

AGREEMENT WITH ACCREDITED OPERATING AUTHORITY

(Section 14, Safe Drinking Water Act, 2002)

This Agreement made this 11 day of Feb., 2013 between:**The Corporation of the Township of Elizabethtown-Kitley**

6544 New Dublin Road, R.R. 2 Addison, ON, K0E 1A0

(hereinafter called the "Owner" of the
Elizabethtown-Kitley Water Distribution System)

And

The Corporation of the City of Brockville1 King Street W., P.O. Box 5000, Brockville, ON, K6V 7A5
(hereinafter called the "Accredited Operating Authority" for the
Elizabethtown-Kitley Water Distribution System)

WHEREAS Section 14, of the Safe Drinking Water Act, 2002 states; if an accredited operating authority is in charge of a drinking water system and it is not the Owner of the system, the accredited operating authority and the owner of the system shall enter into an agreement; and

WHEREAS the City of Brockville has constructed and operates a water treatment and distribution system in the City of Brockville and supplies water to the Elizabethtown-Kitley Water Distribution System and is the "Accredited Operating Authority"; and

WHEREAS the Corporation of the Township of Elizabethtown-Kitley is the "Owner" of the Elizabethtown-Kitley Water Distribution System;

NOWHEREFORE in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

Elizabethtown-Kitley Water Distribution System Description

The following is a description for which the Corporation of the Township of Elizabethtown-Kitley owns and the Corporation of the City of Brockville is the Accredited Operating Authority for:

System Owner	The Corporation of the Township of Elizabethtown-Kitley
Drinking Water System Category	Large Municipal Class I Drinking Water Distribution
Drinking Water Works Permit Number	257-201
Municipal Drinking Water Licence Number	257-101
Operational Plan Number	257-401
Drinking Water System Number	260007777
Water Source	City of Brockville Drinking Water System
Population Served	350 to 2,270

Overview

The Elizabethtown-Kitley Water Distribution System is a large Municipal residential drinking water system, which is connected to and receives water from the City of Brockville Drinking Water System. The Elizabethtown-Kitley Water Distribution System consists of an in-ground water booster pumping station and approximately 10 km of distribution watermains and appurtenances.

The City of Brockville provides treated water from its Water Treatment Plant to the Elizabethtown-Kitley Water Distribution System (Class I). This is facilitated through a 10 kilometer watermain that extends from the City of Brockville's west boundary along County Road #2, through a meter chamber and associated appurtenances. This distribution system currently services approximately 350 residential customers. This system was installed in 1999 by the Ministry of Transportation and the Ontario Clean Water Agency and turned over to the Township of Elizabethtown-Kitley. The Elizabethtown-Kitley Water Distribution System is referred to as the "System" in this Agreement and includes the following:

In-Ground Booster Pumping Station and Metering Chamber

Booster Station Location	North side County Road No. 2 approximately 65 m west of Lily Bay Drive North
Pumps	Two (2) inline water booster pumps each rated at 14.5 L/s at 12 m TDH
Meter Chamber Location	Water meter installed in an in-ground chamber on County Road No. 2 at the west boundary limit of the City of Brockville

Watermains

Watermain Pipe Materials	PVC Class 150 DR 18, HDPE DR 11 (50mm to 300mm)
Service laterals to curbstop	HDPE Series 200 & 160, (25mm to 50mm)
Hydrants	Hydrants for flushing, maintaining water quality, system not designed for fire protection
Flush Stations	Ackerman Road (1) Butternut Bay (1) County Road No. 2 West Boundary (1)

Responsibilities

1. Operation, Maintenance, Management and Alterations

The respective responsibilities of the Owner and the Accredited Operating Authority for the operation, maintenance, management and alteration of the system are described in the existing "Elizabethtown Water Agreement" dated January 14th, 2000 (Appendix A).

The Accredited Operating Authority agrees to operate, maintain, manage and alter the system in a competent and diligent manner in accordance with the following:

- Safe Drinking Water Act, 2002 and associated regulations; and
- Drinking Water Works Permit #257-201 dated August 25, 2011 (Appendix B); and
- Municipal Drinking Water Licence #257-101 dated August 25, 2011 (Appendix C); and

- Operating and Maintenance Manual prepared by Ainley Group dated December 1999; and
 - Drinking Water Quality Management System Operational Plan #257-401; and
 - Any other legislation or regulation pertaining to drinking water that may arise from time to time.
- (all collectively referred to in this Agreement as "Applicable Law")

The Accredited Operating Authority represents that its employees, contractors and all persons responsible for the System have the necessary expertise, knowledge, training and professional qualifications to operate, maintain, manage and alter, as necessary, the System. The Accredited Operating Authority further acknowledges and agrees that the Owner is relying on this representation in entering this Agreement.

The Owner agrees to use due diligence in exercising its oversight responsibilities over the System and comply with Section 19 of the Safe Drinking Water Act – Standard of Care, Municipal Drinking Water Systems.

2. Deficiencies and Emergencies

If any deficiencies are identified the Accredited Operating Authority agrees to investigate and make the necessary arrangements to resolve. Monthly and annual reports shall identify how all deficiencies were resolved and documents specific actions taken to prevent a recurrence. The Accredited Operating Authority agrees to report deficiencies to the Owner through monthly and annual reporting. The Accredited Operating Authority has established programs for maintenance, rehabilitation and renewal, in conjunction with the Owner as referenced in the DWQMS Operational Plan - Element 15. The Accredited Operating Authority will implement DWQMS Operational Plan - Element 15 and ensure that a monitoring and inspection program is implemented with the goal of identifying any deficiencies or non-compliance with Applicable Law. All maintenance, inspection and monitoring programs shall be reviewed regularly and upgraded as needed, but in any event this shall be conducted annually.

The Owner has the right to conduct or have conducted inspections and audits of the operation, maintenance, and management of the system. Where the Owner identifies any deficiencies or non-compliance with Applicable Law, the Accredited Operating Authority shall rectify all identified deficiencies within a timeframe established by the Owner. Where the Accredited Operating Authority fails to correct any deficiency or non-compliance as directed, the Owner shall have the right to take corrective action. The costs of any corrective actions taken by the Owner shall form part of the operation, maintenance and repair costs of the System as set out in the "Elizabethtown Water Agreement" dated January 14th, 2000.

In the event of an emergency, the Accredited Operating Authority agrees to, to the best of their ability, manage and resolve the emergency in a timely manner. The DWQMS Operational Plan, Element 18, Emergency Management Appendix L, identifies the requirements for and the processes used to identify potential future drinking water emergencies, develop contingencies to respond to potential emergencies, and to evaluate the effectiveness of those contingencies.

3. Operational Plans

The Accredited Operating Authority agrees to ensure the Drinking Water Quality Management System Operational Plan is reviewed and revised as per the regulatory legislative requirements. Revisions to the Operational Plan will be submitted to the Owner for approval. The DWQMS Operational Plan Element 20 Management Review Appendix I and Element 21 Continual Improvement ensure the continuing suitability, adequacy, effectiveness and continual improvement of the Quality Management System.

4. Asset Management

The Accredited Operating Authority agrees to prepare, revise and maintain a 10 year capital plan for the system. The Accredited Operating Authority and the Owner will review the 10 year capital plan and the annual capital budget at the annual DWQMS Management/Infrastructure review meeting.

The Owner agrees to present the 10 year capital plan and the annual capital budget to Elizabethtown-Kitley council for approval. The Owner agrees to provide the Accredited Operating Authority with written authorization of budget approval and direction to proceed with capital projects.


5. Annual Reporting

The Accredited Operating Authority agrees to prepare a combined annual drinking water quality report for the Brockville Drinking Water System and the Elizabethtown-Kitley Water Distribution System.


The Owner agrees to have council review and approve the annual report and post the annual report on the Elizabethtown-Kitley website.

The Parties hereto agree to the terms of this agreement and hereto set their respective seals attested to by the hands of their proper officers duly authorized in that behalf this 11th day of February, 2013.

The Corporation of the Township
of Elizabethtown-Kitley




Mayor

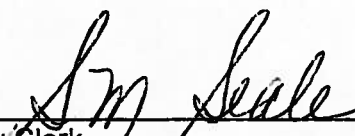


CEO/Clerk

The Corporation of the
City of Brockville



Mayor



City Clerk