

AUDITOR-GENERAL'S REPORT: SEWER-USE

High-risk polluters still received price breaks

JEFF GRAY

October 29, 2008

Toronto's water department is failing to properly inspect "high-risk" polluters and gave price breaks to companies that dump chemicals into the city's sewers, a new report by the city's Auditor-General says.

The findings from Auditor-General Jeff Griffiths detail a list of flaws in the way Toronto enforces its eight-year-old sewer-use bylaw, which is meant to track and punish businesses that discharge pollutants, such as lead and mercury, into the sewers.

While water rates have been rising 9 per cent a year for homeowners, the audit says that large industrial water users who were granted a discount - on the condition they followed the rules - have been paying lower rates, even as some dumped illegal amounts of pollutants into the sewers.

In findings that Katrina Miller, an activist with the Toronto Environmental Alliance, called "terribly alarming," the auditor reviewed seven companies receiving the discount and found that all had broken the bylaw.

Four had failed to submit proper pollution prevention plans and three had actually discharged more than the allowed limit of chemicals into the city's sewers. Yet all seven were still receiving a break on their water bills that would save them \$330,000 over an entire year. In fact, Toronto Water had inspected a list of major water users in 2007, before the discount was applied across the board Jan. 1, 2008. But as of June of this year, the revenue department hadn't been told of the results.

The audit, which does not name any of the polluting companies, also says only 50 per cent of "high-risk" facilities such as metals or paint plants companies were inspected twice a year, the city target. Of lower-risk businesses due for inspections once every two years, 67 per cent were not inspected at all from 2006 to March, 2008.

The audit also says the number of inspections reported by Toronto Water has been "significantly overstated." A quarter of the inspection reports reviewed turned out not to be inspections at all, and were instead just phone calls, meetings, incomplete inspections, or the sending out of notices of violation. "That's a bit

absurd," Ms. Miller said, adding that the audit raises questions about previous reports from Toronto Water that most businesses were complying with the bylaw.

The audit also says that while the city collected \$1.6-million in so-called surcharge agreements from companies that allow them to dump more than their allowable limit of certain treatable pollutants, 25 of 38 companies with these agreements did not submit reports and so avoided paying any extra charges.

Lou Di Gironimo, general manager of Toronto Water, said in an interview yesterday that his department had run into problems because it was short staffed and going through a restructuring. But he asserted the department's enforcement of the bylaw is improving. "We've gone up with convictions and fines," Mr. Di Gironimo said. "At the same time we've been making improvements and working with companies, we've been coming down harder on the ones that are ignoring us."