Agenda – Council – June 27, 2012

Report – Standing Policy Committee on Infrastructure Renewal and Public Works - May 29, 2012

Item No. 1 Amendment to the Sewer By-law No. 92/2010 - To Expand the Scope of Pollution Prevention Planning

STANDING COMMITTEE RECOMMENDATION:

On June 6, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submits the following to Council:

1. That an amendment to the Sewer By-law No. 92/2010 (Appendix A), be enacted, to bring the following business sectors under Part 11 - Pollution Prevention Planning requirements of the By-law effective July 1, 2013:

    A. Paper manufacturing
    B. Petroleum and coal product manufacturing
    C. Chemical manufacturing
    D. Printing and related support activities
    E. Pharmaceutical and medical manufacturing

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works - May 29, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 6, 2012, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 29, 2012, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Issue: **AMENDMENT TO THE SEWER BY-LAW 92/2010 TO EXPAND SCOPE OF POLLUTION PREVENTION PLANNING**

Critical Path: **STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS –EXECUTIVE POLICY COMMITTEE - COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Kjartanson, P. Eng. Manager, Environmental Standards	D. P. Sacher, P. Eng. Director, Water and Waste Department	n/a	D. Joshi, COO

RECOMMENDATIONS

That Council enacts an amendment to the Sewer By-law (attached as Appendix A) to bring the following business sectors under the pollution prevention planning requirements of the By-law effective July 1, 2013:

- Paper manufacturing
- Petroleum and coal product manufacturing
- Chemical manufacturing
- Printing and related support activities
- Pharmaceutical and medical manufacturing

REASON FOR THE REPORT

An amendment to the Sewer By-law requires Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

The Sewer By-law 92/2010 includes Part 11 on pollution prevention planning. Pollution prevention planning shifts the focus from wastewater treatment to control at source. Pollution prevention planning came into effect on January 1, 2012.

Schedule E contains North American Industry Classification System (NAICS) codes for businesses currently part of the pollution prevention planning program. With the expected completion of the first tier of metal finishing companies by the end of 2012, a second tier of companies should be added to the program for 2013. The following will become Tier 2 of the pollution prevention planning program and the industries will be given the required one year of notice regarding the program. The total number of companies listed in the following table are those companies in each sector known at this time. The total number of companies known to be affected will likely increase as the program progresses.

Pollution Prevention Planning Tier 2

Industry Sector	Sewer By-law limits of pertinent interest	Known number of businesses affected
Paper Manufacturing	• Biochemical Oxygen Demand • Metals • pH • Total Suspended Solids	23
Petroleum and Coal Product Manufacturing	• Oil/Grease • Phenols • pH • Total Suspended Solids	2
Chemical Manufacturing	• A variety of parameters	37
Printing and Related Support Activities	• Metals • Volatile Organic Compounds	110
Pharmaceutical and Medicine Manufacturing	• Biochemical Oxygen Demand • Metals • Nitrogen • Phenols • Volatile Organic Compounds	9

A more detailed breakdown of the business sectors by NAICS code is set out in the table which will be added to Schedule E and which is included in the attached amending By-law.

The businesses in this industry sector will be required to submit a Pollution Prevention Plan if they discharge:

- any of the prohibited substances listed in Schedule A to the wastewater system,
- any of the substances in excess of the concentration limits set out in Schedule B to the wastewater system,
- any of the prohibited substances listed in Schedule C to the land drainage system, or
- any of the substances in excess of the concentration limits set out in Schedule D to the land drainage system.

The businesses that need to submit a Pollution Prevention plan are required to:

- prepare a Pollution Prevention Plan using the template provided,
- submit the plan for our approval,
- submit annual progress reports, and
- update their plan once every five years to show progress towards pollution prevention goals.

The known businesses in Tier 2 will receive a letter about the pollution prevention planning program in July 2012. A program brochure will be included with the letter. A reminder letter will be sent out in May 2013. The program website will also be updated to include the NAICS codes included in Tier 2. An inspection of their facility will be arranged to determine if the are required to submit a Pollution Prevention Plan.

HISTORY

The current Sewer By-law 92/2010 was approved by City Council on July 21, 2010. Several minor administrative adjustments were approved by Council on September 22, 2010, November 16, 2011, and December 14, 2011.

Pollution prevention planning came into effect on January 1, 2012. The pollution prevention planning program has been well received by affected customers. As of April 13, 2012, 55 of 213 companies in Tier 1 have been inspected. Of the companies inspected, 10 have been notified that a pollution prevention plan is required. One pollution prevention plan has been submitted and approved.

FINANCIAL IMPACT

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Financial Impact Statement

Date: May 7, 2012

Project Name:

Amendment to the Sewer By-law 92/2010 to update Schedule E

COMMENTS:

There is no financial impact associated with this report.

"Original signed by M. L. Geer, C. A."
Moira Geer, CA
Manager of Finance & Administration

CONSULTATION

In preparing this report there was consultation with:
Legal Services Department

SUBMITTED BY

Water and Waste Department
Environmental Standards Division
Prepared by: M. Marsland
Date: April 30, 2012
File No. 020-11-01-29-00

Appendix A

THE CITY OF WINNIPEG

BY-LAW NO.

A By-law of THE CITY OF WINNIPEG to amend the Sewer By-law

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Sewer By-law amended

1 The Sewer By-law No. 92/2010 is amended by this By-law.

Schedule E amended

2 Schedule E is amended by adding the following table after the existing tables set out in Schedule E:

Pollution Prevention Plan Tier 2

Effective Date ***July 1, 2013***

Paper Manufacturing	***NAICS Code ****
Mechanical Pulp Mills	*322111*
Chemical Pulp Mills	*322112*
Paper (except Newsprint) Mills	*322121*
Newsprint Mills	*322122*
Paperboard Mills	*322130*
Corrugated and Solid Fibre Box Manufacturing	*322211*
Folding Paperboard Box Manufacturing	*322212*
Other Paperboard Container Manufacturing	*322219*
Paper Bag and Coated and Treated Paper Manufacturing	*322220*
Stationery Product Manufacturing	*322230*

Sanitary Paper Product Manufacturing	*322291*
All Other Converted Paper Product Manufacturing	*322299*

Petroleum and Coal Product Manufacturing	***NAICS Code ✱***
Petroleum Refineries	*324110*
Asphalt Paving Mixture and Block Manufacturing	*324121*
Asphalt Shingle and Coating Material Manufacturing	*324122*
Other Petroleum and Coal Product Manufacturing	*324190*

Chemical Manufacturing	***NAICS Code ✱***
Petrochemical Manufacturing	*325110*
Industrial Gas Manufacturing	*325110*
Synthetic Dye and Pigment Manufacturing	*325130*
Alkali and Chlorine Manufacturing	*325181*
All Other Basic Inorganic Chemical Manufacturing	*325189*
Other Basic Organic Chemical Manufacturing	*325190*
Soap and Cleaning Compound Manufacturing	*325610*
Toilet Preparation Manufacturing	*325620*
Paint and Coating Manufacturing	*325510*
Adhesive Manufacturing	*325520*
Resin and Synthetic Rubber Manufacturing	*325210*
Artificial and Synthetic Fibres and Filaments Manufacturing	*325220*

Printing Ink Manufacturing	*325910*
Explosives Manufacturing	*325920*
Custom Compounding of Purchased Resins	*325991*
All Other Miscellaneous Chemical Product Manufacturing	*325999*
Chemical Fertilizer (except Potash) Manufacturing	*325313*
Mixed Fertilizer Manufacturing	*325314*
Pesticide and Other Agricultural Chemical Manufacturing	*325320*

Printing and Related Support Activities	***NAICS Code ✱***
Quick Printing	*323114*
Digital Printing	*323115*
Manifold Business Forms Printing	*323116*
Other Printing	*323119*
Support Activities for Printing	*323120*

Misc. Industries	***NAICS Code ✱***
Leather and Hide Tanning and Finishing	*316110*
Battery Manufacturing	*335910*
Pharmaceutical and Medicine Manufacturing	*325410*

DONE AND PASSED, this day of , 2012.

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Mayor

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City Clerk

Approved as to content:

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Director of Water and Waste

Approved as to form:

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Director of Legal Services/City Solicitor