




Hamilton

# INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	March 24, 2021
<b>SUBJECT/REPORT NO:</b>	Chedoke Creek Order – Associated Costs (PW19008(I)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Cari Vanderperk (905) 546-2424 Ext. 3250
<b>SUBMITTED BY:</b>	Andrew Grice Director, Hamilton Water Public Works Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Not Applicable

## INFORMATION

The City of Hamilton (City) has been served four Ministry of the Environment, Conservation and Parks (MECP) Orders as a result of the combined sewage discharge from the Main/King Combined Sewer Overflow (CSO) tank.

Provincial Officer’s Order No. 1-J25YB (First Order) was served to the City by the MECP on August 2, 2018; Director’s Order No. 1-MRRCX (Second Order) was served to the City by the MECP on November 28, 2019; Provincial Officer’s Order No. 1-OW6SS (Third Order) was served to the City by the MECP on November 20, 2020, and lastly Director’s Order No. 1-PE3L3 (Fourth Order) was served to the City by the MECP on December 4, 2020, all pursuant to their authority under the *Environmental Protection Act* (EPA) and the *Ontario Water Resources Act* (OWRA).

Report PW19008(I) contains costs incurred to date by the City for the internal investigation related to the discharge, the responses to the MECP Orders previously listed and the corrective and preventative operational initiatives carried out in response to the event.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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The Orders required the City to retain the service of third-party consultants to undertake several studies to quantify and evaluate the environmental impacts of the combined sewage discharge from the Main/King CSO tank. In addition, the City completed various operational works in coordination with the requirements of the Orders. These efforts include operational inspections and clean-up along with initiating outreach and education programs. The costs incurred to date are summarized below.

Required Study Costs - \$904,803.26 (Total breakdown below)

Calder Engineering Limited \$39,336.21

Storm sewer inspection walk through to verify active discharge from Main/King CSO, flow monitoring at Glen Road and Aberdeen CSO monitoring and sampling.

Hatch Limited \$183,709.00

CSO Facility Inspection Study including identification of critical control points and recommended maintenance practices/frequencies along with a Feasibility Study conducted for the installation of additional monitoring/detection equipment at CSO facilities, in response to the First Order.

Wood Environment and Infrastructure Solutions Inc. \$187,510.97

Quantify the volume and contaminant loadings from the Main/King CSO Tank discharge and engineering services for Chedoke Creek Sewage Contamination Study and Remedial Action Plan, in accordance with the requirements of the First Order.

SLR Consulting Limited \$309,247.08

Emergency services for the Cootes Paradise environmental impact evaluation per the Director's order, engineering services for the Chedoke Creek ecological risk assessment, aquatic biology and water quality peer review services for Chedoke Creek along with additional services to complete a human health and ecological risk assessment at Chedoke Creek and a Sediment and Delineation of Contamination Survey.

GM BluePlan Engineering Limited \$185,000.00

Chedoke Creek Water Quality Improvement Framework Study, including engagement and facilitation of key stakeholders, technical review and development of recommended solutions and an implementation plan.

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Operations & Outreach Costs \$817,819.18 (Total)

This work includes the following activities:

- Surface Water Quality Program
- Enhanced Facility Inspection Team
- CSO Bypass Notification Website
- CSO Educational Video
- Wastewater Quality Management System
- Floatables Study
- CSO Outfall Monitoring Feasibility Study

Initial Creek Clean-up Costs \$111,646.23 (Total)

This work includes, but is not limited to, the following activities:

- CCTV Investigations
- Vacuum Truck Services
- Floating Booms and Containment Barriers

Legal Services Costs \$174,021.99 (Total)

Staff retained external legal counsel, a specialist in environmental law with significant experience with environmental investigations and charges. The fees associated with the external legal counsel since August 2018 include:

- Legal advice related to the orders
- Support for the MECP investigation
- Legal guidance related to the fines and charges
- Written legal opinions.

In summary, the total incurred costs to date in response to the Main/King CSO discharge and the subsequent MECP Orders is currently \$2,008,290.66. This total does not include the existing Wood Environment and Infrastructure Solutions consultant assignment associated with the Fourth Order as it relates to the plans for targeted dredging and proposed remediation efforts in Chedoke Creek and Cootes Paradise, as that work is still ongoing.

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Summary of Costs

Required Studies	\$904,803.26
Operations & Outreach	\$817,819.18
Initial Creek Clean-up	\$111,646.23
Legal Services	\$174,021.99
Total Costs (to date)	\$2,008,290.66

**APPENDICES AND SCHEDULES ATTACHED**

Not Applicable