Minute No. 460
Report – Standing Policy Committee on Water and Waste, Riverbank Management and the Environment – May 29, 2017

Item No. 2 Leachate Acceptance from RM of St. Clements at the North End Sewage Treatment Plant (NEWPCC)

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment and adopted the following:

1. That the City accept and treat leachate from the Rural Municipality of St. Clements upon the terms and conditions attached hereto as Schedule "A".

2. That the City enter into, execute and deliver a Leachate Disposal Agreement with the Rural Municipality of St. Clements and such other agreements as determined necessary by the Director of Legal Services and City Solicitor to implement the intent of the foregoing (the "Ancillary Agreements").

3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the final terms and conditions of the Leachate Disposal Agreement and the Ancillary Agreements in accordance with Schedule "A" of this report and such other terms and conditions determined necessary by the Director of Legal Services and City Solicitor to protect the interests of the City.

4. That the City be authorized to enter into, execute and deliver, and that the authority be delegated to the Chief Administrative Officer to negotiate and approve terms and conditions of all future similar agreements for leachate acceptance with other municipalities and third parties in accordance with Schedule "A", this report and such other terms and conditions deemed necessary by the Chief Administrative Officer and the Director of Legal Services and City Solicitor in order to protect the interests of the City.

5. That the Proper Officers of the City do all things necessary to affect the intent of the foregoing.

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DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment be adopted.

Carried

Councillor Wyatt asked to be recorded as having voted against the item in accordance with rule 47(7) of the Procedure By-law No. 50/2007.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 7, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 29, 2017, the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **LEACHATE ACCEPTANCE FROM RM OF ST. CLEMENTS AT THE NORTH END SEWAGE TREATMENT PLANT (NEWPCC)**

Critical Path: **Standing Policy Committee on Water and Waste, Riverbank Management and the Environment – Executive Policy Committee – Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
C. W. Carroll, P. Eng., MBA, Manager of Wastewater Services	M. L. Geer, CPA, CA Acting Director, Water and Waste Department	N/A	D. McNeil

EXECUTIVE SUMMARY

The report requests approval to enter into an agreement for the acceptance of leachate (landfill runoff) from the Rural Municipality of St. Clements at the North End Sewage Treatment Plant (NEWPCC) for a fee for a renewable term of five (5) years. The proposed agreement is cost neutral to City of Winnipeg rate payers.

This report requests the delegation of authority to the CAO to negotiate and finalize agreements for leachate acceptance with any additional municipalities or other landfill operators interested in multi-year agreements.

RECOMMENDATIONS

1. That the City accept and treat leachate from the Rural Municipality of St. Clements upon the terms and conditions attached hereto as Schedule “A”.

2. That the City enter into, execute and deliver a Leachate Disposal Agreement with the Rural Municipality of St. Clements and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the “Ancillary Agreements”).

3. That authority be delegated to the Chief Administrative Officer to negotiate and approve the final terms and conditions of the Leachate Disposal Agreement and the Ancillary Agreements in accordance with Schedule “A” of this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

4. That the City be authorized to enter into, execute and deliver, and that the authority be delegated to the Chief Administrative Officer to negotiate and approve terms and conditions of all future similar agreements for leachate acceptance with other municipalities and third parties in accordance with Schedule "A", this report and such other terms and conditions deemed necessary by the Chief Administrative Officer and the City Solicitor/Director of Legal Services in order to protect the interests of the City.

5. That the proper officers of the City do all things necessary to affect the intent of the foregoing.

REASON FOR THE REPORT

Since this is a multi-year agreement with a capital region municipality which does not fall under the Council adopted Service Sharing Policy, Council approval of the leachate agreement is required.

IMPLICATIONS OF THE RECOMMENDATIONS

The acceptance of leachate would need to be delivered in a manner that does not compromise the North End Sewage Treatment Plant's ability to meet Environment Act Licence No. 2684 RRR as a first priority. The Province has approved the discharge of leachate from the RM of St. Clements to the NEWPCC in compliance with the Environmental Act Licence.

The Agreement highlights Winnipeg's potential to serve as a regional leachate treatment facility and is in keeping with Our Winnipeg's vision of a sustainable Water and Waste Department.

Acceptance and treatment of leachate provides a necessary environmental service and fees charged represent cost of service only. This is cost neutral to City of Winnipeg rate payers.

HISTORY / DISCUSSION

The North End Sewage Treatment Plant (NEWPCC) accepts and treats landfill runoff, herein referred to as leachate, from various City landfills. The City of Winnipeg currently has agreements in place to accept and treat leachate from two (2) private organizations.

The Rural Municipality (RM) of St. Clements has requested a similar arrangement with the City of Winnipeg. The RM of St. Clements has requested permission to dispose of leachate at the NEWPCC. A fee structure similar to that of leachate disposal agreements with other private organizations has been proposed by the Water and Waste Department. Acceptance and treatment of leachate provides a necessary environmental service and fees charged represent cost of service only. This is cost neutral to the rate payers of the City of Winnipeg.

The Wastewater Services Division of the Water and Waste Department reviewed the RM of St. Clements' request and has determined that the NEWPCC can safely receive the leachate for treatment without incurring harm to current wastewater treatment processes. The

characteristics of the leachate from the RM of St. Clements are similar to other leachate that NEWPCC already treats and it can be treated with minimal cost and environmental risk.

Consultation and approval has also been received from the Sustainable Development Department, Province of Manitoba.

There are few facilities in Manitoba that are able to accept leachate. These agreements highlight Winnipeg's potential to serve as a regional leachate treatment facility and are in keeping with Our Winnipeg's vision of a sustainable Water and Waste Department.

Leachate is a high strength waste that can contain high concentrations of metals and/or chemicals. By accepting the leachate at the North End Sewage Treatment Plant (NEWPCC) facility, the City of Winnipeg accepts any environmental risk associated with treating and disposing of this waste. However, after evaluation of leachate constituents and quantities from RM of St. Clements it has been determined the environmental risk is minimal.

Council's Service Sharing Policy of November 22, 2012 is not applicable to a transaction of this nature.

FINANCIAL IMPACT

Financial Impact Statement **Date:** March 16, 2017

Project Name:

LEACHATE ACCEPTANCE FROM RM OF ST CLEMENTS AT THE NORTH END SEWAGE TREATMENT PLANT (NEWPCC)

COMMENTS:

There is no financial impact associated with this recommendation as charges for leachage acceptance and treatment is based on cost of service. There is no impact to the water and sewer rate payers.

"Original signed by L. Szkwarek, CPA, CGA"

js
27-Jan-17

Lucy Szkwarek, CPA, CGA
Acting Manager of Finance and Administration

CONSULTATION

In preparing this report there was consultation with:

Legal Services Department (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

This report is in accordance with the OurWinnipeg policies

OurWinnipeg Reference: Environment

SUBMITTED BY

Department: Water and Waste
Division: Wastewater Services
Prepared by: Jong Hyuk Hwang, P. Eng., Senior Project Engineer
Date: April 19, 2017
File No.: S-1048

c: Director of Legal Services/City Solicitor, Legal Services Department (email**)**
WWD-Report-Processor (email)
L. Toews, Water and Waste Department (email)

ATTACHMENTS:
Schedule “A” Leachate Agreement Terms & Conditions

Schedule "A"
Leachate Disposal Agreement Terms and Conditions

1. The City will only accept leachate if it is satisfied that North End Sewage Treatment Plant (NEWPCC) has the capacity to accept, treat and dispose of it within its existing or future capacity and in accordance with the City's Licence 2684 RRR.
2. The Rural Municipality of St. Clements ("St. Clements") will comply with all applicable laws and obtain any required environmental licenses.
3. St. Clements will pay to the City a disposal fee which will represent cost of service.
4. St. Clements will provide and maintain insurance as required by the City's Risk Management Division.
5. The Agreement will be for a term of 5 years, with an option to extend for 2 years.
6. Either party may cancel the Agreement for any reason upon providing 60 days written notice.