

# THE HUTT VALLEY TRADE WASTES BYLAW 2006

Adopted by Hutt City Council 08 August 2006

Adopted by Upper Hutt City Council 09 August 2006



<b>CONTENTS</b>	<b>PAGE</b>
<b>1 Introduction .....</b>	<b>3</b>
1.1 Commencement and application .....	3
1.2 Revocation .....	3
1.3 Scope of the bylaw .....	3
1.4 Referenced documents .....	4
1.5 Definitions .....	6
1.6 Abbreviations .....	9
1.7 General .....	10
<b>2 Compliance with the bylaw .....</b>	<b>11</b>
2.1 Control of discharges .....	11
2.2 Storage, transport, handling and use of hazardous or harmful materials ..	11
<b>3 Trade waste discharges and consents .....</b>	<b>12</b>
3.1 Classification of trade waste discharges .....	12
3.2 Application for a trade waste discharge consent .....	12
3.3 Consent for acceptable trade waste discharge .....	13
3.4 Information and analysis .....	13
3.5 Consideration of an application .....	13
3.6 Consideration criteria .....	13
3.7 Conditions of trade waste consent .....	14
3.8 Duration .....	15
3.9 Variation .....	16
3.10 Suspension or cancellation of the right to discharge .....	16
<b>4 Trade waste approval criteria .....</b>	<b>18</b>
4.1 General .....	18
4.2 Mass limits .....	18
<b>5 Sampling, testing and monitoring .....</b>	<b>19</b>
5.1 Flow metering .....	19
5.2 Estimating discharge .....	19
5.3 Sampling and analysis .....	20
5.4 Monitoring .....	20
<b>6 Bylaw administration .....</b>	<b>23</b>
6.1 Review of decisions .....	23
6.2 Accidents and non-compliance .....	23
6.3 Charges and payments .....	23
6.4 Authorized Officers .....	23
6.5 Transfer or termination of rights and responsibilities .....	24
6.6 Service of documents .....	24
6.7 Offences .....	25
6.8 Transitional provisions .....	25
<b>Schedule</b>	
1A Acceptable discharge characteristics .....	26
1B Prohibited characteristics .....	30
1C Trade waste charges .....	31
<b>Table</b>	
1A.1 General chemical characteristics .....	28
1A.2 Heavy metals .....	29
1A.3 Organic compounds and pesticides .....	29

# THE HUTT VALLEY TRADE WASTES BYLAW 2006

Adopted by Hutt City Council 08 August 2006

Adopted by Upper Hutt City Council 09 August 2006

## Preamble

Pursuant to the Hutt Valley Drainage Act 1967, Local Government Act 2002 and the Bylaws Act 1910, the Hutt City Council and Upper Hutt City Council make the following joint Bylaw.

## 1 Introduction

This bylaw regulates the discharge of trade wastes to the WWA's sewerage system operated by or on behalf of Hutt City Council and/or Upper Hutt City Council:

The purpose of this Bylaw is to:

- (a) Ensure the protection of WWA personnel and the general public;
- (b) Protect the ability of the WWA to meet the requirements of the Resource Management Act 1991 and in particular resource consents held by it for the discharge of treated sewage and also the placement of biosolids on land;
- (c) Provide for an equitable spread of costs between domestic and trade waste discharges;
- (d) Protect the investment in the existing and any future infrastructure, treatment plant and disposal facilities;
- (e) Ensure compatibility between liquid, solid and gaseous phases of trade waste discharges (this compatibility can relate to such matters as meeting landfill acceptance criteria for solids and sludges and meeting resource consent conditions for emissions to air as well as the trade waste discharge itself into the WWA's sewerage system); and
- (f) Ensure trade waste dischargers consider, and where appropriate and practicable implement, waste minimization and cleaner production techniques to reduce the quantity and improve the quality of their trade waste discharges, thereby assisting the WWA to meet the targets of the New Zealand Waste Strategy.

### 1.1 Commencement and application

This bylaw comes into force on 1 September 2006.

### 1.2 Revocation

The Hutt Valley Trade Wastes Bylaw 1997 is revoked with effect from Midnight on 31 August 2006.

### 1.3 Scope of the bylaw

#### 1.3.1 Scope

The bylaw provides for the:

- (a) Acceptance of long-term, intermittent, or temporary discharge of trade waste to the WWA's sewerage system;

- (b) Establishment of three grades of trade waste: Acceptable, Conditional and Prohibited;
- (c) Evaluation of individual trade waste discharges against specified criteria;
- (d) Correct storage of materials in order to protect the WWA's sewerage system from spillage;
- (e) Installation of flow meters, samplers or other devices to measure flow and quality of the trade waste discharge;
- (f) Pre-treatment of waste before it is accepted for discharge to the WWA's sewerage system;
- (g) Sampling and monitoring of trade waste discharges to ensure compliance with the bylaw;
- (h) WWA to accept or refuse a trade waste discharge, and where it accepts a trade waste discharge to do so subject to conditions;
- (i) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing, trade waste and the associated costs of administration and monitoring;
- (j) Administrative mechanisms for the operation of the bylaw; and
- (k) Establishment of waste minimization and management programmes (including of sludges) for trade waste producers.

### 1.3.2 Compliance with other Acts

Nothing in this bylaw shall derogate from any of the provisions of the Hutt Valley Drainage Act 1967, the Health Act 1956, the Health and Safety in Employment Act 1992, the Resource Management Act 1991, the Building Act 2004, and the Hazardous Substances and New Organisms Act 1996 (including any Acts passed by way of amendment to or in substitution therefor) and regulations made thereunder or any other relevant statutory or regulatory requirements. In the event of any inconsistency between legislation the more stringent requirement applies.

### 1.3.3 Trade premises and other users to which the bylaw applies

This bylaw shall apply to all trade premises within the districts of Hutt City Council and Upper Hutt City Council where trade wastes are discharged or are sought or likely to be discharged to the WWA's sewerage system. The bylaw shall also apply to tankered wastes collected for the purpose of discharge to the WWA's sewerage systems operated by the WWA.

The WWA may refuse to accept any type of trade waste into the WWA's sewerage system which does not comply with the requirements of this bylaw.

## 1.4 Referenced documents

### New Zealand Standards

NZS 4304:2002	Management of healthcare waste
NZS 5465:2001	Self containment for motor caravans and caravans
NZS 9201:	Model general bylaws
Part 22:1999	Wastewater drainage

### Joint Australian/New Zealand Standards

AS/NZS 5667:	Water quality – Sampling
Part 1:1998	Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples
Part 10:1998	Guidance on sampling of waste waters

### British Standards

- BS 3680: Measurement of liquid flow in open channels
- Part 11A:1992 Free surface flow in closed conduits – Methods of measurement
- Part 11B:1992 Free surface flow in closed conduits – Specification for performance and installation of equipment for measurement of free surface flow in closed conduits
- BS 5728: Measurement of flow of cold potable water in closed conduits
- Part 3:1997 Methods for determining principal characteristics of single mechanical water meters (including test equipment)
- BS 6068: Water quality
- Part 6: Sampling
- Section 6.10:1993 Guidance on sampling of waste waters
- BS EN 25667-1: 1994 Water quality. Sampling. Guidance on the design of sampling programmes
- BS 6068-6.1:1981
- BS EN 25667-2: 1993 Water quality. Sampling. Guidance on sampling techniques
- BS 6068-6.2:1991
- BS EN 25667-3: 2003 Water quality. Sampling. Guidance on the preservation and handling of water
- BS 6068-6.3:2003 samples

### New Zealand Legislation

- Building Act 2004
- Hazardous Substances and New Organisms Act (HSNO) 1996
- Health Act 1956
- Health and Safety in Employment Act 1992
- Hutt Valley Drainage Act 1967
- Land Transport Rule: Dangerous Goods 1999, Rule 45001
- Local Government Act (LGA) 2002
- Resource Management Act (RMA) 1991
- Regulations made under any of the above statutes

### Other Publications

Agricultural and Resource Management Council of Australia and New Zealand (ARMCANZ) and Australia New Zealand Environment and Conservation Council (ANZECC)

Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste) 12 (1994)  
Document available from Australian Water Association (AWA) [www.awa.asn.au](http://www.awa.asn.au)

American Water Works Association

Standard methods for the examination of water and wastewater 20th Edition (1999)  
Document available from American Water Works Association [www.awwa.org](http://www.awwa.org)

Building Industry Authority

New Zealand Building Code (NZBC) 1992 and Approved Documents  
Document available from Building Industry Authority (BIA) [www.bia.govt.nz](http://www.bia.govt.nz)

Ministry for the Environment (MfE)

Landfill Acceptance Criteria (2004)  
The New Zealand Waste Strategy (2002)  
Documents available from Ministry for the Environment New Zealand [www.mfe.govt.nz](http://www.mfe.govt.nz)

National Radiation Laboratory (NRL)

NRL C1 Code of safe practice for the use of unsealed radioactive materials (1996).  
Document available from National Radiation Laboratory [www.nrl.moh.govt.nz](http://www.nrl.moh.govt.nz)

New Zealand Water and Wastes Association (NZWWA)

Guidelines for the Safe Application of Biosolids to Land in New Zealand (2003)  
Liquid and Hazardous Wastes Code of Practice (2003)  
Documents available from New Zealand Water & Wastes Association (NZWWA)  
[www.nzwwa.org.nz](http://www.nzwwa.org.nz)

New Zealand Water Environment Research Foundation (NZWERF)

New Zealand Municipal Wastewater Monitoring Guidelines (2002)  
Document available from New Zealand Water Environment Research Foundation (NZWERF) [www.nzwerf.org](http://www.nzwerf.org)

Sydney Water Corporation

Trade Waste Policy (2004)  
Document available from Sydney Water Corporation [www.sydneywater.com.au](http://www.sydneywater.com.au)

United States Environment Protection Agency (US EPA)

Method 9095A Paint Filter Liquids Test (1996)  
Document available from United States Environmental Protection Agency [www.epa.gov](http://www.epa.gov)

## 1.5 Definitions

Unless the context otherwise requires, the following definitions shall apply:

**ACCEPTABLE TRADE WASTE DISCHARGE** means a trade waste discharge which may be approved by the WWA as such, being a discharge that complies with all the physical and chemical characteristics set out in Schedule 1A.

**ANALYST** means a testing laboratory approved in writing by the WWA.

**APPROVAL** or **APPROVED** means approval or approved in writing by the WWA or by any officer of the WWA authorised to grant approval.

**AUTHORIZED OFFICER** means an officer or other person appointed by the WWA to perform any duties required under this bylaw, irrespective of the designation given to that officer or person.

**BIOSOLIDS** means sewage sludge derived from a sewage treatment plant that has been treated and/or stabilized to the extent that it is able to be safely and beneficially applied to land and does not include products derived solely from industrial wastewater treatment plants. The term biosolid/biosolids is used generically throughout this bylaw to include products containing biosolids (e.g. composts).

**CHARACTERISTIC** means any of the physical or chemical characteristics of a trade waste and may include the level of a characteristic.

**CLEANER PRODUCTION** means the implementation on trade premises of effective operations, methods and processes appropriate to the objective of reducing or eliminating the quantity and toxicity of wastes.

**CONDENSING WATER** or **COOLING WATER** means any water used in any trade, industrial or commercial process, or operation, in such a manner that it cannot take matter into solution or suspension.

**CONDITIONAL TRADE WASTE DISCHARGE** means a trade waste discharge that does not comply with all the physical and chemical characteristics set out in Schedule 1A but which may be approved for discharge by the WWA subject to conditions.

**CONSENT** means a consent in writing given by the WWA and signed by an authorized officer authorizing a person to discharge trade wastes to the WWA's sewerage system.

**CONSENT HOLDER** means the person occupying trade premises who has obtained a consent to discharge or direct the manner of discharge of trade waste from any premises to the WWA's sewerage system, and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder, and may include the "person discharging" as that phrase is used in this bylaw.

**CONTAMINANT** includes any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat –

- (a) When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
- (b) When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.

**CONTINGENCY MANAGEMENT PROCEDURES** means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the WWA's sewerage system.

**COUNCIL** means the Hutt City Council and/or the Upper Hutt City Council as the case may be.

**DISCONNECTION** means the physical disconnection and sealing of any of the WWA's water services, utilities, drains or sewer to prevent their use by any Person.

**DISTRICT** means the district of either of the Councils which have adopted this bylaw.

**DOMESTIC SEWAGE** means liquid wastes, including matters in solution or suspension therein, discharged from premises used solely for residential purposes, or liquid wastes of the same character discharged from other premises; but does not include any solids, liquids, or gases that may not lawfully be discharged into public sewers or the WWA's sewerage system, nor any trade wastes or noxious matters, and may include geothermal water.

**MANAGEMENT PLAN** means the plan for management of operations on the premises which discharge trade wastes, and may include provision for cleaner production, waste minimization, discharge, and contingency management procedures, and may refer to any relevant industry code of practice.

**MASS LIMIT** means the total mass of any characteristic that may be discharged to the WWA's sewerage system over any stated period from any single point of discharge or collectively from several points of discharge.

**MAXIMUM CONCENTRATION** means the instantaneous peak concentration that may be discharged at any point in time.

**OCCUPIER** means the person occupying trade premises connected to the WWA's sewerage system.

**PERSON** includes a corporation sole and also a body of persons whether incorporated or unincorporated.

**POINT OF DISCHARGE** is the boundary between the WWA's sewerage system and a private drain but for the purposes of monitoring, sampling and testing, shall be as designated in the trade waste consent.

**PRE-TREATMENT** means any processing of trade waste designed to remove, reduce or vary any characteristic in a waste before discharge to the WWA's sewerage system in order to comply with a trade waste consent.

**PREMISES** includes:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; and
- (b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; and
- (c) Land held in public ownership (e.g. reserve) for a particular purpose; and
- (d) Individual units in buildings which are separately leased or separately occupied.

**SEWERAGE SYSTEM** means the system for the collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and other related structures operated by the WWA and used for the reception, treatment and disposal of trade wastes.

**SIGNIFICANT INDUSTRY** is a term to indicate the relative size of a given industry compared to the capacity of the WWA's sewerage system (including sewage treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the WWA's sewerage system. Loads can be the conventional loadings of BOD<sub>5</sub> and SS or some other particular contaminant (e.g. Boron, Chromium) which will have an effect, or the propensity to have an effect, on the sizing of the WWA's sewerage system, the on-going system operation and/or the quality of the treated effluent that is discharged.

**STORMWATER** means surface water run-off resulting from precipitation.

**TANKERED WASTE** is water or other liquid, including waste matter in solution or suspension and trade waste, which is conveyed by vehicle for disposal, excluding domestic sewage discharged directly from house-buses, caravans, buses and similar vehicles.

**TEMPORARY DISCHARGE** means any discharge of an intermittent or short duration, including the intermittent or short-term discharge of waste not provided for under an existing discharge consent.

**TRADE PREMISES** includes:

- (a) Any premises used or intended to be used for any industrial or trade purpose; and
- (b) Any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; and
- (c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process; and
- (d) Any other premises discharging other than domestic sewage;

and includes any land or premises wholly or mainly used for agricultural or horticultural purposes, but does not include any part of the WWA's sewerage system or treatment facilities.

**TRADE WASTE** is any liquid, with or without matters in suspension or solution, that is or may be discharged from a trade premises to the WWA's sewerage system in the course of any trade, business or industry, or any industrial or commercial process or operation, or in the course of any activity or operation of a like nature; but does not include condensing water or surface water which is discharged directly into a surface-water drain; but may include condensing or cooling waters, tankered wastes, stormwater which cannot be practically separated, or domestic sewage.

**WASTEWATER AUTHORITY (WWA)** means the Hutt City Council, including its authorized agents, responsible for the collection, treatment and disposal of sewage.

**WORKING DAY** for the purposes of giving notice means any day of the week other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day; and
- (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

## 1.6 Abbreviations

\$/kg	dollars per kilogram
\$/L/s	dollars per litre per second
\$/m <sup>3</sup>	dollars per cubic metre
°C	degrees Celsius
ANZECC	Australian New Zealand Environment and Conservation Council
B	Boron
BOD <sub>5</sub>	Biochemical Oxygen Demand
Br <sub>2</sub>	Bromine
Cl <sub>2</sub>	Chlorine
CN	Cyanide
COD	Chemical Oxygen Demand
DAF	dissolved air floatation
DP	deposited plan
DS	dry solids
F	Fluoride
FOGs	fats, oils and greases
g/m <sup>3</sup>	grams per cubic metre
GST	goods and services tax
H <sub>2</sub> S	Hydrogen Sulphide
HAHs	halogenated aromatic hydrocarbons
HCHO	Formaldehyde
HCN	Hydrogen Cyanide
hr	hour
HSNO	Hazardous Substances and New Organisms Act 1996
kg/day	kilogram per day
L	litre
L/s	litre per second
LGA	Local Government Act 2002
m <sup>3</sup>	cubic metre
max.	maximum
MBAS	Methylene blue active substances
MfE	Ministry for the Environment
mg/L	milligram per litre
mL/L	millilitre per litre
mm	millimetres
MSDS	material safety data sheets

N	Nitrogen
NH <sub>3</sub>	Ammonia
NH <sub>3</sub> -N	ammoniacal nitrogen
P	Phosphorus
PAHs	polycyclic (or polynuclear) aromatic hydrocarbons
PBBs	polybrominated biphenyls
PCBs	polychlorinated biphenyls
pH	measure of acidity/alkalinity
RMA	Resource Management Act 1991
s	second
s.	section
s. s	sections
SBR	sequencing batch reactor
SO <sub>4</sub>	Sulphate
SS	suspended solids concentration
UV	ultra violet
UVT	ultra violet transmission
WC	water closet
WWA	wastewater authority

## 1.7 General

In this bylaw:

- (a) One gender includes all genders, the singular includes the plural, and the plural includes the singular, and
- (b) The word “shall” identifies a mandatory requirement for compliance with the bylaw, while the word “should” refers to practices which are advised or recommended.

## 2 Compliance with the bylaw

### 2.1 Control of discharges

#### 2.1.1 Restrictions on discharges of wastes

No Person shall:

- (a) Discharge, or allow to be discharged, any trade waste to the WWA's sewerage system except in accordance with the provisions of this bylaw;
- (b) Discharge, or allow to be discharged, a prohibited trade waste into the WWA's sewerage system;
- (c) Add or permit the addition of potable, non-potable, condensing or cooling water, or stormwater to any trade waste which discharges into the WWA's sewerage system unless specifically approved by the WWA; or
- (d) Add or permit the addition of stormwater to any trade waste which discharges into the WWA's sewerage system unless specifically approved by the WWA.
- (e) Use refuse or garbage grinders, and macerators to dispose of solid waste from trade premises to the WWA's sewerage system unless specifically approved by the WWA.

#### 2.1.2 Consequences of non-compliance

In the event of failure to comply with clause 2.1.1 (a) - (e) the WWA may physically prevent discharge to the WWA's sewerage system if a reasonable alternative action cannot be established with the discharging party or parties and, in addition to the powers under clause 3.10, may cancel any trade waste discharge consent granted under clause 3.5.

#### 2.1.3 Other requirements may apply

Any person discharging to the WWA sewerage system shall also comply with requirements of the Hazardous Substances and New Organisms (HSNO) Act and the RMA.

### 2.2 Storage, transport, handling and use of hazardous or harmful materials

- (a) All persons on trade premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in clause 2.2(c) of this bylaw into the WWA's sewerage system as a result of leakage, spillage or other mishap.
- (b) No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by HSNO or any of the materials listed in clause 2.2(c) in a manner that may cause the material to enter the WWA's sewerage system and cause harmful effects.
- (c) Materials referred to in clause 2.2 (a) and (b) are those:
  - (i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; and
  - (ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; and
  - (iii) Likely to be detrimental to the health or prejudicial to the safety of any person or be harmful to the WWA's sewerage system.

## 3 Trade waste discharges and consents

### 3.1 Classification of trade waste discharges

#### 3.1.1 Classification

Trade Waste discharges shall be classified as one of the following types:

- (a) Acceptable (consent may be required by the WWA); or
- (b) Conditional (consent is required from the WWA, subject to conditions); or
- (c) Prohibited (not consentable).

#### 3.1.2 No obligation

The WWA is not obliged to accept any trade waste. No application for a trade waste discharge consent shall be approved where the trade waste discharge would contain, or is likely to contain, any of the characteristics as defined in Schedule 1B.

### 3.2 Application for a trade waste discharge consent

#### 3.2.1 Formal application

Every person who does, or proposes or is likely, to:

- (a) Discharge into the WWA's sewerage system any trade waste (either continuously, intermittently or temporarily); or
- (b) Vary the characteristics of a discharge for which consent to discharge has previously been granted; or
- (c) Vary the conditions of consent to discharge that has previously been granted; or
- (d) Significantly change the method or means of pre-treatment for discharge under an existing consent

shall, if required by the WWA, complete an application for the consent of the WWA to the discharge of that trade waste, or to the proposed variations, in a form prescribed by the WWA.

#### 3.2.2 WWA dealings with owner

For the purposes of this bylaw, the WWA reserves the right to deal with the owner as well as the occupier of any trade premises.

#### 3.2.3 Several trade waste discharges

Where the trade premises produces trade waste from more than one area, a separate description of that trade waste shall be included in any application for a trade waste discharge consent. This applies whether or not the separate areas are part of a single or separate trade process. Should the premises discharge trade wastes to the WWA's sewerage system at more than one point of discharge then a separate application will be required for each point of discharge.

#### 3.2.4 Authorisation for documentation

The applicant shall ensure that the application and every other document conveying required information is properly authorised by the intended or eventual consent holder and any act done for, or on behalf of, such consent holder (whether for reward or not) in making any such application shall be deemed to be an act of the consent holder.

#### 3.2.5 Requirement for independent advice

The WWA may require an application to be supported by an independent report/statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant, and this may include a management plan.

### **3.2.6 Payment of trade waste application fee**

Every application shall be accompanied by the trade waste application fee in accordance with the WWA's schedule of rates and charges.

### **3.3 Consent for acceptable trade waste discharge**

The WWA at any time may require a person discharging trade waste as an acceptable trade waste discharge to apply for consent in accordance with clause 3.2.

### **3.4 Information and analysis**

#### **3.4.1 Requirement for further information**

On the receipt of any application for a trade waste consent to discharge trade waste into the WWA's sewerage system or to alter an existing discharge consent or to change the method or means of pre-treatment for discharge under an existing consent, the WWA may do any one or more of the following:

- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- (b) Require the applicant to submit a management plan to the satisfaction of the WWA;
- (c) Whenever appropriate have the trade waste discharge investigated and analysed as provided for in this bylaw.

### **3.5 Consideration of an application**

Within 20 working days (or extended as necessary by the WWA) of receipt of an application complying with this bylaw and/or all requirements under clause 3.4, whichever is the later, the WWA shall, after considering the matters in clause 3.6, do any one or more of the following:

- (a) Grant the application as an acceptable trade waste discharge and inform the applicant of the decision;
- (b) Grant the application as a conditional trade waste discharge consent and inform the applicant of the decision and the conditions imposed on the discharge; or
- (c) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

### **3.6 Consideration criteria**

In considering any application for a trade waste consent to discharge from any trade premises or to discharge tankered waste into the WWA's sewerage system and in imposing any conditions on such a consent, the WWA shall take into consideration the quality, volume, and rate of discharge of the trade waste from such premises or tanker and may take into consideration:

- (a) The health and safety of WWA's staff, agents and the public;
- (b) The limits and/or maximum values for characteristics of trade waste as specified in Schedules 1A and 1B of this bylaw;
- (c) The extent to which the trade waste may react with other trade waste or domestic sewage discharges to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the WWA's sewerage system etc.;

- (d) The flows and velocities in the sewer, or sewers and the material or construction of the sewer or sewers;
- (e) The capacity of the sewer or sewers and the capacity of any sewage treatment works, and other facilities;
- (f) The nature of any sewage treatment process and the degree to which the trade waste is capable of being treated in the sewage treatment works;
- (g) The timing and balancing of flows into the WWA's sewerage system;
- (h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewage sludges, beneficial use of biosolids, and any discharge to air (including the necessity for compliance with any resource consent, discharge permit or water classification);
- (i) The effect of the trade waste discharge on the ultimate receiving environment;
- (j) The conditions on resource consents for the WWA's sewerage system and the residuals from it;
- (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the WWA's sewerage system and the environment;
- (l) Consideration for other existing or future discharges;
- (m) Amenability of the trade waste to pre-treatment;
- (n) The provision of suitable pre-treatment facilities on the premises and the potential for its future use;
- (o) Cleaner production techniques and waste minimization practices;
- (p) Requirements and limitations related to sewage sludge disposal and reuse;
- (q) Control of stormwater;
- (r) The applicant's management plan; and
- (s) Tankered waste being discharged at an approved location/s.

### 3.7 Conditions of trade waste consent

Any trade waste consent to discharge may be granted subject to such conditions that the WWA may impose, including but not limited to:

- (a) The particular public sewer or sewers to which the discharge will be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with clause 4.2;
- (d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) The temperature of the trade waste at the time of discharge;
- (g) The provision and maintenance by, or for the consent holder, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- (h) The provision and maintenance at the consent holder's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;

- (i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the consent holder's expense;
- (j) The method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any trade waste charges applicable to that discharge;
- (k) The provision and maintenance by, and at the expense of, the consent holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the premises, and for the testing and certification of such meters;
- (l) The provision and maintenance, at the consent holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
- (m) The provision by the consent holder to the WWA of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. sewage sludge disposal) at the times and in a manner and format approved by the WWA;
- (n) The provision and implementation of a management plan;
- (o) Risk assessment of damage to the environment due to an accidental discharge of a chemical or other contaminant;
- (p) Appropriate systems for waste minimization and management;
- (q) Provision for cleaner production techniques;
- (r) Provision for remote control of discharges;
- (s) Provision for third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- (t) Requirement to provide a bond or insurance in favour of the WWA where failure to comply with the consent could result in damage to the WWA's sewerage system, its treatment plants, or could result in the WWA being in breach of any statutory obligation; and
- (u) Provision for remote monitoring of discharges.

### **3.8 Duration**

#### **3.8.1 Acceptable discharges**

Subject to clauses 2.1.2, 3.9, 3.10 and 6.1, acceptable discharge consents shall remain in force until they expire at the end of the term prescribed in the consent.

#### **3.8.2 Conditional consents**

Subject to clauses 2.1.2, 3.9, 3.10 and 6.1, conditional discharge consents shall remain in force until they expire at the end of the term prescribed in the consent, being a term of no more than two years, provided that the consent may be granted for a term not exceeding five years where a consent holder at the time of application satisfies the WWA that:

- (a) The nature of the trade activity, or the process design and/or management of the premises are such that the consent holder has a demonstrated ability to meet the conditions of the consent during its term; and/or
- (b) Cleaner production techniques are successfully being utilized, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
- (c) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortization of this investment is considered reasonable; and/or
- (d) The reissuing of a consent cannot reasonably be withheld.

### 3.8.3 Change resulting in termination

In all cases where either the consent holder or the occupier changes, or there is a change in the nature of the trade, business or activities of the consent holder or occupier, any trade waste discharge consent shall be deemed to have been cancelled, and a new application for a new trade waste discharge consent shall be made under clause 3.2. It shall be the responsibility of the consent holder to lodge a new application.

## 3.9 Variation

### 3.9.1 WWA may vary consents

The WWA may at any time during the term of any trade waste discharge consent, after consulting with the consent holder and by written notice to the consent holder, reclassify the discharge in terms of clause 3.1.1 and/or vary any condition of the consent having regard to issues such as:

- (a) Changes in the quantity, nature and characteristics of the discharge;
- (b) Changes in the WWA's sewerage system;
- (c) Changes in circumstances that result in condition(s) becoming inappropriate or unnecessary;
- (d) Any apparent or actual breach of trade waste discharge consent conditions or this bylaw;
- (e) Changes in the WWA's environmental policies or outcomes;
- (f) Changes in or to the WWA's resource consent(s) for the WWA's sewerage system; and
- (g) Changes in the WWA's legal obligations arising under any contract, statute or otherwise.

### 3.9.2 Consent holder may vary consents

A consent holder may at any time during the term of a trade waste discharge consent by written application to the WWA, seek to vary any condition of consent as provided for in clause 3.2 of this bylaw.

## 3.10 Suspension or cancellation of the right to discharge

### 3.10.1 Suspension or cancellation on notice

The WWA may suspend or cancel any trade waste discharge consent or right to discharge at any time following 20 working days' notice to the consent holder or person discharging trade wastes:

- (a) For the failure to comply with any condition of the trade waste discharge consent or this bylaw;
- (b) For the failure to maintain effective control over the discharge;
- (c) For the failure to limit the volume, nature, or composition of trade waste being discharged in accordance with the conditions of the trade waste discharge consent or this bylaw;
- (d) For any acts or omissions which, in the opinion of the WWA, threaten the safety of, or threaten to cause damage to any part of the WWA's sewerage system or threaten the health or safety of any person, or are likely to cause, or have caused, adverse effects on the environment;
- (e) For any acts or omissions which, in the opinion of the WWA, may result, or have resulted, in the WWA being in breach of a resource consent in relation to the WWA's sewerage system held by the WWA and granted under the Resource Management Act 1991;

- (f) For any failure to pay any charges under this bylaw; or
- (g) If any other circumstances arise which, in the opinion of the WWA, render it necessary in the public interest to cancel the right to discharge, and

such suspension or cancellation shall take effect on the expiry of such period as the WWA thinks fit (being not earlier than 20 working days' after service of the notice on the consent holder).

### 3.10.2 Summary cancellation

Notwithstanding the provisions of clause 3.10.1, the WWA may cancel any trade waste discharge consent or right to discharge with immediate effect by giving written notice to the consent holder or person discharging if any of the following occur:

- (a) That person discharges or permits to be discharged any prohibited trade waste; or
- (b) The WWA is lawfully directed to withdraw or otherwise to terminate the consent; or
- (c) That person discharges any trade waste unlawfully; or
- (d) In the opinion of the WWA, the continuance of discharge endangers, or is likely to endanger, the health or safety of any person, damages or is likely to cause damage to the WWA's sewerage system, causes, or is likely to cause, adverse effects on the environment; or
- (e) The continuance of discharge may, in the opinion of the WWA, result in a breach of a resource consent held by the WWA for the WWA's sewerage system; or
- (f) In the opinion of the WWA, the continuance of the discharge puts at risk the ability of the WWA to comply with conditions of a resource consent for the WWA's sewerage system and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent.

## 4 Trade waste approval criteria

### 4.1 General

#### 4.1.1 Wastewater quality

Wastewater quality shall be determined by:

- (a) Measuring the concentrations of its characteristics alone; or
- (b) Measuring both its mass and the concentrations of its characteristics.

### 4.2 Mass limits

#### 4.2.1 Consents may specify conditions

A conditional trade waste discharge consent may include conditions specifying mass limits for any characteristic.

#### 4.2.2 Conditions for mass limits

Any characteristic permitted by mass limit shall have its maximum concentration limited to the value specified in the trade waste discharge consent.

#### 4.2.3 Criteria

When setting mass limit allocations for a particular characteristic of a discharge in a trade waste discharge consent the WWA shall consider:

- (a) The operational requirements of and risk to the WWA's sewerage system;
- (b) Potential risks to occupational health and safety, public health, and the environment;
- (c) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or sewage sludge;
- (d) Conditions in the WWA's sewerage system near the trade waste point of discharge and elsewhere in the WWA's sewerage system;
- (e) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming financial period;
- (f) Whether or not the applicant uses, or proposes to use, cleaner production techniques satisfactory to the WWA;
- (g) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- (h) Any requirements of the WWA's resource consents which necessitate a reduction in the contaminant discharge from the WWA's sewerage system;
- (i) How great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the WWA's sewerage system.
- (j) The total mass of the characteristic allowable in the WWA's sewerage system, and the proportion (if any) to be reserved for future allocations; and
- (k) Whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the for the WWA's sewerage system, treatment process, or receiving water (or land).

## 5 Sampling, testing and monitoring

### 5.1 Flow metering

#### 5.1.1 Requirement for flow metering

Flow metering may be required by the WWA in the following circumstances:

- (a) Where the WWA determines that there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste; and/or
- (b) Where the WWA does not approve a method of flow estimation provided by an applicant or the consent holder; and/or
- (c) When the discharge from particular premises represents a significant proportion of the total flow/load received by the WWA's sewerage system.

#### 5.1.2 Consent holder is responsible for meters

The consent holder shall be responsible for the supply, installation, reading and maintenance of any meter required by the WWA for the measurement of the rate or quantity of discharge of trade waste from its premises. These devices shall be as approved by the WWA, but shall remain the property of the consent holder.

#### 5.1.3 Flow metering records

Records of flow and/or volume shall be available for inspection at any time by the WWA, and shall be submitted to the WWA at prescribed intervals by the consent holder in a format and by a method approved by the WWA.

#### 5.1.4 Location of flow meters

Meters shall be located in a position approved by the WWA to be readily accessible for reading and maintenance. The meters shall be installed according to the manufacturer's installation instructions to the satisfaction of an authorized officer.

#### 5.1.5 Calibration of flow meters

The consent holder shall arrange for *in situ* calibration of the flow metering equipment and instrumentation by a suitably qualified person and method approved by the WWA. Calibration shall be done at the time of installation and at least once a year thereafter to ensure proper performance. The meter accuracy shall have a margin of error of  $\pm 10\%$ . Meter readings must be within  $\pm 5\%$  of the record obtained in the most recent calibration. A copy of written independent certification of each calibration result shall be submitted to the WWA.

#### 5.1.6 Adjustments

Should any meter, after being calibrated, be found to register a greater or lesser reading than the actual amount of the discharge, the WWA may make an adjustment to flow readings in accordance with the results shown by such tests back-dated for the relevant period but in any case not exceeding 12 months. The consent holder shall pay or be credited a greater or lesser amount of fees and charges according to such adjustment.

### 5.2 Estimating discharge

#### 5.2.1 Estimates where no meter is required

In relation to any premises where no meter or similar apparatus is required to be provided, the WWA may estimate the rate or quantity of flow for the purposes of charging on the basis of a percentage of the water supplied to the premises (or other such basis as it considers reasonable).

## 5.2.2 Estimates where meter is required

Should any meter required to be provided under this bylaw or consent granted under it, is or has been for any reason unavailable, the WWA shall estimate the discharge for the period since the previous reading of such meter based on the average of the amount discharged from the premises in the previous 12 months and the consent holder shall pay according to such estimate. The WWA shall take into consideration relevant factors for the purpose of arriving at a reasonable estimate where there is evidence that the average of the amount discharged from the premises in the previous 12 months is an unreasonable estimate of the discharge.

## 5.2.3 Estimates where a meter is tampered with

Where, in the opinion of the WWA, a meter has been tampered with, the WWA (without prejudice to the other remedies available) may declare the reading void and estimate the discharge in accordance with clause 5.2.2.

## 5.3 Sampling and analysis

### 5.3.1 WWA may sample, test and monitor

The WWA may sample, test and monitor trade waste discharges, and/or may require that discharge be sampled, tested and monitored to determine:

- (a) If a discharge complies with the provisions of this bylaw;
- (b) If a discharge should be classified as Acceptable, Conditional, or Prohibited (refer to clause 3.1);
- (c) If a discharge complies with the provisions of Schedule 1A for acceptable discharge and any consent to discharge; and/or
- (d) What trade waste charges are applicable to that discharge.

### 5.3.2 Entry into premises

Notwithstanding, and in addition to, section 46, Hutt Valley Drainage Act 1967, all authorized officers or authorized agents of the WWA, or any analyst may enter any premises believed to be discharging trade waste at any time in order to determine any characteristics of any actual or potential discharge by:

- (a) Taking readings and measurements; and/or
- (b) Carrying out an inspection; and/or
- (c) Taking samples for testing,

of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

Authorization for entry to premises is given under the LGA and section 46 of the Hutt Valley Drainage Act 1967.

## 5.4 Monitoring

### 5.4.1 Monitoring for compliance

The WWA may require the consent holder to monitor the discharge of trade wastes under the terms of its trade waste discharge consent. The details of the monitoring required to be undertaken by the consent holder shall be determined by the WWA, and may include, without limitation, all or any of the following:

- (a) Samples will be taken by the WWA or by an independent analyst approved by the WWA (whether or not appointed by the WWA or the consent holder), and will be analysed in a laboratory approved by the WWA;

- (b) The independent analyst will take samples and make measurements at times and in a manner determined by the WWA;
- (c) Where a trade waste discharge is monitored by the consent holder, the WWA may audit the samples and review the analysis carried out for that consent holder, and such analysis must be performed by a laboratory approved by the WWA, and inter-laboratory checks may also apply.

#### **5.4.2 Right of WWA to appoint analyst**

When an independent analyst appointed by the consent holder fails for whatever reason, to carry out their functions, then the WWA may appoint an independent analyst to carry out those functions.

#### **5.4.3 Right of WWA to monitor**

The WWA may independently monitor any consent holder's compliance with this bylaw or consent granted under it in discharging trade wastes.

#### **5.4.4 Provision of certificate by analyst**

Every independent analyst shall provide the WWA with a certificate signed by the analyst at the time any sample or finding is provided to the WWA, and that certificate shall:

- (a) Describe the source of any sample, the time and date it was taken, and the method used to take it;
- (b) Certify that the sample has been taken in accordance with the provisions of this bylaw or the relevant consent granted under it;
- (c) Describe the findings of any analysis, their source and methods used to determine them; and
- (d) Certify that the analysis has been made in accordance with the provisions of this bylaw or the relevant consent granted under it.

#### **5.4.5 Method**

The sampling, taking, preservation, transportation and analysis shall be undertaken in accordance with best industry standards and methods, and otherwise as approved by the WWA. Where any dispute arises as to the validity of the methods or procedures used for sampling or analysis, with the approval of the WWA, the dispute may be submitted to a mutually agreed independent arbitrator for resolution.

#### **5.4.6 Consent holder is responsible for the cost of monitoring**

The consent holder shall be responsible for all reasonable actual costs of monitoring including sampling, taking, preservation, transportation and analysis, unless otherwise determined by the WWA.

#### **5.4.7 Treatment of samples**

On completion of sampling, each of the samples or the composite sample shall be divided into a minimum of three equal portions dependent on the testing requirements. If the consent holder:

- (a) Makes no requirement under paragraph(b), the samples shall be delivered to the independent analyst appointed by the WWA;
- (b) Requires in writing, one portion of each sample or composite sample shall be delivered to the consent holder and at least two portions of each sample or composite sample shall be delivered to an authorized officer of the WWA or to the independent analyst appointed by the WWA;
- (c) Has appointed its own independent analyst, the consent holder or its independent analyst shall receive two portions and the WWA shall, on written request, receive one portion of each sample or composite sample.

#### 5.4.8 Tankered wastes

- (a) No person may discharge tankered waste into the WWA's sewerage system except in accordance with this bylaw, the Liquid and Hazardous Wastes Code of Practice (2003) and as approved by the WWA.
- (b) A person who wishes to discharge tankered wastes consisting of domestic sewage from short term portable facilities, such as portable toilets, directly to the WWA's sewerage system may apply for a consent in accordance with the provisions of clause 3.2 of this bylaw.
- (c) Subject to clause 5.4.8(b), other discharges of tankered wastes, including septic tank wastes, directly to the WWA's sewerage system will not be permitted and must be disposed of in an approved commercial waste treatment facility.
- (d) Tankers used for the discharge of domestic type portable facility wastes to approved locations shall not convey trade wastes.

## 6 Bylaw administration

### 6.1 Review of decisions

If any person is dissatisfied with any decision by an authorized officer made under this bylaw, that person may, by notice delivered to the chief executive officer of the WWA not later than 20 working days after the decision by the authorized officer is served upon that person, request the chief executive officer to review any such decision.

Nothing in this clause shall affect any right of appeal under the LGA or section 45 of the Hutt Valley Drainage Act 1967.

### 6.2 Accidents and non-compliance

- (a) The person discharging shall inform the WWA immediately on discovery of any accident including spills or process mishaps which may cause a breach of this bylaw or consent under it.
- (b) In the event of any accident occurring when the person holds a conditional consent, then the WWA may review the consent or may require the consent holder, within 20 working days of the date such requirement is notified to the consent holder in writing, to review the contingency management procedures and re-submit for approval the management plan with the WWA.
- (c) In the event of an accident occurring on the premises of an acceptable discharge, the WWA may require the person discharging to apply for a conditional consent.

### 6.3 Charges and payments

#### 6.3.1 Charges

The consent holder shall pay all fees and charges payable to the WWA for the administration of a trade waste consent held by it, and for the conveyance, treatment and disposal of trade waste.

#### 6.3.2 Invoicing

All charges referred to in clause 6.3.1 or otherwise recoverable under this bylaw shall be invoiced in accordance with the WWA's standard commercial practice. The invoice shall provide each person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.

#### 6.3.3 Cease to discharge

The person discharging shall be deemed to be continuing the discharge of trade waste and shall be liable for all charges relating to the discharge, until written notice of disconnection is given to the WWA in accordance with clause 6.5.2.

#### 6.3.4 Failure to pay

All fees and charges payable under this bylaw shall be recoverable as a debt. If the person discharging fails to pay any fees and charges under this bylaw the WWA may suspend or cancel the right to discharge in accordance with clause 3.10.

### 6.4 Authorized Officers

All authorized officers shall possess and produce on request warrants of authority and evidence of identity.

## **6.5 Transfer or termination of rights and responsibilities**

### **6.5.1 Restrictions**

A trade waste discharge consent shall be issued in the name of the occupier or person discharging. The consent holder shall not, unless written approval is obtained from the WWA:

- (a) Transfer to any other party the rights and responsibilities provided for under the consent;
- (b) Allow a point of discharge to serve any other premises, whether directly or indirectly; or
- (c) Allow trade waste from any other party who is not the consent holder or occupier entitled to discharge under any trade waste discharge consent from the premises to be conveyed or discharged to the WWA's sewerage system at the point of discharge specified in the consent.

### **6.5.2 Disconnection**

The person discharging shall give 48 hours prior notice in writing to the WWA of their requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case the notice shall be seven working days prior notice. The person discharging shall notify the WWA of the new address details for final invoicing.

On permanent disconnection and/or termination the person discharging may at the WWA's discretion be liable for trade waste charges to the end of the current charging period.

### **6.5.3 Cessation of occupation**

When a person discharging ceases to occupy premises from which trade wastes are discharged into the WWA's sewerage system any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

## **6.6 Service of documents**

### **6.6.1 Delivery or post**

Notwithstanding, and in addition to, section 84 of the Hutt Valley Drainage Act 1967, any notice or other document required to be given, served or delivered under this bylaw to a person discharging may (in addition to any other method permitted by law) be given or served or delivered by being:

- (a) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the person discharging at that person's last known place of residence or business;
- (b) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the person discharging at any address for service specified in a consent to discharge;
- (c) Where the person discharging is a body corporate, sent by pre-paid ordinary mail, courier, or facsimile, or email to, or left at its registered office; or
- (d) Personally served on the person discharging.

### **6.6.2 Service**

Notwithstanding, and in addition to, section 84 of the Hutt Valley Drainage Act 1967, if any notice or other document is:

- (a) Sent by post it will be deemed received on the first working day after posting;
- (b) Sent by facsimile or email and the sender's facsimile or email machine produces a transmission report indicating that the facsimile or email was sent to the addressee,

the report will be *prima facie* evidence that the facsimile or email was received by the addressee in a legible form at the time indicated on that report; or

- (c) Sent by courier and the courier obtains a receipt or records delivery on a courier run sheet, the receipt or record of delivery on a courier run sheet will be *prima facie* evidence that the communication was received by the addressee at the time indicated on the receipt or courier run sheet, or left at a conspicuous place at the trade premises or is handed to a designated person(s) nominated by the consent holder then that shall be deemed to be service on, or delivery to the consent holder at that time.

### 6.6.3 Signature

Any notice or document to be given, served or delivered by the WWA shall be signed by an authorized officer.

## 6.7 Offences

Notwithstanding, and in addition to, the provisions of the Hutt Valley Drainage Act 1967, every person who fails to comply with this bylaw or breaches the conditions of a consent granted under it may be prosecuted under the LGA and is liable for the penalties set out in the LGA.

Nothing in this bylaw affects the right and remedies of the WWA to recover costs associated with damage to the WWA's sewerage system and/or breach of this bylaw under the provisions of the LGA or the Hutt Valley Drainage Act 1967 or otherwise.

## 6.8 Transitional provisions

### 6.8.1 Applications

Any application for consent to discharge trade waste made under the Hutt Valley Trade Wastes Bylaw 1997 for which consent has not been granted at the time of this new bylaw coming into force shall be deemed to be an application made under clause 3.2 of this bylaw.

### 6.8.2 Existing trade waste consents

Every existing trade waste consent shall continue in force as if it were a consent under this bylaw until it reaches its expiry date, provided always that no existing consent shall remain in force after June 30<sup>th</sup> 2007.

## SCHEDULE 1A

### ACCEPTABLE DISCHARGE CHARACTERISTICS

#### 1A.1 Introduction

##### 1A.1.1 Compliance

The nature and levels of the characteristics of any trade waste discharged to the WWA system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the WWA as part of an approval to discharge a trade waste.

##### 1A.1.2 Criteria

The WWA shall take into consideration the combined effects of trade waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the WWA believes are appropriate.

##### 1A.1.3 Mass limits

Mass limits for characteristics in tables 1A.1, 1A.2 and 1A.3 may be applied by the WWA as required, refer clause 4.2 of the bylaw.

##### 1A.1.4 Variation

The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the WWA, refer to clause 3.9 of the bylaw.

#### 1A.2 Physical characteristics

##### 1A.2.1 Flow

- (a) The 24 hour flow volume shall be less than 5 m<sup>3</sup>.
- (b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

##### 1A.2.2 Temperature

The temperature shall not exceed 40 °C.

##### 1A.2.3 Solids

- (a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- (b) The suspended solids content of any trade waste shall have a maximum concentration which shall not exceed 2000 g/m<sup>3</sup>. For significant industry this may be reduced and if so the permitted concentration or mass limit will be specified in the conditional trade waste consent.
- (c) The settleable solids content of any trade waste shall not exceed 50 mL/L.
- (d) The total dissolved solids concentration in any trade waste shall be subject to the approval of the WWA having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- (e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of sewage in the drainage system or treatment plant shall not be present.

##### 1A.2.4 Oil and grease

- (a) There shall be no free or floating layer.
- (b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the WWA is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15 °C and when the emulsion is

in contact with and diluted by a factor of 10 by raw sewage, throughout the range of pH 6.0 to pH 10.0.

- (c) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the WWA is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.
- (d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.

#### **1A.2.5 Solvents and other organic liquids**

There shall be no free layer (whether floating or settled) of solvents or organic liquids.

#### **1A.2.6 Emulsions of paint, latex, adhesive, rubber, plastic**

- (a) Such emulsions whether treatable or not may be discharged into the sewer subject to:
  - The total suspended solids not exceeding 1000 g/m<sup>3</sup> or the concentration agreed with the WWA and
  - The organic strength of the wastewater must comply with the provisions of 1A.3.2.1
- (b) The WWA may determine that the need exists for pre-treatment of such emulsions if they consider that trade waste containing emulsions unreasonably interferes with the operation of the WWA treatment plant e.g. reduces % UVT (ultra violet transmission).
- (c) Such emulsions of both treatable and non-treatable types, shall be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public sewer.

#### **1A.2.7 Radioactivity**

Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

#### **1A.2.8 Colour**

No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated sewage discharge consent.

#### **1A.2.9 Inhibitory Substances**

Should any characteristic of a discharge be found to inhibit the performance of the wastewater treatment process, such that the WWA is significantly at risk or prevented from achieving its environmental statutory requirements, then the WWA reserves the right to amend the corresponding consent summarily.

### **1A.3 Chemical characteristics**

#### **1A.3.1 pH value**

The pH shall be between 5.5 and 10.0 at all times.

#### **1A.3.2 Organic strength**

The organic strength (measured as either Chemical Oxygen Demand (COD) or as Biochemical Oxygen Demand (BOD<sub>5</sub>)) of any waste may require to be restricted where the capacity for receiving and treating the organic strength is limited. A COD or BOD<sub>5</sub> restriction may be related to mass loading and the lesser of the following mass limits shall apply:

Organic Strength - COD and BOD		
COD	Mass limit	5000 mg/sec
BOD	Mass limit	2000 mg/sec

Where no means for the measurement of organic loading exists (e.g. presence of continuous flow metering with data logging) then the lesser of the following maximum concentrations shall be applied:

COD	2500 g/m <sup>3</sup>
BOD	1000 g/m <sup>3</sup>

Significant Industry dischargers may require additional limitations to the total daily mass of COD or BOD discharged and also to the timings of discharges in order to reduce the risk of adverse effects upon the WWA's sewerage system. Where this is necessary, appropriate limits will be specified in the conditional trade waste consent. In no case under a mass limit conditional consent shall any discharge have a maximum concentration of greater than 30,000 g/m<sup>3</sup>.

NOTE - For biological process inhibiting compounds see table 5 in the *Guidelines for Sewerage Systems: Acceptance of trade wastes* (industrial waste) 12.

#### 1A.3.3 Maximum concentrations

The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in table 1A.1, table 1A.2 and table 1A.3.

**TABLE 1A.1 – General chemical characteristics  
(Mass limits may be imposed, refer to clause 4.2)**

Characteristic	Maximum concentration(g/m <sup>3</sup> )
MBAS (Methylene blue active substances)	500
Whey (or other similar by-products of cheese manufacture)	Solution strength equivalent to Mass Limit of 12.5 Kgs/day COD per day
Ammonia (measured as N)- free ammonia - ammonium salts	50200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO <sub>4</sub> )	5001500 (with good mixing)
Sulphite (measured as SO <sub>2</sub> )	15
Sulphide - as H <sub>2</sub> S on acidification	5
Chlorine (measured as Cl <sub>2</sub> )- free chlorine- hypochlorite	530
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide - weak acid dissociable (as CN)	5

**TABLE 1A.2 - Heavy metals  
(Mass limits may be imposed, refer to clause 4.2)**

<b>Metal</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>	<b>Metal</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.05
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.5	Selenium	10
Chromium	5	Silver	2
Cobalt	10	Thallium	10
Copper	10	Tin	20
Lead	10	Zinc	10

**Note:** The concentration for Chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than Chromium (III), and for a discharge where Chromium (VI) makes up a large proportion of the characteristic, lower concentration limits may be imposed by the WWA.

**TABLE 1A.3 - Organic compounds and pesticides  
(Mass limits may be imposed, refer to clause 4.2)**

<b>Compound</b>	<b>Maximum concentration(g/m<sup>3</sup>)</b>
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

## SCHEDULE 1B

### PROHIBITED CHARACTERISTICS

#### 1B.1 Introduction

This schedule defines prohibited trade wastes.

#### 1B.2 Prohibited Characteristics

##### 1B.2.1 *Prohibited characteristics*

Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:

- (a) Interfere with the free flow of sewage in the WWA's sewerage system;
- (b) Damage any part of the WWA's sewerage system;
- (c) In any way, directly or indirectly, cause the quality of the treated sewage or residual biosolids and other solids from any sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a consent issued under the Resource Management Act, or water right, permit or other governing legislation;
- (d) Prejudice the occupational health and safety risks faced by sewerage workers;
- (e) After treatment be toxic to fish, animals or plant life in the receiving waters;
- (f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
- (g) Have a colour or colouring substance that causes the discharge from any sewage treatment plant to receiving waters to be coloured.

##### 1B.2.2 *Further prohibited characteristics*

A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1A unless specifically approved for that particular consent.

##### 1B.2.3 *Specific prohibitions*

A discharge has a prohibited characteristic if it has any amount of:

- (a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
- (b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
- (c) Asbestos;
- (d) The following organo-metal compounds:  
Tin (as tributyl and other organotin compounds);
- (e) Any organochlorine pesticides;
- (f) Genetic wastes, as follows:  
All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed.
- (g) Any health care waste prohibited for discharge to a sewerage system by NZS 4304 or any pathological or histological wastes; or
- (h) Radioactivity levels in excess of the National Radiation Laboratory Guidelines.

## SCHEDULE 1C

### TRADE WASTE CHARGES

Fees and charges are set by Council resolution. This is done through the Annual Plan or other suitable process in accordance with the LGA.

In the following table the WWA states what categories they will charge, or may charge, under the tenure of this bylaw.

<b>A. Administrative Charges</b>	
<b>Category</b>	<b>Description</b>
A1 Compliance monitoring	The cost of sampling and analysis of trade waste discharges
A2 Trade waste application fee	Payable on an application for a trade waste discharge
A3 Reinspection fee	Payable for each re-inspection visit by the WWA where a notice served under this bylaw has not been complied with by the trade waste discharger
A4 Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the WWA's sewerage system
A5 Temporary Discharge fee	Payable prior to receipt of a temporary discharge
A6 Annual trade waste charges	An annual management fee for a trade waste discharge to cover the WWA's costs associated with for example: <ul style="list-style-type: none"> <li>(a) Administration;</li> <li>(b) General compliance monitoring;</li> <li>(c) General inspection of trade waste premises;</li> <li>(d) Use of the WWA's sewerage system.</li> </ul> This charge may vary depending on the trade waste sector and category of the discharger.
<b>B. Trade Waste User Charges</b>	
<b>Category</b>	<b>Description</b>
B1 Volume	Payment based on the Volume discharged \$/m <sup>3</sup>
B2 Suspended solids	Payment based on the mass of Suspended Solids \$/kg
B3 Organic loading	Payment based on the mass of Chemical Oxygen Demand \$/kg
B5 Nitrogen	Payment based on the defined form(s) of Nitrogen \$/kg
B7 Metals	Payment based on the defined form(s) of the metal(s) \$/kg
B8 Transmissivity	A charge based on the inhibiting nature of the trade waste to UV light used by the WWA's disinfection process