

CAPE BRETON REGIONAL MUNICIPALITY

BY-LAW No. W-100

WASTEWATER DISCHARGE BY-LAW

RESPECTING DISCHARGE INTO PUBLIC SEWERS AND RATES FOR WASTEWATER SERVICE

This by-law outlines controls for the discharge of wastewater into the municipal wastewater system and the recovery of costs for wastewater service provided by the municipality.

The objectives of the by- law are to:

- Protect the sewer collection system from corrosion, other damage and obstruction
- Protect the wastewater treatment process from upset
- Protect the public, municipal workers and property from hazardous conditions (such as explosions)
- Assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system
- Protect the environment from contaminants that are not removed by the public treatment process
- Establish charges for wastewater service for persons receiving benefits from the wastewater service

1. INTERPRETATION

1(1) In this By-Law:

“accredited laboratory” any laboratory accredited by an authorized accreditation body in accordance with a standard based on “ISO/IEC/EN 17025: General Requirements for Competence for Standardization, as amended. The Canadian Association for Environmental Analytical Laboratories (CAEAL) is such an authorized accreditation body in Canada;

“biomedical waste” including any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps ad untreated human blood and body fluids to contain viruses and agents listed in “Risk Group 4” as defined in “Laboratory Biosafety Guidelines” published by Health Canada, dated 1996, as amended;

“biochemical oxygen demand” means the quantity of oxygen utilized, expressed in milligrams per liter, in the biochemical oxidation of matter within a 120 hour period at a temperature of 20 degrees centigrade;

“blow down” recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system;

“Chief Administrative Officer” means the chief administrative officer of the municipality;

“chemical oxygen demand” means the quantity of oxygen utilized in the chemical oxidation of organic matter under standard laboratory procedure, expressed in milligrams per liter;

“combined sewer” means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;

“combustible liquid” means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;

“committee” means the committee of the whole for the municipality;

“composite sample” a volume of wastewater, storm water, uncontaminated water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods;

“cooling water” means water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product, or finished product, but does not include blow down water;

“customer” means a person who arranges to be or is supplied with wastewater service at a specified location or locations in the wastewater service area and can include an owner of property;

“Department of Finance” means the municipal Department of Finance;

“Designated Wastewater Officer” the person appointed by the Municipality, and his or her successors or his or her duly authorized representative;

“discharge” means to discharge, release, permit or cause to be discharged into the municipal wastewater facilities or stormwater system;

“discharger” means the owner, occupant or a person who has charge, management or control of effluent, sewage, stormwater, uncontaminated water or any combination thereof, which is discharged to the municipal wastewater facilities;

“Engineer” means the Municipal Engineer for the Cape Breton Regional Municipality and includes a person acting under the supervision and direction of the Engineer;

“fuel” includes alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;

“grab sample” a volume of wastewater, storm water, uncontaminated water or effluent of at least 100 milliliters which is collected over a period not exceeding 15 minutes;

“hauled wastewater” waste removed from a wastewater system, includes a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a wastewater holding tank;

“hauled industrial wastewater” means any industrial wastewater transported to and deposited into any location in the municipal wastewater facilities;

“leachate” includes any liquid that has percolated through solid waste and has extracted dissolved or suspended materials from it, including the liquid produced from the decomposition of waste materials and liquid that has entered the waste material from external sources including surface drainage, rainfall and groundwater;

“Municipality” means the Cape Breton Regional Municipality;

“owner” means a part owner, joint owner, tenant or joint tenant of the whole or any part of any land or building and includes a trustee, an executor, an administrator, a guardian, an agent, a mortgagee in possession, or any other persons having the care or control of any land or building in case of the absence or disability of the person having title thereto;

“person” includes any individual, firm, property owner, customer or company;

“ph” is a measure of the acidity or alkalinity of a solution;

“pathological waste” includes those fluids or materials which may contain pathogens of human or animal origin;

“pesticides” includes any substance that is a pest control product within the meaning of the “Pest Control Products Act” (Canada) or a fertilizer within the meaning of the “Fertilizers Act” (Canada) that contains a pest control product;

“phenolic compounds” means hydroxyl derivatives of benzene and its condensed nuclei;

“Pollution Prevention Plan or Plan” a detailed plan that identifies operations or activities of an owner or operator of commercial, institutional or industrial premises identifying specific pollution prevention methods to be implemented within a specific time frame;

“Pollution Prevention Plan Summary or Summary” a summary of the pollution prevention plan and a brief summary of an owner’s or operator’s progress towards its pollution prevention goals;

“property” means an assessed parcel of land and land covered by water which has been registered at a Land Registration Office in Nova Scotia;

“quarterly base rate” means the fixed service/customer charge applied to every wastewater bill based on the size of the customer’s water meter. This is a fixed charge regardless of water usage as measured by the water meter;

“sanitary sewer” means a sewer for the collection and transmission of domestic or industrial wastewater or any combination thereof and to which storm, surface or groundwater are not intentionally admitted;

“septage” means all matter (liquids and solids) that is pumped out of septic tanks and holding tanks;

“service delivery policy” means the municipal Fee For Service Delivery Procedure Policy;

“sewage” means the combination of liquid and water carried wastes from buildings, containing animal, vegetable or mineral matter in suspension or solution, together with such groundwater, surface water or stormwater as might be present;

“sewer” means a pipe or conduit for carrying sewage, groundwater, stormwater or surface runoff, and includes all sewer drains, storm sewers, clearwater sewers, storm drains and combined sewers vested in, or under the control of the Municipality;

“solvent extractable matter” includes grease or oils from animal, vegetable, mineral or synthetic sources;

“spill” means a direct or indirect discharge into the wastewater works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstance of the discharge;

“Standard Methods” means the procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, latest edition;

“storm sewer” a sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination thereof;

“storm water” means water from rainfall, other natural precipitation, drainage or from the melting of snow or ice;

“stormwater system” means a method or means of carrying stormwater including, but not limited to, those ditches, swales, sewers retention pond, streets or roads that are owned by the Municipality;

“suspended solids” means the insoluble matter suspended in wastewater that is separable by laboratory filtration;

“total Kjeldahl nitrogen” means organic nitrogen;

“Total PAHs” the total of all the following polycyclic aromatic hydrocarbons : anthracene, benzo(a)pyrene, benzo(a)anthracene, benzo(e)pyrene, benzo(b)fluorathene, benzo(j) fluorathene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a)anthrcene, dibenzo(ai)pyrene, dibenzo(a,j)acridine, 7Hdibenzo(c,g)carbazole, dinitropyrene, fluoranthene, indeno(1,2,3-c,d)pyrene, perylene, phenanthrene, and pyrene;

“Toxic Substance” any substance defined as toxic under the *Canadian Environmental Protection Act 1999*, as amended from time to time and within the meaning of any Provincial Statute or Regulation as appropriate for the Cape Breton Regional Municipality as amended from time to time;

“uncontaminated water” means potable water or any other water to which no matter has been added as a consequence of its use;

“user” means the owner or occupant of a property which is serviced by, connected to, or makes use of the wastewater system;

“waste” means any material discharged into wastewater facilities;

“waste radioactive substances” includes uranium, thorium, plutonium, neptunium, deuterium, their respective derivatives and compounds and such other substances as the atomic Energy Control Board may designate as being capable of releasing ionizing radiation;

“wastewater” means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source;

“wastewater charge” means the charge imposed upon customers connected to the wastewater system and consists of the quarterly base rate and the wastewater discharge rate as defined herein;

“wastewater discharge rate” means the volumetric rate (dollars per cubic meter) based on the water consumption of the customer as measured by the water meter. This is a variable charge based on water usage as measured by the water meter;

“wastewater facilities” means the structures, pipes, equipment, processes or other things used, or intended, for the collection, transportation, pumping or treatment of sewage and disposal of the effluent;

“wastewater service area” means the area within the Municipality serviced by the wastewater system as described in the service delivery policy;

“wastewater system” means the structures, pipes, devices, equipment, processes and related equipment used, or intended to be used, for the collection, transportation, pumping or treatment of wastewater and disposal of effluent, which are vested in or under control of the Municipality;

“wastewater treatment facility” means any structure or thing used for the physical, chemical, biological or radiological treatment of wastewater, and includes sludge treatment, wastewater sludge and disposal facilities;

2. CONNECTIONS

- 2(1) Every building on a property located within the wastewater service area existing at the time of the passage of the amendment of this by-law which is not connected to the wastewater system may connect to the wastewater system.
- 2(2) All new buildings located on a property in the wastewater service area shall connect to the wastewater system.
- 2(3) In the event that a person or owner of a building described in section 2(1) and 2(2) above makes a request to connect to the wastewater system, an application for connection shall be filed in accordance with the service delivery policy.
- 2(4) No connection to the wastewater system shall be made until the application for connection has been approved by the Municipality. In the event that the connection is for a new building, no building permit shall be issued until such time as the application for connection has been approved by the Municipality.

- 2(5) For purposes of this by-law, a sewer is installed when the Engineer has inspected and certified that the sewer is substantially complete.
- 2(6) The Municipality reserves the right to refuse any application for connection to the wastewater system if the wastewater system or any portion thereof is at capacity or where any and all excess capacity has otherwise been allocated within the wastewater service area. The determination of excess capacity shall be subject to such policy as council may establish from time to time or as determined by the Engineer.
- 2(7) Every person or customer who connects to the wastewater system shall comply with the service delivery policy.

3. SANITARY SEWER REQUIREMENTS

- 3(1) No person shall release or permit the release of any matter into the sanitary sewer system except:
 - (a) Domestic wastewater that complies with the requirements of this bylaw;
 - (b) Industrial/commercial/institutional wastewater that complies with the requirements of the bylaw;
 - (c) Hauled wastewater, including septage, that complies with the requirements of this bylaw;
 - (d) Over strength matter, storm water, clear water waste, sub-surface water or other matter where a permit to discharge has been issued by the Designated Wastewater Officer.
- 3(2) No person shall discharge into the wastewater facilities, sewage or wastewater which causes or may cause or results or may result in:
 - (a) A health or safety hazard;
 - (b) Obstructions or restrictions to the flow in the wastewater facilities;
 - (c) An offensive odour to emanate from wastewater facilities, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, mercaptans, carbon disulphide, other reduced sulphur compounds, amines, or ammonia in such quantity that may cause an offensive odour;
 - (d) Damage to wastewater facilities;
 - (e) Interference with the operation and maintenance of wastewater works, or which may impair or interfere with any wastewater treatment process;

- (f) A restriction of the beneficial use of sludge from the Municipality's wastewater facilities or cause the sludge to be in violation of any Provincial or Federal Acts or Regulations;
- (g) Effluent from municipal wastewater facilities to be in violation of any Provincial or Federal Acts or Regulations.

3(3) No person shall discharge, into wastewater facilities, sewage or wastewater containing any one or more of the following:

- (a) Combustible liquid;
- (b) A pH less than 6.0 or greater than 11.5;
- (c) Two or more separate liquid layers;
- (d) A temperature greater than 60 degrees Celsius.

3(4) No person shall discharge, into wastewater facilities, sewage or wastewater containing one or more of the following:

- (a) combustible liquid;
- (b) fuel;
- (c) hauled sewage, hauled wastewater or leachate, except where written permission from the Municipality has been obtained;
- (d) ignitable waste including but not limited to, flammable liquids, solids, and/or gases, capable of causing or contributing to explosion or supporting combustion in wastewater facilities;
- (e) biomedical waste;
- (f) solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a sewer
- (g) detergents, surface-active agents or other substances that may cause excessive foaming in the wastewater facilities;
- (h) dyes or colouring materials which pass through wastewater facilities and discolour the wastewater facility or effluent;
- (i) pathological waste in any quantity;
- (j) material containing polychlorinated biphenyls (PCBs);

- (k) pesticides;
- (l) reactive materials;
- (m) radioactive substances;
- (n) leachate, except where the discharger has written permission from the Municipality.

3(5) No person shall discharge, into wastewater facilities, sewage or wastewater containing a concentration in excess of any of the limits set out in Table 1:

Table 1

Concentration Limits – Wastewater Facilities
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(A) Conventional Contaminants and Physical Parameters

Substance	Total Concentration Limit (mg / L)
Biochemical Oxygen Demand	300
Oil and grease – animal and vegetable	85
Oil and grease – mineral and synthetic	15
Suspended solids ,Total	300
ph	6.0 – 11.5 (unitless)
Temperature	60 degrees (Celsius)
Chemical oxygen demand	1000

(B) Organic contaminants

Substance	Total Concentration Limit (mg / L)
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2)	0.088
Dichlorobenzene (1, 4)	0.09
Cis-1,2-dichloroethylene	4.0
Trans-1 ,3, - dichloropropylene	0.15
Ethylbenzene	0.057
Hexachlorobenzene	0.055
Methylene chloride (dichloromethane)	0.0981
PCBs (chlorobiphenyls)	0.004
Phenols , Total (or phenolic compounds)	1
Tetrachloroethylene (1,1,2,2-)	0.04
Tetrachloroethylene	0.05
Toulene	0.08
Trichloroethylene	0.054
Xylenes,Total	0.32
o-xylene	0.5

(C) Inorganic Contaminants

Substance	Total concentration Limits (mg / L)
Aluminum, Total	50
Ammonia	24
Antimony, Total	5
Arsenic, Total	0.1
Barium, Total	5
Beryllium, Total	5
Bismuth, Total	5
Cadmium, Total	0.2
Chloride	1500
Chromium, Total	0.37
Cobalt, Total	5
Copper, Total	1
Cyanide, Total	1.0
Fluoride	10
Iron, Total	50
Lead, Total	0.1
Manganese, Total	5
Methylene Chloride	0.2
Mercury	0.1
Molybdenum, Total	5

Substance	Total concentration Limits (mg / L)
Nickel, Total	0.55
Nitrogen Total Kjeldahl	70
Phosphorus, Total	10
Selenium, Total	0.82
Silver, Total	0.29
Sulphates (as SO ₄)	1500
Sulphide (as H ₂ S)	0.3
Tin, Total	5
Titanium, Total	5
Vanadium, Total	5

* A reference to "Total" in the tables denotes total concentrations of all forms of the metal and ion including both particulate and dissolved species.

3(6) No person shall discharge into wastewater facilities sewage or wastewater under circumstances where water has been added for the purpose of dilution to achieve compliance with Sections 3 and 4.

3(7) No person shall discharge cooling water or uncontaminated water to wastewater facilities unless the discharge has been permitted by the Municipality.

4. DISCHARGE TO STORMWATER SYSTEM

4(1) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, municipal or private sewer connection to any storm sewer which may or could:

- (a) Interfere with proper operation of a storm sewer.
- (b) Obstruct or restrict a storm sewer or the flow therein.
- (c) Damage a storm sewer.

- (d) Result in any hazard or other adverse impact to any person, animal property or vegetation.
- (e) Contravene or result in the contravention of approved discharge quality or quantity with respect to the storm sewer, its discharge, or both the sewer and its discharge.

4(2) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, municipal or private sewer connection to any storm sewer which may or could have one or more of the following characteristics:

- (a) Visible film, sheen or discoloration.
- (b) Two or more separate layers.
- (c) A pH less than 6.0 or greater than 9.5.
- (d) A temperature greater than 40 degrees Celsius.

4(3) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, municipal or private sewer connection to any storm sewer that contains one or more of the following:

- (a) Hazardous substances.
- (b) Blowdown water.
- (c) Combustible liquids.
- (d) Floating debris.
- (e) Fuel.
- (f) Hauled wastewater.
- (g) Hauled waste.
- (h) Ignitable waste.
- (i) Pathological waste.
- (j) PCB's.
- (k) Pesticides.

- (l) Reactive waste.
- (m) Toxic substances.
- (n) Raw Wastewater.
- (o) Treated Wastewater.
- (p) Waste radioactive prescribed substances.
- (q) A substance from raw materials, intermediate or final product, used or produced in, through or from an industrial process.
- (r) A substance used in the operation or maintenance of an industrial site.
- (s) E. coli colonies in excess of 200 per 100 mL.

4(4) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of any type into a storm sewer, watercourse, municipal or private sewer connection to any storm sewer containing a concentration, expressed in milligrams per liter, in excess of any one or more of the limits in Table 2 of this By-law.

Table 2 –Concentration Limits for Stormwater System Discharge

Substance	Milligrams per liter mg / L)
Arsenic	0.1
B.E.T.X. (benzene, ethyl benzene, toluene, xylene)	0.02
Biochemical Oxygen Demand (BOD)	15
Cadmium	0.015
Carbon tetrachloride	0.02
Chromium	0.02
Copper	0.03
Fluoride	1.5
Lead	0.05

Substance	Milligrams per liter mg / L)
Mercury	0.001
Oil and Grease	15
Phosphorus	0.5
Selenium	0.01
Silver	0.001
Suspended Solids	15
Thallium	0.01
Trichloroethylene	0.02
Zinc	0.30
Cyanide	0.05

4(5) Property owners must ensure that appropriate and necessary practices are undertaken to prevent prohibited discharges described in Section 4 and to prevent discharge of suspended solids (total) in excess of 15 milligrams per liter (mg/L) as a result of activities on their property, including:

- (a) Construction activities that may result in erosion or sediment runoff from the property.
- (b) Outside storage activities that may result in mobilization of stored materials as a result of rain or runoff from the property, including sand and granular material storage.

5. PROHIBITION OF DILUTION

5(1) No person shall discharge directly or indirectly or permit the discharge or deposit of wastewater into a sanitary sewer, combined sewer, storm sewer, where water has been added to the discharge for the purposes of dilution to achieve compliance with concentration limits as set out in Table 1 and Table 2 of this bylaw.

6. FOOD RELATED GREASE INTERCEPTORS

- 6(1) Every owner or operator of a restaurant or other industrial, commercial, or institutional premises where food is cooked, processed, or prepared, which premises is connected directly or indirectly to a sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering the storm or sanitary sewer.
- 6(2) The owner or operator of a premises as set out in this Section shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code. The installation of the oil and grease interceptor shall meet the requirements of the Canadian Standards Association National Standard CAN/CSA B-481.
- 6(3) All interceptors shall be maintained according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481.
- 6(4) A maintenance schedule and record of maintenance shall be submitted to the Designated Wastewater Officer annually for each interceptor installed.
- 6(5) The owner or operator of the restaurant or other industrial, commercial or industrial premises where food is cooked, processed or prepared, shall, for five years, keep the document of proof for interceptor clean-out and oil and grease disposal.

7. GREASE, OIL, SEDIMENT, SAND TRAPS OR INTERCEPTORS

- 7(1) Every owner or operator of a motor vehicle service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to a sewer shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the drainage piping which is connected directly or indirectly to a sewer.
- 7(2) Every owner or operator of a premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and car and vehicle wash establishments, shall take all necessary measures to ensure that sediment is prevented from entering the drain or sewer.
- 7(3) Catch basins installed on private property for the purposes of collecting storm water and carrying it into the storm sewers shall be equipped with Goss Traps (i.e. inverted elbow pipes) or an equivalent and the installation of these catch basins on private property shall comply with Nova Scotia Municipal Standards Specifications.

8. DENTAL WASTE AMALGAM SEPARATOR

8(1) Every owner or operator of a premises from which dental amalgam may be discharged, which waste may directly or indirectly enter a sewer, shall install, operate and properly maintain dental amalgam separator(s) with at least 95% efficiency in amalgam weight and certified ISO 11143- "Dental Equipment: Amalgam Separators", in any piping system at its premises that connects directly or indirectly to a sewer, except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:

- (a) orthodontics and dentofacial orthopedics;
- (b) oral and maxillofacial surgery;
- (c) oral medicine and pathology;
- (d) periodontics; and
- (e) A dental practice consisting solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the wastewater works.

8(2) Notwithstanding Subsection 8(1), any person operating a business from which dental waste amalgam is or will be discharged directly or indirectly to a sewer, shall install, operate and properly maintain dental waste amalgam separator(s) in any piping system which is connected directly or indirectly to a sewer.

8(3) All dental waste amalgam separators shall be maintained in good working order and according to the manufacturer's recommendations.

8(4) A maintenance schedule and record of maintenance shall be submitted to the Designated Wastewater Officer for each dental amalgam separator installed upon request.

8(5) The operator of a dental clinic shall, for five years, keep the documents covering amalgam shipments as per regulations respecting transportation of hazardous material.

9. MAINTENANCE AND INSPECTION

9(1) All oil and grease interceptors, sediment interceptors and catch basins shall be maintained in good working order and according to any manufacturer's recommendations and shall be tested regularly to ensure performance is maintained.

9(2) No retained or trapped oil, grease, sediment, sand, silt or other matter in any form shall be allowed to pass from the installed trap or interceptor into the wastewater

facilities: instead, removal of retained or trapped materials shall be achieved by pumping or other physical means and shall be hauled away and disposed of as required by law.

- 9(3) Traps or interceptors shall be installed such that they are easily accessible for all aspects of cleaning and inspection and shall be maintained in a condition of continuous efficient operation at the owner's expense.
- 9(4) Whenever an inspection of an installed trap or interceptor results in a written notice for action on the part of the person(s) responsible for the installed device, such action shall be completed within the compliance period granted by the written notice.
- 9(5) The owner or operator of an establishment shall provide the Designated Wastewater Officer, upon request, with the maintenance schedule and record of maintenance of each installed grease, oil, sediment and sand traps or interceptors as well as information as to the disposal method employed and location of hauled waste material.
- 9(6) Any reasonable request for an inspection by the Municipality shall be granted by the owner or operator of the establishment.
- 9(7) A maintenance schedule and record of maintenance shall be submitted to the Designated Wastewater Officer annually for each oil, grease, and sediment interceptor.
- 9(8) The owner or operator of a premises shall, for 5 years, keep the document as proof for proper maintenance and disposal of waste.

10. SPILLS

- 10(1) In the event of a spill to a wastewater works, the person responsible or the person having the charge, management and control of the spill shall immediately notify the Municipality and provide any information with regard to the spill that is requested.
- 10(2) The person shall provide a detailed report on the spill to the Municipality, within five working days after the spill, containing the following information to the best of his or her knowledge:
 - Location where spill occurred.
 - Name and telephone number of the person who reported the spill and location and time where they can be contacted.
 - Date and time of spill.
 - Material spilled.

- Characteristics of material spilled.
- Volume of material spilled.
- Duration of spill event.
- Work completed and any work still in progress in the mitigation of the spill.
- Preventive actions being taken to ensure a similar spill does not occur again.

10(3) The person responsible for the spill and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.

10(4) The person responsible for the spill and the person having the charge, management and control of the spill shall also notify other government agencies, including federal and provincial as required and appropriate for the material and circumstances of the spill.

11. MAINTENANCE ACCESS POINTS

11(1) The owner or operator of commercial, institutional or industrial premises or multi-storey residential buildings with one or more connections to a wastewater works shall install and maintain in good repair in each connection a suitable maintenance access point to allow observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein, provided that, where installation of a maintenance access point is not possible, an alternative device or facility may be substituted with the prior written approval of the Designated Wastewater Officer.

11(2) A control service access required shall be:

- (a) located on the property of the discharger unless the Municipality permits an alternative location.
- (b) constructed and maintained at the expense of the discharger.
- (c) accessible at all times by the Municipality.
- (d) constructed in a manner which meets the standards of the Municipality.
- (e) maintained to ensure access and structural integrity.

12. GARBAGE GRINDING DEVICES

- 12(1) No person shall install or operate within the Municipality any garbage grinding devices for domestic purposes, the effluent from which will discharge directly or indirectly into a sanitary combined or storm sewer.
- 12(2) In the case of industrial, commercial, or institutional properties where garbage grinding devices are installed in accordance with the Building Code, the effluent from such garbage grinding devices must comply with Section 3 and 4 of this bylaw.

13. EXTRA STRENGTH AND VOLUME SURCHARGE AGREEMENT

- 13(1) Where large volumes of sewage, extra strength sewage or wastewater is discharged to wastewater facilities, the Municipality may enter into a surcharge agreement with a discharger permitting exceedances of the limits set out in subsection 3(5), including, but not limited to, any one or more of the following:
 - (a) biochemical oxygen demand.
 - (b) solvent extractables – animal or vegetable in origin.
 - (c) total kjeldahl nitrogen.
 - (d) phosphorus, total.
 - (e) suspended solids, total.
 - (f) large volumes.
- 13(2) The agreement may include terms and conditions under which the discharge permitted and the method by which the Municipality shall recover costs incurred by the pumping and treatment of wastewater.
- 13(3) During the term of the agreement, the discharger shall be exempt from meeting the limits set out in subsection 3(5) for the parameter(s) included in the agreement, if all conditions stipulated in the agreement are met.
- 13(4) Notwithstanding subsection 13(1), where a discharger has entered into an extra strength surcharge or large volume agreement, any anticipated change in the information provided pursuant to this section must be submitted to the Municipality prior to the change to allow an assessment of the impact of the change on the agreement.
- 13(5) The Municipality may terminate the agreement at any time and the termination shall be effective within 30 days of delivery of a written notice to the discharger's site or head office.

14. DISCHARGER SELF MONITORING

- 14(1) The discharger shall undertake the monitoring or sampling of any discharge to the wastewater facilities as may be required by the Engineer and provide the results in accordance with written notice from the Engineer.
- 14(2) The obligations set out in or arising out of subsection 14(1) shall be completed at the expense of the discharger.

15. COMPLIANCE AGREEMENT

- 15(1) Where the discharger, at the coming into force of this by-law, is out of compliance with one or more conditions in Section 3, the Municipality may enter into a compliance agreement with the discharger to provide a plan for achieving compliance with the by-law within a specified time.
- 15(2) The agreement shall:
 - (a) be for a fixed term.
 - (b) contain reporting requirements to the Designated Wastewater Officer on significant stages in the process towards compliance as determined by the Municipality.
 - (c) include a maximum interim limit for the parameter or parameters covered by the agreement.
- 15(3) During the term of the compliance agreement, the discharger shall be exempt from those parts of Section 3 specified in the compliance agreement provided that all of the conditions of the agreement are met by the discharger prior to the expiry of the agreement.
- 15(4) The Municipality may terminate any approved compliance agreement entered into pursuant to Section 15 by written notice at any time in the event the discharger fails or neglects to carry out or diligently pursue the activities required of it under its approved compliance program.

16. SAMPLING AND ANALYTICAL REQUIREMENTS

- 16(1) Where the Engineer determines that monitoring of any discharge to the wastewater facilities is required, the owner or operator of industrial commercial or institutional premises may be required to monitor, analyze, and report to the Engineer the results of the monitoring program at the owner's expense.
- 16(2) The Engineer may specify specific time periods for collection of samples and analytical requirements based on practices of the business, as required.

16(3) The Engineer or his designate may from time to time enter any premises and conduct such tests as deemed necessary.

16(4) All tests, measurements, analyses, and sample handling shall be carried out in accordance with "Standard Methods" by an Accredited Laboratory certified by the Canadian Association of Environmental Laboratories.

17. REPORTING REQUIREMENTS

17(1) No industry, commercial or institutional discharger shall discharge sewage, wastewater, cooling water, uncontaminated water, or any combination thereof, to wastewater facilities without first submitting to the Engineer of the Municipality the following reports:

- (a) the "Short Version of the Discharger Information report" attached as Form 1 and
- (b) the "Complete Discharger Information Report" attached as Form 2 where, in the opinion of the Engineer, the discharger may have a significant impact on the wastewater facilities, and the Municipality has notified the discharger that the completion of the report is required; or where the discharger has or requires an extra strength or large volume surcharge agreement with the Municipality.

18. POLLUTION PREVENTION PLANNING

18(1) Every Industry which discharges any amount of a subject pollutant identified in TABLE 1 of this bylaw shall prepare a Pollution Prevention Plan and submit to the Municipality a Plan Summary with respect to the premises from which the discharge occurs, unless such Industry continually meets the requirements of this bylaw.

18(2) Summaries submitted to the Municipality shall be approved by the Municipality unless the Municipality determines that the Pollution Prevention Plan Summary or combined Pollution Prevention Plan and Pollution Prevention Plan summary does not comply with the requirements of this article.

18(3) Each Pollution Prevention Plan shall include the following:

- (a) A description of the process 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 the 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 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 targets and timeframes acceptable to the Municipality to reduce or eliminate the discharge of subject pollutants to Municipal wastewater collection systems.
- (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.

18(4) Any subject sector Industry and any Industry discharging any amount of a subject pollutant shall have one year from the date of notification from the Municipality to prepare and submit a Pollution Prevention Plan and prepare a Pollution Prevention Plan Summary or combined Pollution Prevention Plan and Pollution Plan Summary to the Municipality.

18(5) The Municipality will have 90 days to review submitted Pollution Prevention Plan(s) and Pollution Plan Summary(s) and in the event the Industry is not sent written notice from the Municipality, the submitted Plan(s) and Summary(s) shall be deemed to have been approved by the Municipality.

18(6) Where an Industry receives notice from the Municipality that it's submitted Plan or Plan Summary has not been approved, the Industry will have 90 days to amend and resubmit it's Plan and or Plan Summary to the Municipality for approval in accordance with this section.

18(7) In the event that a Pollution Prevention Plan resubmitted to the Municipality in accordance with subsection 18(6) continues to fail to comply with the requirements of this bylaw , the Municipality shall so notify the Industry, and the Industry shall be in contravention of subsection 18(1) and shall continue to be in contravention of this article until such time as the Municipality approves of an amended Pollution Prevention Plan resubmitted by the Industry , in accordance with this article .

18(8) Every subject sector Industry and every Industry discharging a subject pollutant shall submit a revised Pollution Prevention Plan Summary for approval of the Municipality at least once every two years from the date which the original plan was required to be submitted. Such revised and updated Plan(s) and Summary(s) or combined Plan and Summary 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

Pollution Prevention Plan and the Industry's ability to accomplish those pollution prevention objectives.

- 18(9) Where a subject sector Industry makes changes to the process(es), product(s) or facility configuration that will result in changes to the Pollution Prevention Plan, a revised or updated Plan must be prepared, and a Summary shall be prepared and submitted for the Municipality's approval within two calendar months of the change(s).
- 18(10) The Municipality may designate any class of business or activity as a subject sector Industry and may designate a date with respect to which any subject sector shall be required to submit to the Municipality a Pollution Prevention Plan and a Pollution Prevention Plan Summary or combined Plan and Summary
- 18(11) The Municipality may designate any matter as a subject pollutant and may designate a date with respect to which any industry discharging such subject pollutant shall be required to submit to the Municipality a Pollution Prevention Plan and a Pollution Prevention Plan Summary or combined Plan and Summary.
- 18(12) A copy of the Pollution Prevention Plan and Pollution Prevention Plan Summary or combined Plan and Summary shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by the Municipality at any time.
- 18(13) Implementation of the Pollution Prevention Plan shall be initiated within the time period specified of the Plan Summary approval by the Municipality.

19. WASTEWATER RATES

- 19(1) The wastewater charge applies to buildings or properties connected to the wastewater system.
- 19(2) A customer associated with a building or property that is connected to the wastewater system shall pay the wastewater charge in accordance with the schedule of rates attached as Schedule A.
- 19(3) The wastewater charge shall include the quarterly base rate and the wastewater discharge rate as set forth in the schedule of rates attached as Schedule A.
- 19(4) The Department of Finance and/or designate shall calculate the wastewater charge in accordance with the quarterly base rate and the wastewater discharge rate set forth in the schedule of rates attached as Schedule A.
- 19(5) The Municipality shall calculate and collect the wastewater charge as follows:

- (a) The wastewater charge shall be included as a line item on the customer's municipal water bill. All bills are due and payable in the same manner as bills issued by the municipal water utility.
- (b) A user of the wastewater system who is not a user of the water utility shall pay a wastewater charge based on the estimated water usage charged to a similar class of user of the municipal water system.
- (c) For customers without municipal water service, the wastewater charge will commence upon connection to the wastewater system.
- (d) The wastewater charge is a lien on the property subject to the wastewater charge in the same manner and with the same effect as rates and taxes under the Assessment Act.
- (e) The wastewater charge and penalties are recoverable by the Municipality in the same manner as other municipal rates and taxes.
- (f) Property is liable to be sold for unpaid wastewater charges in the same manner as and with the same effect as for unpaid rates and taxes pursuant to the Assessment Act.

20. WASTEWATER REBATE

- 20(1) A customer who uses more than 1,000 cubic meters of water in a one-year period is eligible for a wastewater rebate on demonstrating to the satisfaction of the Engineer that the volume of wastewater discharged by the customer into the wastewater system is less than the volume of water used by the customer.
- 20(2) Upon application for a rebate referred to in subsection 20(1) being made by a customer to the Engineer, a rebate of the wastewater discharge portion of the customer's bill attributable to the difference between the amount of the water used and the amount of wastewater discharged to the wastewater system shall be paid to the customer.
- 20(3) The rebate referred to in subsection 20(1) does not apply to the wastewater discharge base rate nor to any metered water supply leakage.
- 20(4) Application for a rebate under subsection 20(1) shall be made annually by a customer to the Municipality, together with such documentation required by the Engineer in support of such application for rebate, such application to be submitted to the Municipality no later than 6 months after the year in respect of which the application for rebate is made.

21. LIABILITY FOR PAYMENT OF SERVICE

- 21(1) Any person who applies to the Municipality for wastewater service is deemed to agree to take and pay for such service according to the rates and charges set forth in this by-law.
- 21(2) Any person who receives wastewater service, whether metered or unmetered, without the consent of the Municipality, shall be liable for the cost of such service as determined in the sole discretion of the Municipality based upon its reasonable estimate of the amount of service utilized.
- 21(3) Where service is supplied to a condominium unit, the condominium corporation in which the unit is situated shall be deemed to be the customer of record and shall be liable for payment of service to the condominium unit, except where the Municipality determines an alternate arrangement to be appropriate.
- 21(4) The Municipality may, in its sole discretion, require a property owner who rents or leases a property, or a self-contained unit within such property, to open an account with the Municipality for service to such property or self-contained unit.

22. AUTHORITY OF DESIGNATED WASTEWATER OFFICER TO INVESTIGATE

- 22(1) The Designated Wastewater Officer has the authority to carry out any investigation reasonably required to ensure compliance with this by-law, including but not limited to:
 - (a) Inspecting, observing, sampling and measuring the flow in any private
 - drainage system;
 - wastewater disposal system;
 - storm water management facility; and
 - flow monitoring point.
 - (b) determine water consumption by reading meters;
 - (c) test flow measuring devices;
 - (d) take samples of wastewater, storm water, clear-water waste and subsurface water within or being released from private drainage systems, pretreatment facilities and storm water management facilities;
 - (e) collect and analyze samples of hauled wastewater coming to a discharge location;

- (f) perform on-site testing of the wastewater, storm water, clear-water waste and subsurface water within or being released from private drainage systems, pretreatment facilities and storm water management facilities;
- (g) make inspections of the types and quantities of chemicals being handled or used on a premises in relation to possible release to a drainage system or water course;
- (h) investigate the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that in his opinion could have been part of the release.

22(2) No person shall hinder or prevent the Designated Wastewater Officer from carrying out any of his powers or duties.

23. ENGINEER ORDERS AND APPEALS

- 23(1) Except where otherwise provided, the Engineer may order that any matter or thing shall be done under the provision of this by-law upon at least ten (10) days' notice mailed to the address of the customer by registered mail (the "Engineer's decision").
- 23(2) If any matter or thing referred to in subsection 23(1) is not completed by the person required to do so, the Engineer may cause such matter or thing to be completed by the Municipality with any associated costs to be borne by the person.
- 23(3) An appeal by the customer may be made to the committee of:
 - (a) A decision of the Engineer for refusal or issuance of a permit or work to be done;
 - (b) A decision of the Engineer to direct any matter or thing to be done under the provisions of this by-law.
- 23(4) The right of an appeal referenced in subsection 23(3) shall expire ten (10) days after receipt of the Engineer's order in writing by the person.
- 23(5) An appeal may be made to the committee within ten (10) days of receipt of written notice of the Engineer's decision to revoke a building connection permit to the person.
- 23(6) The process for appeals to the committee for decisions made by the Engineer shall be:
 - (a) The person shall file a notice of appeal with the chief administrative officer specifying the basis for the appeal and the relief sought;
 - (b) The committee shall provide the customer with an opportunity to be heard prior to rendering a decision;

(c) The committee may uphold or reverse the Engineer's decision or amend it to include terms or conditions.

24. PENALTY

24(1) Any person who contravenes any provision of this bylaw shall be liable upon summary conviction for every such offence to a penalty of not less than five hundred dollars (\$500.00) and not exceeding fifty thousand dollars (\$50,000.00) or in default of payment, to imprisonment for a term not exceeding ninety days (90) and each day that the offence continues shall constitute a new offence.

24(2) Any person alleged to have violated this bylaw, who is given notice of the alleged violation and where the said notice so provides for payment, may pay a penalty in the amount of five hundred dollars (\$500.00) to the CAPE BRETON REGIONAL MUNICIPALITY provided that said payment is made within a period of fourteen days (14) following the day on which the alleged violation was committed, and said payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.

25. REPEAL

25(1) Section 3.2 of the Cape Breton Regional Municipality By-Law A-200 Area Rate By-law is hereby repealed.

Wastewater Discharge By-law

No. W-100

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipality held on **June 16, 2009** and amended on **March 26, 2024**.

MAYOR – Amanda M. McDougall-Merrill

MUNICIPAL CLERK – Christa Dicks

THIS IS TO CERTIFY that the attached is a true and correct copy of the Wastewater Discharge By-law of the Cape Breton Regional Municipality adopted by Council on the 16th day of June, 2009 and amended on the 26th day of March, 2024.

Christa Dicks, CLERK

Publication Date: March 30, 2024

SCHEDULE A

CBRM Wastewater Rates

(a) <u>Base Charges</u>	<u>Annual</u>
Size of Meter	
Unmetered 5/8" - 15mm	\$163.76
Unmetered 3/4" - 20mm	\$174.73
Unmetered 1" - 25mm	\$196.67
5/8" - 15mm	\$163.76
3/4" - 20mm	\$174.73
1" - 25mm	\$196.67
1.5" - 40mm	\$251.52
2" - 50mm	\$317.34
3" - 80mm	\$492.86
4" - 100mm	\$690.32
6" - 150mm	\$1,238.82
8" - 200mm	\$2,116.42
10" - 250mm	\$3,432.82
(b) Volumetric Rate (per cubic meter)	
\$0.78 per cubic meter	

CAPE BRETON REGIONAL MUNICIPALITY
POLLUTION PREVENTION PROGRAM

Discharger Information Report

(Form 1)

1. General Information

(a) (Company, Corporation, name)

(Telephone Number) (Fax Number)

(Mailing address) (Postal Code)

(b) Owner of Property (if different from company listed)

(Mailing Address / Postal code) _____

(telephone / fax number) _____

Location of Premises:

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(Street Name, Number, Block Number, Unit Number)

Company Officer responsible for waste effluent control:

(Name) (Title) (Telephone Number) _____

2. Product or Service Information

(a) Number of Employees: _____

Plant: _____ Office: _____

(b) Number of shifts per day: _____ Number of days per week: _____

(c) What are your principal products produced or services rendered:

(d) Provide a brief description of your manufacturing or service activities:

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(e) If the process or operation is carried out under Permit To Operate from the Provincial Environment Department, include permit # and date of issue

3. Waste Characteristics and Disposal

(a) Consumption of water:

(Please provide a recent copy of water billing records)

(b) Please list the types and volumes of chemicals used in your manufacturing process and/or stored on site.

Chemicals:

Quantities:

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(c) Please list the type of chemicals, cooling water, dyes, artificial colorings, or other waste materials that are discharged to the sanitary sewer.

(d) Is your wastewater subjected to any type of treatment before discharge into the sewer system? If yes, please describe the treatment provided to the wastewater.

(e) Has your company sampled and analyzed wastewater that is discharged to the sewer system? If yes, please provide details and attach a copy of any available sample information.

Wastewater Discharge By-law

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Name of person submitting report:

(Name)

(Title)

(Date of Completion)

Please submit completed information to:

Cape Breton Regional Municipality
320 Esplanade Sydney, Nova Scotia
B1P 7B9
Attn: Wastewater Operations

CAPE BRETON REGIONAL MUNICIPALITY

POLLUTION PREVENTION PROGRAM

Discharger Information Report

(Form 2)

Completion of this form by dischargers to wastewater works is required under certain circumstances by wastewater by-law addressing sewer use in the Cape Breton Regional Municipality

1. General Information

(a) Company or Corporation Name

Address / Postal code

Phone / Fax / e-mail

(b) Owner Of Property (if different from company listed)

Mailing address, postal code

(c) Location of Premises:

(Street Name, Number, Block Number, Unit Number)

(d) Company Officer responsible for waste effluent control:

(Name, Title, Contact #'s and e-mail)

2. Product or Service Information

(a) What are your principal products produced or services rendered

(b) Provide a brief description of your manufacturing or service activities

(c) Include Standard Industrial Code (SIC) – state if SIC is Canadian or American

(d) Provide a brief description of the process(es) used in the manufacturing or servicing

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(e) Number of employees:

Plant: _____ Office: _____

(f) Number of shifts per day: _____ Number of shifts per week: _____

(g) Please indicate if major processes are:

Batch Continuous Both

(h) Is the production subject to seasonal variation: yes no

If yes indicated, briefly describe your seasonal production cycle:

3. Waste Characteristics

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(a) List all sources of water supply:

Municipal water _____

Private well water _____

Hauled water _____

Other sources (Describe) _____

(b) Type of waste water discharged: (please check all that apply)

Sanitary sewage Estimated volume: _____ m³ /day

Noncontact cooling water Estimated volume: _____ m³ / day

Contact cooling water Estimated volume: _____ m³ /day

Process water Estimated volume: _____ m³ /day

Others Estimated volume: _____ m³ /day

(c) Wastewater is discharged to: (please check all that apply)

Location	Estimated Volume
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Sanitary # 1 _____ m³ /day

Sanitary # 2 _____ m³ /day

Storm sewer # 1 _____ m³ /day

Storm sewer # 2 _____ m³ /day

Surface water, pond, creek, river etc. _____ m³ /day

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() Storage tank _____ m³ /day

() Ground water or well _____ m³ /day

() Liquid waste hauler -please indicate company used and disposal site if known.

4. Pretreatment and Disposal

(a) Pretreatment devices used for treating wastewater or sludges before discharge to the sewer system.

Please check as many as is appropriate):

() Air floatation	() Screening
() Centrifuge	() Sedimentation
() Chemical Precipitation	() Septic Tank
() Chlorination	() Solvent Separation
() Cyclone	() Spill Protection
() Filtration	() Sump
() Flow Equalization	() Biological Treatment
() Grease or Oil Separation, type: _____	type: _____
() Grease Trap	() Rainwater Diversion or Storage type: _____

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Grit Removal

Other Chemical Treatment

Ion Exchange

Neutralization, Ph correction

Other treatment

Ozonation

type: _____

Reverse Osmosis

No Pretreatment Provided

(b) Describe in detail the treatment process for your waste streams:

(c) Provide a flow diagram of your Pretreatment Process in the space below:

(d) Provide a description of the identified pretreatment facilities and operating data

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(e) Describe how solids are handled, stored and disposed.

(f) Describe any current operational problems or required shutdowns of pretreatment facilities that may affect the quality of wastewater discharged to the sewer system.

(g) Is sludge generated from the pretreatment process: () yes () no

If yes, please describe the treatment and disposal method for sludge removal,

(h) Do you recover any chemicals from your wastewater: () yes () no

If yes, please explain

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(i) Are there any dyes or artificial coloring present in the influent or effluent of the pre-treatment system ?

5. Pollutant Information (Sewer Discharge)

(a) Please indicate in the appropriate location whether the chemical parameter is known, or suspected to be present in each waste stream leaving your facility.

Sewer Discharge Characteristics

Parameter	Known Present	Suspected Present	Concentration (mg/L)
Antimony			
Arsenic			
Bismuth			
BOD			
Cadmium			
Chromium			
Cobalt			
Copper			
Cyanide			
Iron			
Kjeldahl			
Lead			

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Manganese			
Mercury			
Molybdenum			
Nickle			
Oil /Grease (A / V)			
Oil/Grease (M / S)			
Phenolics			
Phosphorus			
Selenium			
Silver			
Tin			
Titanium			
TSS			
Vanadium			
Zinc			

6. Pollutant Information (No Discharge)

(a) List pollutants or chemicals that have the potential to enter either sanitary or storm sewers due to accidental spills, machinery malfunctions or process upsets:

(b) Does your Company have any existing agreements with the Municipality, former Municipalities or the Province regarding wastewater discharged to the sanitary or storm sewers?

(c) Does the Company have any flow measurement or sampling equipment available?

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(d) Has the Company ever conducted sampling and analysis of wastewater discharged to either the sanitary or storm sewer system? If so, please provide as an attachment to this report any copies of analysis that are available.

Name of person submitting report:

(Name)

(Title)

Please submit completed information to:

Cape Breton Regional Municipality

320 Esplanade, Sydney NS

B1P 7B9

Attn: Wastewater Operations