
Bio-Chemical Oxygen Demand	300	Oil & Grease (organic)	150
Bismuth (Total)	5.0	Phenolic Compounds	0.1
Cadmium (Total)	0.7	Phosphorus (Total)	10.0
Chemical Oxygen Demand	600	Selenium (Total)	0.8
Chlorides	1500	Silver (Total)	0.4
Chloroform	0.04	Sulphates (SO <sub>4</sub> )	1500
Chromium (Total)	2.0	Suspended Solids (Total)	300
Cobalt (Total)	5.0	Sulphide (H <sub>2</sub> S)	1.0
Copper (Total)	1.0	1,1,2,2 Tetrachloroethane	0.06
Cyanide	1.2	Tin (Total)	2
1,2 - dichlorobenzene	0.05	Titanium	5
1,4 - dichlorobenzene	0.08	Toluene	0.01
Ethyl benzene	0.06	Total Kjeldahl Nitrogen	50
Fluoride	10	Trichloroethane	0.5
Hexa-Chlorobenzene	0.001	Trichloroethylene	0.05
Iron (Total)	50	Xylene	0.3
Lead (Total)	1	Zinc	2.0

- b. The following parameter limits shall apply for sewage and/or wastewater containing NORMs that have not been part of a nuclear fuel cycle, re-processed for use of nuclear material or are not artificially produced radio nuclides. If any Federal Regulations or Provincial Regulations or other Federal or Provincial guidelines have limits which are more stringent than those set out in this Policy, the more stringent of the limits shall apply:

NORM Radionuclide	Limit (Bq/l)	NORM Radionuclide	Limit (Bq/l)
Uranium-238 series (all progeny)	1.0	Uranium-238 (U-238,Th-234,Pa-234m, U-234)	10.0
Thorium-230	5.0	Radium-226 (in equilibrium with its progeny)	5.0
Thorium-232	1.0	Radium-228 (in equilibrium with Ac-228)	5.0
Thorium-232 series (all progeny)	1.0	Lead-201 (in equilibrium with Bi-201 & Po-210)	1.0
Thorium-228 series (in equilibrium with all progeny)	1.0		

## 7. Discharge of Sewage and/or Wastewater Containing Hazardous Substances or Other Prohibited or Limited Substances

- a. If a person intends to process any raw material into any finished product that could result in a possible discharge of sewage and/or wastewater into the sewerage system, and such sewage and/or wastewater is known to contain or possibly contain
  - i. any substances prohibited to be discharged into the public sewer sewerage system under by the *Municipal Government Act* of Nova Scotia or any other Federal Regulations or Provincial Regulations;
  - ii. any substance that is prohibited or has restrictions placed on its discharge into the sewerage system under the Sewer Use By-law of the Municipality of the County of Colchester and this Policy; and/or
  - iii. any substance that is above the limits as defined and set out in this Policy

that person must apply for and obtain an approval from the Engineer for an intent to discharge the sewage and/or wastewater into the sewerage system prior to commencement of the processing operations to ensure that adequate treatment, handling and monitoring measures as required by the Engineer have been put in place to the satisfaction of the Engineer.

- b. If the approval for intent to discharge as required by clause 6(a) of this Policy has not been obtained by the person prior to commencement of the processing operations and the establishment the treatment, handling and monitoring measures as required by the Engineer, the Engineer may decline to accept a wastewater survey report and to issue a wastewater discharge permit to the person under the Sewer Use By-law.
- c. If a person intends to bring into the Municipality any substance for the purpose of discharge into the sewerage system, or where it could be reasonably contemplated that such substance would be discharged into the sewerage system, and such substance is known to contain or possibly contain
  - i. any substances prohibited to be discharged into the public sewer sewerage system under by the *Municipal Government Act* of Nova Scotia or any other Federal Regulations or Provincial Regulations;
  - ii. any substance that is prohibited or has restrictions placed on its discharge into the sewerage system under the Sewer Use By-law of the Municipality of the County of Colchester and this Policy; and/or
  - iii. any substance that is above the limits as defined and set out in this Policy

that person must apply for and obtain an approval from the Engineer for an intent to discharge the sewage and/or wastewater into the sewerage system prior to transporting the product into the Municipality to ensure that adequate treatment, handling and monitoring measures as required by the Engineer have been put in place to the satisfaction of the Engineer.

- d. If the approval for intent to discharge as required by clause 6(c) of this Policy has not been obtained by the person prior to transporting the substance into the Municipality and the establishment of treatment, handling and monitoring measures as required by the Engineer, the Engineer may decline to accept a wastewater survey report and to issue a wastewater discharge permit to the person under the Sewer Use By-law.

## 8. Hydraulic Fracturing Wastewater

The Municipality shall not accept any Hydraulic Fracturing Wastewater into any of the municipal wastewater treatment facilities or public sewer systems.

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members of Intent to Consider (7 days minimum): October 4, 2015

Date of Passage of Current Policy: October 30, 2019

I certify that this Policy was adopted by Council as indicated above.

Rob Simonds

Municipal Clerk

November 5, 2019

Date

*amended October 30, 2019  
amended January 29, 2015  
originally approved February 28, 2013*