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Staff Report

Infrastructure & Public Works

Report To: Committee of the Whole
Meeting Date: October 23, 2017
Report Number: CSPW.17.095
Subject: Endorsement of Private Member’s Bill 141 – Sewage Bypass Reports Act, 2017
Prepared by: Allison Kershaw, Manager of Water and Wastewater Services

A. Recommendations

THAT Council receive Staff Report CSPW.17.095 entitled “Endorsement of Private Member’s Bill 141 – Sewage Bypass Reports Act, 2017”;

AND THAT Council provide endorsement of Private Members Bill 141;

AND THAT Council approve Staff to post notices of bypasses, overflows and/or spills to the natural environment of untreated or partially treated sewage on the Town’s webpage and hand deliver notices to suspected impacted properties within one business day of an occurrence.

B. Overview

This Staff Report is to review the implications to the Town of The Blue Mountains (Town) by the Private Members Bill 141, an amendment to the Ontario Water Resources Act, and recommend that the Town endorse this Bill. In addition, this Staff Report also recommends that the Town implements public reporting, on the Town’s webpage, of any bypass, overflow or spill to the natural environment of untreated or partially treated sewage.

C. Background

Town of The Blue Mountains Council received correspondence at the September 6, 2017 Council meeting and asked Staff to provide additional information regarding Private Members Bill 141. The intent of the correspondence is to generate support for the Bill at a municipal level. Council directed Staff to review the correspondence received and provide further detail on how sewage bypasses are currently handled and how Bill 141 would impact Town practices.

Private Members Bill 141 First Reading was carried on May 31, 2017. The goal of the Bill is to amend the Ontario Water Resources Act with respect to the public reporting of sewage bypassing. The Ontario Water Resources Act already enforces that municipalities and anyone operating a sewage treatment plant report to the Ministry of the Environment and Climate Change when a bypass has occurred. The Act does not require municipalities to report bypasses

to the public and currently the Ministry does not make the notifications public, with the exception of a formal Freedom of Information request. The goal of this Bill is to require the Ministry to make the notifications publically available within twenty-four (24) hours of being reported.

In the event of a bypass or overflow, including spills to the natural environment, the Town is required to forthwith notify the Spills Action Centre, Ministry of the Environment and Climate Change, and the Medical Officer of Health, Grey Bruce Public Health Unit. The notification includes the following information:

- The date, time and duration of the Event;
- The location of the Event;
- The measured or estimated volume of the Event;
- The reason for the Event; and
- The level of treatment the bypass and/or plant overflow received and disinfection status of the same.

All of this information is currently captured in the Town's annual reports for the wastewater treatment facilities. Those reports are publically available on the Town's website.

D. Analysis

Private Members Bill 141 is focused on requiring the Ministry of the Environment and Climate Change to immediately make the public notified of the sewage bypasses and/or overflows. This Bill does not change the requirements for the Town's notification process, however, if this Bill passes, and the Town does report a spill to the Ministry, the Ministry will be required to make the Town's notification public within twenty-four hours after the Town made the report.

The intention of Bill 141 is twofold. First, residents would know as soon as possible when a sewage bypass has occurred, so they can make safe and educated decisions about how they use their local waterways. Secondly, the public can easily access information on their sewage systems, which will help residents understand the importance on investments in key infrastructure, like water treatment and sanitary collection systems.

There are some communities in Ontario that voluntarily post bypasses and/or overflows on their municipal website. This is a very progressive step. Considering the amount of recreational users utilizing local receiving waters, this is an opportunity for the Town to demonstrate the high priority given to wastewater treatment and the value of protecting the natural environment. Immediate public notifications of bypasses, overflows or spills of untreated or partially treated sewage through the Town's website allows for users of the receiving waters to make informed decisions concerning their activities. Bypasses, overflows and spills can be easily posted on the Town's webpage within one business day of the occurrence. Hand delivered notices will be provided to properties suspected of being impacted by the event.

For the most part, the Town does not have bypasses, overflows or spills. The last event recorded for the Town was in the summer of 2015, when a forcemain ruptured under the

Indian Brook. The Town did notify all the interested agencies forthwith. The Town's collection system is considered a nominally separated sewer, meaning the sanitary and stormwater flows are carried in different pipes, with different destinations. Nominally separated sewers do not tend to have incidents of bypasses or overflows. Municipalities with combined sewers, one pipe that carries both sanitary and stormwater flows, experience regular bypasses and overflows, especially during heavy rain events.

Staff recommend that Council Support Private Member's Bill 141, as it allows our residents to be able to make safe and educated decisions about how they use their local waterways, and that Council approve the posting of bypasses, overflows and/or spill to the natural environment of untreated or partially treated sewage on the Town's webpage and to suspected impacted properties within one business day of the occurrence.

E. The Blue Mountains Strategic Plan

Goal #2: Engage Our Communities & Partners

Goal #3: Support Healthy Lifestyles

Goal #4: Promote a Culture of Organizational & Operational Excellence

Goal #5: Ensure Our Infrastructure is Sustainable

F. Environmental Impacts

None.

G. Financial Impact

None.

H. In consultation with

Maurice Dempster, Wastewater Supervisor

I. Attached

None.

Respectfully submitted,

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