

Green Facts

Certificates of Approval – Industrial Sewage Works

The Environmental Assessment and Approvals Branch (EAAB) of the Ministry of the Environment issues “Certificates of Approval” under the *Ontario Water Resources Act* (OWRA) for industrial sewage works. Certificates of Approval are required for facilities that discharge contaminants to ground and surface water. This fact sheet provides information for prospective owners and operators of industrial facilities that dispose wastewater or storm water to surface water bodies, to the surface of the ground and to groundwater.

What requires approval?

Section 53 of the *Ontario Water Resources Act* requires that an approval must be obtained in order to establish, alter, extend or replace any sewage works. Sewage works are defined as works used for the collection, transmission, treatment or disposal of wastewater (not including plumbing, to which the *Building Code Act*, 1992 applies).

Operations that require approval include but are not limited to:

- industrial mechanical sewage treatment plants;
- industrial sewage works with effluent spray irrigation;
- API separators and biological wastewater treatment systems for oil refining facilities;
- subsurface flow wetland systems for rendering and meat processing facilities;
- Sequencing Batch Reactor wastewater treatment systems for pulp and paper and meat processing facilities;

- industrial sewage lagoons and biological treatment plants for food processing industries;
- storm water management facilities for industrial sites;
- quarry and mine dewatering systems and wash plants;
- industrial wastewater treatment systems that discharge to surface waters, on the surface of the ground or into the ground water (those that are 10,000L/d or greater);
- river/harbour dredging projects with treatment facilities on-shore;
- groundwater remediation treatment systems, including mobile units;
- land-based fish farms;
- landfill leachate treatment systems that discharge to surface waters, on the surface of the ground or into the ground water (those that are 10,000L/d or greater);
- cooling water discharges, including discharges from heat pump systems.

The responsibility for obtaining approval for the construction and operation of sewage works lies with the owner. If the owner is a corporation, the person signing the application on behalf of the corporation must be someone who is specifically authorized by the corporation to do so. If the person signing the application is not an official of the corporation, the application must be accompanied by a letter signed by an official of the corporation authorizing the person to act on its behalf for that purpose.

Are there exemptions to the requirement to obtain a Certificate of Approval?

Specific exemptions for selected types of sewage works equipment have been granted through legislation. The Approval Exemption regulation made under the OWRA (O. Reg 525/98) exempts certain minor sewage works from the approval requirements of the Act. These exempted works include mainly alterations or replacement of sewer piping or other appurtenances that do not disrupt the basic design and/or function of the sewage works: the intent is to maintain or replace sewer systems in an existing corridor.

These exempted activities include:

- change of cracked or damaged storm water sewer pipes and culverts;
- relining of sewer pipe systems for maintenance purposes;
- minor re-routing of sewer systems which do not cause any disruption in the operations of the system or changes the design/functional intent of an approved system.

There is also exception from approval requirements under Section 53 for:

- a sewage works from which sewage is not to drain or be discharged directly or indirectly into a ditch, drain or storm sewer or a well, lake, river, pond, spring, stream, reservoir or other water or watercourse – that are below a certain capacity and that are located on the same lot or parcel of land as the residence or other building or facility served by the works;
- a privately-owned sewage works designed for the partial treatment of sewage that is to drain or be discharged into a sanitary sewer;
- a sewage system that is subject to the *Building Code Act, 1992*;
- a drainage works under the *Drainage Act* or a sewage works where the main purpose of the works is to drain land for the purpose of agricultural activity; and
- a drainage works under the *Cemeteries Act*, the *Public Transportation and Highway Improvement Act* or *The Railways Act*.

How do I obtain a Certificate of Approval?

An application for a Certificate of Approval must be submitted to the EAAB for most industrial sewage facilities. This application should include a completed application form, the required application fee and any supporting information identified on the application form or in the application guidance material. A copy of the application form and supporting information should also be submitted to the ministry's District Office serving the area of the site.

Application forms, application guidance material and contact information for the ministry's District Offices are available from the EAAB and in the "Publications" section of the ministry web site at www.ene.gov.on.ca.

What should I do before I apply for approval?

Consultation is recommended prior to the submission of an application for approval. Pre-application consultation is a dialogue between the applicant, the ministry, and possibly the public. Pre-application consultation is meant to assist applicants in defining the environmental objectives for the project, such as effluent requirements, determining the requirements regarding characterisation of the source of raw water, identifying any special approval related requirements, and determining the need for public consultation/notification.

Pre-application consultation is required for all projects involving construction of sewage/wastewater treatment and disposal facilities, expansion or re-rating of existing facilities, major modifications/upgrades to existing facilities, and introduction of an innovative technology. Also, depending on their scope, it is recommended for less complex projects.

Applications should be filed at least six to eight weeks prior to the proposed start of construction or modification of the sewage works equipment or processes. The application review will take longer if the proposal is complex in nature. It will also take longer if additional information is necessary for proper assessment or if the proposal needs to be subjected to a public consultation or hearing process.

Applications are best filed after the applicant has addressed all local public concerns about the proposal.

What happens to my application once it is submitted?

Applications are screened for completeness by the EAAB. Incomplete applications may be returned at the application processing stage. Applicants should receive acknowledgment of receipt of their applications within two weeks of submitting them.

Public notification, if required under the *Environmental Bill of Rights*, is undertaken as part of the Certificate of Approval application to the Ministry. EAAB will make the necessary EBR Registry posting but the proponent must undertake the required additional public notification required by the EBR.

Applications are reviewed by engineers and technical staff in the ministry to assess if the application demonstrates compliance with the OWRA and applicable Regulations and Guidelines.

The information contained in this document is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the texts of many Ontario statutes and regulations are available on the Internet at www.e-laws.gov.on.ca.

For more information about Certificates of Approval or to obtain an application package, please contact:

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