SCHEDULE "J"

CODE OF PRACTICE FOR OUTDOOR STORAGE YARD OPERATIONS

1.0 APPLICATION

1.1 This code of practice describes the terms and conditions for discharge of wastewater from outdoor storage yard operations into a municipal stormwater system or watercourse and is adopted under the authority of section 8(3)(a) and section 8(3)(j) of the *Community Charter*.

1.2 The following activities are exempt from this code of practice:

(a) automotive operations covered under Schedule "H" of this bylaw,

(b) storage of materials on a construction site,

(c) normal farm practices,

(d) storage of recyclable materials by an outdoor storage yard operation,

(e) storage of materials or equipment that poses no risk of a discharge to the municipal stormwater system or watercourse contravening Schedule "D" of the bylaw, and

(f) temporary storage of materials or equipment that are not ordinarily stored on the site, provided that such storage does not exceed a period of 30 continuous days within any one calendar year.

1.3 In this code of practice:

(a) "**Automotive Operation**" means sales, rental, service, fueling, repair or maintenance of vehicles by any commercial, industrial or institutional operation or by a public authority and includes vehicle wash operations.

26-005 (b) "**Cleaned Out**" means to have the settled material and floating material collected in the manufactured treatment device removed and disposed in a manner that meets all regulations.

(c) "**Enclosed Building**" means a structure totally enclosed by walls that extend from the foundation to the roof so as to prevent the ingress of precipitation and the egress of wastewater and spills to the municipal stormwater system or watercourse.

(d) "**Operator**" includes the owner of the outdoor storage yard operation and includes any person who has been authorized by the owner to act as his, her or its agent.

(e) "**Outdoor Storage Yard Operation**" means any commercial, industrial or institutional operation or an operation by a public authority that stores materials or equipment outside of an enclosed building.

(f) "**Recycling Operation**" means any commercial, industrial or institutional operation or an operation by a public authority that receives recyclable materials for storage, processing, sorting and consolidating.

(g) "**Recyclable Material**" means a product or substance that has been diverted from disposal and satisfies at least one of the following criteria:

i) is managed as a marketable commodity with an established market by the owner or operator of a site,

ii) is being used in the manufacture of a new product that has an established market or is being processed as an intermediate stage of an existing manufacturing process, or

iii) has been identified as a recyclable material in the Capital Regional District Solid Waste Management Plan.

(h) "**Sampling Point**" means a location where a representative sample of the discharge into the municipal stormwater system or watercourse may be collected.

(i) "**Spill**" means a release or discharge of a substance that causes or may cause the stormwater discharge from the site to exceed the restrictions specified in Schedule "D" of the bylaw.

(j) "**Spill Containment**" means any impervious structure that surrounds a container or works that is sufficient to hold the larger of:

i) 110% of the largest volume of free liquid in the container or works, or

ii) 25% of the total volume of free liquid in storage.

2.0 DISCHARGE REGULATIONS

2.1 An operator of an outdoor storage yard operation must not discharge wastewater which, at the point of discharge into the municipal stormwater system or watercourse, contains:

(a) water that has accumulated in a spill containment area,

(b) untreated wash and rinse water from the cleaning of stored materials or equipment that does not meet Schedule "D" of the bylaw,

(c) wash and rinse water from interior floor washing activities, or

(d) fluids and fuels from vehicles, machinery or equipment.

2.2 An operator of an outdoor storage yard operation that commences operation after the date of adoption of this code of practice and that discharges wastewater, other than stormwater from roof drains and perimeter drains, into the municipal stormwater system or watercourse must install and maintain one or more manufactured treatment devices to treat the collected stormwater prior to discharge.

2.3 An operator of an outdoor storage yard operation operating on the date of adoption of this code of practice and that discharges wastewater, other than stormwater from roof drains and perimeter drains, into the municipal stormwater system or watercourse must install and maintain one or more manufactured treatment devices to treat the collected stormwater prior to discharge.

2.4 An operator of an outdoor storage yard operation who installs a manufactured treatment device under sections 2.2 or 2.3 must install a sampling point.

2.5 An operator of an outdoor storage yard operation that has a manufactured treatment device which does not have a sampling point on the date of adoption of this code of practice must install a sampling point within two years from the date of adoption of this code of practice.

2.6 An operator of an outdoor storage yard operation must ensure sampling points specified in sections 2.4 and 2.5 are easily accessible at all times for use and inspection.

2.7 An operator of an outdoor storage yard operation who installs a manufactured treatment device on or after the date of adoption of this code of practice must locate the manufactured treatment device so that it is easily accessible for inspection and maintenance.

2.8 An operator of an outdoor storage yard operation subject to sections 2.2 or 2.3 must ensure that all stormwater, with the exception of stormwater from the storage yard operation, other than roof drains and perimeter drains, is directed to one or more manufactured treatment devices before being discharged into the municipal stormwater system or watercourse.

2.9 An operator of an outdoor storage yard operation must not discharge oil and grease, solids or other material accumulated in a manufactured treatment device into the municipal stormwater system or watercourse.

2.10 An operator of an outdoor storage yard operation must not use or permit the use of intentional high volume flows, chemical agents, solvents, hot water or other agents to facilitate the passage of oil and grease, solids or other material through a manufactured treatment device .

2.11 An operator of an outdoor storage yard operation:

(a) must not permit floating oil and grease or other floating material to accumulate in the manufactured treatment device in excess of 75% of the design capacity of the manufactured treatment device ,

(b) must not permit the settled solids to accumulate in the manufactured treatment device in excess of 75% of the design capacity,

(c) must inspect the manufactured treatment device and measure the accumulated solids and floating oils at least once every six months to verify the requirements under (a) and (b),

(d) must have the manufactured treatment device cleaned out within seven working

days of determining that any levels prescribed in section (a) or (b) have been exceeded, and

(e) must have the manufactured treatment device cleaned out at least once every 12 months.

3.0 SPILL PREVENTION AND RESPONSE

3.1 An operator of an outdoor storage yard that involves the storage of fertilizers, pesticides, solvents, antifreeze, lead-acid batteries, oil, gasoline, diesel, fuel oil, transmission fluid, brake fluid and/or automotive fluids, the storage of which is not otherwise regulated under the Fire Code, *Environmental Management Act* or any other enactment, must install spill containment for these materials.

3.2 An operator of an outdoor storage yard operation operating on the date of adoption of this code of practice must prepare a spill response plan by six months after the Date of Adoption of code of practice.

3.3 An operator of an outdoor storage yard operation that commences operation after the date of adoption of this code of practice must prepare a spill response plan within 60 days of commencing operation.

3.4 The spill response plan must:

(a) specify the response for containment and cleanup of all spills of all materials present at the property that could cause the discharge to exceed the restrictions defined in Schedule "D" of the bylaw,

(b) define the roles and responsibilities of the operations personnel for spill response,

(c) include contact names and telephone numbers for appropriate agencies, and

(d) provide a check-list of spill response equipment and supplies.

3.5 In the event of a spill, an operator of an outdoor storage yard operation must immediately implement the provisions of the spill response plan specified in sections 3.2 and 3.3, when safe to do so, to prevent or discontinue the discharge of spilled material from entering into the municipal stormwater system or watercourse. Where there is potential for the spill to enter either the municipal stormwater system or watercourse, the Director must immediately be notified.

3.6 As part of a spill response plan, an operator of an outdoor storage yard operation who operates a manufactured treatment device must inspect the manufactured treatment device for spilled material within four hours after a spill has been detected.

3.7 An operator of an outdoor storage yard operation must keep the spill response equipment and supplies identified in the spill response plan specified in sections 3.2 and 3.3 at the location of the storage yard operation and readily available at all times.

4.0 RECORD KEEPING AND RETENTION

4.1 An operator of an outdoor storage yard operation must keep a record of all inspection and maintenance activities in relation to the manufactured treatment device, including:

(a) the date of inspection or maintenance,

(b) a description of maintenance conducted,

(c) the name and address of the disposal or recycling company or facility handling the material removed from the manufactured treatment device, and

(d) names of the persons who conducted the inspection or maintenance.

4.2 An operator of an outdoor storage yard operation must keep a record at the storage yard operation site of all spills, including:

(a) the date of spill,

(b) the type of material spilled,

(c) the quantity of material spilled,

(d) the spill response action,

(e) the disposal of contaminated materials involved in the spill, and

(f) names of the persons responsible for conducting the spill response.

4.3 An operator of an outdoor storage yard operation must keep the spill response plans required under sections 3.2 and 3.3 on the site and available for inspection by a bylaw enforcement officer or the Director.

4.4 The records required under sections 4.1 and 4.2 shall be retained on site for a period of at least two years and shall be available for inspection by a bylaw enforcement officer or the Director.