

# Transitional Authorizations



## Summary of proposed amendments

This is an unofficial document intended to summarize the proposed amendments to the *Wastewater Systems Effluent Regulations*. The [Regulations Amending the Wastewater Systems Effluent Regulations](#) are the official proposed amendments. Any inconsistencies with this document and the proposed regulations, the proposed regulations prevail. It does not replace or in any way supersede or modify the current Regulations or the *Fisheries Act*. It does not offer any legal interpretation of the Regulations or Act.

The *Wastewater Systems Effluent Regulations* (the Regulations) were published in the Canada Gazette, Part II in 2012. The national effluent quality standards came into effect in 2015.

Regulatees that could not meet the effluent quality standards had an opportunity to apply for an extension (transitional authorization). These extensions gave time to upgrade wastewater treatment systems. The deadline to apply was June 30, 2014.

A transitional authorization would allow regulatees to upgrade their wastewater system by the end of:

- 2020, for a high risk system
- 2030, for a medium risk system; or
- 2040, for a low risk system

The level of risk varies according to the volume of effluent released, concentration of pollutants and receiving environment.

Wastewater systems with a transitional authorization do not have to meet the effluent standards. They must instead meet site-specific effluent standards. Transitional authorization holders are also not required to do acute lethality testing.

All transitional authorization holders must submit progress reports to Environment and Climate Change Canada (ECCC). Regulatees must submit them roughly every five years. These reports must describe the progress made to upgrade the system and meet the standards of the Regulations.

## Proposed amendments to transitional authorizations

The amended Regulations would allow regulatees to apply for a transitional authorization for their wastewater system. This would give authorization holders time to upgrade or build new treatment facilities to meet the effluent standards.

Eligible wastewater systems would receive a transitional authorization until the end of 2030 or 2040, according to their risk level. Wastewater systems qualifying for a transitional authorization to the end of 2020 would not be eligible. Those that already have a transitional authorization would not be eligible either.



The level of risk of a wastewater system is determined using a point-based system. It takes into consideration the:

- type of receiving environment
- volume deposited; and
- effluent quality

The level of risk determines the end date for a transitional authorization.

This factsheet shows the proposed amendments to the application process for new transitional authorizations. It also outlines adjustments to monitoring and reporting requirements for all transitional authorization holders.

Sections 24 to 28 of the proposed Regulations would apply to transitional authorizations issued in the future. Sections 29 to 33 would apply to all transitional authorizations.

## Where can I find information about transitional authorizations?

- Section 24 lists the eligibility criteria to qualify for a transitional authorization
- Section 25 describes the application process
- Section 26 outlines the conditions to issue a transitional authorization
- Sections 28 and 29 define the conditions and obligations that wastewater systems with a transitional authorization must operate under; and
- Sections 30 to 33 provide information on
  - the content of a transitional authorization; and
  - the conditions for when it can be corrected, revoked, and terminated
- Schedules 2 and 3 detail the point-based systems

## Who is proposed to be eligible for a transitional authorization?

A regulatee would have to demonstrate they can meet these proposed eligibility criteria:

1. The wastewater system did not meet the effluent limits in past years for:
  - carbonaceous biochemical oxygen demand (CBOD); and/or
  - suspended solids (SS)

Based on their earliest monitoring report(s) submitted to ECCC's reporting system (ERRIS).

2. The wastewater system is still not meeting the CBOD and/or SS effluent limits.

Must fail one or both limits in half or more of the monitoring reports submitted two years before the application\*.

3. The system is not designed to meet a secondary level of treatment; and
4. It was impossible to upgrade the system before applying for a transitional authorization due to costs or technical issues.

\* Regulatees must actively monitor and report to ECCC to demonstrate they meet this criterion.

## What information would be needed for a future application?

Regulatees would only be allowed to submit one transitional authorization application per wastewater system that will be upgraded.

*An exception applies if:*

- *A regulatee has two or more wastewater systems (including sewage outfalls) within its community; and*
- *If they plan to merge them into one future treatment system*

*Under the proposed amendments, regulatees could consolidate them under one application (currently allowed for 10 or more outfalls). This would allow them to monitor and report on only the highest risk outfall, typically the outfall with the highest volume.*

*Please see section 4 of the proposed regulations for more information.*

The application would be based on Schedule 2 of the Regulations. Applicants would be required to provide the following information:

- The average concentrations of CBOD and SS determined over a 12-month period;
  - Based on the CBOD and SS concentrations entered in the first monitoring report(s) submitted in ERRIS
- The volume of effluent deposited during the same 12-month period (in m<sup>3</sup>/day)
- The maximum concentration of un-ionized ammonia measured during the earliest 12-month period:
  - for an intermittent system, at least one sample per discharging event
  - for continuous systems, at least four samples, taken at least 60 days apart
    - Historical data can be used
- If a regulatee uses chlorine in a treatment system:
  - a confirmation whether they dechlorinate the effluent
  - does not exceed the average total residual chlorine limit of 0.02 mg/L
- The type of receiving environment where wastewater system deposits effluent, as defined in Schedule 2
  - The definition for *Marine port waters* now includes harbours
- A plan for the modifications needed to upgrade the wastewater system. The plan must include a schedule

*Regulatees can also use [Schedule 3](#) on combined sewer overflows, as part of their application. The system of points under Schedule 3 would remain unchanged.*

## Is there a deadline to apply?

There would be no deadline to apply. Any systems coming into the Regulations could apply in the future.

## What are the proposed conditions for a transitional authorization?

- Regulatees would have to meet site-specific limits for CBOD, SS and unionized ammonia
  - Limits are 1.25x the values used in the transitional authorization application; and
- If regulatee uses chlorine, or one of its compounds, in the disinfection of wastewater, they would have to install a dechlorination system. This would ensure effluent does not exceed the average and maximum grab concentrations set out in the Regulations

## What are the proposed obligations under the transitional authorization?

*Proposed amendments to transitional authorization obligations would apply to both current and future transitional authorizations.*

**Progress Reports:** Regulatees would be required to submit progress reports every 2 years to better track the progress on upgrades.

*The current Regulations require progress reports every 5 years.*

**Reduced monitoring and reporting requirements:** Continuous systems that are discharging less than 2,500 m<sup>3</sup>/day and are issued a transitional authorization would have to:

- monitor on a quarterly basis; and
- report annually.

*Currently, systems with no treatment that have a transitional authorization are required to sample monthly and report quarterly.*

**Estimating daily volumes:** Continuous systems that are discharging less than 2,500 m<sup>3</sup>/day and are issued a transitional authorization would be allowed to use a method of estimation to determine the volume within a margin of error of ±15%.

*Currently, systems with no treatment that have a transitional authorization are required to use monitoring equipment that provides a continuous measure of the volume or rate of flow.*

	Current Requirements	Proposed New Requirements
<b>Sampling Frequency*</b>	Monthly	Quarterly
<b>Reporting Frequency*</b>	Quarterly	Annually
<b>Volume determination*</b>	Monitoring equipment	Monitoring equipment or method of estimation
<b>Progress Reports</b>	Every 5 years	Every 2 years

\*only for continuous systems discharging less than 2,500 m<sup>3</sup>/day (including raw sewage outfalls).

## What other amendments are being proposed to transitional authorizations?

- ECCC is proposing amendments to simplify how regulatees can:
  - Update their transitional authorization;
  - Update their plan of modifications and/or schedule;
  - Transfer ownership of their transitional authorization; and
  - Terminate their transitional authorization early once they complete upgrades.

### **FOR ADDITIONAL INFORMATION**

Visit the Wastewater website at [Canada.ca/wastewater](https://Canada.ca/wastewater).

If the information you need is unavailable on our website, please contact Environment and Climate Change Canada at [eu-ww@ec.gc.ca](mailto:eu-ww@ec.gc.ca).