



## Trade Waste Bylaw 2001

The Central Otago District Council Trade Waste Bylaw came into effect on 1 September 2001. The Bylaw applies to all business premises that discharge waste to the Council sewer. This guide provides information about the bylaw and how it affects you.

**If you have any questions about the Trade Waste Bylaw, Council has a Trade Waste Consent Advisor (TWCA) assisting with the transitional phasing-in period. The TWCA may be contacted by phoning any of the Council's offices and leaving a message.**

### **What is Trade Waste?**

Trade waste is any liquid that is discharged into the Council's wastewater collection system (or sewer) from any process or trade premise. Trade waste does not include domestic sewage, cooling or condensing water or stormwater.

### **Why a Trade Waste Bylaw?**

Council operates a wastewater collection and treatment system in some areas to service larger communities. The bylaw will protect the wastewater system from any harmful trade wastes and will ensure that the best quality of effluent is discharged to the environment from the wastewater system.

The bylaw will also allow Council to charge some businesses for additional collection and treatment costs whose wastewater requires additional treatment and hence costs more to treat.

### **Types of Trade Waste**

Businesses discharging trade waste to the sewer will be required to obtain a Trade Waste Consent.

Trade Wastes can be:

Permitted;  
Conditional; or  
Prohibited.

**Permitted** Trade Waste is liquid waste that meets the Council's standard in the bylaw, and has a limit on the quantity of waste discharged, flow rate and content. This waste will be accepted by Council, but will require a consent to continue.

**Conditional** Trade Waste is liquid waste that meets the conditions of Schedule A of the bylaw and is not likely to harm the sewer, the treatment plant or the treatment plant operator. A consent is required for this kind of discharge and Council may refuse to accept Conditional Trade Waste. The consent will include conditions that must be complied with. A sampling program is likely to be required.

**Prohibited** Trade Waste is any waste that contains material that is likely to damage or interfere with the collection or treatment system. The kinds of materials that are prohibited are listed in Schedule B of the Bylaw. The waste will not be accepted for discharge to the Council sewer, unless a special approval has been given.

## **Trade Waste Consents**

Any business that discharges any of the kinds of wastes identified in the Bylaw must obtain a Trade Waste Consent as set out in the Bylaw. Businesses that discharge condensing or cooling water, stormwater or domestic sewage do not require a trade waste consent.

Any existing business that alters the processes being carried out must seek advise on whether a new trade waste consent or a change to the existing consent is required.

## **Applying for a Trade Waste Consent**

Council's Trade Waste Consent Advisor will visit all potential dischargers to assess whether a trade waste consent is required. The Trade Waste Advisor will have application forms, which you must complete to make an application. Additional application forms may be obtained from District Council offices.

The application forms are set out in sections. There is a general section that includes the details of the site, and a general description of the activity undertaken. The second section requests further details of the site and the processes carried out. This form is entitled "Description of Trade Waste and Premises". If there is more than one trade waste produced on the premises, a separate copy of "Description of Trade Waste and Premises" must be completed for each process.

The Council may require you to provide technical information and/or a Discharge Management Plan. You may engage a technical adviser to provide this information with your application. If Council's technical advisors determine that further technical details are required, you will be asked to provide the information.

The Bylaw provides for discharges of an intermittent or short duration to be covered by a "Temporary Discharge Consent". There is a special application form for this. Temporary discharges are discharges that are short term and not the usual waste that is discharged from a premises. They may also be discharges of tankered waste to designated points in the Council's wastewater collection system.

Applications for a Trade Waste Consent must include an application fee of \$150.00 including GST. Applications that take longer than 1½hours to process will be charged for the additional time at actual cost.

## **What Happens to your Application?**

Council has set some time limits in the Bylaw for dealing with applications.

Within 10 working days of receiving an application, Council may:

- Ask an applicant to provide any additional information required to make a decision on the application; or
- Ask an applicant to provide additional technical information about the waste material being discharged.

Within 15 working days of receiving an application that complies with the Bylaw (that is it includes all of the information requested as well as any additional information requested), Council will:

- Issue a Permitted Trade Waste Consent to the applicant setting out the standards that must be met; or
- Issue a Conditional Trade Waste Consent to the applicant as a draft for consideration by the applicant; or
- Decline the application and provide reasons for the refusal to the applicant.

Following the issue of a draft Conditional Trade Waste Consent, the applicant will be asked to advise whether they accept the conditions, or wish to negotiate the conditions. The kinds of conditions that are likely to be included on a consent are set out in the Bylaw. Remember that it is likely that you will be charged for the cost of any on-going consideration of your application.

## **Consideration of Your Application**

The Bylaw sets out the criteria that will be used to consider your application. The considerations include the quality, volume and rate of discharge of the trade waste from the premises, as it affects:

- The health and safety of Council staff, advisors and the public; and
- Any limits on components of the waste, as set out in the Bylaw; and
- Any undesirable by-products or effects that may result from the waste reacting with any other trade waste or sewage; and
- The flows and velocities in the sewer; and
- The capacity of the sewers and the wastewater treatment facilities; and
- The capability of the wastewater treatment system and the ability of the treatment system to satisfactorily treat the waste; and
- Any risks associated with potential accidental discharges. This will include risks to humans, the wastewater system and the environment; and
- Any statutory requirements relating to the disposal of waste, including the conditions on any resource consent or discharge permit under the Resource Management Act; and
- The potential effects of any future waste discharges.

## **Conditions on Trade Waste Consents**

All Trade Waste Consents will include conditions that must be complied with. There are offence provisions in the Bylaw for discharges found not to comply with the conditions.

The conditions will limit the quantity and quality of the waste. They will also include some or all of the following:

- The provision, by the business operator, of screens, grease traps, silt traps or other treatments and flow control devices to control the discharge;
- The provision, by the business operator, of manholes or inspection and sampling apparatus;
- A sampling and testing programme, and flow measurement requirements;
- Methods to be used to measure flow and take samples;
- A description of the components of the waste that are to be sampled and monitored.

## **How Long Will My Trade Waste Consents Last?**

**Permitted Trade Waste Consents** are issued for an indefinite period, but they will expire if:

- The quantity and nature of the discharge changes significantly; or
- The discharge changes to such an extent that it becomes a conditional trade waste; or
- The occupier of the premise changes; or
- The owner of the premises changes; or
- Council changes the waste management procedures by implementation of a new Trade Waste Bylaw.

If any of the above occur, the occupier of the premises must apply for a new trade waste consent within 14 days of the change occurring.

**Conditional Trade Waste Consents** will be issued for a set term. Some may be issued for up to five years, provided that the business operator can show that:

- They can demonstrate an excellent record of waste management practices;
- They are using or introducing cleaner production techniques;
- They have made a significant long-term investment in pre-treatment facilities.

Council may review the conditions of a five year consent before it reaches the end of its term if:

- There are concerns at the level of compliance;
- There are changes to Council's resource consents;
- There are any effects on the environment that were not foreseen;
- There are significant advances in treatment technology;
- There are changes to Council's legal obligations.

All other Conditional Trade Waste Consents will be issued for up to two years.

A Conditional Trade Waste Consent expires if:

- The quantity and nature of the discharge changes significantly; or
- The occupier of the premise changes; or
- The owner of the premises changes; or
- Council changes the waste management procedures by implementation of a new Trade Waste Bylaw.

In any of these situations, it will be the occupier's responsibility to apply for a new Trade Waste Consent.

### **Review of Trade Waste Consent Conditions**

The Council may decide to review the conditions of any Trade Waste Consent during the term of the consent. This would normally be done if:

- There are changes to Council's resource consents;
- There are any effects on the environment that were not foreseen;
- There have been changes in the technical issues considered when the application was made;
- There are changes to Council's legal obligations.

Any such review would be discussed with the consent holder prior to any advice being made in writing that a review was to proceed.

Any holder of a Trade Waste Consent may apply to vary any condition of a Trade Waste Consent. An application to review the conditions must be made in writing.

### **Monitoring Your Trade Waste**

Your Trade Waste Consent may require you to monitor your discharge and supply information from this monitoring to the District Council. This monitoring will be at your cost.

In addition, the District Council will do audit monitoring of some trade waste discharges. Council officers may also inspect your business premises to ensure that the conditions of the consent are being met.

Some business operators will be required to pay annual charges to cover the monitoring of trade waste discharges and the additional treatment costs.

### **Disputes Provisions of the Central Otago District Council Trade Waste Bylaw, 2001**

You may dispute the validity of any methods or procedures used for sampling or analysis. Such a dispute will be referred to an agreed independent arbitrator for resolution. The decision of the independent arbitrator will be final.

If you disagree with any other decision relating to a trade waste consent, you may write to the Chief Executive Officer of the Council and ask for a review of the decision. You must ask for the review within 20 working days of the decision being made.

The Chief Executive Officer will consider your request for a review and make a decision within 20 working days of receiving the request.