



# **Trade Waste Bylaw 2006 (Amended 2016)**

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## **1.0 INTRODUCTION**

This bylaw regulates the discharge of trade wastes to a sewerage system operated by the Council.

### **1.1 Commencement and application**

This bylaw came into force on 1 July 2006.

In accordance with the Local Government Act 2002, the first review of this Bylaw was completed after five years, with effect from 1 July 2011.

This, second, review of the Bylaw was completed and came into force with effect from 1 July 2016.

### **1.2 Purpose of the Bylaw**

1.2.1 The purpose of this Trade Waste Bylaw is to provide for the management, control and monitoring of trade waste discharges into WDC's wastewater systems to:

- a) protect sewer pipes, pumping stations, storage tanks, biological and biochemical treatment processes, wastewater treatment plants and other related wastewater system structures, electrics and controls from damage by applying standards and loading/concentration limits for trade waste discharges prior to discharge to WDC's wastewater systems
- b) protect the health and safety of any person working with the WDC wastewater systems by applying standards for trade waste discharges
- c) protect public health and the environment from the effect of trade waste discharges by ensuring all necessary resource consents are met
- d) encourage waste minimisation, cleaner production and reduced water consumption
- e) allow the Council to recover fair and reasonable costs of managing trade wastes from trade premises that discharge into the Council system by ensuring that the costs of conveying, treatment and disposal are shared fairly between trade waste and domestic dischargers proportional to volume and load.
- f) assist the Council to meet relevant environmental standards
- g) comply with the objectives of the New Zealand Waste Strategy.

### **1.3 Scope of the Bylaw**

1.3.1 This bylaw implements the purposes particularised in section 1.2.1 including by providing for the:

- a) assessment, acceptance or refusal of applications for, or for reviewing existing, long-term, intermittent, temporary or any discharge of trade wastes to Waitomo District Council sewerage systems;
- b) establishment of five classes of trade waste discharges: Exempted, Permitted, Conditional, Controlled and Prohibited;
- c) provision for Trade Waste Agreements for acceptance, management, control and charging of trade waste discharges from significant or unique industries;
- d) evaluation of individual trade waste discharges against specified criteria;
- e) correct storage of materials in order to protect the sewerage systems from spillage;
- f) installation of flow meters, samplers or other devices to measure flow and

quality of the trade waste discharge;

- g) pre-treatment of waste before it is accepted for discharge to the Sewerage System;
- h) sampling and monitoring of trade waste discharges to ensure compliance with the bylaw,
- i) measures to protect against damage to the capacity or performance of WDC's sewerage reticulation, treatment plant and disposal infrastructure, the health and safety of WDCs workers or contractors engaged on operating, maintaining, replacing or upgrading WDC's wastewater, and the environment from harmful effects from trade waste discharges, including termination of trade waste discharge consent;
- j) inspection of points on a property from where trade waste is or could be discharged;
- k) charges to be set to cover the cost of conveying, treating and disposing of or reusing, trade wastes, including charges set by agreement to incentivise pre-treatment or the reduction of trade wastes discharged from a particular trade premises, and the associated costs of administration and monitoring;
- l) administrative mechanisms for the operation of the bylaw; and
- m) establishment of waste minimisation and management programmes (including sludge management) for trade waste producers.

#### 1.3.2 Compliance with other relevant legislation or regulation

Nothing in this bylaw shall derogate from any of the provisions of the Health Act 1956, the Health and Safety at Work Act 2015, the Resource Management Act 1991, the Building Act 2004, the Hazardous Substances and New Organisms Act 1996 and its regulations 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 Waitomo District where wastes classified as trade wastes, as defined in this Bylaw, are discharged, or to be or likely to be discharged to the sewerage system operated by the Council or its agents. The Bylaw shall also apply to tankered wastes proposed to be discharged to the sewerage systems operated by WDC or its agents.

### 1.4 Referenced documents

All documents referenced in this Bylaw are listed in SCHEDULE 1F:  
Referenced **DOCUMENTS**

### 1.5 Definitions

For the purposes of this Bylaw the following definitions shall apply:

**ACCESS POINT** is a place where access may be made to a private drain for inspection (including sampling or measurement), cleaning or maintenance. The location of the access point shall be in accordance with the New Zealand Building Code.

**ANALYST** means an accredited testing laboratory approved in writing by an authorised officer for the purposes of sampling and testing wastewater in accordance with the requirements of this Bylaw.

**APPROVAL** or **APPROVED** means approval or approved in writing by the Council, either by resolution of the Council or by an Authorised Officer.

**AUTHORISED OFFICER** means any officer appointed by the Council as an enforcement

officer under s.177 of the Local Government Act 2002 as an enforcement officer with powers of entry as prescribed by sections 171-174 or any officer authorised under section 174 of the Local Government Act 2002.

BIOSOLIDS means sewage sludge derived from a sewage treatment plant that has been treated and/or stabilised 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 document 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 amount or concentration of a characteristic.

CLEANER PRODUCTION means the implementation on trade premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes, including:

- a) using energy and resources efficiently, avoiding or reducing the amount of wastes produced;
- b) producing environmentally sound products and services.

CONDENSING WATER or COOLING WATER means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

CONDITIONAL TRADE WASTE DISCHARGE CONSENT means a ~~trade waste~~ consent granted by WDC for a trade waste discharge that complies with the characteristics and standards specified in Schedule 1B of this Bylaw and is subject to conditions imposed by WDC.

CONNECTION means the lawful and physical connection of a private drain to any WDC sewerage system.

CONSENT means a Consent in writing given by the Council and signed by an Authorised Officer authorising a person to discharge trade wastes to the sewerage system.

CONSENT HOLDER means the person who has obtained a consent to discharge or direct the manner of discharge of trade waste from any premises to a WDC 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.

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 these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the sewerage system.

CONTROLLED TRADE WASTE DISCHARGE CONSENT means a consent granted by WDC for a trade waste discharge that complies with the characteristics and standards specified in Schedule 1C of this Bylaw and which contains high loads and/or volumes, is usually pre-treated, and is subject to control parameters and requires a high degree of monitoring.

COUNCIL means Waitomo District Council or WDC.

DISCONNECTION means the physical cutting and sealing of any of the Wastewater Authority's water services, utilities, drains or Sewer for use by any Person.

DISTRICT means the territorial authority area over which Waitomo District Council has jurisdiction, pursuant to the Order in Council giving effect to local government reorganisation in 1989.

DOMESTIC SEWAGE means foul water (with or without matter in solution or suspension therein) discharged from premises used solely for residential purposes, or 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 the sewerage system and may include geothermal water.

EXEMPTED DISCHARGE means trade wastes that have been determined by Council not to require consent, subject to review conditions.

FOUL WATER means the discharge from any sanitary fixtures (any fixture which is intended to be used for sanitation – the term used to describe activities of washing and/or excretion carried out in a manner or condition such that the effect on health is minimised, with regard to dirt and infection) or sanitary appliance (an appliance which is intended to be used for sanitation which is not a sanitary fixture – included are machines for washing dishes and clothes).

HAZARDOUS WASTES mean hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996 (HSNO) and any amendments.

HEAVY Metals are metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain including Mercury, Lead, Chromium, Arsenic, Nickel, Zinc, and Cadmium.

INFRINGEMENT OFFENCE means an offence specified as such in regulations made under section 259(1)(a) of the Local Government Act 2002.

LGA means the Local Government Act 2002

LIQUID WASTE CODE COMPLIANT OPERATOR means a licensed waste removal contractor who adheres to the WasteMINZ Liquid and Hazardous Waste Code of Practice 2012.

LONG TERM PLAN (LTP) means a long term plan adopted by WDC under s. 93 of the Local Government Act 2002 and any amendments.

MANAGEMENT PLAN means the plan for management of operations on the Premises from which trade wastes are discharged, and may include provision for cleaner production, waste minimisation, discharge, contingency management procedures, and any relevant industry code of practice.

MASS LIMIT means the total mass of any characteristic that may be discharged to a WDC 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 of any characteristic that may be discharged at any instant in time.

METER means any meter, automatic sampler, instrument, instrument or device for indicating, recording or sampling the rate of flow, volume or quality of any discharge and any ancillary equipment, devices or fittings used in conjunction with these.

NEW ZEALAND WASTE STRATEGY 2010 means the Government's long term priorities for waste management and minimisation.

OCCUPIER means the person occupying trade premises connected to the WDC sewerage system.

OFFENCE means an offence against this Bylaw.

PERMITTED TRADE WASTE DISCHARGE CONSENT means a consent granted by WDC for a trade waste discharge that WDC considers will have no significant effect on the relevant WDC wastewater system, processes or the environment, as measured and assessed by reference to the characteristics and standards specified in Schedule 1A of this Bylaw.

PERSON includes a corporation sole and also a body of persons whether incorporated or unincorporated, and includes the Crown.

POINT OF DISCHARGE is the boundary between the public sewer and a private Drain but for the purposes of monitoring, sampling and testing, shall be as designated in the trade waste discharge consent.

PREMISES has the same meaning as trade premises

PRE-TREATMENT means any processing of trade waste designed to reduce or vary any characteristic, volume or mass load of a trade waste before discharge to the WDC sewerage system in order to comply with a Trade Waste Consent.

PRIVATE DRAIN means that section of drain between the premises and the point of connection to WDC's sewerage system.

PROHIBITED TRADE WASTES means a trade waste that has prohibited characteristics as defined in Schedule 1D and does not meet the conditions of SCHEDULE 1A: Permitted discharge *CHARACTERISTICS*. The waste is not acceptable for discharge into the Council's system.

PROHIBITED CHARACTERISTICS means characteristics as defined in Schedule 1D

PUBLICLY NOTIFIED means published on at least one occasion in a newspaper circulating in the Waitomo district, or under emergency conditions, by the most practical means available at that time.

RECEIVING WATERS means coastal waters or any natural waters which will receive treated wastes.

SCHEDULE OF RATES AND CHARGES means the list of items, terms and prices for services associated with the collection, treatment and disposal of trade waste, as adopted and approved by the Council.

SEWAGE means foul water and may include trade wastes.

SEWAGE SLUDGE means the material settled out and removed from sewage during the treatment process.

SEWER means the pipework drainage system that conveys sewage.

SEWERAGE SYSTEM means the WDC infrastructure 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 Council and used for the reception, treatment and disposal of trade wastes.

SIGNIFICANT INDUSTRY is a term to indicate the relative size and/or characteristics of the trade waste discharge from a given industry compared to the capacity of the sewerage system (including the wastewater treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the sewerage system. Loads can be conventional loadings of BOD<sub>5</sub> and SS or some other particular contaminant (e.g. boron, chromium) of a scale or type which will have a material effect, or the propensity to have a material effect, on the sizing or capacity of all or part of the

WDC sewerage system, the on-going system operation and/or the quality of the treated effluent that is discharged from the wastewater treatment plant.

STORMWATER means surface water run-off resulting from precipitation.

SURFACTANTS; Anionic surfactants that are the key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants.

TANKERED WASTE is water or other liquid, including waste matter in solution or suspension, 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. Such discharges include the short-term discharge of an unusual waste from premises subject to an existing consent.

TERRITORIAL AUTHORITY (TA) means WDC.

TRADE PREMISES or PREMISES means:

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

and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

TRADE WASTE is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the Council's sewerage system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing or cooling waters, stormwater, or domestic sewage which cannot be practically separated from the trade wastes.

TRADE WASTE AGREEMENT means an agreement entered into by a trade waste discharger with WDC pursuant to section 196(1)(a) of the Local Government Act 2002 providing for the discharge of trade wastes to WDC's wastewater system by agreement rather than by way of an Exempt, Permitted, Conditional or Controlled trade waste discharge consent under this Bylaw.

WASTEWATER means water that has been used and contains unwanted dissolved and and/or suspended substances from communities, including homes, businesses and industries.

WASTEWATER AUTHORITY means the division of WDC, including its authorised agents, responsible for the collection, treatment and disposal of sewage.

WDC means Waitomo District Council or Council.

WORKING DAY 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;
- b) A day in the period commencing with the 25<sup>th</sup> day of December in a year and ending with the 2<sup>nd</sup> day of January in the following year;
- c) If 1 January falls on a Friday, the following Monday; and

- d) If 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday.

## 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
CBOD <sub>5</sub>	carbonaceous biochemical oxygen demand
Cl <sub>2</sub>	chlorine
CN	cyanide
COD	chemical oxygen demand
DAF	dissolved air floatation
DP	deposited plan
DRP	dissolved reactive phosphorous
DS	dry solids
E.coli	Escherichia coli
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
kg/day	kilogram per day
L	litre
L/s	litre per second
LGA	Local Government Act 2002
LTP	Long Term Plan
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
SO4	sulphate
SS	suspended solids concentration
TA	territorial authority
TN	total nitrogen
TP	total phosphorous
TSS	total suspended solids
UV	ultra violet
UVT	ultra violet transmission (transmissivity)
WC	water closet
WWA	wastewater authority

## 2.0 COMPLIANCE WITH THE BYLAW

### 2.1 Control of Discharges

#### 2.1.1 No Person shall:

- a) Discharge, or allow to be discharged, any trade waste to a WDC sewerage system except in accordance with the provisions of this Bylaw, or in accordance with a Trade Waste Agreement entered into pursuant to s. 196(1)(a) of the LGA.
- b) Discharge, or allow to be discharged, a prohibited trade waste into a WDC sewerage system
- c) Add or permit the addition of condensing or cooling water to any trade waste which discharges into the sewerage system unless specific approval is given in a consent or in a Trade Waste Agreement.
- d) Add or permit the addition of stormwater to any trade waste which discharges into the sewerage system unless specific approval is given in a consent or a Trade Waste Agreement.

2.1.2 In the event of failure to comply with any part of subclause 2.1.1 (a) – (d), and it is considered necessary to respond appropriately to a situation that may be a nuisance or danger to public health, the Council may suspend the discharge and physically prevent discharge to the sewerage system if a reasonable alternative action cannot be established with the discharging party or parties.

### 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 entry of any of the materials listed in 2.2(c) of this bylaw into the 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 2.2(c) so as to cause the material to enter Council's sewerage system.
- c) Materials referred to in 2.2(a) and (b) are those:
  - i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials;
  - ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; and/or

- iii) Likely to be deleterious to the health and safety of the Council's staff, Approved contractors and the public or be harmful to the Sewerage System and or treatment processes.

## **3.0 TRADE WASTE DISCHARGES AND CONSENTS**

### **3.1 Classification of trade waste discharges**

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

- a) Exempted (no consent required, but subject to review)
- b) Permitted (consent required)
- c) Conditional (consent required);
- d) Controlled (consent required)
- e) Prohibited (not consentable)

(NOTE – See definition of each classification in clause 1.5.)

3.1.2 Separate from the consenting regime established by this Bylaw, the Council, instead of granting or refusing a trade waste consent, may agree with a trade waste discharger to enter into a Trade Waste Agreement pursuant to s.196(1)(a) of the LGA. For the avoidance of any doubt, such Trade Waste Agreement is not a consent under this Bylaw, but rather, is a consent by agreement pursuant to s.196(1)(a) of the LGA and/or WDC's general powers of competence.

### **3.2 Classification Criteria**

Trade waste discharge consents will be classified as under subclause 3.1.1 using, but not limited to, the following criteria:

- a) Exempted  
Exemption from requiring consent will be granted where the risk of discharge other than equivalent to domestic level discharge is deemed by Council as minimal with the condition that should the situation change in the view of Council the Exemption will be reviewed and a new application will be required for assessment at that time. In all events, a review of the exemption–will be carried out by WDC every 5 years.
- b) Permitted Consent  
Permitted Consent will be granted where it is deemed by Council that the discharge will have no significant effect on the waste water system, processes and or the environment but monitoring is required for compliance purposes.
- c) Conditional Consent  
Conditional Consent will be granted where Council deems that devices (like grease traps, oil separators or other devices that mitigate effects) that need to be serviced regularly are required and monitoring is required for compliance purposes.
- d) Controlled Consent  
Controlled Consent will be considered where the discharge, including special discharges, contains high loads and/or volumes, is usually pre-treated and is granted subject to control parameters and a high degree of monitoring.

### **3.3 Acceptance of trade waste**

3.3.1 The Council is not obliged to accept any trade waste. No application for a trade waste

consent will be approved where the trade waste discharge would contain, or is likely to contain, characteristics which are prohibited, or may exceed or damage the residual capacity of the sewerage reticulation, or treatment plant, or effluent disposal system.

### **3.4 Discharge of trade waste**

- 3.4.1 No person shall discharge, or cause to be discharged, any trade waste to a Council sewerage system except in accordance with the provisions of this Bylaw or in accordance with a Trade Wastes Agreement.

### **3.5 Application for a trade waste consent**

#### **3.5.1 Formal application**

Every Person who does, proposes to, or is likely to do any of the following, must apply to the Council for a trade waste discharge consent:

- a) Discharge into a WDC sewerage system any trade waste (either continuously, intermittently or temporarily); or
  - b) Vary the characteristics of a consent to discharge that has previously been granted; or
  - c) Vary the conditions of a 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, in which event, the Person shall if required by the Council complete an application on the prescribed form for the Consent of the Council (see Appendix B), to modify the discharge of that trade waste, or to apply for the proposed variations.
- 3.5.2 The Council reserves the right to require the owner as well as the occupier of any trade premises to be party to an application for a trade waste consent.
- 3.5.3 Where the trade premises produces trade waste from more than one area, a separate copy of the "Description of Trade Waste and Premises" (section 3 of Appendix B) shall be included in any application for a trade waste discharge consent for each area. This applies whether or not the separate areas are part of a single or separate trade process.
- 3.5.4 The applicant shall ensure that the application and every other document conveying required information is properly executed. Any act done for or on behalf of the eventual consent holder (whether for reward or not), in making any such application, shall be deemed to be an act of the consent holder.
- 3.5.5 The Council may require an application to be supported by an independent report/statement completed by a suitably experienced and qualified external peer reviewer to verify any or all information supplied by the applicant, and this may include a Management Plan.
- 3.5.6 Every application shall be accompanied by a trade waste application fee in accordance with the Council's Schedule of Rates and Charges.

### **3.6 Processing of an application**

- 3.6.1 The Council shall acknowledge the application in writing within 10 Working Days of the receipt of the application.

### **3.7 Information and analysis**

- 3.7.1 On the receipt of any application for a Trade Waste Consent to discharge from any premises or to alter an existing discharge, the Council may:
- 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 Council; and/or
- c) Whenever deemed necessary by WDC, have the discharge investigated and analysed as provided for in clause 15.3 of this Bylaw.

3.7.2 The Council shall notify the applicant of any requirement under this clause within 10 Working Days of receipt of the application.

### 3.8 Consideration of an application

Within 20 working days (or extended as necessary by the Council) of receipt of an application complying with this bylaw and/or all information required under clause 3.7, whichever is the later, the Council will, after considering the matters in clauses 3.5 and 3.7, action one of the following in writing:

- a) Exempt the application from the requirement to obtain trade waste discharge consent, subject to review conditions.
- b) Grant the application as a Permitted Trade Waste Discharge Consent and inform the applicant of the decision by issuing the appropriate notice of consent to discharge, subject to conditions;
- c) Grant the application as a Conditional Trade Waste Discharge Consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to discharge; or
- d) Grant the application as a Controlled Trade Waste Discharge Consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to discharge; or
- e) Invite the Applicant to enter into a Trade Waste Agreement in accordance with clause 3.1.2, setting out the agreed terms and conditions under which Council to receive, treat and dispose of the applicant's trade waste; or
- f) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

### 3.9 Consideration criteria

In considering any application for a Trade Waste Discharge Consent to discharge from any trade premises or tankered waste into a WDC sewerage system, imposing conditions on such consent, or considering exempting or declining a consent application, the matters the Council will take into account include but are not limited to:

- a) The quality, volume, and rate of discharge of the trade waste from such trade premises or tanker;
- b) The health and safety of Council staff, Council's agents and the public;
- c) The limits and/or maximum values for Characteristics of Trade Waste as specified in Schedules 1A to 1D of this bylaw;
- d) The extent to which the trade waste may react with other trade waste or foul water to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Sewerage System etc;
- e) The flows and velocities in the sewer, or sewers and the material or construction of the sewer or sewers;
- f) The capacity of the WDC sewer or sewers and the capacity of any sewage treatment works, and other facilities;
- g) The nature of any sewage treatment process and the degree to which the trade waste is capable of being treated in the sewage treatment plant;
- h) The timing and balancing of flows into the sewerage system;
- i) The existence of 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);
- j) The effect of the trade waste discharge on the ultimate receiving environment;
  - k) The conditions on resource consents for the sewerage system and the residuals from it;
  - l) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the sewerage system and/or the environment;
  - m) Consideration for other existing or future discharges;
  - n) Amenability of the trade waste to pre-treatment;
  - o) Existing pre-treatment works on the premises and the potential for their future use;
  - p) Cleaner Production techniques and waste minimization practices;
  - q) Requirements and limitations related to sewage sludge disposal and reuse;
  - r) Control of stormwater from a trade waste premises;
  - s) The contents of , or need for, a trade wastes management plan; and
  - t) Tankered waste being discharged at an approved location(s).

### 3.10 Conditions of Trade Waste Consent

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

- a) The particular WDC sewerage system 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 the classification under clause 3.2
- 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 or 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) Provision of separate sewers to conduct trade and domestic wastewater separately to the Council wastewater system
- i) 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;
- j) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the consent holder's expense;
- k) The method or methods to be used for the measuring of flow rates and/or volume and taking samples of the discharge for use in determining compliance with the consented limits and the amount of any trade waste charges applicable to that discharge;
- l) 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 trade premises, and for the testing and calibration of such meters;

- m) 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 other required devices;
- n) At times specified, the provision in a Council approved format by the consent holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. sewage sludge disposal);
- o) The provision and implementation of a trade wastes management plan;
- p) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
- q) Waste minimisation and management measures and financial incentives for achieving same;
- r) Cleaner production techniques;
- s) Remote control of discharges;
- t) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- u) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's sewerage system, or could result in the Council being in breach of any statutory obligation; and
- v) Remote monitoring of discharges.

### **3.11 Trade Waste Agreements**

- 3.11.1 The Council may at any time, pursuant to the power to do so under s.196 (1)(a) of the LGA, enter into a written agreement for the collection, treatment and disposal of trade wastes with a trade waste discharger. Any such agreement may be made in addition to or in place of an existing trade waste consent.
- 3.11.2 Every duly executed Trade Waste Agreement for the discharge and reception of trade waste between a trade wastes discharger and the Council existing at the date this Bylaw comes into force shall continue in force on the same terms and conditions until the expiry date of the agreement, or as amended or terminated as a consequence of any earlier review.
- 3.11.3 Where an existing trade waste agreement is silent as to its term, that agreement shall be terminable on six months' written notice by the Council and the trade waste discharger shall thereafter be required to apply for a trade waste consent in accordance with this Bylaw, and/or enter into a new Trade Waste Agreement.
- 3.11.4 Where, in the opinion of the Council, an existing trade waste agreement does not incorporate adequate sampling or monitoring or charging provisions, or the consent classifications under clause 3.2 of this Bylaw do not adequately reflect the unique aspects of a proposed trade waste discharge, including but not limited to pre-treatment criteria, monitoring, and charging, the Council may review the Agreement. The trade waste discharger shall comply with any such requirements within a reasonable timeframe as determined and notified by the Council.

### **3.12 Duration**

#### **3.12.1 Exempted and Permitted discharges**

Exempted discharges and Permitted Discharge Consents will remain in force for five (5) years or until either:

- a) Cancellation under 3.14; or
- b) Reviewed pursuant to Clause 3.13 including if (but not limited to):
  - i) The quantity and nature of the discharge changes significantly. For a temporary discharge see Appendix C;

- ii) If in the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a Conditional, Controlled or Prohibited Trade Waste;
- iii) The Council changes the trade waste management procedures by implementation of changed Trade Waste Bylaw conditions or any amendment to, or replacement of, its Trade Waste Bylaw; or
- iv) The conditions on resource consents for the WDC sewerage system and the residuals from it change.

In all cases, after appropriate consultation, the Person shall apply within 10 Working Days of this change occurring for an appropriate Consent, in accordance with Clause 3.5 of this Bylaw. This application shall be approved prior to the occurrence of any new discharge.

### 3.12.2 Conditional Trade Waste Consents

Conditional Trade Waste Consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- a) Conditional Trade Waste Consents may be given for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
  - i) 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
  - ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner Production equipment or techniques is being made; and/or
  - iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
  - iv) The reissuing of a consent cannot be unreasonably withheld.
- b) Notwithstanding subclause a) above, the Council retains the right to review the conditions at an earlier time by reason of changed circumstances. The reasons for such an earlier review could include:
  - i) The level of consent holder compliance, including any accidents including spills or process mishaps.
  - ii) Matters pertaining to the Council's resource consents for the relevant sewerage system.
  - iii) Matters pertaining to the Council's environmental policies and outcomes.
  - iv) New control and treatment technologies and processes.
  - v) Any of the matters outlined in clause 4 of this bylaw.
  - vi) Matters pertaining to the Council's legal obligations.
- c) In all other cases, the term of a Conditional Trade Waste Consent should not exceed two years;

### 3.12.3 Controlled Trade Waste Consents

Controlled Trade Waste Consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- a) Controlled Trade Waste Consents may be issued for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
- i) 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 track-record of consistently meeting the conditions of the consent during its term, including payment of monthly trade waste charges by the due date; and/or
  - ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
  - iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
  - iv) The withholding of a new consent would be unreasonable; and/or
  - v) The nature of the discharge and/or the location of the specific premises warrants consideration as a Special Discharge.
- b) In all other cases the term of a Controlled Trade Waste Consent shall not exceed three years;
- c) Notwithstanding subclauses a) and b) above, the Council retains the right to review the conditions at an earlier time by reason of changed circumstances. The reasons for such an earlier review could include:
- i) The level of consent holder compliance, including any accidents including spills or process mishaps.
  - ii) Matters pertaining to the Council's resource consents for the sewerage system.
  - iii) Matters pertaining to the Council's environmental policies and outcomes.
  - iv) New control and treatment technologies and processes.
  - v) Any of the matters outlined in clause 4.0 of this bylaw.
  - vi) Matters pertaining to the Council's legal obligations, including the conditions on resource consents for the relevant WDC sewerage system change.
- d) In all cases where either the consent holder or the owner of the premises changes, or there is a change of use, a new application for a Controlled Trade Waste Consent shall be made. It shall be the responsibility of the consent holder to lodge the new application; and

### **3.13 Review and/or variation occasioned by changed circumstances**

3.13.1 This section applies to any situation under this Bylaw providing for review.

3.13.2 In the event that the circumstances and/or effects of any trade waste discharge and/or consent materially change from those that existed at the date of the granting of the consent, then either or both of the Council and/or the consent holder may give written notice to the other of its intention to review the consent and/or its terms and conditions.

3.13.3 Without limiting the generality of clause 3.13.2, a review may be undertaken for any of the following purposes:

- i) To achieve and/or promote any of the Purposes of this Bylaw as specified in clause 1.2;
- ii) To review the effectiveness of the terms and conditions of the trade waste consent in avoiding or mitigating any adverse effects on the council's wastewater

infrastructure, including on its wastewater treatment plants, and/or on the environment, arising from exercise of the consent;

- iii) To review the effectiveness and/or continued appropriateness of the terms and conditions of the consent to ensure continued compliance by the Council with any requirements and/or obligations imposed by law and specifically, with resource consents held by the Council for the operation and discharge from the Council's wastewater infrastructure including its wastewater reticulation, and its wastewater treatment plants;
- iv) To review the adequacy of and/or the necessity for monitoring and/or testing required of and/or undertaken by the Consent Holder, specifically its frequency, methods, record keeping and reporting;
- v) If necessary and appropriate, to require the Consent Holder to adapt its operations in order to appropriately respond to the changed circumstances that have arisen.

3.13.4 For the avoidance of any doubt, the Council, on any review undertaken pursuant to this clause 3.13, may cancel and/or amend and/or add to any terms and conditions of any consent which is the subject of the review, and the consent holder shall comply with and observe those cancelled/amended/added terms and conditions from the date the review decision is issued by the Council or from such later date as the review decision specifies.

3.13.5 Any notice of intention to review given pursuant to clause 3.13.2 shall be deemed to be, and will be processed by the Council as, an application by the Consent Holder for a new consent, and:

- i) the Consent Holder shall at its expense provide the Council with such information and reports as the Council might reasonably require for the purposes of the review;
- ii) the Council will otherwise follow for the review the same processes as it would have if the review were a new application for a consent;
- iii) to the extent that the changed circumstances reasonably require, the Council will consult with the Consent Holder with respect to any proposed amendments and/or conditions or deletions to the terms and conditions of the consent that the Council considers might be required or are appropriate to respond to the changed circumstances;
- iv) The costs associated with the review may be recovered from the Consent Holder as if the review were an application for a new consent.

3.13.6 A Consent Holder may at any time during the term of a Consent, by written application to the Council, seek to vary any condition of Consent, as provided for in clause 3.5.1 of this bylaw.

### **3.14 Cancellation of the right to discharge**

3.14.1 Suspension, cancellation or reduction of discharge on notice

The Council may suspend, ~~or~~ cancel or reduce the amount to be discharged to the Council sewerage system under any consent or right to discharge at any time following 20 working days' (during which consultation has occurred) notice to the consent holder or person discharging any trade waste for any of (but not limited to) the following reasons:

- a) Failure to comply with any condition of the consent;
- b) Failure to maintain effective control over the trade waste discharge;
- c) Failure to limit in accordance with the requirements of the consent the volume, nature, or composition of Trade Waste being discharged;
- d) In the event of any negligence which, in the opinion of the Council, threatens

the safety of, or threatens to cause damage to any part of the sewerage reticulation system or the treatment plant or threatens the health or safety of any person;

- e) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- f) In the event of any breach of a resource consent held by the Council for the operation of the sewerage system issued under the Resource Management Act 1991 and any amendments;
- g) For failure to provide and when appropriate update a management plan as required for a consent;
- h) For failure to follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- i) Failure to pay any charges due under this bylaw;
- j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge
- k) If in the opinion of the Council the continuance of the discharge requires or would require any identified additional treatment measures or costs to comply with or avoid a breach of any resource consent held by the Council for the operation of the Council sewerage system.

If process changes required by the consent holder or occupier to comply with any of the above matters will take more than 20 working days to implement, reasonable time may be given by WDC to comply with the consent conditions.

#### 3.14.2 Summary cancellation

Further to subclause 3.14.1, any trade waste consent to discharge may at any time be summarily cancelled by the Council on giving to the Consent Holder, or person discharging, written notice of summary cancellation if (but not limited to):

- a) The discharge contains any prohibited substance;
- b) The Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
- c) The discharge is carried out unlawfully;
- d) The continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
- e) The continuance of the trade waste discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council for the operation of the sewerage system; or

### 3.15 No transfer or assignment or change of use

3.15.1 Any trade waste discharge consent granted pursuant to this Bylaw, or any trade waste agreement entered into pursuant to s.196(1)(a) of the LGA shall be personal to the trade waste discharger and shall not be assignable or transferable without the prior written approval of the Council.

3.15.2 A change of use of trade premises to which a trade waste consent has been granted shall be deemed a transfer. In that event, the existing consent shall terminate and a new consent for the new use (if it involves a trade waste discharge) is required and shall be applied for.

## 4.0 TRADE WASTE APPROVAL CRITERIA

### 4.1 Pre-Treatment

- 4.1.1 The Council may approve a trade waste discharge (see Appendix B for appropriate form) subject to the provision of appropriate pre-treatment systems to enable the person discharging to comply with the bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at their expense.
- 4.1.2 Refuse or garbage grinders and macerators shall not be used to dispose of solid waste from trade premises to the Council sewerage system unless approved by the Council.
- 4.1.3 The person discharging shall not, unless approved by the Council, add or permit the addition of any potable, condensing, cooling water or stormwater to any trade waste stream in order to vary the level of any characteristics of the waste.

### 4.2 Mass Limits

- 4.2.1 A Conditional or Controlled Trade Waste Consent to discharge may impose controls on a trade waste discharge by specifying mass, volume or concentration limits for any characteristic.
- 4.2.2 Any characteristic controlled by mass limit shall also have its maximum concentration limited to the value scheduled unless approved otherwise.
- 4.2.3 When setting mass limit allocations for a particular characteristic that can be made available for trade waste discharges, the Council will consider:
- a) The operational requirements of and risk to the capacity and capability of the sewerage system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
  - b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or sewage sludge;
  - c) Conditions in the sewerage system near the trade waste discharge point and elsewhere in the sewerage system;
  - d) The extent to which the available industrial capacity of the Council sewerage system was used in the last financial period and is expected to be used in the forthcoming period;
  - e) Whether or not the applicant uses or plans to use Cleaner Production techniques within a period satisfactory to the Council;
  - f) Whether or not there is any nett benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
  - g) Resource consent requirements of the Waikato Regional Council or WDC to manage or reduce the effects of pollutant discharge from the sewerage system;
  - h) The proportional mass load of a characteristic of the trade waste discharge to the total mass load of that characteristic in the sewerage system;
  - i) The total mass load of the characteristic that can be accepted at the WDC sewerage system, and the proportion (if any) to be reserved for emergencies and future allocations;
  - j) The extent to which the available industrial capacity of the WDC sewerage system is being used and is expected to be used in the forthcoming year;
  - k) Whether or not there is an interaction with another characteristic(s) which increases or decreases the effect of either characteristic(s) on the sewerage reticulation, treatment process, or receiving land or water

## 5.0 SAMPLING, TESTING AND MONITORING

### 5.1 Flow Metering

- 5.1.1 Flow metering may be required by the Council in any of the following circumstances:
- a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste.
  - b) When the Council will not approve a method of flow estimation.
  - c) When the discharge represents a significant proportion of the total flow/load received by the Council.
  - d) Otherwise determines that flow metering is necessary.
- 5.1.2 The consent holder shall be responsible for, and all costs associated with, the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of trade wastes. These devices shall be subject to the approval of the Council, but shall remain the property of the Consent Holder. Where Council owns the equipment and provides the service, the consent holder shall be responsible for the cost thereof.
- 5.1.3 Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the consent holder in a format approved by the Council.
- 5.1.4 Meters shall be located in a position approved by the Council which provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters shall be located in the correct position according to the manufacturer's installation instructions.
- 5.1.5 The consent holder shall arrange for *in situ* calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be within  $\pm 10\%$  but with no greater deviation from the previous meter calibration of  $\pm 5\%$ . A copy of independent certification of each calibration result shall be submitted to the Council.
- 5.1.6 Should any meter, after being calibrated, be found to have an error greater than that specified in 5.1.5 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

### 5.2 Estimating discharge

- 5.2.1 Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.
- 5.2.2 Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 12 months charged to the person discharging) and they shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

- 5.2.3 Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

### **5.3 Sampling and analysis**

- 5.3.1 As determined by the Council sampling, testing and monitoring may be undertaken to determine if:

- a) A discharge complies with the provisions of this Bylaw
- b) The characteristics of a discharge are consistent with application details and any controls that may be required to manage the discharge
- c) A discharge is to be classified as a Permitted, Conditional, Controlled or Prohibited, (refer to clause 3.1)
- d) A discharge complies with the provisions of relevant Schedule 1A – 1D for a specific discharge and any consent to discharge
- e) Trade waste consent charges are applicable to that discharge.

- 5.3.2 The taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of the Council, or the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council. The person discharging shall be responsible for all reasonable costs of sampling, analysis and reporting. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

- 5.3.3 All authorised officers or authorised agents of the Council, or any analyst may enter any trade 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;
- b) Carrying out inspections;
- c) Taking samples for testing,

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

- 5.3.4 Authorisation for entry to trade premises will be as provided in the Local Government Act 2002 and entry shall be in compliance with the health and safety policies of that particular site.

### **5.4 Monitoring**

- 5.4.1 Monitoring for compliance.

The Council is entitled to monitor and audit any trade waste discharge for compliance. Whether for a Permitted Discharge or a Conditional or Controlled Consent discharge, monitoring may be carried out as follows:

- a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- b) The sampling procedure will be appropriate to the trade waste and the analysis;
- c) The Council will audit the sampling and analysis carried out by a self-monitoring trade waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- d) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and

- e) The Council will audit the trade waste consent conditions including any management plans.

At the discretion of Council, all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

#### 5.4.2 Sampling methodology

Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:

- a) One portion of the sample goes to the Trade Waste discharger for appropriate analysis and/or storage;
- b) A second portion of the sample shall be analysed at a laboratory Approved by the Council;
- c) A third portion of the sample is retained by the Council for 20 Working Days, for additional analysis if required.

Due consideration will be applied to any changes that could occur in retained Trade waste samples and provisions to mitigate against changes will be adopted where practicable.

In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

#### 5.4.3 Tankered wastes

Tankered wastes not compliant with the WasteMINZ Liquid and Hazardous Wastes Code of Practice 2012 shall not be discharged into the Council's sewerage systems by any person under any circumstances.

Tankered wastes of whatever characteristics shall otherwise not be discharged into the Council's sewerage systems without a trade wastes discharge consent first having been obtained.

The Council may accept tankered wastes for discharge at an approved location subject to conditions. Tankered waste contractors/operators shall:

- a) Hold a consent to discharge domestic septic tank or industrial wastes;
- b) Provide appropriate written information to the Council detailing the contents of a tankered waste for assessment prior to disposal approval;
- c) Be tested to determine their characteristics if the contents of the waste are not known. Specialist advice on pre-treatment prior to acceptance may be required. The cost of all testing and advice shall be borne by the consent holder/applicant;
- d) Not collect and transport trade waste to the disposal site until the application has been assessed and approved by the Council and appropriate arrangements and method for disposal have been determined by the Council;
- e) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a new load for disposal into the Council sewerage system; and
- f) Provide a minimum of 24 hours notice for the disposal of waste types other than those sourced from domestic septic tanks unless there is a standing arrangement with Council for disposal of that particular waste type.

Any person illegally disposing of, or causing to be disposed, tankered waste either by

incorrect disclosure of contents (characteristics and/or amount) or dumping into a Council sewerage systems other than at the prescribed location, will be in breach of the bylaw.

#### 5.4.4 Disinfected/super chlorinated water

Any water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the sewerage system. Application for a Temporary Discharge Consent shall be made. Such water shall not be disposed of to stormwater or adjacent water courses without appropriate approvals from Waikato Regional Council.

## **6.0 BYLAW ADMINISTRATION**

### **6.1 Review of decisions**

If any consent holder is dissatisfied with any decision by an authorised officer made under this bylaw, that consent holder may, by notice delivered to the Chief Executive Officer of the Council not later than 20 Working Days after the decision by the authorised officer is served upon that person, request the Chief Executive Officer to review any such decision and such a decision shall be final.

Nothing in this clause shall affect any right of appeal under the Local Government Act 2002.

### **6.2 Accidents and non-compliance**

The consent holder shall inform the Council immediately on discovery of any accident including spills or process mishaps that may cause a breach of this bylaw.

In the event of an accident occurring on the trade premises of a Permitted Discharge, the Council may require the consent holder to apply for a Conditional Consent.

In the event of any accident occurring when the consent holder holds a Conditional Consent, then the Council may review the consent under subclause 3.12.2 or may require the consent holder to review its contingency procedures and re-submit to Council for approval its revised trade waste management plan, or may require the consent holder to apply for a Controlled Trade Waste Discharge Consent, within 20 working days of the date such requirement is notified to the consent holder in writing.

In the event of any accident occurring when the consent holder holds a Controlled Trade Waste Discharge Consent then the Council may review the consent under subclause 3.12.3 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 its contingency procedures and re-submit to Council for approval its revised trade wastes management plan. In addition, it shall pay such cost and or penalties as provided for in the trade waste discharge consent.

### **6.3 Charges and payments**

#### 6.3.1 Charges

The Council may recover costs in accordance with the Local Government Act 2002, in particular s.12 and s.150, and the Local Government (Rating) Act 2002. Schedule 1E outlines a regime of possible trade waste discharge charge categories, together with full cost recovery formulae and or method of calculation.

#### 6.3.2 Invoicing

All charges determined in accordance with 6.3.1 shall be invoiced in accordance with Council's standard commercial practice. The invoice shall provide the consent holder with 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, until Notice of Disconnection is given.

### 6.3.4 Failure to pay

All charges payable under this bylaw shall be recoverable as a debt. If the person discharging fails to pay any charges under this bylaw the Council may cancel the right to discharge in accordance with clause 3.14.

### 6.3.5 Recovery of costs

The Council may recover costs under the Local Government Act 2002 as follows:

- The associated costs of owning and providing sewerage assets, goods, services and amenities for managing, conveying, treating and disposing of trade wastes, in accordance with s.150(6) of the LGA.
- The costs of processing, inspecting and administering trade waste matters provided for in this Bylaw, in accordance with s.150(1) of the LGA.
- The costs of wilful damage or negligent behaviour, in accordance with s. 175 of the LGA.
- The costs of remedying damage arising from breach of this Bylaw and/or any associated operational discharge resource consent, in accordance with s. 176 of the LGA.

### 6.3.6 Trade Waste Agreements

Where an applicant seeks to discharge a significant or unique trade waste to a WDC sewerage system, a trade waste agreement may be entered into (see clause 3.11). The method of charging may vary, by agreement, from that for a standard Controlled Trade Waste Discharge Consent to take account of:

- The significant and specific nature and/or scale of the trade premises;
- The level of pre-treatment investment and/or capital contribution required by the trade premises to reduce the impact of the load and/or volume of its trade waste discharge on the WDC sewerage system;
- Financial mechanisms agreed to incentivise the trade premises to consistently achieve a high quality trade wastes discharge and compliant with the agreed parameters, and the risks attaching to potential breaches carried by the trade premises;
- The need for certainty for the trade premises to maintain production commitments without interruptions due to non-compliance and the value of buffer capacity at the wastewater treatment plant attaching to that;

## 6.4 Authorised officers

All authorised officers of the Council, or other persons authorised under s. 174 or s. 177 or paragraph 32 of schedule 7 of the Local Government Act 2002, shall possess and produce on request warrants of authority and evidence of identity.

Any authorised officers may at any reasonable time enter any premises believed to be discharging trade wastes to determine any characteristic of any discharge by:

- a) Taking readings and measurements; and/or
- b) Taking samples or any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; and/or
- c) Observing accidental occurrences and clean-up.

The extent and level of delegation to authorised officers will be in accordance with the

Council's Register of Statutory Delegations and Warrants.

Authorisation for entry to premises is given under the Local Government Act 2002. Entry shall be in compliance with the health and safety policies of that particular site.

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

6.5.1 A trade waste discharge consent will be issued in the name of the given consent holder. The consent holder shall not, unless prior written approval is obtained from the Council:

- a) Transfer to any other party the rights and responsibilities provided for under this bylaw, or under the consent;
- b) Allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
- c) In particular and not in limitation of the above, allow sewage from any other party to be discharged at their point of discharge.

NOTE – This clause does not relate to Exempt Discharges.

6.5.2 Renewal of a trade waste discharge consent on expiry or change of ownership of premises is not automatic. Council shall be given prior notification in writing of the date of change of ownership. Continuation of the associated trade waste discharge consent shall not be unreasonably withheld if the characteristics of the discharge remain unchanged.

NOTE – This clause does not relate to Exempt Discharges.

6.5.3 The consent holder shall give 48 hours prior notice in writing to the Council of its 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 prior notice shall be given within seven working days. The consent holder shall notify the Council of the new address details for final invoicing.

On permanent disconnection and/or termination, the consent holder may at the Council's discretion be liable for trade waste charges to the end of the current charging period.

6.5.4 When a consent holder discharging ceases to occupy premises from which trade wastes are discharged into the Council sewerage system, any relevant trade waste discharge consent shall terminate, but without relieving the consent holder from any obligations existing at the date of termination.

## **6.6 Service of documents**

6.6.1 Delivery or post

Any notice or other document required to be given, served or delivered under this bylaw to a consent holder 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, facsimile or email to the consent holder discharging at the Consent Holders' last known place of residence or business;
- b) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the consent holder discharging at any address for service specified in a consent to discharge;
- c) Where the consent holder 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 Consent Holder discharging.

6.6.2 Service

If any notice or other document is:

- a) Sent by post it will be deemed received on the second 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.

NOTE - It should be verified that notice has been served on the correct person.

6.6.3 Signature

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

6.7 Offences

Every person or consent holder or owner or occupier of trade premises who:

- a) fails to comply with or acts in contravention of any provision of this Bylaw; or
- b) breaches the conditions of any consent to discharge trade wastes granted pursuant to this Bylaw; or
- c) fails to comply with a notice served under this Bylaw, or
- d) undertakes or permits or causes a prohibited discharge to occur.

either commits an offence under s. 239 of the Local Government Act 2002, and is liable on summary conviction to a fine as specified in s. 242 of the Local Government Act 2002 or, if the offence is an infringement offence, may be proceeded against under the Summary Proceedings Act 1957 or be served with an Infringement Notice under s. 245 of the Local Government Act 2002.

In all cases the Council may recover costs associated with damage to the Council sewerage system and/or breach of this bylaw in accordance with s. 175 and s. 176 of the Local Government Act 2002.

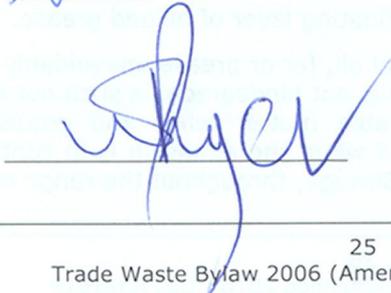
The COMMON SEAL of the WAITOMO DISTRICT COUNCIL was hereto affixed on 28<sup>th</sup> June 2016

in the presence of:

Mayor

  
\_\_\_\_\_

Chief Executive

  
\_\_\_\_\_



# SCHEDULE 1A: PERMITTED DISCHARGE CHARACTERISTICS

## 1A.1 INTRODUCTION

1A.1.1 The nature and levels of the characteristics of any trade waste discharged to the Council sewerage system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.

NOTE – It is very important to refer to the guideline tables for background reasons for contaminant concentrations.

1A.1.2 The Council shall take into consideration the combined effects of trade waste discharges on the capacity and performance of the sewerage system and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

1A.1.3 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council, refer to 3.12 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 500 g/m<sup>3</sup>. For Significant Industry this may be reduced to 300 g/m<sup>3</sup>.
- 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 Council 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 of oil and grease.
- b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed **100** 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 Council 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) Where such emulsions are not treatable these may be discharged into the Sewer subject to the total suspended solids not exceeding 500 g/m<sup>3</sup> or the concentration agreed with the Council.
- b) The Council 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 Council 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 Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

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.3 CHEMICAL CHARACTERISTICS**

1A.3.1 pH value

The pH shall be between 6.0 and 10.0 at all times.

1A.3.2 Organic strength

1A.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>) of any waste may require to be restricted where the capacity for receiving and treating BOD<sub>5</sub> is limited. A BOD<sub>5</sub> restriction may be related to Mass Limits.

Where there is no Council treatment system for organic removal the BOD<sub>5</sub> shall not exceed 500 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) Appendix A.

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)

<b>Characteristic</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
MBAS (Methylene blue active substances)	500
<i>(Measures anionic surfactants)</i>	
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	100
Total phosphorus (as P)	20
Sulphate (measured as SO <sub>4</sub> )	500
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	3
- hypochlorite	30
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
Tannin	15
Total Alkalinity	100

**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>Daily Mass Limit (g/day)</b>
Antimony	1	2
Arsenic	1	2
Barium	10	15
Beryllium	0.005	0.01
Cadmium	0.3	0.9
Chromium	5	15
Cobalt	5	15
Copper	5	15
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	0.25	0.75
Silver	2	6
Thallium	1	2
Tin	5	15
Zinc	5	15

Notes:

- Concentration and mass limits adjusted from NZ Model Trade Waste Bylaw to be nearer the levels accepted in New South Wales Australia.
- Present sludge is suitable for soil conditioning but higher heavy metals will prevent that and land filling is then the only solution.

**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: CONDITIONAL DISCHARGE CHARACTERISTICS

### 1B.1 INTRODUCTION

1B.1.1 The nature and levels of the characteristics of any trade waste discharged to a WDC sewerage system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.

NOTE – It is very important to refer to the Guideline tables for background reasons for Contaminant concentrations.

1B.1.2 The Council shall take into consideration the combined effects of trade waste discharges on the capacity and performance of the sewerage system and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

1B.1.3 The nature and levels of any characteristic may be varied to meet any new resource Consents or other legal requirements imposed on the Council, refer to 3.9 of the bylaw.

### 1B.2 PHYSICAL CHARACTERISTICS

1B.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.

1B.2.2 Temperature

The temperature shall not exceed 40 °C.

1B.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 **1000 g/m<sup>3</sup>**. For Significant Industry this may be reduced to 600 g/m<sup>3</sup>.
- 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 Council 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.

1B.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 Council 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 Council 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.

#### 1B.2.5 Solvents and other organic liquids

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

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

- a) Where such emulsions are not treatable these 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 Council.
- b) The Council 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 Council 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.

#### 1B.2.7 Radioactivity

Radioactivity levels shall not exceed Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

#### 1B.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.

### **1B.3 CHEMICAL CHARACTERISTICS**

#### 1B.3.1 pH value

The pH shall be between 6.0 and 10.0 at all times.

#### 1B.3.2 Organic strength

- 1B.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>) of any waste may be required to be restricted where the capacity for receiving and treating BOD<sub>5</sub> is limited. A BOD<sub>5</sub> restriction may be related to mass limits.

Where there is no Council treatment system for organic removal, the BOD<sub>5</sub> shall not exceed **1,000** g/m<sup>3</sup>. For Significant Industry this may be reduced to 600 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) Appendix A.

#### 1B.3.3 Maximum concentrations

The maximum concentrations permissible for the chemical Characteristics of an acceptable discharge are set out in Table 1B.1, Table 1B.2, Table 1B.3 and Table 1B.4.

**TABLE 1B.1 – GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed, refer to clause 4.2)

<b>Characteristic</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
MBAS (Methylene blue active substances)	500
(Measures anionic surfactants)	
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	100
Total phosphorus (as P)	20
Sulphate (measured as SO <sub>4</sub> )	500
	1500 (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	3
- hypochlorite	30
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
Tannin	15
Total Alkalinity	100

**TABLE 1B.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>Daily Mass Limit (g/day)</b>
Antimony	1	2
Arsenic	1	2
Barium	10	15
Beryllium	0.005	0.01
Cadmium	0.3	0.9
Chromium	5	15
Cobalt	5	15
Copper	5	15
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	0.25	0.75
Silver	2	6
Thallium	1	2
Tin	5	15
Zinc	5	15

Concentration and Mass limits adjusted from NZ Model Trade Waste Bylaw to be nearer the levels accepted in New South Wales Australia.

Present sludge is suitable for soil conditioning but higher heavy metals will prevent that and land filling is then the only solution.

**TABLE 1B.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

**TABLE 1B.4 – LIQUID PHARMACEUTICAL WASTES**

(Mass limits may be imposed, refer to clause 4.2)

<b>Volume Limit (Litres)</b>	<b>Active Concentration (mg/5ml)</b>
10	125
5	250
3	Above 250

# SCHEDULE 1C: CONTROLLED DISCHARGE CHARACTERISTICS

## 1C.1 INTRODUCTION

1C.1.1 The nature and levels of the characteristics of any trade waste discharged to the Council system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.

NOTE – It is very important to refer to the Guideline tables for background reasons for Contaminant concentrations.

1C.1.2 The Council 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 Council believes are appropriate.

1C.1.3 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council, refer to 3.9 of this bylaw.

## 1C.2 PHYSICAL CHARACTERISTICS

1C.2.1 Flow

- a) The 24 hour maximum flow volume shall be measured in m<sup>3</sup>. The amount allocated will be at Council's discretion, or as agreed in individual trade waste consents or agreements for a Significant Industry.
- b) The maximum instantaneous flow rate shall be less than 30.0 L/s.

1C.2.2 Temperature

The temperature shall not exceed 40 °C.

1C.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 not greater than **2,000g/m<sup>3</sup>** unless otherwise agreed in writing by WDC. For a Significant Industry this maximum may be as agreed in an individual Trade Waste Agreement.
- c) The settleable solids content of any Trade Waste shall not exceed 150g/m<sup>3</sup> or as set in individual Trade Waste Agreements.
- d) The total dissolved solids concentration in any trade waste shall be subject to the approval of Council 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.

1C.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 Council 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 Council 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.

1C.2.5 Solvents and other organic liquids

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

1C.2.6 Emulsions of paint, latex, adhesive, rubber, plastic

- a) Where such emulsions are not treatable these may be discharged into the Sewer subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> for quantities not exceeding 5m<sup>3</sup> per day or the concentration agreed with the Council.
- b) The Council 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 Council treatment plant e.g. reduces % UVT (ultra violet transmission) to levels that interfere with disinfection efficiency.
- 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.

1C.2.7 Radioactivity

Radioactivity levels shall not exceed Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

1C.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.

**1C.3 CHEMICAL CHARACTERISTICS**

1C.3.1 pH value

The pH shall be between 6.0 and 10.0 at all times.

1C.3.2 Organic strength

1C.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>), Total Suspended Solids (TSS), Total Nitrogen (TN) and Total Phosphorous (TP) of any waste may be restricted where the capacity for receiving and treating these parameters are limited. There may also be a restriction related to Mass Limits of each of these parameters.

NOTE – For biological process inhibiting compounds see table 5 in the Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste) Appendix E

1C.3.3 Maximum concentrations

The Maximum Concentrations permissible for the chemical Characteristics of an acceptable discharge are set out in Table 1C.1, Table 1C.2 and Table 1C.3.

**TABLE 1C.1 – GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed, refer to clause 4.2)

<b>Characteristic</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
MBAS (Methylene blue active substances)	500
(Measures anionic surfactants)	
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	360
Total phosphorus (as P)	50
Sulphate (measured as SO <sub>4</sub> )	500
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	3
- hypochlorite	30
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
Tannin	15
Total Alkalinity	100

**TABLE 1C.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>Daily Mass Limit (g/day)</b>
Antimony	1	2
Arsenic	1	2
Barium	10	15
Beryllium	0.005	0.01
Cadmium	0.3	0.9
Chromium	5	15
Cobalt	5	15
Copper	5	15
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	0.25	0.75
Silver	2	6
Thallium	1	2
Tin	5	15
Zinc	5	15

**TABLE 1C.3 – ORGANIC COMPOUNDS AND PESTICIDES**

(Mass limits may be imposed, refer 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 1D: PROHIBITED CHARACTERISTICS

## 1D.1 INTRODUCTION

This schedule defines Prohibited Trade Wastes.

## 1D.2 PROHIBITED CHARACTERISTICS

1D.2.1 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 Sewerage System;
- b) Damage any part of the 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.

1D.2.2A 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.

1D.2.3A 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) Except as allowed for in Schedule 1A, liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents, 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, weedicides, fungicides, herbicides and substances of a similar nature and/or the waste arising from the preparation of these substances;
- 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 1996. 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 4304:2002 or any pathological or histological wastes; or

- h) Cytotoxic wastes
- i) Radioactivity levels in excess of the Office of Radiation Safety Code of Practice CSP12 Guidelines for the use of Unsealed Radioactive Material.
- j) Organic solvents and mineral oils.
- k) Natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions.
- l) Health

## SCHEDULE 1E: TRADE WASTE FEES AND CHARGES

The following states what the Council will consider to determine trade waste fees and charges under the provisions of this Bylaw.

**Trade waste fees for categories other than controlled trade waste discharges or trade waste agreements will be an annual charge determined annually and published in Council's corresponding Schedule of Fees and**

### A. ADMINISTRATIVE FEES AND CHARGES

Administrative trade waste fees and charges will be determined annually and published in Council's corresponding Schedule of Fees and Charges.

Category		Description
A1	Connection fee	Payable on application for connection to discharge
A2	Compliance monitoring	The cost of sampling and analysis of Trade Waste discharges
A3	Disconnection fee	Payable following a request for Disconnection from Sewerage System
A4	Trade Waste application fee	Payable on an application for a Trade Waste discharge
A5	Re-inspection fee	Payable for each re-inspection visit by the Council where a notice served under this bylaw has not been complied with by the Trade Waste discharger
A6	Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Sewerage System to meet specific treatment requirements
A7	Temporary Discharge fee	Payable prior to receipt of Temporary Discharge
A8	Annual Trade Waste charges	An annual management fee for a Trade Waste discharge to cover the Council's costs associated with for example:
		(a) Administration;
		(b) General compliance monitoring;
		(c) General inspection of Trade Waste Premises;
		(d) Use of the Sewerage System.
		This charge may vary depending on the Trade Waste sector and category of the discharger.
A9	New or Additional Trade	Pay the annual fees and a <i>pro rata</i> proportion of the various premises trade waste charges relative to flows and loads.

### B. OPERATIONAL TRADE WASTE CHARGES

Trade waste fees and charges calculated under this category relate to Exempt, Permitted, Conditional discharge consents and Tankered wastes.

Category		Description
B1	Exempted Consent	Annual Charge
B2	Permitted discharge consent	Annual Charge
B3	Conditional discharge consent	Annual Charge
B4	Tanker Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on Trade Waste category

### C. SPECIAL DISCHARGE

Where deemed applicable, Council may use the charging format for a Controlled Discharge to calculate a trade waste charge for a one-off or special discharge from a specific premises or industry or any special application for discharge of liquid waste.

### D. CONTROLLED DISCHARGES TRADE WASTE CHARGES

Charges for Controlled Trade Waste Discharges will be calculated based on the actual, proportional use of Council's sewerage systems.

Category		Description
B1	Volume	Payment based on the volume discharged $\$/m^3$
B2	Flow rate	Payment based on the flow rate discharged $\$/L/s$
B3	Suspended solids	Payment based on the mass of suspended solids $\$/kg$
B4	Organic loading	Carbonaceous Biochemical oxygen demand or chemical oxygen demand $\$/kg$
B5	Nitrogen	Payment based on the defined form(s) of nitrogen $\$/kg$
B6	Phosphorous	Payment based on the defined form(s) of phosphorous $\$/kg$
B7	Metals	Payment based on the defined form(s) of the metal(s) $\$/kg$
B8	Bacteria	Payment based on the bacteria concentration as represented by e.coli
B9	Transmissivity	Payment based on the inhibiting nature of the Trade Waste to UV light used by the Council's disinfection process
B10	Screenable solids	Payment based on the mass of screenable solids $\$/kg$
B11	Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$
B12	Depreciation	Cost related to renewal of infrastructure and spread across the categories, used to calculate the cost of treating waste water.
B13	Capital	Cost of whole sewer system infrastructure consisting of loan repayment, interest and related cost
B14	Direct charges	Cost of operating and maintaining the whole sewer system including meeting all legal, statutory and other obligations.

## Method of Calculation of Trade Waste Charges for Controlled Discharge Consents

The first principle of Trade Waste charges is full recovery of cost of loads discharged to the waste water system.

The following methodology is used to determine trade waste charges for Controlled Discharge Consents

1. Define the Gross Cost of Service (GCoS) (B12 – B14) as determined through the Annual Plan process each year
2. Calculate the total load and volume of those parameters (B1 to B11) that are actually monitored and received at the WWTP as determined using weekly composite sampling, at the same time as taking a composite sample at the receiving point from the discharger.
3. Using the above information, a cost is assigned to each parameter that is used by Council for trade waste charging purposes at any particular time to calculate Trade Waste charges, is determined (B1 to B11)
4. The total Load (B1 to B11) discharged by a trade waste discharger as determined using weekly or daily composite or similar sampling and or analysis.
5. The trade waste loads and volume-discharged over any monthly period in any year (1 July to 30 June) from the premises ~~loads~~ is multiplied by the rates as determined above to arrive at the actual monthly trade waste charge.

### Trade Waste Agreements

- The method of charging used for Trade Waste Agreements may vary, by agreement, from that for a Controlled Trade Waste Discharge Consent in accordance with clause 6.3.6.

### Process

Present process for calculation is;

1. For a significant industry, a rolling average of loads discharged to the system during the previous 12 months is used for trade waste charge calculation at any particular point in time.
2. In June of each year a forecast is made of the expected total cost of providing each wastewater service for the following financial year based on the 12 month average load of the current year, and any other cost forecast, to determine the GCoS for the next year.
3. Quarterly calculations (end September, December and March) are done to inform the trade waste contributors how they are tracking against the forecast.
4. Differences are shown on this quarterly statement and the account is finalised between the parties annually as it stand at 30 June of each year.

## **SCHEDULE 1F: REFERENCED DOCUMENTS**

The documents below refers to the latest version including all valid amendments:

- Local Government Act 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991
- Building Act 2004
- Health Act 1956
- Health and Safety at Work Act 2015
- Hazardous Substances and New Organisms Act 1996

## APPENDIX A: COMPOUNDS INHIBITING BIOLOGICAL PROCESSES

(In mg/L)

NI = No Inhibition at the nominated concentrations.  
- indicates that data is not available.

POLLUTANT	ACTIVATED SLUDGE	ANAEROBIC DIGESTION	NITRIFICATION
Acenaphthene	NI at 10	-	-
Acrolein	NI at 62	-	-
Acrylonitrile	NI at 152	5	-
Ammonia	480	1,500-3,000	-
Arsenic	0.04-0.4	0.1-1	-
Benzene	125	-	-
Benzidine	5	5	-
Boron	0.05-10	2	-
Cadmium	0.5-10	2	-
Calcium	2500	-	-
Carbon tetrachloride	NI at 10	2.9	-
Chlorobenzene	NI at 1	0.96	-
1,2,4-Trichlorobenzene	NI at 6	-	-
Hexachlorobenzene	5	-	-
1,2-Dichloroethane	NI at 258	1	-
1,1,1-Trichloroethane	NI at 10	-	-
Hexachloroethane	NI at 10	-	-
1,1-Dichloroethane	NI at 10	-	-
1,1,2-Trichloroethane	NI at 5	-	-
1,1,2,2-Tetrachloroethane	NI at 201	20	-
Bis-(2-chloroethyl) ether	NI at 10	-	-
2-Chloroethyl ether	NI at 10	-	-
2-Chloronaphthalene	NI at 10	-	-
2,4,6-Trichlorophenol	50	-	-
Para-chloro-meta-cresol	NI at 10	-	-
Chloroform	NI at 10	1	10
2-Chlorophenol	NI at 10	-	-
1,2-Dichlorobenzene	5	0.23	-
1,3-Dichlorobenzene	5	-	-
1,4-Dichlorobenzene	5	1.4	-
1,1-Dichloroethylene	NI at 10	-	-
1,2-trans-dichloroethylene	NI at 10	-	-
2,4-Dichlorophenol	NI at 75	-	-
1,2-Dichlorophenol	NI at 182	-	-
1,3-Dichloropropylene	NI at 10	-	-
2,4-Dimethylphenol	NI at 10	-	-
2,4-Dinitrotoluene	5	-	-
2,6-Dinitrotoluene	5	-	-
1,2-Diphenylhydrazine	5	-	-
Ethylbenzene	NI at 10	-	-
Fluoroanthene	NI at 5	-	-
Bis-(2-Chlorosopropyl)ether	NI at 10	-	-
Chloride	-	20,000	180
Chloromethane	NI at 180	3.3	-

<b>POLLUTANT</b>	<b>ACTIVATED SLUDGE</b>	<b>ANAEROBIC DIGESTION</b>	<b>NITRIFICATION</b>
Methylene chloride	-	100	-
Chloroform	NI at 10	-	-
Dichlorobromoethane	NI at 10	-	-
Trichlorofluoromethane	NI at 10	0.7	-
Chlorodibromomethane	NI at 10	-	-
Hexachlorocyclopentadiene	NI at 10	-	-
Chromium (Tot.)	0.1-20	1.5-50	0.25-1
Chromium (Hex.)	1	50	-
Copper	0.1-1	0.5-100	0.05-0.5
Iodine	10	-	-
Iron	5-500	5	-
Isophorone	NI at 15.4	-	-
Lead	0.1-10	50-250	0.5-1.7
Manganese	10	-	-
Magnesium	-	1,000	50
Mercury	0.1-5	1,400	2-12.5
Napthalene	500	-	-
Nickel	1-5	2-200	0.25-5
Nitrobenzene	500	-	-
2-Nitrophenol	NI at 10	-	-
4-Nitrophenol	NI at 10	-	-
2,4-Dinitrophenol	1	-	-
N-Nitrosodiphenylamine	NI at 10	-	-
N-Nitroso-di-N-propylamine	NI at 10	-	-
Pentachlorophenol	0.95	0.2	-
Phenol	200	-	4
Bis-(2-ethyl hexyl)phthalate	NI at 10	-	-
Butyl benzyl phthalate	NI at 10	-	-
Di-n-butyl phthalate	NI at 10	-	-
Di-N-octyl phthalate	NI at 16.3	-	-
Diethyl phthalate	NI at 10	-	-
Dimethyl phthalate	NI at 10	-	-
Chrysene	NI at 5	-	-
Acenaphthylene	NI at 10	-	-
Anthracene	500	-	-
Fluorene	NI at 10	-	-
Phenanthrene	500	-	-
Pyrene	NI at 5	-	-
Tetrachloroethylene	NI at 10	20	-
Toluene	NI at 35	-	-
Trichloroethylene	NI at 10	20	-
Aroclor-1242	NI at 1	-	-
Aroclor-1254	NI at 1	-	-
Aroclor-1221	NI at 1	-	-
Aroclor-1232	NI at 10	-	-
Aroclor-1016	NI at 1	-	-
Silver	0.03-5	-	0.25
Sodium	-	3,500	-
Sulphide	50	50-100	-
Tin	-	9	-
Vanadium	20	-	-
Zinc	0.3-20	1-10	0.01-1