

York Region Sewer Use Bylaw Surcharge Agreements and Compliance Program Explained

This document is a general summary of surcharge agreements and compliance programs and is not intended as advice or to be a description of all requirements of these processes.

The York Region Sewer Use Bylaw (the Bylaw) should be consulted for the specific requirements and full details on these programs. This document is intended for general information purposes only and York Region is not responsible for a user’s interpretation of this summary document.

	Surcharge Agreement	Compliance Program
Description	<p>A surcharge agreement allows a business to discharge wastewater containing <u>certain</u> parameters at concentrations above the limits in the bylaw.</p> <p>The parameters that may be permitted under a surcharge agreement are: biochemical oxygen demand, total suspended solids, total kjeldahl nitrogen, total phosphorus and phenolic compounds, or any combination of these parameters. These parameters are specifically selected because they are treatable at York Region facilities.</p> <p>Different limits for these parameters may be established under a surcharge agreement.</p>	<p>A compliance program provides an opportunity for a business to submit a plan to York Region, outlining capital and/or operational changes that will be performed to prevent, reduce or control their discharge of wastewater so that it will be in compliance with bylaw limits. It allows for temporary exceedances of the bylaw limits while these changes are made. A compliance program can apply to any bylaw parameter. Permitted exceedances will be established under a compliance program approval.</p> <p>The compliance program provides a business with an opportunity to demonstrate tangible actions to bring themselves into compliance.</p>
How do I apply?	<p>Contact York Region Environmental Monitoring and Enforcement by email at sewerusebylaw@york.ca</p> <p>Provide York Region with a copy of the articles of incorporation for the business or documentation showing the legal name of the business along with the name(s) and position(s) of the person(s) who have authority to bind the business and will be signing the agreement.</p> <p>Please note: A request for a surcharge agreement does not guarantee one will be issued.</p>	<p>Contact York Region Environmental Monitoring and Enforcement by email at sewerusebylaw@york.ca for an application.</p> <p>Please note: Issuing an approval for a compliance program is within the sole discretion of York Region. Submitting a compliance program application does not guarantee approval.</p>

<p>Fees</p>	<p>Surcharge Agreements have a one-time new agreement fee, along with annual fees for:</p> <ul style="list-style-type: none"> • Agreement maintenance • Laboratory costs (sample analysis) • Surcharge rate for each kg of each parameter exceeded <p>York Region bills annually in the second quarter for the previous calendar year and annual fees are approved by Regional Council.</p> <p>For information on Sewer Use Bylaw program fees, please visit: york.ca/seweruse</p>	<p>A non-refundable application fee is payable upon submission.</p> <p>For information on Sewer Use Bylaw program fees, please visit: york.ca/seweruse</p>
<p>Process</p>	<p>Once all documents are received, York Region’s processing time is between two and four weeks.</p> <p>Comments are solicited from the local municipality where the facility is located.</p> <p>If York Region approves the request, a surcharge agreement will be prepared and provided to the company.</p> <p>A copy of the agreement will be sent to the company for signature and once signed, must be returned to York Region for signature.</p> <p>Once signed by York Region, a copy will be returned to the company for its records.</p>	<p>The application and supporting information is reviewed by York Region staff. If additional information is needed it will be requested.</p> <p>York Region’s Industrial Treatment Engineer evaluates the effects of proposed works and may discuss with the applicant to obtain further information. Once all documents are received York Region’s processing goal is between four to five weeks.</p> <p>Comments are solicited from the local municipality where the facility is located.</p> <p>Once the application has been reviewed, a letter either approving the compliance program with conditions, or denying the compliance program application will be issued.</p>
<p>Term</p>	<p>A surcharge agreement remains in effect for one year from the date specified in the agreement, with automatic renewals for further one-year periods unless terminated by either party.</p>	<p>A compliance program approval term is negotiated with the applicant and depends on the level of effort of capital improvements. The term lasts for the specified period of time stated in the approval letter.</p>

For more information, please contact Environmental Monitoring and Enforcement at sewerusebylaw@york.ca or visit york.ca/seweruse

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