Agenda – Council – May 24, 2017

Report – Standing Policy Committee on Water and Waste, Riverbank Management and the Environment – May 1, 2017

Item No. 1 Amendment to Sewer By-law No. 92/2010 to expand the scope of the Pollution Prevention Program

STANDING COMMITTEE RECOMMENDATION:

On May 10, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment and submitted the following to Council:

1. That the amendments to the Sewer By-law No. 92/2010 (draft amending by-law is attached as Appendix A) to add two new Pollution Prevention Planning Tiers to Schedule E of the Sewer By-law, effective January 1, 2018 and January 1, 2019, respectively, be enacted as follows:

    A. Tier 4 (Medium Risk Discharges)
        i. Automotive Repair and Maintenance
        ii. Transportation Equipment Manufacturing
        iii. Gas Stations
        iv. Commercial Screen Printing
        v. Mushroom Production

    B. Tier 5 (Low Risk Discharges)
        i. Wood Product Manufacturing
        ii. Plastics and Rubber Manufacturing
        iii. Petroleum and Petroleum Products Merchant Wholesalers

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 Water and Waste, Riverbank Management and the Environment – May 1, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 10, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 1, 2017, the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: AMENDMENT TO THE SEWER BY-LAW NO. 92/2010 TO EXPAND THE SCOPE OF THE POLLUTION PREVENTION PROGRAM

Critical Path: Standing Policy Committee on Water and Waste, Riverbank Management and the Environment – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Grosselle, Manager, Environmental Standards	M. L. Geer, CPA, CA Acting Director, Water and Waste Department	n/a	D. McNeil

EXECUTIVE SUMMARY

The City of Winnipeg Sewer By-law No. 92/2010 (the "Sewer By-law") was amended to include pollution prevention planning in 2012 in response to the Clean Environment Commission's recommendation to the Minister of Conservation for the City of Winnipeg to review the existing Sewer By-law. This report recommends further amending the Sewer By-law to add requirements for pollution prevention planning to include two additional tiers (categories) of industries within the City that have potential pollutants in their wastewater discharges.

The Sewer By-law requirement for certain customers to complete pollution prevention plans is part of a comprehensive plan to protect the sewage collection and treatment system, our rivers and lakes, and the environment. This is a process that shifts the focus from wastewater treatment to the control of pollutants at the source by:

- avoiding the use of pollutants wherever possible,
- reducing the amount of pollutants that reach the wastewater system, if avoiding is not possible, and
- eliminating pollutants wherever possible by replacing products with more environmentally friendly products.

Pollution prevention planning has been ongoing since the introduction of the program in 2012.

RECOMMENDATIONS

1. That Council enact amendments to the Sewer By-law No. 92/2010 (draft amending by-law is attached as Appendix A) to add two new Pollution Prevention Planning Tiers to Schedule E of the Sewer By-law, effective January 1, 2018 and January 1, 2019, respectively, as follows:

    (a) Tier 4 (Medium Risk Discharges)

        (i) Automotive Repair and Maintenance

(ii) Transportation Equipment Manufacturing

(iii) Gas Stations

(iv) Commercial Screen Printing

(v) Mushroom Production

(b) Tier 5 (Low Risk Discharges)

(i) Wood Product Manufacturing

(ii) Plastics and Rubber Manufacturing

(iii) Petroleum and Petroleum Products Merchant Wholesalers

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

REASON FOR THE REPORT

Amendments to the Sewer By-law require Council approval.

IMPLICATIONS OF THE RECOMMENDATIONS

Businesses listed in Schedule E of the Sewer By-law are subject to the requirements under Part 11 of the Sewer By-law and must submit a Pollution Prevention Plan if they discharge any of the following:

- prohibited substances listed in Schedule A to the wastewater system
- substances in excess of the concentration limits set out in Schedule B to the wastewater system
- prohibited substances listed in Schedule C to the land drainage system
- 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 approval by the Water and Waste Department
- submit annual progress reports
- update their Plan once every five years to show progress towards Pollution Prevention goals

This report proposes to add Tables 1 and 2 below as Tier 4 and Tier 5 of the Pollution Prevention Planning Program. Businesses affected will be given the required one year of notice regarding the program. With the addition of these two tiers, all known industries within the City of Winnipeg that have potential pollutants in their wastewater discharges will be included in the program.

The following tables indicate the estimated number of businesses in each sector. The number of businesses affected will likely increase as the program progresses.

Table 1: Pollution Prevention Planning Tier 4

The businesses included in Tier 4 are the industry sectors considered to be medium risk for discharges exceeding Sewer By-law limits.

Industry Tier	Sewer By-law limits of pertinence	Estimated number of businesses affected
Automotive Repair and Maintenance	• Oil and Grease • Volatile Organic Compounds • Biochemical Oxygen Demand • pH • Metals • Sulphide • Total Suspended Solids	100
Transportation Equipment Manufacturing	• Oil and Grease • Volatile Organic Compounds • Biochemical Oxygen Demand • Phosphorus • Nitrogen • Total Suspended Solids • pH • Metals • Total Suspended Solids • Fluoride	16
Gasoline Stations	• Volatile Organic Compounds • Polycyclic Aromatic Hydrocarbons (PAHs) • Oil and Grease	>100
Commercial Screen Printing	• Oil and Grease • Volatile Organic Compounds • Biochemical Oxygen Demand • Nitrogen • Total Suspended Solids • pH • Nonylphenols and Nonylphenol Ethoxylates • Fluoride	20
Mushroom Production	• Biochemical Oxygen Demand • Phosphorus • Nitrogen • Total Suspended Solids • pH • Temperature	1

Table 2: Pollution Prevention Planning Tier 5

The businesses included in Tier 5 are the remaining industry sectors and are considered low risk for discharges exceeding Sewer By-law limits.

Industry Tier	Sewer By-law limits of pertinence	Estimated number of businesses affected
Wood Product Manufacturing	• Volatile Organic Compounds • Total Suspended Solids	8
Plastics and Rubber Products Manufacturing	• Volatile Organic Compounds • Oil and Grease • pH • Biochemical Oxygen Demand • Total Suspended Solids	40
Petroleum and Petroleum Products Merchant Wholesalers	• Volatile Organic Compounds • Polycyclic Aromatic Hydrocarbons (PAHs)	1

A more detailed breakdown of the business tiers by NAICS code (North American Industry Classification System) will be added to Schedule E which is included in the attached amending By-law.

HISTORY/DISCUSSION

The Sewer By-law was approved by City Council on July 21, 2010. Pollution Prevention Planning (Part 11) came into effect on January 1, 2012. The provisions of Part 11 apply only to the industry sectors set out in Schedule E of the Sewer By-law, which was amended to include Tier 1-B on November 16, 2011, Tier 2 on June 27, 2012, and Tier 3 on June 26, 2013.

Pollution Prevention Planning requires the continual evaluation of materials, processes and practices involved in commercial and industrial operations with the goal of reducing or possibly eliminating pollutants of potential concern from the wastewater that is being discharged.

The Pollution Prevention Planning Program has been well received by customers. As of February 28, 2017, 544 of 679 active companies have been inspected; with 65 of those companies completing all requirements of the program.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 18, 2017

Project Name:

AMENDMENT TO THE SEWER BY-LAW 92/2010 TO EXPAND THE SCOPE OF THE POLLUTION PREVENTION PROGRAM

COMMENTS:

There is no Financial Impact associated with this report.

"Original signed by L. Szkwarek, CPA, CGA"
Lucy Szkwarek, CPA, CGA
Acting Manager of Finance and Administration

CONSULTATION

This Report has been prepared in consultation with:

Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg Reference: Environment (02-2)

SUBMITTED BY

Department: Water and Waste
Division: Environmental Standards
Prepared by: J. Khounnasene, Pollution Prevention Inspector
B. Zastre, Pollution Prevention Inspector
M. Marsland, Industrial Waste Services Branch Head
G. Hagen, Industrial Waste Services Branch Head
Date: March 24, 2017
File: 020-11-01-23-00

Attachments:

1. Appendix A - Draft Amending By-law

THE CITY OF WINNIPEG

BY-LAW NO. /2017

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

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

Schedule E to Sewer By-law amended

1 Schedule E to the Sewer By-law No. 92/2010 is amended by adding the following table after the existing tables set out in Schedule E:

Pollution Prevention Plan Tier 4

Effective Date ***January 1, 2018***

Automotive Repair and Maintenance	***NAICS Code*** *
General automotive repair	811111
Automotive exhaust system repair	811112
Other automotive mechanical and electrical repair and maintenance	811119
Automotive body, paint and interior repair and maintenance	811121
Automotive glass replacement shops	811122
Car washes	811192
All other automotive repair and maintenance	811199

Transportation Equipment Manufacturing	***NAICS Code*** *
Automobile and light-duty motor vehicle manufacturing	336110
Heavy-duty truck manufacturing	336120
Motor vehicle body manufacturing	336211
Truck trailer manufacturing	336212
Motor home, travel trailer and camper manufacturing	336215

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Motor vehicle gasoline engine and engine parts manufacturing	336310
Motor vehicle electrical and electronic equipment manufacturing	336320
Motor vehicle steering and suspension components (except spring) manufacturing	336330
Motor vehicle brake system manufacturing	336340
Motor vehicle transmission and power train parts manufacturing	336350
Motor vehicle seating and interior trim manufacturing	336360
Motor vehicle metal stamping	336370
Other motor vehicle parts manufacturing	336390
Aerospace product and parts manufacturing	336410
Railroad rolling stock manufacturing	336510
Ship building and repairing	336611
Boat building	336612
Other transportation equipment manufacturing	336990

Gas Stations	***NAICS Code*** *
Gasoline stations with convenience stores	447110
Other gasoline stations	447190

Miscellaneous Industries	***NAICS Code*** *
Commercial screen printing	323113
Mushroom production	111411

DRAFT

Wood Product Manufacturing	***NAICS Code****
Sawmills (except shingle and shake mills)	321111
Shingle and shake mills	321112
Wood preservation	321114
Hardwood veneer and plywood mills	321211
Softwood veneer and plywood mills	321212
Structural wood product manufacturing	321215
Particle board and fibreboard mills	321216
Waferboard mills	321217
Wood window and door manufacturing	321211
Other millwork	321919
Wood container and pallet manufacturing	321920
Manufactured (mobile) home manufacturing	321991
Prefabricated wood building manufacturing	321992
All other miscellaneous wood product manufacturing	321999

Plastics and Rubber Products Manufacturing	***NAICS Code****
Plastic bag and pouch manufacturing	326111
Plastic film and sheet manufacturing	326114
Unlaminated plastic profile shape manufacturing	326121
Plastic pipe and pipe fitting manufacturing	326121
Laminated plastic plate, sheet (except packaging), and shape manufacturing	326130
Polystyrene foam product manufacturing	326140
Urethane and other foam product (except polystyrene) manufacturing	326150
Plastic bottle manufacturing	326160
Plastic plumbing fixture manufacturing	326191

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Motor vehicle plastic parts manufacturing	326193
Plastic window and door manufacturing	326196
All other plastic product manufacturing	326198
Tire manufacturing	326210
Rubber and plastic hose and belting manufacturing	326220
Other rubber product manufacturing	326290

Miscellaneous Industries	***NAICS Code*** *
Petroleum and petroleum products merchant wholesalers	412110

DONE AND PASSED, this day of , 2017.

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Mayor

_____
City Clerk

Approved as to content:

_____
Director of Water and Waste

Approved as to form:

_____
For Director of Legal Services/City Solicitor

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