

# PUBLIC RISKS, PRIVATE PROFITS

## VEOLIA ENVIRONNEMENT

Profiles of Canada's public-private  
partnership industry

JUNE 2014



A JOINT PROJECT OF THE POLARIS INSTITUTE AND THE CANADIAN UNION OF PUBLIC EMPLOYEES



# INTRODUCTION

This corporate profile is part of a series on the primary private water and wastewater services providers involved in the public-private partnership (P3) market in Canada.

The companies profiled are identified by PPP Canada Inc. – the federal crown corporation created to promote P3s across the country – as likely market participants in Canadian water and wastewater P3 projects. They offer a diverse set of capabilities; some would be part of the design and build phase of a P3, others participate in the operate and finance portion. While some of the companies are specialty water and wastewater services firms, others are P3 financiers. The common thread is their desire to participate in and benefit from water and wastewater P3 projects in Canada.

Given the success of recent efforts to oppose water and wastewater P3s in communities like Abbotsford, Whistler, and Metro Vancouver, B.C., public opposition is a key concern for the P3 industry in Canada.<sup>1</sup> One way of protecting publicly owned and operated water and wastewater services is to educate the public about the track records of private water services companies vying for contracts to design, build, finance, operate and maintain water and wastewater infrastructure. With intimate knowledge of these companies, municipal officials, city councillors and local supporters of publicly owned and operated water and wastewater services will gain important tools to challenge P3s in their communities.

## OVERVIEW

Veolia Environnement (Veolia) is a multinational utilities corporation based in Paris, France. The company has its origins as the water services division of the notorious French water services privateer Vivendi.<sup>2</sup> By 2002, Vivendi had reduced its ownership of its water services division to 20.4 per cent, enough for the creation of an independent company known as Vivendi Environnement. In 2003, the company changed its name to Veolia Environnement,<sup>3</sup> and in 2006, Vivendi finally sold off its remaining shares in Veolia Environnement.<sup>4</sup>

Today, Veolia makes money by selling infrastructure services, including water and wastewater services, environmental services (waste disposal, etc.) and energy services to public and private interests around the world. The company also provides transportation services internationally to governments. Veolia presently has 248,805 employees globally.

## HEADQUARTERS

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75116 Paris, France  
Tel: 33 (0) 1 71 75 00 00  
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North America Corporate Headquarters  
Veolia Water America, LLC  
200 East Randolph Street  
Suite 7900  
Chicago, Illinois 60601  
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Email: [general.information@veoliawaterna.com](mailto:general.information@veoliawaterna.com)

Veolia Environnement shares trade on the New York Stock Exchange under the symbol VE

## FINANCIAL INDICATORS

### Annual revenue (in CA\$):

**2013** \$34.55 billion  
**2012** \$35.98 billion

### 2013 Revenue by division (in CA\$):

Water	\$15.8 billion
Energy	\$5.81 billion
Environmental Services	\$12.48 billion
Other segments	\$404 million

# BOARD OF DIRECTORS

**Antoine Frérot** – Chairman and CEO of Veolia Environnement

**Paul-Louis Girardot** – Chair of the Supervisory Board of Veolia Eau, Compagnie Générale des Eaux

**Louis Schweitzer** – Former Chairman and CEO of Renault from 1992 to 2005<sup>5</sup>

**Daniel Bouton** – Current Chairman of DMJB Conseil and former Chair and CEO of Société Générale

**Pierre-André de Chalendar** – Chairman and CEO of French construction materials company, Compagnie de Saint-Gobain

**Serge Michel** – Chairman of Soficot SAS, a business management and investment consulting company Michel founded in 1997

**Baudouin Prot** – Chairman of the French-based global banking giant BNP Paribas

**M. Khaled Mohamed Ebrahim Al Sayed** – Official Representative to Veolia's Board of Directors from the Qatari Diar Real Estate Investment Company

**Georges Ralli** – Official representative to Veolia's Board of Directors from Groupama. Ralli is the current CEO, Vice-Chairman and Managing Partner of Lazard Frères Gestion SAS

**Paolo Scaroni** – CEO of the Italian oil and gas company ENI

**Maryse Aulagnon** – Founding Chairwoman of the French/Belgian real estate conglomerate Affine Group

**Nathalie Rachou** – Founding partner of the UK-based portfolio management company Topiary Finance Ltd

**Jacques Aschenbroich** – CEO of French auto parts manufacturer Valeo

**Marion Guillou** – Chairwoman of Agreenium and Chairwoman of the Board of Directors of École Polytechnique

**Olivier Mareuse** – Chief Financial Officer of the Caisse des dépôts et consignations

# OPERATIONS\*

Veolia is a global provider of environmental management services, which includes water and wastewater management services and energy services (excluding the production, trading and sale of electricity). Veolia sells these services to a range of clients around the world, including, public authorities, industrial and commercial customers and individuals.

As of 2013, Veolia's three main divisions are: Veolia Water, Veolia Energy and Veolia Environmental Services. Each division is made up of various subsidiaries which undertake a variety of operations.

## **Veolia Water:**<sup>7</sup>

Veolia Water ([veoliawater.com](http://veoliawater.com)) is the company's water services division and is historically Veolia Environnement's main operating segment. Veolia Water manages a large number of municipal water and wastewater services under thousands of long-term contracts around the world. In France alone, Veolia operates in over 8,000 municipalities.

In North America, Veolia Water operates through two wholly-owned subsidiaries: Veolia Water North America Inc. in the United States; and Veolia Water Canada Inc. in Canada. Prior to Vivendi's divestment of its environmental services business and the creation of Veolia Environnement, these North American subsidiaries were known as USFilter and USF Canada Inc. respectively (USFilter has also operated under the names U.S. Filter, and United States Filter Corporation).

- 77,979 employees<sup>8</sup>
- Operations in 69 countries
- Provides services through more than 4,500 contracts<sup>9</sup>
- Revenue of \$15.8 billion in 2013<sup>10</sup>

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\* Until 2011, Veolia Environnement operated with a fourth division called Veolia Transportation which provided services to public and private sector clients around the world. In December 2011, the company decided to focus its activities on its three primary businesses: water, energy and environmental services; and withdraw from the transportation business.

The company stopped reporting its transportation operations in 2013. However, Veolia has not finalized the divestment of its main transportation business Veolia Transdev, which was created in 2010 when Veolia Transportation merged with the French transportation company Transdev. Veolia will continue to operate Veolia Transdev and own 50 per cent of the company with the remainder held by Caisse des dépôts et consignations (CDC), a French state-owned financial institution.<sup>6</sup> Since 2012, Veolia has been negotiating the further divestment of its transportation business to CDC. As of writing, the two have yet to finalize the arrangement that would give CDC a 60 per cent controlling interest.

## Veolia Energy Services/Dalkia:<sup>11</sup>

Veolia's energy services division operates primarily through Dalkia ([dalkia.com](http://dalkia.com)), which is 66 per cent owned by Veolia Environnement and 34 per cent owned by Électricité de France (EDF). Veolia Energy Services/Dalkia is one of Europe's largest providers of energy-related services to companies and municipalities.\*

- 49,800 employees<sup>12</sup>
- Presence in 40 countries<sup>13</sup>
- 123,500 energy facilities worldwide<sup>14</sup>
- Revenue of \$5.81 billion in 2013<sup>15</sup>

Veolia Energy Services/Dalkia provides services relating to heating and cooling networks, thermal and multi-technical systems, industrial utilities, installation and maintenance of production equipment and integrated facilities management. It also provides public electricity services through its subsidiary Citelum ([citelum.com](http://citelum.com)) and services to individuals through another subsidiary, Veolia Habitat Services, formerly Proxiserve ([veoliahabitatservices.fr](http://veoliahabitatservices.fr)).<sup>16</sup>

## Veolia Environmental Services:

Veolia Environmental Services ([veolia-environmentalservices.com](http://veolia-environmentalservices.com)) is Veolia Environnement's waste services division, which designs, builds, manages and operates waste disposal infrastructure around the world including incinerators, landfill sites and toxic waste dumps, among others.

- 68,756 employees<sup>17</sup>
- Operations in 33 countries<sup>18</sup>
- Annual revenue of \$12.48 billion in 2013<sup>19</sup>
- Provides services to 807,000 client companies<sup>20</sup>

### Main activities:

- Waste management services and logistics for municipalities and industrial clients including maintenance of public spaces and urban cleaning (street cleaning, graffiti removal etc.), cleaning and maintenance of industrial sites, liquid waste management, treatment of contaminated soil, sewage system cleaning, treatment of contaminated soil, and the collection and transfer of waste;
- Sorting and recycling of materials;
- Waste treatment (solid and liquid, hazardous and non-hazardous) through incineration, composting and storage; and
- Final recovery of waste in the form of energy or organic materials.

### Some of Veolia Environmental Services' subsidiaries around the world:<sup>21</sup>

- France: OTUS, Tais, REP, Onyx, SARP
- North America: Veolia Environmental Services North America is the division of Veolia Environmental Services for the region. It owns VES Solid Waste, VES Technical Solutions in the hazardous waste industry and VES Industrial Services

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\* As of March 2014, Électricité de France and Veolia are in the process of restructuring the shareholdings of the energy services division.

- Scandinavia: Veolia Miljø AS subsidiary (Norway), Marius Pedersen subsidiary (Denmark)
- Italy: Veolia Servizi Ambientali Tecnitalia (ex-TMT)
- Australia: VES Australia Pty group (formerly Collex)
- Asia: VES Asia (formerly Onyx Asia Holdings)

### Veolia’s Canadian subsidiaries and operations:

Each of Veolia’s main divisions (including Veolia’s transportation business, see footnote on p. 5) have operations and offices across Canada. The company’s operations in Canada are also carried out by a small number of subsidiaries owned by Veolia. While these Canadian operations and subsidiaries may seem autonomous from their parent company, they are ultimately controlled by the head office in Paris and are beholden to Veolia Environnement shareholders and the board of directors. The following is a list of Veolia’s Canadian operations and subsidiaries. It is important to note that in some cases, Veolia strategically purchases companies and does not change the company name to Veolia. In other instances, it establishes subsidiaries with different names in order to create the appearance of an autonomous corporation while retaining complete control over operations. Information regarding a select number of Canadian contracts is listed in a subsequent section.

DIVISIONS	CANADIAN SUBSIDIARIES	MAIN ACTIVITIES
Veolia Water	<b>Veolia Water Canada Inc.</b> 203 Sunset Dr. Goderich, ON N7A 4C5	Water and wastewater system services
	<b>Veolia Water Solutions and Technologies Canada</b> <a href="http://veoliawaterst.ca">veoliawaterst.ca</a> 2000 Argentia Road - Plaza IV, Suite 430 Mississauga, ON L5N 1W1	Provides services, technology and products for the construction of wastewater treatment facilities and systems for public and private clients
	<b>John Meunier Inc.</b> <a href="http://johnmeunier.com">johnmeunier.com</a> 4105, rue Sartelon Saint-Laurent, QC H4S 2B3	Manufacturer of municipal and industrial water and wastewater treatment equipment
Dalkia	<b>Dalkia Canada Inc.</b> <a href="http://dalkia.ca">dalkia.ca</a> The Exchange Tower, P.O. Box 427 130 King Street West, Suite 1800 Toronto, ON M5X 1E3	Provides management and multi-technical services including infrastructure and utilities management, district energy, distributed energy and surgical instrument sterilization

DIVISIONS	CANADIAN SUBSIDIARIES	MAIN ACTIVITIES
<b>Veolia Environmental Services</b>	<b>Veolia Environmental Services Canada Services Industriels Inc.</b> <a href="http://veoliase.com">veoliase.com</a> 141 Prosperity Way RR #6 Chatham, ON N7M 5J6	Services provided to public and private sector clients include solid waste management, technical solutions, industrial and waste-to-energy services
	<b>Drainamar Inc</b> 8600, rue Jarry Anjou, QC H1J 1X7	Montreal waste services company, merged with Veolia Environmental Services in 2001 <sup>22</sup>
	<b>Sewer-Matic Inc.</b> 4140 Belgreen Dr. Gloucester, ON K1G 3N2	Provides drainage services and is part of Veolia Environmental Services Canada
	<b>Onyx Canada Inc.</b> 1705, 3 <sup>e</sup> Avenue Pointe-Aux-Trembles Montréal, QC H1B 5M9	Offers industrial cleaning, hazardous and domestic waste management, emergency response, environmental management and consulting services, treatment of waste material, sludge dehydration, oil treatment and recovery, and domestic services <sup>23</sup>
<b>Veolia Transportation/ Transdev</b> (see note on page 5 for the status of Veolia’s transportation business)	<b>Veolia Transdev Canada Inc./ Veolia Transport Canada/ Veolia Transport Québec</b> <a href="http://veoliatransdev.ca">veoliatransdev.ca</a> <a href="http://veoliatransport.qc.ca">veoliatransport.qc.ca</a> 720, rue Trotter Saint-Jean-sur-Richelieu, QC J3B 8T2	Transportation companies offering intercity, urban, wheelchair and school transportation services. The companies are operated by Veolia, and are subsidiaries of Transdev, which is a 50/50 joint venture between Veolia and the French company Caisse des dépôts et consignations
	<b>Autocar Metropolitain (4345240 CANADA and 4369645 CANADA)</b> 147, rue Principale Châteauguay, QC J6K 1G2	Quebec-based transportation services company and a Subsidiary of Transdev Canada Inc.
	<b>Médicar (9078-9975 QUEBEC)</b> <a href="http://medicar.ca">medicar.ca</a> 5010, rue Angers Montréal, QC H4E 3Z7	Montreal-based medical transportation service. Médicar is a member of Les Investissements Richard Auger which is owned by Transdev Canada Inc. <sup>24</sup>

DIVISIONS	CANADIAN SUBSIDIARIES	MAIN ACTIVITIES
Veolia Transportation/ Transdev (cont'd)	<b>Limocar Inc./Transdev Limocar</b> <a href="http://transdev.ca">transdev.ca</a> 720, rue Trotter Saint-Jean-sur-Richelieu, QC J3B 8T2	Subsidiary of Transdev Canada. Limocar provides public transportation to more than 40 municipalities through contracts with the CIT de la Vallée du Richelieu, CIT Laurentides and now CIT Roussillon. The company offers service to the Montreal-Sherbrooke corridor. Limocar also provides school transport service across Quebec. Transdev acquired Limocar in July 2007
	<b>Les Investissements Richard Auger (9200-0314 QUEBEC)</b> 720, rue Trotter Saint-Jean-sur-Richelieu, QC J3B 8T2	Quebec-based holdings company that is a subsidiary of Veolia Transdev Canada Inc. <sup>25</sup>

## LOBBYING ACTIVITY

Like most wealthy corporations operating in the infrastructure and services sector, convincing public authorities to select them for lucrative contracts is part of everyday business practice. Veolia, through in-house and contracted lobbyists and industry associations, actively lobbies municipal, regional and national governments wherever it operates around the world.

In Canada, Veolia has registered lobbyists in Quebec and in the City of Toronto. The following chart outlines the company's lobbying activities in these jurisdictions.

LOCATION	DETAILS	ISSUE	TIMELINE
Toronto	The CEO of Veolia's subsidiary Veolia Water North America Operating Services, LLC, along with four other executives are currently registered as an in-house lobbyist.	The lobbyist registry states that the company is lobbying the city in order to "Obtain a contract to serve as a consultant or advisor to the City with respect to optimization of its water and wastewater utilities." <sup>26</sup>	Veolia most recently registered as a lobbyist with the City of Toronto in January, 2013 <sup>27</sup>
Quebec	Veolia's subsidiary John Meunier has one in-house lobbyist registered on the Province's lobbyist registry. <sup>28</sup>	Veolia states that it is lobbying the province to obtain government contracts, subsidies or other monetary advantages as well to promote their drinking water and wastewater technologies in the hopes of selling their product and obtaining municipal contracts. <sup>29</sup>	The consultant is registered to lobby between March 2013 and September 2014

LOCATION	DETAILS	ISSUE	TIMELINE
Montreal	Veolia's Quebec-based transportation business, Veolia Transport Quebec, hired consultant lobbyist National Public Relations to lobby the City of Montreal. <sup>30</sup>	The registry states that the lobbyist is seeking to obtain a permit from the City of Montreal to occupy a portion of a large industrial complex in order to do minor maintenance to its fleet of vehicles and to use a small fueling reservoir.	The consultant registered in May 2013.
Quebec	Veolia's transportation subsidiary, Veolia Transdev, hired consultant Groupe GBV, to lobby the Government of Quebec. <sup>31</sup>	The registry states that the lobbyist was seeking to obtain a contract, other than through a public process (ex: RFP), a subsidy or other financial benefit, or to obtain another form of benefit through government regulation on issues related to public transportation.	The lobbyist was registered between June 2010 and March 2012.

## CONTRACTS

As a large global infrastructure and services company, Veolia is involved in thousands of contracts with public and private entities around the world. These contracts take a wide variety of forms depending on the nature (private, public) and the size of customers. What follows is a sample list of Veolia's water and wastewater contracts located in Canada and internationally. Some of these contracts are defined as a P3 while others are service contracts or concessions. The company has also been identified by PPP Canada Inc. as a likely P3 market participant.<sup>32</sup>

### P3 definition:

P3s can come in many forms. For the purposes of this profile, a P3 will be defined as a project that fulfills two prerequisites.

First, the project must have private sector involvement in at least two of the following structural elements:

- design, where the private sector is responsible for all or almost all of the project's design activities;
- build, where the private sector is responsible for all or almost all construction activities;
- operate, where the private sector is responsible for all or almost all activities related to the operation of the project;
- maintain, where the private sector is responsible for all or almost all maintenance of the project; or
- finance, where the private sector is responsible for arranging private financing that will be used to ensure performance during the construction and/or the maintaining and operating period of the project.

Second, at least one of the two structural elements must include operate, maintain or finance.<sup>33</sup>

## Canadian water and wastewater contracts and P3s

LOCATION AND DATE	TYPE	DESCRIPTION
<b>ONTARIO</b>		
Morris Turnberry, 2012-present	Service contract: operate	In January 2012, Veolia Water Canada Inc. signed a two-year contract with the Municipality of Morris-Turnberry for the operation of the municipality's Belgrave water system. The contract will be automatically renewed after its first two years unless cancelled. <sup>34</sup>
Huron-Kinloss, 2012-present	Operate, maintain	In January 2012, the Township of Huron-Kinloss extended its P3 for a further five years with Veolia Water Canada Inc. for the operation, management and maintenance of the township's four drinking water systems located in the towns of Lakeshore, Lucknow, Ripley and Whitechurch and the wastewater systems in Lucknow and Ripley. <sup>35</sup> The township has had an agreement with Veolia since 2005. <sup>36</sup>
Ashfield-Colborne-Wawanosh, 2011-present	Operate, maintain	In 2011, the Township of Ashfield-Colborne-Wawanosh extended its contract with Veolia Water Canada Inc. to operate and maintain its water and wastewater systems for a further five years. The latest contract expires in March 2015. <sup>37</sup>
Georgian Bluffs, 2011-present	Operate, maintain	Veolia Water Canada Inc. has been contracted to manage four drinking water systems in the Township of Georgian Bluffs. <sup>38</sup>
Brockton, July 2006-present	Operate, maintain	The Municipality of Brockton, Ontario signed a five-year P3 agreement that unified the municipality's water and wastewater services under one contract. Under the terms of the contract, Veolia Water Canada Inc. operates and maintains the town of Walkerton's water and wastewater systems, as well as the water systems for Chepstow and Lake Rosalind. In July 2011, the Municipality of Brockton extended its partnership with Veolia Water Canada Inc. for another five years. The amount charged by Veolia increased from \$470,000 per year for the first contract to \$611,000 per year for the latest contract. <sup>39, 40</sup>
Owen Sound, 2004-present	Service contract: operate	Veolia Water Canada Inc. was awarded a five-year contract to operate the City of Owen Sound's wastewater treatment facility. <sup>41</sup> The contract was renewed for a further five-year term in December 2012. <sup>42</sup>

Goderich, 2000-present	Operate, maintain	The Town of Goderich entered into a P3 with Veolia Water Canada Inc.'s Canadian predecessor, USF Canada Inc. in 2000 for the management and operation of the town's wastewater and water distribution systems. <sup>43</sup> While the original contract was for five years, Veolia remains the manager and operator of the town's water and wastewater systems in 2014.
Toronto, 1999-present	Operate, maintain	The City of Toronto contracted Veolia Water Canada Inc.'s predecessor USF Canada Inc. to design and construct a \$22.5 million wastewater biosolids management facility. <sup>44</sup> In 2003, the facility was damaged by fire and subsequently shut down. Veolia Water Canada Inc. was awarded a design/build contract to rebuild the facility and was subsequently awarded a contract to operate, maintain and manage the facility. Veolia also oversees the marketing of biosolids pellets produced at the plant. <sup>45</sup>
Norfolk County, 1998-present	Operate, maintain	In 1998, the then-unified counties of Haldimand and Norfolk entered into a P3 agreement with Veolia Water Canada Inc. (then known as USF Canada Inc.) for the operations, maintenance and management of the counties' wastewater treatment facilities. Despite separating into two political entities in 2001, the counties continued to negotiate a single contract with Veolia Water Canada Inc. until 2004. In 2006, Norfolk County signed a five-year P3 contract with Veolia. <sup>46</sup> The contract was renewed in 2011 for another five-year term. The annual cost for this contract in 2011 was \$2,332,458.
Haldimand County, 1998-present	Service contract: maintenance	After separating from Norfolk County in 2001, Haldimand County assumed contracts with Veolia Water Canada Inc. (then USF Canada Inc.) for the maintenance of regional wastewater treatment facilities and pumping stations. The contract was extended until June 2012. The county has since then entered into another P3 agreement with Veolia Water Canada Inc. for the operation and maintenance of the water systems in the Towns of Nanticoke and Dunnville which will expire in June 2015. <sup>47</sup>

## MANITOBA

Winnipeg, 2011-present	Consulting services: design, build, manage	The City of Winnipeg signed a 30-year contract with Veolia Water Canada Inc. to consult on numerous management, construction and design issues for upgrades to Winnipeg's wastewater treatment plants and for the construction of a new biosolids facility. Through the agreement, Veolia will participate in projects valued at over \$750 million. <sup>48</sup>
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## NEW BRUNSWICK

Sackville, May 2007-present	Service contract: operate	The Town of Sackville entered into a seven-year contract with Veolia Water Canada Inc. to operate the town's water systems. Signed in May 2007, the contract was renewed, and will expire in May 2019. <sup>49</sup>
Moncton, 1998-present	Design, build, finance, operate P3	In 1998, USF Canada Inc. (now known as Veolia Water Canada Inc.) and the City of Moncton entered into a 20-year P3 agreement for the financing, design, construction, operation and maintenance of a drinking water filtration facility and one pump station. <sup>50</sup>

## QUEBEC

Montreal, 2010	Contract to upgrade the Pierrefonds water treatment plant	Veolia (through its subsidiary John Meunier) and its Consortium Veolia Projet UTE Pierrefonds partner Construction Frank Catania & Associés <sup>51</sup> were awarded a \$34.9 million contract to upgrade and increase the capacity of the processing chain to the Pierrefonds water plant in the City of Montreal. <sup>52</sup>
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## VEOLIA ENVIRONMENTAL SERVICES CANADA

Veolia Environmental Services Canada has been awarded small and medium sized contracts in dozens of municipalities in Ontario, Quebec and British Columbia for the provision of a wide variety of environmental services including industrial cleaning and maintenance, sewer cleaning and maintenance and non-hazardous garbage services. Refer to the company's website for a complete listing of its Canadian operations and contracts: [veoliase.com](http://veoliase.com)

## CANADIAN NON-WATER/WASTEWATER P3S

Montreal University Health Centre (CHUM)	Design, build, finance, maintain P3 between the Government of Quebec and Le Collectif Santé Montréal, a consortium (20 per cent owned by Dalkia) <sup>53</sup>	The consortium, which consists of Innisfree Canada Ltd., Obrascon Huarte Lain, S.A. (OHL), Laing O'Rourke Corporation Ltd. (Laing O'Rourke) and Dalkia Canada Inc. was selected in 2007 to design, build, finance and maintain the future Montreal University Health Centre (CHUM). Once completed Dalkia will manage and maintain the hospital for 30 years.
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## Notable international water and wastewater contracts since 201:

### 2013

**January 2013, United States** – Veolia Water was awarded a 30-year, \$309 million contract to manage the City of Rialto, California's water and wastewater systems.<sup>54</sup>

### 2012

**November 2012, India** – Veolia and its joint venture partner, Swach Environment, were awarded a 15-year contract to manage drinking water production and distribution infrastructure for a neighborhood in western New Delhi. The contract also includes the management of the water department.<sup>55</sup>

**May 2012, India** – The City of New Delhi awarded Veolia Water a 13-year, \$54 million contract to build and operate a new wastewater treatment plant to serve the city's western sector.<sup>56</sup>

**April 2012, United States** – New York City awarded Veolia Water a four-year contract to evaluate the performance of the city's existing water and wastewater systems. The estimated overall revenue from the contract is \$37 million.<sup>57</sup>

**March 2012, India** – Veolia Water entered into a 25-year P3 for the operation and maintenance of water services for the City of Nagpur.<sup>58</sup>

**February 2012, Japan** – Veolia Water was awarded operate and maintain contracts to provide water and wastewater services for the Cities of Hiroshima, Kyoto and Matsuyama. The three contracts are valued at over \$66 million.<sup>59</sup>

**February 2012, France** – Veolia Water was selected by the City of Paris' wastewater regulator, SIAAP, to head the consortium that will renovate Europe's largest wastewater treatment plant. The contract is worth \$1.05 billion. Veolia will have a 25 per cent share of the total revenue.<sup>60</sup>

## CONTROVERSIES AND RESISTANCE

### Remunicipalization

Numerous municipalities around the world are following the recent trend of transferring water services from private companies back to municipal authorities. Known as remunicipalization, this trend has emerged out of growing frustration with the downsides of privatized water services such as cut-offs to the poor, higher water rates and poor quality service among others. Over the past few years, some of Veolia's concessions and contracts in France and Germany have been caught up in this tide.<sup>61</sup> Campaigns pushing for remunicipalization are ongoing in Toulouse, Île-de France, Montbéliard, Lille and Berlin, while the following municipalities have successfully regained control of their water services from Veolia:

**Communauté Urbaine de Cherbourg, France** – In 2005, the Cherbourg Urban Community (CUC), which covers five towns in La Manche department in France, voted

to bring the management of water services back under public control. The goal of the remunicipalization was to bring down prices and improve services. Before the municipality regained control, the privatized water service had been controlled by Compagnie Générale des Eaux (now Veolia).<sup>62</sup>

**Paris, France** – Twenty-five years of private production and supply of water in the City of Paris came to an end in 2010 when the city brought the water system under municipal control. The decision not to renew the municipal water supply service contract with Veolia and Suez – the two companies who shared the contract – came in November 2008, when city council decided it had had enough of rising prices and poor accountability. Paris' water services are now under the control of a new public utility known as Eau de Paris.<sup>63</sup>

**Brest, France** – After years of campaigning by local water justice activists, the City of Brest decided to end its water services contract with Veolia. Citing a lack of transparency, the city terminated its \$36 million annual contract with the company and formed the public utility Eau du Ponant along with three neighbouring municipalities. The public utility, which began operating in April 2012, will run the water supply in the four cities.<sup>64</sup>

## Canadian controversies

**Veolia's links to the Charbonneau Commission,<sup>65</sup> 2011-ongoing** – As of July 2013, neither Veolia nor its subsidiaries are under direct investigation by the Charbonneau Commission. However, Veolia is directly linked to a company that is a central figure in the ongoing investigation.

Paolo Catania is the President of Construction Frank Catania & Associés, Veolia's partner in the Consortium Veolia Projet UTE Pierrefonds. The consortium was awarded a \$34.9 million contract by the City of Montreal to upgrade a water treatment plant in 2010. Catania was arrested in March 2013 on charges of fraud and conspiracy following a police investigation that exposed an alleged plan to rig a construction contract in Catania's favour.<sup>66</sup>

**Haldimand County, Ontario, March 2012** – Veolia Water Canada Inc. was fined \$70,000 for violating the *Ontario Water Resources Act* for spilling commercial fertilizer into a creek. In 2010, provincial authorities found fertilizer pellets from one of the company's biosolids storage facilities had leaked into an adjoining waterway.<sup>67</sup>

**Goderich, Ontario, March 2012** – Veolia Water Canada Inc. was fined \$15,000 for failing to ensure a drinking water treatment system operator was properly certified.<sup>68</sup>

## International

**St. Louis, Missouri, 2012-2013** – In July 2012, a City of St. Louis selection committee chose Veolia Water for a contract to consult with the City's Water Services Division on ways to increase "efficiency and revenues."<sup>69</sup> Soon after the news of the \$250,000 contract came to light in December 2012, a coalition of groups concerned with water privatization, environmental issues, labour abuses and Veolia's complicity in Israeli violations of Palestinian human rights organized a campaign known as 'St. Louis Dump Veolia.'<sup>70</sup> In

October 2013, amidst heavy protests and opposition from the campaign and some City officials, the company decided not to proceed with the contract.<sup>71</sup>

**Morocco, 2011** – Several protests took place in Morocco against contracts held by Veolia’s subsidiaries, Amendis, Stareo, and Redal. Protesters pointed out that the price of the services, offered by the company’s subsidiaries could not be justified by the quality of services given that flooding continued and waste was not picked up in the poorest neighborhoods. In 2011, one of Veolia’s subsidiaries decided to end its transportation contract in Rabat. This was justified by the company by the “financial loss that they made.” The company denied that it was due to increasing protests against its services.<sup>72</sup>

**Indianapolis, Indiana, 2011** – Numerous complaints and lawsuits have been filed against Veolia Water North America and the City of Indianapolis since the City privatized its water and wastewater services and hired U.S. Filter (now Veolia Water North America Inc.) to operate the system.<sup>73</sup> Some of the complaints are related to Veolia: habitually overcharging customers; overestimating water usage; large rate increases; lax oversight of the company by the city.<sup>74</sup> In 2010, amid the controversy, Indianapolis City Council eventually decided to terminate its contract with the company and shift the ownership and operation of the water and wastewater utilities to a charitable trust, the Citizens Energy Group.<sup>75</sup>

**Gabon, 2011** – The Gabon Energy and Water Company (SEEG), which is 51 per cent owned and fully managed by Veolia, was reprimanded by the Gabonese government in early 2005 for water shortages in the capital city, Libreville.<sup>76</sup> To deflect criticism, SEEG purchased a full-page advertisement in the government newspaper *L’Union* to offer apologies and to claim that service had almost returned to normal. In 2009, the government once again warned SEEG about the water shortages that had been occurring in the capital since 2003. The government threatened to freeze Veolia’s concessions if no efforts and improvements were made. In March 2010, members of an association called “SOS Consommateurs” started a hunger strike to protest about the state of the water supply in the country.<sup>77</sup> Despite these serious problems, in 2011, after an international audit of SEEG by Deloitte-Gabon, the government asked the SEEG to produce a five-year plan to renew its equipment and establish a new tariff structure. Since January 2011, the SEEG has been jointly owned by Veolia and EDF, who together bought Veolia Water’s interests in the SEEG.<sup>78</sup> SEEG has been managed by Veolia since 1997.<sup>79</sup>

**France, 2010** – Veolia Transport, Transdev (a former Veolia subsidiary) and the French transportation company Keolis were fined \$16 million for anti-competitive practices in France’s public transportation sector. It was found that between 1996 and 1998 the three companies had agreed to not tender rival bids with each other.<sup>80</sup> The three companies were holding nearly two-thirds of the French public transport market during the years referred to in the lawsuit. Veolia Transport was eventually fined \$6.8 million.<sup>81</sup>

**France, 2001-2010** – In February 2001, Compagnie Générale des Eaux (now Veolia Water) was notified by the French Competition Council of a complaint alleging that several joint ventures it had formed with other water multinationals were affecting the level of competition in the market. In 2002, the Council found that the joint ventures constituted a ‘collective dominant position’ in the French water services market, and requested

that the French Ministry of Economy, Finance and Industry take necessary measures to terminate the anti-competitive practices of the companies. None of the companies involved in the joint ventures were fined or punished.<sup>82</sup> In 2005, Veolia's attempt to oppose this decision was rejected by the State Council (Conseil d'État). In 2008, the French Minister of the Economy, Christine Lagarde, managed to influence the two companies to dismantle their different joint ventures. This eventually happened in 2010.<sup>83</sup>

**Angleton, Texas, 2004-2009** – In January 2004, the City of Angleton, Texas, terminated its contract with Veolia Water North America (known at the time as USFilter Operating Services Inc.) and seized its property and equipment saying that the company was not providing the promised level of service. The company promptly sued the city seeking return of property and damages. The city quickly filed a counterclaim of government immunity to lawsuits which was dismissed by a judge the same day it was filed.<sup>84</sup> The city appealed the dismissal and the litigation dragged on for five years until Angleton City Council eventually decided to settle with the company in April 2009.<sup>85</sup> Veolia had been running the city's wastewater treatment plant and maintaining the city's streets since 1996.

**Lee, Massachusetts, 2004** – After four years of lobbying by Veolia Water North America, town representatives of Lee, Massachusetts, voted 41-10 against granting the corporation a 20-year contract to run the municipality's public water and wastewater systems. Community organizers waged a successful campaign against the privatization of the essential services, raising doubts about the company's promise that current employees would keep their jobs.<sup>86</sup>

**France, 2003** – In December 2003, Onyx Méditerranée, a subsidiary of Veolia Environment's waste management division Onyx, was ordered by the criminal court of Aix-en-Provence to pay a \$136,289 fine for the destruction of 3,500 hectares of scrubland by fire. The fire started in a landfill site operated by Onyx Méditerranée.<sup>87</sup>

**New Orleans, Louisiana, 2003** – USFilter (now Veolia Water), which runs two wastewater treatment plants in the city, has racked up US\$107,000 in fines for discharging sewage directly into the Mississippi River 64 times since 2001.<sup>88</sup> Almost all of the discharges violated a 1998 Environmental Protection Agency ruling, or consent decree, that mandated the City of New Orleans to stop polluting Lake Pontchartrain with raw sewage and drainage runoff.<sup>89</sup> As a result of this issue and other reports of poor performance, the New Orleans Sewerage and Water Board withheld \$2.6 million in payments in exchange for the company's commitment to repair and maintain the two plants. USFilter claimed the move was in violation of the contract. In June 2003, the Board said that withholding the money was their only recourse to penalize the company for poor performance.<sup>90</sup> In October 2003, the Board agreed to pay the company the \$2.6 million in exchange for USFilter agreeing to repair and maintain the two plants according to contract specifications.<sup>91</sup>

**Plymouth, Massachusetts, 2003** – In January 2003, the State of Massachusetts issued a notice of non-compliance to USFilter (now Veolia Water) due to 22 separate issues at a water treatment plant operated by the company. The notices highlighted inaccurate and inconsistent testing, inadequate staffing, and rates of nitrogen and phosphorus levels two or three times higher than permitted. The state's report also noted the breaking

down of pumps, which in one incident had left the plant without pumping capability for more than 16 hours. The company had been aware of the issues but had failed to report them to City authorities, who were shocked when they were handed the state's notice which included threats of heavy fines if the plant did not fix the problems.<sup>92</sup> By June 2003, the plant was in compliance with state permits and did not face any fines.<sup>93</sup>

**France, 2000** – A subsidiary of Veolia Water, Sade (Société Auxiliaire des Distributions d'Eau, [www.sade-cgth.fr](http://www.sade-cgth.fr)), along with 40 other corporations, came under investigation by the French Competition Council. The investigation stemmed from alleged anti-competitive practices related to public bids for 44 public sector construction contracts in the Île-de-France department, which includes Paris and its suburbs. In 2002, the Council reduced the number of contracts under review to 32, four of which involve Sade. In March 2006, the Council imposed a \$7.5 million fine on Sade relating to this matter. Sade appealed the decision before the Paris Court of Appeals and in July 2008, the Court of Appeals ruled in favour of Sade and the fine was reimbursed to the company.<sup>94</sup>

**Milan, Italy, 2000** – In July 2001, Alain Maetz, a senior manager at Vivendi, was convicted for bribing municipal politicians in both the majority and opposition parties on Milan City Council in order to win a \$105-million tender for a wastewater treatment plant. Evidence in the bribery case included a letter to Vivendi's partners from Maetz that contained information on the deal and implicated the president of Milan City Council, Massimo De Carolis. Maetz wrote how he had excellent contacts with the Polo delle Libertà, the right-wing majority coalition (whose leader was former Italian Prime Minister Silvio Berlusconi) and planned to pay \$206 million in bribes to Italian politicians.<sup>95</sup> The prosecution's investigation into the scandal found that De Carolis had received bribes from Vivendi through Maetz in order to encourage the selection of the company for the contract. The prosecution also uncovered how De Carolis had given Maetz the names of the 13 shortlisted companies for the contract far before the information was made public. De Carolis was forced to resign from public office and was arrested on corruption charges. He was eventually convicted and sentenced to two years and ten months in prison. For his part in the scandal, Maetz was tried, convicted and sentenced to one year and eight months in prison.<sup>96</sup>

**Rockland, Massachusetts, 1998-2004** – In February 2004, the Town of Rockland, Massachusetts, terminated its 10-year \$1.2 million contract with USFilter (now Veolia Water) to run the town's sewage treatment plant on the advice of the state Office of the Inspector General amid charges of embezzlement and fraud. USFilter/Veolia Water North America denied any wrongdoing and sued the town for terminating its contract. The town countersued the company and in September 2007, U.S. District Judge Patti B. Saris found that "Professional Services Group, Inc., a division of the international conglomerate Veolia Environment," acted unfairly and deceptively in colluding "with a Rockland town official to win the 1998 contract" and thus confirmed the town's 2004 decision to terminate the contract.<sup>97</sup> The decade-old case eventually ended when Veolia agreed to pay the town more than \$770,000 in July 2008. Veolia was ordered to pay \$240,000 to the town after the September 2007 court order, the rest is for the town's legal fees.<sup>98</sup>

**Puerto Rico, 1998-2002** – Vivendi’s management of Puerto Rico’s water authority, PRASA, through its subsidiary Compañía de Aguas, was strongly criticized by a Puerto Rican government report in August 1999, for failing to adequately maintain and repair the state’s aqueducts and sewers. Puerto Rican regulators issued a critical report on the contract listing numerous faults with the company, including problems with maintenance, repair, administration and operation of aqueducts and sewers, and mentioned that financial reports were either late or not submitted at all. Another regulatory report in May 2001 identified over 3,000 problems with administration, operation, and maintenance of the water infrastructure. Veolia Environnement’s predecessor, Vivendi, lost its contract in Puerto Rico in 2002.<sup>99</sup>

**New Orleans, Louisiana, 1997-2003** – Veolia Water’s predecessor, USFilter was involved in a corruption scandal involving the bribery of a former New Orleans Sewerage and Water Board member in order to rig the renewal of a contract to run the city’s two wastewater treatment plants. Katherine Maraldo, the former board member, was convicted of accepting bribes during the mid-1990s from Professional Services Group’s (PSG) then-president Michael Stump. Stump was buying Maraldo’s support for a five-year extension of the company’s contract to run two wastewater plants. At the time Maraldo was the chair of the committee that oversaw the contract. Stump was convicted in June 2003. Both Maraldo and Stump were given jail terms. At the time of the crime, PSG was a unit of Vivendi’s indirect US subsidiary, Aqua Alliance.<sup>100</sup>

**Angouleme, France, 1997** – In 1997, Jean-Michel Boucheron, the former mayor of Angouleme, was convicted and sentenced to four years in prison for taking bribes from companies bidding for public tenders. This included a bribe from Générale des Eaux in the form of an annual salary for Boucheron for a fictitious job with the company. The bribe was paid to Boucheron in exchange for giving the Vivendi subsidiary a water distribution contract in Angouleme.<sup>101</sup>

**Argentina, 1995-2010** – In July 1995, Générale des Eaux and its Argentine subsidiary Compañía de Aguas del Aconquija, signed a 30-year contract with Tucuman province to run its water and wastewater facilities. The company quickly raised rates by approximately 100 per cent in order to finance the \$380 million it planned to invest in the utility.<sup>102</sup> Within months of taking over the utility, Générale des Eaux was being criticized for allegedly supplying homes with contaminated water.<sup>103</sup> Tucuman’s health authorities eventually imposed fines on the company for failing to install proper water-testing equipment, and for poor performance in running the water system. The provincial ombudsman also denied the company the right to cut off water supplies to nonpaying customers and refused to allow rate increases. In August 1997, after months of negotiations between the Province and the company over changes to the concession, Générale des Eaux rescinded its contract.<sup>104</sup>

In response, Vivendi took the Government of Argentina to the International Centre for the Settlement of Investment Disputes (ICSID) – a division of the World Bank – claiming that the national government had violated a Bilateral Investment Treaty between France and Argentina by allowing authorities in Tucuman to take action against the company. The ICSID Tribunal dismissed the case in 2001 saying there was no evidence that “the Argentinean government had failed to follow its obligations under the Bilateral

Investment Treaty.”<sup>105</sup> In July 2002, Vivendi went back to the ICSID and successfully fought to have the 2001 dismissal annulled.<sup>106</sup> The company then resubmitted its original dispute and in 2007 the ICSID awarded Vivendi damages of \$105 million plus interest and costs to be paid by the Argentine government. The government’s attempts to have the award overturned were unsuccessful and in August 2010 the ICSID’s award became final.<sup>107</sup>

This case is just one example of how wealthy multinationals have recourse through trade agreements to sue indebted nations over contract disputes. It is also alarming to note that the World Bank, the institution promoting and imposing public-private partnerships, can facilitate claims from the likes of Vivendi through the ICSID.

**Bridgeport, Connecticut, 1994-2003** – Former Bridgeport Mayor Joseph P. Ganim was sentenced to nine years in prison for corruption on several counts, which included a relationship between his office and Professional Services Group (PSG), which was purchased by USFilter, Veolia Water North America’s predecessor. A major part of the testimony heard was regarding two multi-million dollar sewage contracts awarded to PSG – first a five-year contract, then an extended 20-year contract – in return for \$500,000 in kickbacks from the company through consulting fees and benefits.<sup>108</sup>

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