

Authority: Public Works and Infrastructure Committee Item 27.8, adopted as amended, by City of Toronto Council on December 16, 17 and 18, 2013

CITY OF TORONTO

BY-LAW No. 1718-2013

To amend City of Toronto Municipal Code Chapter 681, Sewers.

Whereas Council has the authority to pass this By-law pursuant to subsections 8(1), (2) and (3) and section 259 of the *City of Toronto Act, 2006*, S.O. 2006, Chapter 11, Schedule A;

The Council of the City of Toronto enacts:

1. Section 681-1. Definitions is amended by:
 - (a) deleting in its entirety the term "POLLUTION PREVENTION PLAN SUMMARY OR PLAN SUMMARY" and its definition.
 - (b) deleting the words ", or designated by the City in accordance with § 681-5, Subsection O, of this article" from the definition of SUBJECT POLLUTANT; and
 - (c) deleting the words ", or designated by the City in accordance with § 681-5, Subsection N, of this article" from the definition of SUBJECT SECTOR.
2. Section 681-5. Pollution prevention planning is amended by deleting Section 681-5 in its entirety and replacing it with the following:

"§ 681-5. Pollution prevention planning.

- A. Every subject sector industry and every industry which discharges any amount of a subject pollutant must submit their first plan to the General Manager with respect to the premises from which the discharge occurs within one year of commencing operations.
- B. Every subject sector industry and every industry which discharges any amount of a subject pollutant shall prepare a new plan and submit it to the General Manager with respect to the premises from which the discharge occurs, every six years, unless such industry continually meets the requirements of and is participating in a Best Management Practices Plan approved by Council.
- C. Form of plan.
 - (1) The plan shall be in the form designated by the City for that purpose from time to time.
 - (2) In addition to any other matter or requirement designated by the City, and notwithstanding Subsection C(3), each plan shall include the following:
 - (a) A description of the processes at the premises which use or produce subject pollutants.

- (b) A description of those processes at the premises which are to be the subject of pollution prevention planning.
 - (c) A list of the subject pollutants present at the premises at any stage of the operations of the premises.
 - (d) A description setting out the types, quantities and concentrations of all subject pollutants discharged, directly or indirectly, to a sewer.
 - (e) A description of current waste reduction, recycling, waste treatment and pollution prevention activities with respect to sewer discharges at the premises.
 - (f) A description of pollution prevention options for subject pollutants and sewer discharge and an evaluation of those options.
 - (g) A list of possible three- and six-year targets to reduce or eliminate the discharge of subject pollutants to the City's sewers.
 - (h) A declaration from an authorized person that the content of the plan is, to the best of that person's knowledge, true, accurate and complete.
- (3) The City may designate a different form for the plan with respect to any class of industrial, commercial or institutional premises, or with respect to any class of industry.
- D. All plans must meet the requirements of this article as determined by the General Manager to be approved.
- E. In the event that an industry submitting a plan is not sent written notice from the General Manager that its plan is not approved by the General Manager within 90 days of the industry delivering the plan to the General Manager, the plan shall be deemed to have been approved by the General Manager.
- F. Where an industry receives notice from the General Manager that its plan has not been approved, the industry shall have 90 days to amend and resubmit its plan to the General Manager for approval in accordance with this article.
- G. In the event that a plan resubmitted to the General Manager in accordance with Subsection F continues to fail to comply with the requirements of this article, the General Manager shall so notify the industry, and the industry shall be in contravention of this article and shall continue to be in contravention of this article until such time as the General Manager approves of an amended plan resubmitted by the industry.
- H. Every subject sector industry and every industry discharging a subject pollutant shall submit a plan update incorporating the items set out in § 681-5C(2) for the

approval of the General Manager by the end of the third year from the date which the plan was required to be submitted. Such plan update shall, in addition to the requirements otherwise set out in this article, detail and evaluate the progress of the industry to accomplish the objectives set out in its plan and the industry's ability to accomplish those pollution prevention objectives.

- I. An industry or subject sector industry which discharges a subject pollutant not contained in its approved plan shall update its plan within 90 days of the discharge of the additional subject pollutant to include it unless expressly provided otherwise in this section. This shall not affect the timelines for submitting a plan under § 681-5A and B.
 - J. Every industry or subject sector industry which discharges hexavalent chromium has until December 31, 2014 to amend its latest plan to include hexavalent chromium and must thereafter include hexavalent chromium in all plans, until hexavalent chromium is no longer discharged to any sewer. This shall not affect the timelines for submitting plans under § 681-5A and B.
 - K. A copy of the plan shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by the General Manager at any time."
3. Subsection D of § 681-9. Spills is amended by deleting the words "and plan summary"; and deleting the words "the plan summary so updated" and replacing them with the word "it" so it reads as:
- "D. Industries at whose premises a spill has occurred which are required to have a plan pursuant to § 681-5 of this article shall prepare an updated plan incorporating the information set out in Subsection B and shall submit it to the General Manager within 30 days of the spill."
4. Subsection D, Sediment interceptors, of § 681-10. General is amended by adding a new § 681-10(D)(4) immediately after § 681-10(D)(3) as follows:
- "(4) Every owner or operator of a commercial carwash operation shall install, operate, and properly maintain a sediment interceptor in any piping system at the premises that connects directly or indirectly to a sewer. The sediment interceptor shall be installed in compliance with the most current requirements of the Ontario Building Code."
5. Subsection A of § 681-12. Confidential Information is amended by deleting the words "plan summaries" and replacing them with the word "plans".
6. Article 1, Appendix 1, Subject Sectors, is amended by deleting in its entirety "Column 3 - Initial P2 Plan Due Date" and "Column 4 - Six Year P2 Plan Due Date", including all contents of those columns.

7. Article 1, Appendix 2, Subject Pollutants is amended by adding "Hexavalent Chromium" to the list on the left side, in alphabetical order.
8. This By-law comes into force upon enactment.

Enacted and passed on December 18, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)