



City of
Peterborough

To: Members of the General Committee

From: Jasbir Raina, Commissioner of Infrastructure and Planning Services

Meeting Date: June 12, 2023

Subject: Report on emergency measures taken to remediate Jackson Creek and advise on funding, Report IPSES23-015

Purpose

A report to inform Council of the emergency measures taken to remediate Jackson Creek and to advise on funding for completed and anticipated monitoring, remediation, and reporting requirements.

Recommendation

That Council approve the recommendation outlined in Report IPSES23-015, dated June 12, 2023, of the Commissioner of Infrastructure and Planning Services as follows:

That the Report IPSES23-015 updating on the emergency procurement of consulting and remediation services in response to the Jackson Creek contamination be received for information.

Budget and Financial Implications

The total funds spent to date and the anticipated additional funds, after applicable rebates, for Jackson Creek emergency remediation response are set out in Chart 1.

Chart 1:

Line	Description	Amount
1	Spill response – funds paid to contractors since original contamination in August 2022	\$1,376,765.57
2	Provisional work – known and forecasted costs for continued monitoring, remediation, clean up, and reporting	\$474,000.00
3	HST Payable by the City	\$ 32,573.47
4	Total Estimated Costs (Net of HST rebate)	\$1,883,339.04

Funding for the for Jackson Creek emergency remediation response has been accommodated within the budgets shown in Chart 2, line 1 and 2. The anticipated additional funds can be accommodated within the budgets shown in Chart 2, line 4 and 5, including the transfer from the Capital Levy Reserve.

Chart: 2

Line	Description	Amount
1	2022 Capital Budget project 5-20.07 Emergency Environmental Remediation	\$305,500.00
2	City's Capital Levy Reserve	\$891,018.50
4	2023 Capital Budget project 5-20.07 Emergency Environmental Remediation	\$200,000.00
5	City's Capital Levy Reserve	\$486,820.54
7	Total	\$1,883,339.04

The total estimated project cost of \$1,883,339.04 net of the HST rebate, for Jackson Creek emergency remediation response can be accommodated within the uncommitted balance of the budgets listed in the above table.

Background

Brief Description of the Work Required

On August 22, 2022, Environmental Services staff responded to a report made by other City staff that an oil sheen could be seen in Little Lake. It was reported to the Ministry of the Environment, Conservation and Parks (MECP) and City Staff continued to monitor and remediate Jackson Creek, with a potential source being identified as a City-owned property on Townsend Street. In the morning of August 24, 2022, conditions in this area had changed drastically, oil product mixed with some organic debris was discharging from the Jackson Creek outlet structure. Staff from the City's contractor working on the Jackson Creek Flood Diversion project were asked to inspect the condition of the berm from the creek side when replacing the oil absorbent booms and directed to document the inspection of the berm and surface water condition within the box culvert and share the photos with City of Peterborough staff.

MECP discussed the contamination with City staff and stressed the need for immediate actions to be taken to remediate the discharge to Jackson Creek and investigate potential sources. It is the city's responsibility under the Environmental Protection Act to forthwith do everything practicable to prevent, eliminate and ameliorate the adverse effect and restore the natural environment as the result of a spill. There has also been implications to the Jackson Creek Flood Diversion project due to the presence of the unexpected contamination and required responses.

An emergency response to this incident was undertaken through the fall, winter and spring of 2022/2023. This included initial clean up of the August 2022 incident, regular monitoring of the containment measures in place, periodic removal of product collected by the containment measures. A local Environmental Consultant with expertise in monitoring and remediation was retained to coordinate the emergency remediation as well as perform a review of potential sources and remediation opportunities. Initial work included site investigations with Ground Penetrating Radar (GPR), removal of previously unidentified and potential sources of contamination, followed by the design and installation of a Permeable Reactive Barrier (PRB).

In March of 2023 high seasonal flows resulted in an oily sheen getting beyond containment measures that were in place resulting in the need for additional time sensitive clean up activities by Environmental Contractors including the design and installation of a temporary underflow dam in the Townsend Street storm culvert. Considering the time-sensitive nature, uncertainty of Environmental remediation, and authority of regulatory agencies, continued support from Environmental Contractors will be needed to maintain containment measures, perform impartial monitoring and reporting as well as provide emergency response and clean up services if necessary.

Emergency Non-Standard Procurement

To remediate Jackson Creek as quickly possible, the Emergency Procurement was approved by the Chief Administrative Officer and the Commissioner of Infrastructure and Planning Services, in accordance with Part 8.1.a of the City's Procurement By-Law 22-022 and the non-standard procurement, numbered NSP-63-22, was approved by the Treasurer. Report IPSES23-015 meets the reporting requirements in accordance with Part 8.1.b.ii. of the City's Procurement By-Law 22-022

Timelines

Purchase orders will be adjusted as necessary to accommodate the estimated Provisional Work as outlined in this report. City staff and vendors have commenced the work due to the need for urgent response.

Submitted by,

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Commissioner of Infrastructure and Planning Services

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