



THE REGIONAL MUNICIPALITY OF YORK  
ENVIRONMENTAL SERVICES

# **HAULED WASTEWATER PROGRAM POLICY**

**Effective May 1, 2012**

## **1.0 PURPOSE**

As a service to York Region residents and businesses not served by a municipal wastewater system, York Region operates a Hauled Wastewater Program to accept hauled wastewater at designated wastewater handling facilities.

York Region has developed this Hauled Wastewater Program Policy (the Policy) under the authority of York Region's Sewer Use By-law to update the regulation of the discharge of hauled wastewater to hauled wastewater receiving facilities in York Region. The Policy establishes the procedures, terms and conditions applicable to participation in the Hauled Wastewater Program.

In particular, this Policy:

1. Establishes registration requirements and procedures for haulers.
2. Classifies the types of hauled wastewater that may be discharged at hauled wastewater receiving facilities.
3. Establishes discharge procedures.
4. Sets out the fees and charges payable by haulers and generators of hauled wastewater.
5. Specifies additional hauler responsibilities and the conditions for participation in this Program.
6. Stipulates the consequences for violations of this Policy.

## **2.0 DEFINITIONS**

The following terms are defined as follows for the purposes of this Policy:

“discharge” includes add, deposit, emit, release or leak;

“emergency” means where, through extraordinary and unforeseen circumstances that are agreed to and documented to the satisfaction of York Region, in its sole discretion, a hauler has no other reasonable alternative but to discharge hauled wastewater at a hauled wastewater receiving facility outside of its normal hauled wastewater acceptance hours;

“EME Unit” means the York Region Environmental Services Department Environmental Monitoring and Enforcement Unit;

“Fees and Charges By-law” means York Region By-law No. 2010-15, as amended;

“hauled sewage” includes sewage which is removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or any sewage infrastructure and transported for discharge, but does not include hauled waste;

“hauled waste” means liquid industrial waste (as this term is defined by Reg. 347) that is transported for discharge and that must be transported with a manifest in accordance with

Reg. 347;

“hauled wastewater” includes hauled sewage and hauled waste;

“hauled wastewater receiving facility” or “Facility” means a facility in York Region designated under subsection 4.01 of this Policy to receive hauled wastewater in accordance with this Policy;

“hauler” means a person who transports or causes or permits the transport of hauled wastewater to a hauled wastewater receiving facility and includes an employee of the person;

“prohibited wastewater” means one or more of the types of wastewater described in section 5.01 of this Policy;

“property” means any land, whether vacant or occupied by a building or structure and includes such building or structure or part of a building or structure, and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected;

"Reg. 347" means the General - Waste Management regulation (R.R.O. 1990, Reg. 347) under the Ontario *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended;

“sanitary sewer” means any part of the sewage works that is intended to collect and convey sewage to a sewage treatment facility;

“sewage” means any liquid containing organic, inorganic, animal, vegetable or mineral matter in solution or in suspension, including floating materials, but does not include storm water or uncontaminated water alone;

“sewage works” means any works owned by The Regional Municipality of York used for the collection, transmission, treatment or disposal of sewage, storm water or uncontaminated water and includes a sanitary sewer, storm sewer and land drainage works;

“Sewer Use By-law” means York Region By-law No. 2011-xx, as amended;

“site” includes a property where an industrial activity takes place that is capable of discharging to a sewage works;

“York Region” means The Regional Municipality of York and its authorized representatives, or the geographic area of The Regional Municipality of York, as the context may require.

### **3.0 HAULER REGISTRATION REQUIREMENTS AND PROCEDURES**

#### **3.01 Registration Requirement**

Commencing May 1, 2012, all haulers must be registered in the Hauled Wastewater Program with York Region in accordance with this Policy in order to discharge hauled wastewater at any hauled wastewater receiving facility. Annual renewal is required in order to maintain registration. Only validly registered haulers with proper proof of registration will be permitted access to a Facility.

#### **3.02 Registration Application Process**

##### (a) Registration Application Documents

In order to register with the Hauled Wastewater Program, a hauler must complete and submit the following registration documents to York Region, with satisfactory payment of the required fees:

- Wastewater Hauler Registration Application
- Environmental Management System Requirements and Site Use Conditions For Discharge of Hauled Wastewater

These registration documents can be obtained from the EME Unit.

Note that any information submitted to York Region may be available for disclosure to the public in accordance with the *Municipal Freedom of Information and Protection of Privacy Act, 2001* (MFIPPA). Haulers must clearly indicate if any information submitted to York Region is considered to be confidential, proprietary or otherwise exempt from disclosure under MFIPPA and provide reasons to support its non-disclosure.

##### (b) Registration Fees and Charges

The annual **registration fee** for the Hauled Wastewater Program is set out in the Fees and Charges By-Law.

If a hauler will be registered for a partial year, the registration fee may be prorated. Contact the EME Unit at the time of registration to determine the fee amount that will be payable.

An **access card fee** will also be charged to haulers at the time of registration for each access card issued. The access card fee will also be charged to replace a lost or damaged access card. Access card fees are non-refundable.

##### (c) Registration in the Hauled Wastewater Program

The EME Unit will review the registration application and associated materials submitted by a hauler. If all required information is provided and is satisfactory to the EME Unit, in its sole discretion, and the registration fee and access card fees have been paid, the hauler will be

registered in the Hauled Wastewater Program.

An incomplete registration application may be returned to the applicant. To be considered complete, all registration documents must be completed and, where applicable, signed by the applicant and all required fees must be submitted with the registration application.

York Region reserves the right to refuse registration of a hauler into the Hauled Wastewater Program on any of the following grounds:

- The hauler does not possess a valid certificate of approval, environmental compliance approval or other approval or permit required by the Ministry of the Environment or other regulatory authority for transporting hauled wastewater.
- The hauler or any related person or predecessor entity has violated this Policy while previously registered in the Hauled Wastewater Program.
- The hauler or any related person or predecessor entity has a history of non-compliance with any regulatory authority that, in York Region's opinion, renders the hauler unfit to participate in the Hauled Wastewater Program.
- Uncertainty about the identity of the hauler, its vehicles or drivers (for example, but without limitation, uncertainty about the legal name of an individual, existence of a corporation, a licence plate number etc.).
- The hauler or any related person or predecessor entity is involved in pending or unresolved litigation with York Region.
- The hauler has unpaid fees payable to York Region.
- Any other reason that, in the sole opinion of York Region and without limitation, is, necessary to protect the integrity of York Region infrastructure, ensure the health and safety of York Region employees and residents, protect the natural environment, or to prevent undue impacts on York Region residents.

Upon registration of a hauler in the Hauled Wastewater Program and the Region will send the hauler an access card and registration sticker for each vehicle registered to the hauler. Registration will be valid until the end of the current calendar year.

York Region may impose and amend specific terms, conditions or restrictions on particular haulers as deemed necessary or appropriate by York Region in its sole discretion, whether at the time of registration or thereafter.

### **3.03 Renewal of Registration**

Registration is valid until the end of each calendar year. Haulers registered in the Hauled Wastewater Program must renew their registration by **December 31** in order to maintain continuous registration for the next calendar year, without lapse or loss of discharge privileges. Any registration not renewed by this time will be automatically cancelled by York Region and access cards issued to the hauler will be deactivated without further notice to the hauler.

To renew a registration, a hauler must complete and submit to York Region, the same forms listed in section 3.02 above and submit the **registration fee**. Renewal applications will be

accepted by the EME Unit beginning September 1 of the preceding year.

York Region is not obligated to renew any registration, and may refuse to renew a hauler's registration for any of the grounds listed in section 3.02 above.

Once re-registered, the hauler will be sent a new registration sticker for each registered vehicle. Access cards provided to the hauler with the initial registration will remain active, or the Region may issue the hauler new or replacement access cards, at the discretion of the Region.

### **3.04 Cancellation of Registration**

#### (a) By Hauler

A hauler may cancel its registration with the Hauled Wastewater Program by notifying the EME Unit in writing at least 30 days before the intended cancellation date.

#### (b) By York Region

York Region may cancel a hauler's registration in accordance with the sanctions for violations established by Section 10.0 of this Policy.

A hauler whose registration has been cancelled will no longer be entitled to participate in the Hauled Wastewater Program or have access to any hauled wastewater receiving facilities. The hauler's access cards will be deactivated upon cancellation.

York Region will issue a prorated refund of registration fees for the portion of the year that the registration is cancelled.

## **4.0 HAULED WASTEWATER RECEIVING FACILITIES AND HOURS OF OPERATION**

### **4.01 Hauled Wastewater Receiving Facilities**

The following are the hauled wastewater receiving facilities currently approved by York Region to receive hauled wastewater in accordance with this Policy:

<b>Hauled Wastewater Receiving Facility</b>	<b>Types of Hauled Wastewater Accepted</b>	<b>Permitted Source Area</b>
<b>Aurora Pumping Station</b> 242 St. John's Sideroad Aurora, Ontario 905-727-1223	Hauled sewage and hauled waste	All of York Region

<p><b>Sutton Water Pollution Control Plant</b> 5741 Black River Road Sutton, Ontario 905-722-3808</p>	<p>Hauled sewage only</p>	<p>Town of Georgina only</p>
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#### 4.02 Facility Receiving Hours

Hauled wastewater will only be accepted for discharge at hauled wastewater receiving facilities from **6:00 AM to 6:00 PM, Monday through Friday**. See section 6.0 for emergency after hours discharge request procedures.

### 5.0 HAULED WASTEWATER CLASSIFICATION AND RESTRICTIONS

The classification and restriction of hauled wastewater is described below. Classification is based on the source, quality and nature of the hauled wastewater and the treatment capabilities and capacity of each of the hauled wastewater receiving facilities.

#### 5.01 Prohibited Wastewater

Despite what may be written anywhere else in this Policy, the following types of wastewater are not permitted to be discharged at any hauled wastewater receiving facility:

- Wastewater generated from slaughterhouses or rendering facilities.
- Wastewater generated from municipal wastewater pumping station maintenance activities.
- Wastewater generated outside of York Region.
- Wastewater that contains any substance that is prohibited by the Sewer Use By-law.
- Wastewater that would otherwise be prohibited by the Sewer Use By-law. Wastewater prohibitions include (but are not limited to) wastewater that poses a health or safety hazard, adversely affects the natural environment or property, would damage any part of York Region’s sewage works, contains two more separate layers, etc. Consult the Sewer Use By-law for a complete listing.
- Incorrectly classified wastewater.

In addition, York Region retains the right to assess and determine, in its sole discretion, whether a particular load or type of hauled wastewater is acceptable for discharge at a hauled wastewater receiving facility, and may reject any load accordingly.

York Region may also reject an otherwise acceptable load from a hauler due to reasons related to plant operations and maintenance, treatment capacity, nuisance to third parties or ensuring York Region’s regulatory compliance with applicable laws.

## **5.02 Hauled Sewage**

Please refer to the definition of hauled waste in Part 2 (Definitions) of this Policy. The definition of hauled sewage in this Policy will include most sewage from residential sources, portable toilets, and some domestic sewage from commercial, institutional and industrial sources.

Hauled sewage is accepted at York Region hauled wastewater receiving facilities, and dischargers will be charged normal hauled sewage rates.

Hauled sewage is currently exempt from the parameter concentration limits set out in Table 1 of the Sewer Use By-law. York Region may in the future impose upper limits for certain parameters.

## **5.03 Hauled Waste**

Please refer to the definition of hauled sewage in Part 2 (Definitions) of this Policy. The definition of hauled waste in this Policy will include wastewater from most industrial and some institutional and commercial facilities.

Under Reg. 347, “liquid industrial waste” includes (but is not limited to) waste from enterprises involving industrial, manufacturing or commercial processes or operations, from research or experimental activity, and from medical clinics, school, laboratories and hospitals, but does not include “hazardous waste” or “hauled sewage” (as those terms are defined by Reg. 347).

It is the responsibility of the hauler, in consultation with the generator, to ensure that wastewater has been classified properly in accordance with Reg. 347. If York Region has reason to believe that hauled waste or hauled sewage has been misclassified, York Region reserves the right to re-classify the wastewater as hauled sewage, hauled waste or prohibited wastewater.

Hauled waste must not be mixed with hauled sewage. Hauled waste is only accepted at the Aurora Pumping Station.

Hauled waste will normally only be accepted if the generator of the wastewater has a valid surcharge agreement (under Part 7 of the Sewer Use By-law) in place with York Region. It is the responsibility of the hauler to ensure that the generator has a valid surcharge agreement with York Region prior to hauling wastewater to any hauled wastewater receiving facility. The EME Unit can assist haulers in determining whether a generator has a surcharge agreement in place with York Region. York Region may, in its sole discretion, waive the requirement for a pre-existing surcharge agreement with a generator of hauled waste

Generators will be billed directly for the volume of hauled waste discharged at the York Region municipal wastewater rate (not the hauled wastewater rate), as well as for surcharges in accordance with its surcharge agreement.

Hauled waste must meet Sewer Use By-law Table 1 parameter limits, except for surchargeable parameters, which may be exceeded only to the extent permitted by the surcharge agreement.

Generators of hauled waste may be required to set up a self-monitoring program and submit sample test results to the EME Unit for review, and generators will be responsible for their own monitoring and analysis expenses. Sampling requirements will be determined by the EME Unit based on the type and strength of the waste.

In order to ensure appropriate staffing levels, haulers must provide York Region with a minimum of 24 hours notice to prior to discharging hauled waste at hauled wastewater receiving facilities. Notice is to be provided by contacting the Control Panel at the phone number provided below. York Region may require sampling and analysis of the wastewater at the facility, prior to hauling, and may refuse to accept the wastewater from the generator if it is determined that the wastewater would not meet the requirements of this section.

Recognizing that the acceptance of hauled waste at Regional facilities creates significant operational risks, York Region reserves the right to refuse, restrict or impose conditions on its acceptance of hauled waste, including rejecting any particular load of hauled waste at any time for any reason.

### Classification Summary

<b>Type of wastewater</b>	<b>Hauled Sewage</b>	<b>Hauled Waste</b>
<b>Prior notification requirements</b>	No prior notification required	Minimum of 24 hours prior notice required for every discharge
<b>Surcharge agreement with generator required</b>	No	Yes, unless requirement waived by York Region
<b>Acceptable hauled wastewater receiving facilities for discharge</b>	All York Region hauled wastewater receiving facilities	Aurora Pumping Station only
<b>Volumetric rate payable on discharged wastewater</b>	Hauled wastewater rate	Municipal wastewater rate and applicable surcharges
<b>Party responsible for payment of discharge fees</b>	Hauler	Generator

## 6.0 DISCHARGE PROCEDURES

Haulers must follow the procedure below for discharging hauled wastewater at hauled wastewater receiving facilities:

1. **Provide minimum of 24 hours prior notice for hauled waste.** As described above, haulers must provide York Region with a minimum of 24 hours prior notice for discharges of hauled waste, and York Region may refuse, restrict or impose conditions on the hauler.
2. **Ensure the generator has a valid surcharge agreement for hauled waste.** As described in subsection 5.03, haulers must ensure that the generator of hauled waste has a valid surcharge agreement with York Region (unless York Region permits otherwise).
3. **Display registration sticker.** Haulers must have a valid registration sticker specific to the vehicle carrying the hauled wastewater that is visible to facility staff in order to gain entry to a hauled wastewater receiving facility. Failure to display a valid sticker will result in the load being rejected. Employees or agents of corporate registered haulers may be required to show evidence of their employment status.
4. **Complete transfer documentation.**
  - a. **Hauled Sewage:** Haulers must fill out and submit to Facility staff a Transfer of Sewage Waste form (transfer ticket). On this form, haulers must list each location from which the wastewater was collected, whether it is from a tank or septic system, and whether the generator is a residence or a business. Haulers must leave Hauled Wastewater Personal Information Collection Consent forms in the designated area.
  - b. **Hauled Waste:** Haulers must submit to Facility staff a waste manifest for the load properly completed in accordance with the manifesting requirements of Reg. 347. Facility staff will complete the remaining section and return the appropriate copies to a hauler.
5. **Generator verification.** Facility staff may contact wastewater generators listed on the transfer ticket or manifest to verify the source of the hauled wastewater.
6. **Sampling.** Unless instructed otherwise by Facility staff, haulers must collect one 500 mL representative sample of the hauled wastewater from each load that is discharged at a hauled wastewater receiving facility. Sampling bottles will be available for this purpose. Haulers must comply with any sampling instructions given by facility staff, and the samples must be left at the Facility. York Region will determine, in its sole discretion, whether and how many samples will be submitted for analysis. Samples submitted for analysis may include, but not be limited to, analysis for the following parameters: cBOD5, Suspended Solids, Total Phosphorus, Total Kjeldahl Nitrogen, pH, Metals, and Mercury.
7. **Inspection.** Facility staff, at their discretion, may conduct further sampling or inspection of the contents of any vehicle, and may reject a load if there are reasonable grounds to suspect that the source or nature of the hauled wastewater has not been accurately described or it does not meet requirements of the Sewer Use By-law.
8. **Discharge.** Once sampling is complete and Facility staff has authorized the discharge, the hauler may connect to the receiving port and commence discharging. Even after a hauler has

begun discharging, Facility staff may require a hauler to stop discharging any load at any time for any reason and/or require further samples.

Haulers must adhere to all the conditions and requirements set out in the Environmental Management System Requirements and Site Use Conditions for Discharge of Hauled Wastewater form while at any Facility. The Environmental Management System Requirements and Site Use Conditions for Discharge of Hauled Wastewater form is incorporated into and forms part of this Policy.

## **7.0 EMERGENCY AFTER HOURS DISCHARGE REQUESTS**

### **7.01 Emergency Discharge Requests**

In case of an emergency, a hauler may request permission to discharge hauled wastewater to a hauled wastewater receiving facility outside of normal hours of operation set out in subsection 4.02. To make an emergency after hours discharge request, the hauler must contact York Region Control Panel staff and request approval for the discharge. Control Panel staff will forward a request to the appropriate Operations staff for consideration. York Region may require documentation from the hauler in order to assess the request.

York Region is not obligated to accommodate any emergency after hours hauled wastewater discharge request. Approval for such a request will be made by York Region, in its sole discretion, on a case by case basis.

### **7.01 Emergency Discharge Fees**

If an emergency after hours discharge request is approved, in addition to normal discharge fees described in section 8.0 below, the hauler will be charged an hourly rate for York Region staff time spent on administering and facilitating the request (see the Fees & Charges By-Law for the current rate). A minimum fee of three hours will be charged.

## **8.0 DISCHARGE FEES AND CHARGES**

### **8.01 Discharge Fees – Hauled Sewage**

Haulers will be charged a fee for each load of hauled sewage discharged to hauled wastewater receiving facilities. The discharge fee for each load will be equal to the **hauled sewage rate** (set out in the Fees and Charges By-Law) multiplied by **85 percent** of the vehicle's full tank capacity.

### **8.02 Discharge Fees – Hauled Waste**

Generators (and not haulers) of hauled waste will be charged a fee for each load of hauled waste discharged to hauled wastewater receiving facilities. The discharge fee for each load will be

equal to the **municipal wastewater rate** multiplied by the **amount of hauled waste discharged** (as indicated on the manifest), plus any applicable **surcharge fees** (in accordance with the current surcharge agreement). Hauled waste fees will be invoiced directly to the generator.

## **9.0 ADDITIONAL HAULER RESPONSIBILITIES**

Each hauler is solely responsible for the contents of its vehicles and for any impact a load of hauled wastewater may have on a hauled wastewater receiving facility or its operating processes, other sewage works or York Region infrastructure, or to the environment.

Haulers must have all necessary regulatory approvals in place in order to participate in the Hauled Wastewater Program, and must comply with all applicable regulatory approvals, statutes, regulations, by-laws, policies and guidelines, whether federal, provincial or municipal. Nothing in this Policy affects any obligation of a hauler to comply with the Sewer Use By-law, and nothing in this Policy affects York Region's ability to prosecute any contravention of the Sewer Use By-law.

Haulers are liable to York Region for any damage or disruption caused by a hauler or its activities to a hauled wastewater receiving facility, its operating processes, York Region or third party's property, or to the natural environment.

Only the haulers' employees and authorized agents may enter onto any part of the hauled wastewater receiving facilities. Haulers are not permitted to bring minors or persons deemed to be unauthorized by Facility staff to the hauled wastewater receiving facilities.

Haulers may not cause or permit the addition of water or any other liquid to hauled wastewater for the purposes of diluting the hauled wastewater in order to meet a requirement or alter a fee payable under this Policy, and York Region is entitled to apply this Policy to any such the hauled wastewater as though it was not so diluted.

## **10.0 CONSEQUENCES FOR VIOLATIONS**

York Region will impose sanctions on haulers for failing to abide by this Policy. Sanctions under this Policy do not preclude enforcement action by York Region for a contravention of the Sewer Use By-law.

### **10.01 Violations Resulting in Immediate Registration Cancellation**

The following violations will result in immediate cancellation of a hauler's registration:

- The hauler has any unpaid fees owing to York Region for more than 90 days.
- Obstructing York Region staff.
- Providing false or misleading information to York Region staff.
- Any violation of this Policy resulting in damage to the sewage works or other York Region infrastructure.

## 10.02 Violations Resulting in Progressive Sanctions

All other violations of this Policy will result in progressive sanctions as follows:

<b>Violation No. (in past five years)</b>	<b>Sanction</b>
First	Issuance of a Letter of Violation
Second	Three month registration suspension
Third	Twelve month registration suspension
Subsequent	Indefinite registration suspension or registration cancellation, at the discretion of York Region

Access cards will be deactivated during any registration suspension or cancellation. In addition to the above, York Region reserves the right to extend any registration suspension beyond the term of the suspension for any continuing Policy violation until the violation has been corrected or remedied to the satisfaction of York Region.

The number of violations against a hauler will be determined based on the identity of the hauler, not the identity of the driver or the number of trucks operated by the hauler. For example, if two employees each violate the Policy, this will result in the application of two sanctions against the hauler company.

In the event that York Region imposes an indefinite registration suspension on a hauler, York Region may, in its sole discretion, decide the length of the suspension, and may set any requirements or preconditions it deems appropriate for the lifting of the suspension.

## 11.0 PERSONAL INFORMATION COLLECTION CONSENT FORMS

York Region requires all haulers collecting wastewater from individuals' residences (as opposed to businesses) to provide to each resident a Hauled Wastewater Personal Information Collection Consent form (available from the EME Unit). The resident must then complete the form, and the hauler must return the form to the hauled wastewater receiving facility.

Completion of the Hauled Wastewater Personal Information Collection Consent form is necessary for York Region to verify the source of hauled wastewater. If a resident refuses to complete or incorrectly fills out the Hauled Wastewater Personal Information Collection Consent form, the hauler is not permitted to bring the resident's hauled wastewater to a York Region Facility.

Haulers will be deemed to have provided misleading information to York Region if the information in the Hauled Wastewater Personal Information Collection Consent form does not

match the information provided in the Transfer of Sewage Waste form completed at the Facility.

## **12.0 CHANGES TO PROCEDURES OR SUSPENSION OF PROGRAM**

York Region may temporarily or permanently stop accepting hauled wastewater under the Program at any hauled wastewater receiving facility without prior notice to haulers whether or not the hauled wastewater receiving facilities are operational. It is the responsibility of the hauler to make lawful alternate disposal arrangements if hauled wastewater is not accepted at a hauled wastewater receiving facility at any particular time. York Region may amend this Policy at any time without advance notice to haulers. A hauler acknowledges that in consideration of the acceptance or renewal of its registration that York Region will not be responsible in whole or in part for any cost, loss, charges or expenses suffered or incurred by a hauler as a result of changes to this Policy, cancellation of a registration or the temporary or permanent cessation of all or part of the Hauled Wastewater Program established by this Policy.

## **CONTACT INFORMATION**

For all inquiries and correspondence about the Hauled Wastewater Program and to obtain registration application materials, contact:

Environmental Monitoring and Enforcement Unit  
The Regional Municipality of York  
Environmental Services – Environmental Promotion and Protection  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

Tel: 905-895-1200  
Fax: 905-830-9267  
<http://www.york.ca/seweruse>

To make an emergency after hours discharge request, contact:

Control Panel  
The Regional Municipality of York  
Environmental Services – Operations and Maintenance  
380 Bayview Parkway  
Newmarket, ON L3Y 4W3

Tel: 905-881-8742 (24 hour)