

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Vauxhall WWTP Pilot Plant – Request to Negotiate and
Execute Site Access Agreement

Date: June 13, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the attached proposed by-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council meeting on June 27, 2023, and that the following actions **BE TAKEN** with respect to granting approval for the installation of a long-term pilot facility at Vauxhall Wastewater Treatment Plant:

- a) Civic Administration **BE AUTHORIZED** to negotiate terms for site access, installation and operation of a pilot testing facility by Pall Water at Vauxhall Wastewater Treatment Plant.
- b) the Mayor and City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project.

Executive Summary

This report seeks Municipal Council approval to grant permission to Pall Water to install a pilot test facility for their surface water and wastewater effluent treatment systems at the City's Vauxhall Wastewater Treatment Plant.

Pall Water develops and sells advanced technology for the treatment of surface water for use as potable water sources and wastewater treatment plant effluent to improve effluent quality and ensure regulatory compliance. This technology could help inform future capital investment and long term treatment strategies at the City's wastewater treatment plants. There is space available at the plant, and no City funds will be used to construct or operate this pilot facility.

Linkage to the Corporate Strategic Plan

This report supports the City's 2023-2027 Strategic Plan in the area of Economic Growth, Culture and Prosperity:

- London is a regional centre that proactively attracts and retains talent, business, and investment
 - Foster and leverage strategic partnerships that promote collaboration, innovation, and investment in business and employment.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

2.0 Discussion and Considerations

2.1 City Support of Industry Research

The City of London has a long history of supporting research in the water and wastewater treatment fields, including the research facility located at Greenway Wastewater Treatment Plant (run by Western University) and multiple short- and long-term pilots hosted at various City facilities. This has benefitted the industry by promoting the development of new wastewater treatment technologies, offering much needed access for academic and institutional research, and providing City staff with the opportunity to access product developers at an early stage and gain insight into potential trends in the industry.

The opportunity to access to City facilities for this purpose is granted on a case by case basis. Pilot testing has been initiated by the City in the past, but typically requests are received as unsolicited proposals submitted by researchers or companies. These are considered based on the order in which they are received. The City has accommodated multiple vendors in the past in this way, including direct competitors testing similar technologies. Approved pilots typically involve very little modification to existing infrastructure and are not considered if they negatively impact existing operations.

This request builds on that history and provides insight into a technology that is expected to form an increasingly significant part of wastewater treatment in London over the coming decades. Pall Water, part of Trojan Technologies, develops and sells membrane treatment technology. They approached the City with a request to locate a pilot testing facility at the Vauxhall Wastewater Treatment Plant.

2.2 Selection of Vauxhall as Preferred Location

Vauxhall Wastewater Treatment Plant provides a unique location for Pall Water due to its proximity to the Thames River and space available on site. Since the goal of the pilot project is to test equipment for the treatment of both surface water and treated wastewater, this location provides relatively simple access to both.

From the perspective of Wastewater Treatment Operations, the proposed location is in a relatively untravelled part of the plant property and is not expected to impact operations in any significant way. In addition, new infrastructure installed as part of the flood protection measures recently constructed provides good access to water and power sources. Finally, the Vauxhall sewershed is not expected to experience significant growth in treatment capacity demand relative to the capacity available. Accordingly, dedicating a portion of the site to pilot testing is not expected to restrict long-term plans at the site.

2.3 Expected Form of the Pilot Plant and Agreement

Pall's proposal indicates that up to four twenty-foot seacan containers would be required in order to house the expected pilot equipment. There is sufficient space on site to accommodate this request.

Due to the significant expense of re-locating equipment to Vauxhall and completing the installation, Pall has requested that a term of at least five years be considered, possibly up to ten. Wastewater Treatment Operations is agreeable to this in principle, as long as an option to terminate with notice is included in the agreement.

City staff will also not play any role in operating the pilot facility. The agreement will consider only the provision of access to the site, as well as utilities on a cost recovery basis. The facility will also run in parallel to the existing treatment processes and will not affect them in any way. Costs associated with electrical consumption will be recovered from Pall Water. The Ontario Ministry of the Environment, Conservation and Parks will be consulted to confirm no impact to the operating approvals in place for Vauxhall will occur, and any permits or approvals required for the installation of equipment and the extraction of surface water from the Thames River will be the responsibility of Pall Water to obtain and manage. Pall will be required to carry all appropriate licenses, permits and insurance and will not be able seek compensation from the City in the case of interruption to site access, wastewater supply or upon reasonable notice to vacate the site.

At this time, Civic Administration is seeking approval from Council to negotiate the terms of a site access agreement with Pall Water generally in the form described above. Part of that approval will be to grant the authority to the Mayor and City Clerk to execute any agreements and approvals resulting from the negotiations between Pall Water and City staff, upon review by Risk Management, Legal, and Realty Services (if required). This would include any requested confidentiality agreements. Civic Administration is under no obligation to implement any agreement in this regard, so if suitable terms are not able to be negotiated then no Agreement will be presented to the Mayor and City Clerk for execution. No further report to Council would be made on this subject unless a request is received to extend the term of the agreement beyond ten years.

3.0 Financial Impact/Considerations

The City of London will not provide any funding to support this pilot facility. The City would provide a location and allow connection to City infrastructure for the purpose of electrical power and water sample feeds. Electrical power feeds will be metered so that costs can be recovered from Pall Water.

Conclusion

The City has made it a priority to support research in the water and wastewater treatment industry in the past. In line with this priority, Civic Administration is seeking approval to negotiate the terms of a site access agreement with Pall Water for the installation of a pilot facility at the Vauxhall Wastewater Treatment Plant. If Wastewater Treatment Operations, Legal, Realty and Risk Management staff all support the terms of a draft agreement to be negotiated with Pall Water, staff is seeking Council authorization for the Mayor and Clerk to execute that agreement. The City will not contribute any funds to install or operate this facility, there is no risk contemplated to existing treatment processes, and no term beyond ten years will be considered without seeking Council approval.

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Submitted by: Ashley Rammeloo, MMSc., P. Eng.
Director, Water, Wastewater and Stormwater

Recommended by: Kelly Scherr, P. Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Appendix 'A' Draft By-Law

cc: Aynsley Hovius, Solicitor II
Jason Wills, Manager III, Legal Services

Appendix 'A'

Bill No.
2023

By-law No. A.

A by-law to authorize the negotiation of a site access Agreement between The Corporation of the City of London and Pall Water and to authorize the Mayor and City Clerk to execute the Agreement when finalized.

WHEREAS subsection 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the power of a municipality shall be exercised by its council;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting, among other things: accountability and transparency of the municipality and its operations; economic, social and environmental well-being of the municipality; and financial management of the municipality;

AND WHEREAS it is considered acceptable that Civic Administration negotiate terms for research activities on City property;

AND WHEREAS it is appropriate to authorize the Mayor and City Clerk to execute such duly negotiated Agreement on behalf of the City;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Civic Administration are authorized to negotiate the terms of a site access agreement with Pall Water for the purposes of establishing a research test facility at Vauxhall Wastewater Treatment Plant.
2. The Mayor and City Clerk are authorized to execute the Agreement negotiated and approved by Civic Administration under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 27, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – June 27, 2023
Second Reading – June 27, 2023
Third Reading – June 27, 2023