




TO: GENERAL COMMITTEE


SUBJECT: REPEAL BY-LAW 83-92, former Kolmar Overstrength Agreement

WARD: ALL

PREPARED BY AND KEY CONTACT: S. BRUNET, MANAGER OF ENVIRONMENTAL OPERATIONS 
Ext. 6140

SUBMITTED BY: J.F. THOMPSON, P ENG., DIRECTOR OF ENVIRONMENTAL SERVICES Ext. 4802 

GENERAL MANAGER APPROVAL: ^{For} R. FORWARD, GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTION

1. That By-law 83-92 to enter into an agreement with Kolmar of Canada Limited (now CSR Cosmetics) for the discharge and acceptance of overstrength wastewater to the City of Barrie sanitary sewer be repealed upon execution of an agreement with CSR Cosmetics in accordance with Section 8 of By-law 2012-172.

PURPOSE & BACKGROUND

Report Overview

2. The former Kolmar has changed its name to CSR Cosmetic Solutions Inc. (CSR).
3. The purpose of this staff report is to repeal By-law 83-92 as a new agreement for the discharge of overstrength effluent into the City of Barrie wastewater system will be executed with CSR Cosmetic Solutions and will reflect the current provisions of By-law 2012-172.
4. In 1983, City Council passed By-law 83-92 to enter into an agreement with Kolmar of Canada Limited (Kolmar) to address the discharge of Kolmar's overstrength effluent into the City of Barrie's sanitary sewer system. Kolmar is a producer and packager of cosmetics and generates effluent that exceeds the parameters of the City of Barrie's Sewer Use By-law. As part of the agreement, Kolmar paid the City a fee to cover the City's additional costs associated with treating the overstrength effluent.

ANALYSIS

5. The City's Sewer Use By-law (By-law 2012-172) regulates and controls discharges into the City of Barrie's sanitary and storm sewer systems. The purpose of the By-law is to protect the City's sanitary and storm sewer systems and the health of Lake Simcoe.

6. Section 8 of By-law 2012-172 provides that an Overstrength Surcharge Agreement may be executed by the General Manager of Infrastructure and Growth Management that includes conditions for the payment of additional costs associated with the operation, maintenance, and repair of the City's sewage works where the deposit of the wastewater (effluent) would otherwise be prohibited. Overstrength Surcharge Agreements are only permitted where specific treatable parameters can be addressed.
7. A new Overstrength Surcharge Agreement will be executed with CSR to reflect the company's current legal corporate name and composition of the effluent stream as well as the collection of fees to recover the City's additional costs to address the wastewater from its processes. CSR has reviewed the proposed new agreement and has advised that it is acceptable. CSR has complied with all of the conditions associated with such agreement.

ENVIRONMENTAL MATTERS

8. The following environmental matters have been considered in the development of the recommendation:
 - a) The appropriate treatment of effluent to protect the City of Barrie's water and wastewater systems as well as Lake Simcoe.

ALTERNATIVES

9. The following alternatives are available for consideration by General Committee:

Alternative #1

General Committee could maintain the existing By-law with the original agreement with Kolmar for its overstrength discharge of effluent.

This alternative is not recommended as the corporation's legal name has changed as well as its effluent composition. In addition, the current agreement does not reflect the City's current costs associated with operating, maintaining and repairing the wastewater/sewer system. Maintaining the original By-law with out of date references could complicate any enforcement required under the current by-law.

Alternative #2

General Committee could alter the proposed recommendation by prohibiting the overstrength discharge by CSR through a repeal of By-law and removing the delegated authority to execute a new agreement.

The effluent from CSR is treatable through the City of Barrie's sanitary sewer system. CSR is a valued employer in the community and has complied with all of the requirements for an Overstrength Surcharge Agreement.

FINANCIAL

10. The additional costs associated with treatment of overstrength discharge into the City's sanitary sewer system would be fully and accurately recovered from CSR.

LINKAGE TO 2014-2018 STRATEGIC PLAN

11. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
 - Vibrant Business Environment
 - Responsible Spending

12. The execution of an Overstrength Agreement allows CSR to continue to operate in the community while the City's additional costs associated with treating the parameters in the effluent stream are fully recovered from the company.