Agenda - Council - January 26, 2005

Report - Standing Policy Committee on Public Works - January 11, 2005

REPORTS

Item No. 1 Program change to the 2004 Capital Project for preparation of Environmental Impact Statement and Public Hearings in response to Clean Environment Commission
File WW-2.3

STANDING COMMITTEE RECOMMENDATION:

On January 19, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submits the following to Council:

1. That a program change to the 2004 Environmental Impact Statement and Public Hearings project (Account distribution 444 181000 200752 2034000304) be approved.

2. That the Water and Waste Department retain an expert consultant for the revision of Sewer By-law No. 7070/97 to fulfill the requirements contained in the Clean Environment Commission recommendation.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Public Works - January 11, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 19, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 11, 2005, the Standing Policy Committee on Public Works concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

RE: PROGRAM CHANGE TO THE APPROVED 2004 CAPITAL PROJECT FOR PREPARATION OF ENVIRONMENTAL IMPACT STATEMENT AND PUBLIC HEARINGS IN RESPONSE TO CLEAN ENVIRONMENT COMMISSION

FOR SUBMISSION TO: The Standing Policy Committee on Public Works

ORIGINAL REPORT SIGNED BY: Barry D. MacBride, P. Eng., Director, Water and Waste Department

REPORT DATE: December 13, 2004

RECOMMENDATION(S):

That a program change to the approved 2004 Environmental Impact Statement and Public Hearings project (Account distribution 444 181000 200752 2034000304) be approved to include the Revision of Sewer By-Law 7070/97 Project.

REPORT SUMMARY

KEY ISSUES:

Program changes must be approved by Council.

Additionally this project involves the following key issues:

- Subsequent to Public Hearings held in January and April of 2003, the Province of Manitoba supported a recommendation of the Clean Environment Commission that revision of the City of Winnipeg's sewer by-law be undertaken.
- The Department requires expert consultant services for the revision of Sewer By-Law 7070/97 to fulfill the requirements contained in the Clean Environment Commission recommendation.

IMPLICATIONS OF THE RECOMMENDATION(S):

General Implications

	None
X	For the organization overall and/or for other departments
X	For the community and/or organizations external to the City of Winnipeg
	Involves a multi-year contract

Comment(s):
Changes to the Sewer By-Law are likely to result in increased requirements for monitoring and enforcement activities by the Department; and a requirement for industries in Winnipeg to modify their wastewater discharges to the sewer system.

Policy Implications

X	No
	Yes – Comment(s):

Environmental Implications

	None
X	Yes – Comment(s): A revised sewer by-law will result in a more restrictive list of restricted compounds that can be discharged to the sewer system as well as increased enforcement and penalties. This will lead to improved environmental quality of the City's rivers as well as downstream bodies of water including Lake Winnipeg.

Human Resources Implications

X	No
	Yes – Comment(s):

Financial Implications

X	Within approved current and/or capital budget
	Current and/or capital budget adjustment required

Comment(s): Funds for this program are included in an approved Capital Budget for 2004 (Account distribution 444 181000 200752 2034000304) however a change to the program scope is required to allow the undertaking of the sewer by-law review from this capital account.

REPORT

REASON FOR THE REPORT:

Program changes must be approved by Council.

HISTORY:

2003 01 and 2003 04	The Clean Environment Commission convened public hearings to review and receive public comments respecting the City of Winnipeg's wastewater collection and treatment systems and to consider plans proposed by the city for its future upgrading and continued operation.
2003 08	The Clean Environment Commission submitted their report to the Minister of Conservation. The report contained several recommendations relevant to the City of Winnipeg sewer by-law.
2003 09	The Province of Manitoba supported the Clean Environment Commission's recommendations.

DISCUSSION:

The recommendation related to the revision of the Sewer By-law made by the Clean Environment Commission to the Minister of Conservation stated specifically:

"The City of Winnipeg should be directed to implement changes to Winnipeg's Sewer-By-Law that would expand the list of restricted substances, prevent disposal of contaminants of concern, encourage treatment at source, improve enforcement of the By-Law and increase penalties for violations."

Additional clarification was provided as follows:

"The City of Winnipeg Sewer By-Law provides an excellent opportunity to prevent pollution at source, limit demands on wastewater treatment facilities, reduce pollution control costs, and improve wastewater quality. To be more effective, the list of restricted materials should be expanded to increase the number of heavy metals of concern and to include persistent organic pollutants and other contaminants. Improved enforcement is required to discourage misuse of the sewage system."

During the course of the 2003 Clean Environment Commission Hearings, evidence was provided wherein the Toronto Sewer Use By-Law was brought forward as a "model" sewer use by-law

and that would be a good foundation upon which Winnipeg could base revisions to its existing Sewer By-Law. Particular emphasis was placed upon the sections of Toronto's by-law that restrict substances being disposed into sewers. Additionally, emphasis was placed on the section of Toronto's by-law dealing with pollution prevention programs wherein industries must put forward plans to control discharges of contaminants at source.

Consultant services will be required for the revision of the sewer by-law. The scope of work to revise the sewer by-law will involve the following major activities:

- Review Winnipeg's current sewer by-law
- Review by-laws from Toronto and other major Canadian cities
- Review most recent scientific and technical knowledge on the impact of substances discharged into the sewer systems
- Identify impact on the sewers, treatment plant processes, worker health and safety, and the environment
- Determine pollutants of concern and develop science-based discharge limits
- Develop permitting requirements for the various sectors
- Examine the parameters and associated concentration limits that would be applied to over-strength waste
- Undertake a cost of service/recovery for over-strength waste
- Identify substances to be prohibited
- Identify additional substances to be regulated
- Prepare a public consultation program, including open houses and workshops/meetings
- Develop a draft report with recommendations for by-law changes

Estimated cost to obtain consultant services and undertake a public communication program that will lead to the revision of the sewer by-law is $360,000.00. Council has approved funds of $1,000,000.00 in the 2004 Capital Program to complete activities associated with recommendations of the Clean Environment Commission in 2003 for environmental impact statement preparation and representation at future anticipated regulatory hearings. Funding from this program account (Account distribution 444 181000 200752 2034000304) are ample to provide for activities associated with the sewer by-law and will provide sufficient residual funds to undertake the environmental impact assessment/screening of improvement works, and to prepare for future hearings and regulatory activities as required.

FINANCIAL IMPACT:

As the recommendation is to use an existing approved capital account with no changes to the existing budget to accommodate the additional project scope, there is no financial impact.

Financial Impact Statement Date: December 13, 2004

Project Name:
Revision of Sewer By-Law 7070/97 Project

COMMENTS:

Program change to the approved 2004 Environmental Impact Statement and Public Hearings project (Account distribution 444 181000 200752 2034000304). There is no financial impact as the existing budget can accommodate the additional project scope.

Moira L. Geer C.A.
Manager of Finance & Administration

IN PREPARING THIS REPORT THERE WAS CONSULTATION WITH AND CONCURRENCE BY: N/A

THIS REPORT SUBMITTED BY:

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Engineering Division
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