



AIR & WATER COMPLIANCE WEBINAR FAQ'S

During our recent Air & Water Compliance webinar with *Northumberland Manufacturing Association*, we had a few questions from our audience. **Below you will find these questions and the responses from our expert speakers.**

Q: Given the choice, it is more advantageous to discharge wastewater from an industrial or manufacturing operation to sanitary/combined sewers or directly to the environment?

A: Given the choice, it is more advantageous to discharge wastewater from industrial and manufacturing operations to city/municipal sanitary/combined sewers. Process discharges from industrial and manufacturing operations contain different types of pollutants that may harm the environment. There are limits for these pollutants and even some pollutants that are prohibited from being discharged altogether. These limits and prohibitions are more stringent when discharging directly to the environment compared to city/municipal sewers. Although one can discharge process wastewater directly to the environment, treatment to meet the limits is required which are specified in a sewage Environmental Compliance Approval (ECA) which is issued by the Ontario Ministry of the Environment, Conservation and Parks (MECP). There is also the option to enter into a Surcharge Agreement with the city/municipality to discharge wastewater over the limits for a treatment fee. The city/municipality must meet the limits imposed on them by the province in their sewage ECA. While no one plans to be out of compliance, sometimes facilities do experience non-compliant events. Another factor to consider is that penalties for spills or discharges to sewers that are not in compliance with bylaws are much lower than fines for spills or discharges to the natural environment that contravene the Environmental Protection Act.

Q: During a regulatory inspection, is the officer obliged to inform you if, and when the visit turns into an investigation?

A: An officer is not obliged to inform you in advance that they are attending your site for an inspection or an investigation. Sometimes out of courtesy, environmental officers will inform you in advance of inspections for the purpose of abatement, so that you have records available.

If during an inspection, the environmental officer decides they have reasonable grounds for laying a charge against the company, they do not have to inform you that the nature of the site visit is changing. It is advisable to ask during the inspection if they have reasonable grounds to believe an offence was committed, or ask if they are inspecting or investigating.

Q: If an on-site sewage system which is under 10,000 L/day breaks out onto the ground, what steps need to be taken?

A: The Environmental Protection Act requires immediate reporting of a spill or discharge into the natural environment, and to do everything practicable to prevent, eliminate and ameliorate the adverse effect and to restore the natural environment.

The information contained in this sheet is not legal advice and should not replace obtaining legal advice where required.