

to



Report # WWW2019-001

The Corporation of the  
**City of Kawartha Lakes**  
*Public Works – Environmental Services*  
12 Peel Street  
P.O. Box 9000  
Lindsay, Ontario K9V 5R8  
Tel: 705-324-9411 ext. 1118  
Toll Free: 1-888-822-2225  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

David Kerr, P. Geo, Manager of Environmental Services

---

Ministry of the Environment, Conservation and Parks  
Robinson Pl. South Tower,  
300 Water St.  
Peterborough ON  
K9J 8M5

Attn: Director (Provincial Officer Orders) via FAX 705 755-4321

Re: Request for Director's Review of Provincial Officers Order # 1-JX6KE for 48 Lagoon Rd, Lindsay dated Dec. 6, 2018

This letter is in response to the above Provincial Officers Order received by the City of Kawartha Lakes (City) and acknowledged on December 6, 2018. The City reviewed the order in detail and is requesting a Director's review as provisioned for in the order.

A review is requested on the grounds that the Work currently being ordered by the Ministry has already been started by the City prior to the order being issued. The City has shown commitment and action through their hiring of a firm to do the detailed design and in their approved capital financing plan. These actions confirm the City's intention to put the necessary upgrades in place that will ensure effective and compliant effluent criteria for the Lindsay Water Pollution Control Plant (WPCP) well into the future. We respect the Ministry's authority and role in overall governance and approvals of the WPCP however we question the need for an order to achieve the actions already started by the City. The actions were initiated well before the order was issued. In lieu of the fact that the City is progressing well in advancing this project we request the Ministry review and consider rescinding the order.

The City has already acknowledged that the treatment of the aeration cell at the WPCP is underperforming. This is also one of the main reasons that the City embarked on completing a class EA for the WPCP upgrades. The Ministry and the City worked well throughout this EA process to ensure that the recommendations in the EA study would satisfy long term regulatory compliance and effective treatment.

After the EA was completed and the environmental Study Report was finalized in January 2015 the City immediately commenced financial planning for the necessary work. This work is part of the City's Capital Infrastructure Plan. CIMA+, a professional engineering firm was retained by the City through a public procurement process earlier



The Corporation of the  
**City of Kawartha Lakes**  
*Public Works – Environmental Services*  
12 Peel Street  
P.O. Box 9000  
Lindsay, Ontario K9V 5R8  
Tel: 705-324-9411 ext. 1118  
Toll Free: 1-888-822-2225  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

David Kerr, P. Geo, Manager of Environmental Services

---

this year. The firm is currently in the midst of designing major infrastructure upgrades including a new aeration cell which will improve the Total Ammonia Nitrogen (TAN levels) and TSS (Total Suspended Solids) treatment. The design work is comprehensive and involves drawing on a broad range of Engineering and technical expertise. This process does take a significant amount of time and planning to ensure the upgrades are completed properly in sequence and will function well into the future.

Separate from the planned facility upgrades, the City commissioned installation of a new jet aerator on September 25<sup>th</sup> to improve interim performance of the aeration cell and help reduce TAN levels. The City has budgeted to purchase and install a second jet aerator in early 2019. The City understands from the operating authority the current Jet aerator is already improving the treatment and this is reflected in the ongoing sample results indicating that TAN has dropped consistently below 1 mg/l for November 2018 which we will provide to your office. The new jet aerators will provide a short term benefit until the new aeration basin is constructed.

The City has provided backup data along with this letter indicating

- chronological list of past events
- project plan
- proof a qualified firm has been retained for detailed design and tendering for Phase 1 WPCP upgrades (new aeration system plus other operational issues and deficiencies). The firm was formally retained on July 24, 2018
- proof of Interim purchase of jet pumps

We hope your office will find that this letter and supporting documentation provides sufficient re-assurance that the City is taking short term and long term steps to address the TAN and TSS levels at the Lindsay WPCP. With that we are respectfully requesting the order be rescinded.

If you have any further questions or require more information please contact me at 705 324-9411 ext. 1118 or Amber Hayter at ext. 1120.





The Corporation of the  
**City of Kawartha Lakes**  
*Public Works – Environmental Services*  
12 Peel Street  
P.O. Box 9000  
Lindsay, Ontario K9V 5R8  
Tel: 705-324-9411 ext. 1118  
Toll Free: 1-888-822-2225  
[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

David Kerr, P. Geo, Manager of Environmental Services

---

Sincerely,

David Kerr, P. Geo  
Manager of Environmental Services  
705-324-9411 Ext. 1118  
[dkerr@kawarthalakes.ca](mailto:dkerr@kawarthalakes.ca)

C.c. Brad Jackson Provincial Officer MECP  
Ron Taylor, CAO  
Bryan Robinson, Director of Public Works  
Juan Rojas, Director of Engineering and Corporate Assets  
Corby Purdy, Supervisor, Infrastructure, Design and Construction  
Nafiur Rahman, Senior Engineering Tech.  
Amber Hayter, Supervisor, Water and Wastewater Operations  
Brent Martin, Senior Operations Manager, OCWA

### **Schedule of Events – Lindsay WPCP Upgrades Design (Phase – I)**

- November 15, 2017: Internal meeting between Engineering and Public Works to confirm project scope;
- Feb 9, 2018: Issued RFP 2018-04-CP Engineering Services, Detailed Design and Contract Preparation for Lindsay Water Pollution Control Plant Upgrade and Expansion (For Ultimate Build Out);
- Feb 21, 2018: Phone call to Vicki Mitchell (MOECC Regional EA Coordinator) for clarification on ESR;
- Feb 23, 2018: Email to Vicki Mitchell (MOECC);
- Feb 23, 2018: Email with comments received from Vicki Mitchell (MOECC);
- March 01, 2018: Email response to Vicki Mitchell (MOECC) and request for further information;
- March 01, 2018: Emailed to Hitesh Vaja (MOECC Approval Engineer) to confirm Vicki's suggestion;
- March 02, 2018: Follow-up email to Hitesh Vaja (MOECC);
- March 2, 2018: Cancelled RFP 2018-04-CP due to EA study was insufficient for Ultimate Design;
- March 13, 2018: Follow-up email and phone call to Hitesh Vaja (MOECC);
- March 27, 2018: Voice message received from Hitesh Vaja (MOECC);
- April 04, 2018: Email and phone call to Hitesh Vaja (MOECC) to confirm the design approach as suggested by Vicki Mitchell (MOECC); Hitesh was agreed with the approach;
- April 13, 2018: Re-issued RFP 2018-57-CP Engineering Services, Detailed Design and Contract Preparation for Lindsay Water Pollution Control Plant Upgrade and Expansion – Phase I;
- May 24, 2018: RFP 2018-57-CP closed;
- July 17, 2018: Council approval for award of RFP 2018-57-CP to Cima+;
- August 8, 2018: Execution of MEA Agreement and issue of PO to Cima+;
- August 29, 2018: Project kick-off meeting;
- June 30, 2019: Expected Tender submission.