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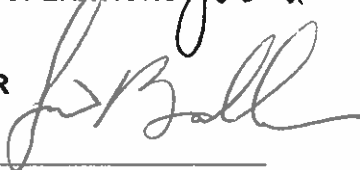
**TO:** GENERAL COMMITTEE

**SUBJECT:** DESIGNATION OF OVERALL RESPONSIBLE OPERATOR(S) AND OPERATOR(S)-IN-CHARGE FOR BARRIE'S WASTEWATER FACILITIES

**PREPARED BY AND KEY CONTACT:** D. QUENNEVILLE, C.E.T., MANAGER OF WASTEWATER OPERATIONS, Ext. # 5231

**SUBMITTED BY:** J.F. THOMPSON, P.Eng., PMP  
DIRECTOR OF ENVIRONMENTAL SERVICES 

**GENERAL MANAGER APPROVAL:** J. SALES, GENERAL MANAGER OF COMMUNITY OPERATIONS 

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** J. M. BABULIC, CHIEF ADMINISTRATIVE OFFICER 

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**RECOMMENDED MOTION**

1. That as owners of the Barrie Wastewater Facilities (in accordance with the Ontario Water Resources Act (OWRA), O. Reg. 129/04, Licensing of Sewage Works Operators), the Overall Responsible Operator(s) (ORO) and Operator(s)-in-charge (OIC) be designated in accordance with the procedure attached as Appendix "A" to Staff Report ENV001-11.
2. That authority be provided to Barrie's Line Management as detailed in Appendix "A" to Staff Report ENV001-11, OWRA to designate Overall Responsible Operator(s) and Operator(s)-in-Charge for its Wastewater Facilities in accordance with the Ontario Water Resources Act (OWRA), O. Reg. 129/04, Licensing of Sewage Works Operators. (ENV001-11) (File: E00)

**PURPOSE & BACKGROUND**

3. Wastewater Facilities owners (including Municipal Corporations) are required by Provincial Legislation to have designated, at all times, an appropriately licensed operator as the Overall responsible operator(s) or each Wastewater System and one or more appropriately licensed operators as operators-in-charge for each Wastewater System. Such designations can be delegated to Management staff providing they can trace their authority to the owner (ultimately, the municipal Council). Several variables can impact the frequency and necessity of changes to these delegations, including; staff changes, re-certification requirements, staff vacations, illness, etc. In order to maintain adequate agility to constantly satisfy the full intent of the governing regulation, it is advisable to allow the front lines of management the ability to make and record these delegations on behalf of the Corporation.
4. The purpose of this staff report is to fully comply with the provisions of the Ontario Water Resources Act (OWRA), O. Reg. 129/04, LICENSING OF SEWAGE WORKS OPERATORS, including Section 15 – Overall Responsible Operator, 15(1) and Section 17 – Operator-in-charge, 17(1).

5. OWRA, O. Reg. 129/04, LICENSING OF SEWAGE WORKS OPERATORS includes;
- a) **Overall Responsible Operator**  
15. (1) The owner of a facility shall designate as overall responsible operator of the facility an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility. (For example, the overall responsible operator of a Class III wastewater treatment facility must be an operator who holds a Class III or Class IV wastewater treatment facility operator's licence.) O. Reg. 129/04, s. 15 (1).
- b) **Operator-in-charge**  
17. (1) The owner of a facility or a person authorized by the owner shall designate one or more licensed operators as operators-in-charge of the facility. O. Reg. 129/04, s. 17 (1).

### ANALYSIS

6. This action is being recommended to ensure appropriate written confirmation is established to confirm that Barrie and its Council are in complete conformance with the governing Acts and Regulations.

### ENVIRONMENTAL MATTERS

7. There are no environmental matters related to the recommendation.

### ALTERNATIVES

8. There is an alternative available for consideration by General Committee:

#### Alternative #1

General Committee could chose to retain the ORO and OIC designation authority for its exclusive use without delegation to Line Management.

This alternative is not recommended as it would require Council to regularly (potentially weekly) revisit the designation of OROs and OICs as operating circumstances change due to factors such as:

- Staff changes;
- Vacation and/or illness;
- Staff licensing upgrades;
- Etc.

### FINANCIAL

9. There are no financial implications for the Corporation resulting from the proposed recommendation.

### LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

10. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
- Manage Growth and Protect the Environment
11. The recommended action will ensure the City is in full conformance with the relevant governing legislation which has been enacted with the intent of protecting Ontario's environment.

**APPENDIX "A"**

**City of Barrie  
Wastewater Facilities  
Overall Responsible Operator (ORO)  
and  
Operator-in-charge (OIC)  
Designation Protocol**

In accordance with Ontario Regulation 129/04 –Licensing of Sewage Works Operators, under the Ontario Water Resources Act , (OWRA) and in particular Sections 15 and 17, the City of Barrie Council being the owner of Barrie's Wastewater Facilities, including:

- The City of Barrie Wastewater Collection Facilities (2 systems);
  1. Class III System – Wastewater Forcemain System, Wastewater Collection Facility, #4791
  2. Class I System – Wastewater Collection Facility;
- The City of Barrie Wastewater Treatment Facility, Class IV;
- Barrie's Sports Complex, located in Springwater Township;
- Barrie's Biosolids Storage Facility, located in Oro Township;
- The Lake Simcoe Regional Airport Wastewater collection and treatment facility, located in Oro Township.

Is required to designate one or more operators as Overall Responsible Operator(s) (ORO) and Operators-in-charge (OIC) of each of the facilities.

The City of Barrie Council delegates its designation authority to its line Management to from time to time in full accordance with the OWRA, O. Reg. 129/04, LICENSING OF SEWAGE WORKS OPERATORS, to designate and maintain a record of designations for Overall Responsible Operator(s) and Operator(s)-in-Charge for its Wastewater Facilities with the provisions detailed below.

The Line Management having this authority would include:

- For; The City of Barrie Wastewater Treatment Facility, Class IV and the Class III System – Wastewater Forcemain System, Wastewater Collection Facility:
  1. Chief Administrative Officer, CAO;
  2. General Manager of Community Operations;
  3. Director of Environmental Services;
  4. Manager of Wastewater Operations Branch;
  5. Wastewater Operations Branch - Supervisors of;
    - a. Operations,
    - b. Maintenance Operations, and
    - c. Technical Services.
- For; The City of Barrie Wastewater Collection Facility, Class I System:
  1. Chief Administrative Officer, CAO;
  2. General Manager of Community Operations;
  3. Director of Roads, Parks and Fleet;
  4. Manager of Roads and Parks Operations;
  5. Roads Operations Supervisor;
  6. Roads Operations Foreperson.

The authority given to the Management listed above would extend to their properly appointed designates during those respective appointments.

Day to day designation of ORO(s) would normally be effected by the Manager of Wastewater Operations Branch and/or the Manager of Roads and Parks Operations, as appropriate (or their designates) and records kept of the designations.

Day to day designation of OIC(s) would normally be effected by the designated ORO(s) and records kept of the designations.

The other noted Line Management have the authority to make the ORO and/or OIC designations under extraordinary circumstances and/or emergency situations to ensure the city remain in compliance, at all times, with the governing legislation, providing when doing so proper notification is made to those listed in the line Management list herein.

**Overall Responsible Operator (ORO)**

Individuals eligible to be designated as overall responsible operator of the facility would necessarily be an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility and in the event the overall responsible operator who is designated is absent or unable to act, an operator who holds a licence that is applicable to that type of facility and that is not more than one class lower than the class of the facility (but not including an operator holding only an Operator in Training (OIT) certificate) may be designated as overall responsible operator but shall not be relied on by the owner of a facility for more than 150 days in any 12 month period. Also, a professional engineer who does not have the licence required above may be designated as overall responsible operator if the engineer has been employed in the facility for less than six months.

**Operators-in-charge (OIC)**

Individuals eligible to be designated as Operators-in-charge of a facility include every operator employed in the facility holding a licence applicable to that type of facility (but not including an operator holding only an Operator in Training (OIT) certificate). Also a professional engineer may also be designated as an operator in charge but shall not be relied on by the owner for more than 180 days in any 24-month period.