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**TO: Chair and Members of the Standing Committee on Environmental Protection,
Water and Waste Management**

**DESTINATAIRE: Président et membres du Comité permanent de la protection de
l'environnement, de l'eau et de la gestion des déchets**

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FILE NUMBER: ACS2022-PWD-GEN-0001

**SUBJECT: REPORT ON THE USE OF DELEGATED AUTHORITY DURING 2021 BY
THE PUBLIC WORKS DEPARTMENT, AS SET OUT IN SCHEDULE "I" OF BY-LAW
2020-360.**

**OBJET : L'UTILISATION DE LA DÉLÉGATION DE POUVOIRS EN 2021 PAR LA
DIRECTION GÉNÉRALE DES TRAVAUX PUBLICS, COMME IL EST INDIQUÉ À
L'ANNEXE I DU RÈGLEMENT 2020-360**

PURPOSE

The purpose of this report is to inform the Standing Committee on Environmental Protection, Water and Waste Management on the use of delegated authority for 2021 under Schedule “I” – Public Works Department. In 2021, the Delegation of Authority By-law was used by Water Services, Solid Waste Services and Technology, Innovation, and Engineering Support Services of the Public Works and Environmental Services Department, specific to the following sections:

- Section 5 – Discharge, Hauled Waste and Leachate Agreements
- Section 6 – Compliance Certificates
- Section 8 – Provincial and Federal Agreements
- Section 9 – Grants and Rebates

Schedule “I” of the By-law also delegates authority to appropriate officers within the Department for the following sections; however, this authority was not used in 2021:

- Section 2 – Soil Tests
- Section 3 – Water Service Agreements
- Section 4 – Non-Municipal Water Systems
- Section 7 – City Consents and Certificates of Approval
- Section 10 – Maintenance and Liability Agreements

BACKGROUND

There have been a number of organizational changes in the City of Ottawa since the Fall of 2021. The Transportation Services Department transitioned to the Transit Services Department on October 1, 2021, and Traffic Services was realigned into the Public Works and Environmental Services Department (PWES). In January 2022, the Infrastructure and Water Services Department (IWSD) was created, and with this, two service areas from PWES, Water Services and Technology, Innovation and Engineering Support Services, were transitioned to the new department. Further to the realignment of these service areas into a new department, Public Works and Environmental Services is now formally known as the Public Works Department (PWD).

Given these corporate changes, the Public Works Department is bringing forward an IPD to meet the delegated authority reporting requirements of Water Services, Solid Waste Services, and Technology, Innovation & Engineering Support Services as defined in By-law 2020-360 for 2021.

A new Delegation of Authority By-law (2022-29) was enacted by Council on February 9, 2022, which reflects the new corporate structure. As a result, future Use of Delegated Authority reports will be brought forward by each respective department to the Committees they report through.

Water Services

Water Services plays an important role in ensuring that water used and discharged by homes, businesses, industries, and institutions is handled safely and protects the environment and human health. Once collected by the municipal wastewater collection system, Ottawa's wastewater goes to the Robert. O. Pickard Environmental Centre (ROPEC) where it is treated and returned to the Ottawa River. Ottawa's Sewer Use By-law controls the quality of wastewater discharged into the municipal sewer system. This process is managed by two divisions within Water Services: Wastewater Collection Branch and Wastewater Treatment Branch.

Section 5 – Discharge, Hauled Waste and Leachate Agreements

The General Manager, Public Works Department, is delegated the authority to enter into and execute or amend sewer discharge agreements, permits for the disposal of hauled liquid materials, and leachate agreements in accordance with Section 9 of By-law No. 2003-514, as amended, being the Sewer Use By-law, or any successor by-law thereto.

A discharge agreement is entered into when a facility's wastewater discharges exceed certain limits or contain prohibited substances, to bring their discharge into compliance with the Sewer Use By-law. The agreement outlines the conditions that must be met and provides the recovery of treatment costs. The City administers five (5) types of discharge agreements:

1. Special Discharge Agreement – for facilities wishing to discharge non-toxic waste that exceeds the discharge limits for substances that can be treated at the wastewater treatment plant.
2. Sanitary Sewer Agreement – for discharges of liquid material that comes from a source other than the municipal water system, such as remediated groundwater

3. Sludge Agreement – under specific circumstances and conditions sludge can be discharged to the sewer or hauled to the wastewater treatment plant.
4. Combined Agreements – when a Special Discharge Agreement and a Sanitary Sewer Agreement are required at the same time.
5. Leachate Agreement – under specific circumstances and conditions leachate can be discharged to the sewer or hauled to the wastewater treatment plant.

Permits for the disposal of hauled liquid materials are issued to companies which dispose of sewage that is suitable for treatment to the City's wastewater treatment facility. The permit outlines the conditions that must be met and provides the recovery of treatment costs.

Section 6 - Compliance Certificates

The General Manager, Public Works Department, is delegated the authority to issue or amend compliance certificates for sewer and waste disposal programs in accordance with Section 10 of By-law No. 2003-514, as amended, the Sewer Use By-law or any successor by-law thereto.

Facilities discharging wastewater exceeding the limits set out in the Sewer Use By-law 2003-514 can request the implementation of a compliance program. The objective of the compliance program is to bring the discharge within the requirements of the Sewer Use By-law while providing the facility with sufficient time to implement the required corrective action. The compliance program sets conditions and timeframes under which the facility may be allowed to discharge the waste to the sanitary or combined sewer.

Solid Waste Services

Solid Waste Services is responsible for the operational planning, development, management, and environmentally sound operation of the residential solid waste management system for the City. This includes the provision of systems and facilities for residential recycling, including household hazardous waste management.

Section 8 - Provincial and Federal Agreements

The General Manager, Public Works Department, is delegated the authority to approve, amend, extend, and execute service agreements, contribution agreements, and grant agreements with provincial and federal governments, or any funding organization or agency designated by these governments, provided that these agreements are:

- related to approved departmental programs and objectives;
- within approved budget limits; and
- contain appropriate insurance, termination, workplace safety and indemnification provisions.

Technology, Innovation and Engineering Support Services

Technology, Innovation and Engineering Support Services provides utility locates services, services for the rehabilitation of sanitary and storm sewer laterals and the replacement of lead water services, and behind the scenes support to the Public Works operational service areas either as professional resources or through the implementation of new technologies, and innovative best practices.

Section 9 – Grants and Rebates

The City Manager and the General Manager, Public Works Department individually are authorized to approve grants and rebates and approve, amend, extend and execute appropriate grant agreements for the High-Volume User Program, the Residential Protective Plumbing Program, the Compassionate Grant Program, and the Lead Pipe Replacement program provided that such agreements are:

- in accordance with applicable City policies approved by Council;
- within approved budget limits; and,
- contain appropriate insurance, termination, and indemnification provisions

DISCUSSION

The following is a summary of revenues and fees collected through the use of delegated authority under Schedule “I” – Sections 5 – Discharge, Hauled Waste and Leachate Agreements, 6 – Compliance Certificates, 8 – Provincial and Federal Agreements, and 9 – Grants and Rebates. The names of the companies for these agreements are listed in Document 1, where applicable.

Section 5 – Discharge, Hauled Waste and Leachate Agreements

1. Special Discharge Agreements

The revenues collected from Special Discharge Agreement fees totalled \$227, 274.59.

2. Sanitary Sewer Agreements

The revenues collected from Sanitary Sewer Agreement fees totalled \$1, 265, 930.38.

3. Sludge Agreements

The revenues collected from Sludge Agreement fees totalled \$7, 151, 540.21

4. Sanitary Sewer Agreements (Internal Construction Projects)

The revenues collected for Sanitary Sewer Agreements (Internal Construction Projects) is \$802, 860.89.

5. Combined Agreements

The revenues collected from Combined Agreement fees totalled \$143, 303.56).

6. Leachate Agreements

The revenues collected from Leachate Agreement fees totalled \$616, 980.07.

7. Hauled Waste Permits

The revenues collected from Hauled Waste Permit fees totalled \$629,200.07.

Section 6 - Compliance Certificates

The revenues collected from compliance certificates fees totalled \$1,129.00.

Section 8 – Provincial and Federal Agreements

The funds received from provincial and federal agreements totalled \$359, 295.

Section 9 – Grants and Rebates

The funds provided to residents as a result of grant and rebate applications totalled \$55,590.

CONCLUSION

The Public Works Department will continue to report annually to the Standing Committee on Environmental Protection, Water and Waste Management on the use of delegated authority, in accordance with Schedule “K” – Public Works Department of By-law 2022-29, as amended by By-law 2022-77.

Any inquiries regarding use of delegated authority for Water Services should be directed to Marilyn Journeaux, Acting Director, Water Services. Any inquiries concerning the use of delegated authority for Solid Waste Services should be directed to Shelley McDonald, Acting Director, Solid Waste Services. Any inquiries concerning the use of delegated authority for Technology, Innovation and Engineering Support Services should be directed to Scott Laberge, Acting Director, Technology, Innovation and Engineering Support Services.

Regards,

Alain Gonthier

General Manager, Public Works Department /
Directeur générale, Services des travaux publics

CC: Senior Leadership Team

Director, Public Information and Media Relations and Outreach

Public Works Department Leadership Team

Coordinator, Standing Committee on Environmental Protection, Water and Waste Management

SUPPORTING DOCUMENTATION

Document 1 – List of 2021 Delegated Authority for the Public Works Department under Schedule “I” – Public Works Department of By-Law 2020-360.