

The Regional Municipalities of Durham and York

**MINUTES
of the
JOINT WASTE MANAGEMENT GROUP (JWVG)
for the
DURHAM/YORK RESIDUAL WASTE STUDY**

TUESDAY, SEPTEMBER 25, 2007

A meeting of the Joint Waste Management Group for the Durham/York Residual Waste Study was held on Tuesday, September 25, 2007 in the Council Chambers, Durham Region Headquarters, 605 Rossland Road East, Whitby, Ontario, beginning at 1:30 p.m.

Present: Councillor S. Crawford, Town of Ajax, Durham Region
Councillor G. Emm, Town of Whitby, Durham Region
Councillor M. Ferri, City of Vaughan, York Region, Co-Chair
Councillor J. Heath, Town of Markham, York Region
Councillor R. Johnson, City of Pickering, Durham Region
Councillor C. Trim, Municipality of Clarington, Durham Region, Co-Chair
Councillor D. Wheeler, Town of Georgina, York Region
L. Burt, Resident, Township of Scugog, DEAC Representative
I. Gray, Resident, Town of Newmarket, Newmarket Environmental Advisory Committee
B. Mersey, Resident, Town of Markham, Markham Conservation Committee
S. Perrella, Resident, City of Vaughan, Vaughan CARES

Alternates

Present: Regional Chair Anderson, Durham Region
Councillor H. Herrema, Township of Uxbridge, Durham Region
Councillor N. Pidwerbecki, City of Oshawa, Durham Region
Councillor V. Spatafora, Town of Richmond Hill, York Region, left the meeting at 3:00 p.m.

Absent: M. Evans, Resident, Township of Brock
Councillor G. Landon, Town of Markham, York Region
J. McGinnis, Resident, City of Pickering, Durham Conservation Centre

Also

Present: Councillor J. Abernethy, Municipality of Clarington, Durham Region
Councillor M. Novak, Municipality of Clarington, Durham Region
Councillor P. Perkins, Town of Whitby, Durham Region

Staff

Present: A. Bacopoulos, Consultant, York/Durham
D. Bowen, Deputy Clerk, Durham Region
R. Blakey, Director, Technical Services, Corporate Information Services, Durham Region

A. Campbell, Director, Solid Waste Management, York Region
G. Cubitt, Chief Administrative Officer, Durham Region
C. Curtis, Commissioner of Works, Durham Region
M. Dutt, Community Medicine Resident, Health Department, Durham Region
M. Gaskell, Senior Solicitor, Durham Region
M. Januszkiewicz, Director of Waste Management Services, Durham Region
T. Lavery, Communications Officer, Durham Region
B. Lockett, Waste Management Technician, Durham Region
S. Love, Legal Counsel, York Region
E. Mastrangelo, Administrative Assistant, Durham Region
J. McKay, Jacques Whitford
D. Merriman, GENIVAR
S. Munns-Audet, Director of Corporate Communications, Durham Region
J. Paquette, Works Communications Officer, Durham Region
D. Payne, GENIVAR
L. Riviere, Project Planner, Durham Region
C. Bandel, Committee Secretary, Durham Region

Councillor C. Trim, Durham Region, chaired the meeting.

1. APPROVAL OF AGENDA

MOVED by Councillor Johnson,
"THAT the agenda, as presented, be approved."
CARRIED

2. ADOPTION OF MINUTES

MOVED by Councillor Johnson,
"THAT the minutes of the Tuesday, June 19, 2007 Joint Waste
Management Group meeting be adopted."
CARRIED

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

5. CORRESPONDENCE

- a) CORRESPONDENCE DATED SEPTEMBER 4, 2007 FROM STEPHANIE ADAMS,
CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM
WASTE ENVIRONMENTAL ASSESSMENT STUDY
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- b) CORRESPONDENCE DATED SEPTEMBER 5, 2007 FROM JULIE ALLEN-FREEMAN, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- c) CORRESPONDENCE DATED SEPTEMBER 5, 2007 FROM HILARY BALMER, EXECUTIVE DIRECTOR, RAINET, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- d) CORRESPONDENCE DATED SEPTEMBER 4, 2007 FROM WENDY BRACKEN, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- e) CORRESPONDENCE DATED SEPTEMBER 4, 2007 FROM JOHN AND DALE CERNIUK, OSHAWA RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- f) CORRESPONDENCE DATED AUGUST 29, 2007 FROM GARLAND AND ANNE FOOTE, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- g) CORRESPONDENCE DATED AUGUST 29, 2007 FROM SYLVAIN GAGNON, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- h) CORRESPONDENCE DATED AUGUST 29, 2007 FROM MELISSA GIRARD, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- i) CORRESPONDENCE DATED SEPTEMBER 11, 2007 FROM BETH HEWIS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- j) CORRESPONDENCE DATED SEPTEMBER 4, 2007 FROM MANUEL JIMENEZ, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- k) CORRESPONDENCE DATED SEPTEMBER 4, 2007 FROM DEBBIE KUEHN, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- l) CORRESPONDENCE DATED AUGUST 31, 2007 FROM JOHN MACDONALD, CAW LOCAL 222 YOUTH COMMITTEE, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY

- m) CORRESPONDENCE DATED AUGUST 31, 2007 FROM RALPH MACHON, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- n) CORRESPONDENCE DATED SEPTEMBER 7, 2007 FROM MARY ANNE AND GERRY MARTIN, CLARINGTON RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- o) CORRESPONDENCE DATED SEPTEMBER 12, 2007 FROM KRISTIN MCKINNON-RUTHERFORD, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- p) CORRESPONDENCE DATED AUGUST 29, 2007 FROM LORNA MCSWAN, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- q) CORRESPONDENCE DATED JUNE 22, 2007 FROM BRENT MERSEY, MARKHAM RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- r) CORRESPONDENCE DATED AUGUST 29, 2007 FROM GASTON MORIN, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- s) CORRESPONDENCE DATED SEPTEMBER 6, 2007 FROM DONNA PACKMAN, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- t) CORRESPONDENCE DATED SEPTEMBER 4, 2007 FROM DEVON RICHARD, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- u) CORRESPONDENCE DATED JULY 27, 2007 FROM JIM RICHARDS, CLARINGTON RESIDENT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- v) CORRESPONDENCE DATED AUGUST 29, 2007 FROM BRIAN AND SHARON THOMPSON, CLARINGTON RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- w) CORRESPONDENCE DATED AUGUST 28, 2007 FROM BILL AND LORNA TURNER, CLARINGTON RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY

- x) CORRESPONDENCE DATED SEPTEMBER 15, 2007 FROM DOUG WOODS, CLARINGTON RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- y) CORRESPONDENCE DATED AUGUST 28, 2007 FROM DON WRIGHT, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- z) CORRESPONDENCE DATED SEPTEMBER 17, 2007 FROM FRASER AND CATHRYN GRANT, OSHAWA RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- aa) CORRESPONDENCE DATED SEPTEMBER 17, 2007 FROM ANN AND MIKE BUCKLEY, CLARINGTON RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- bb) CORRESPONDENCE DATED SEPTEMBER 17, 2007 FROM JEAN AND WALLACE MCKNIGHT, CLARINGTON RESIDENTS, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY
- cc) PRESENTATION MATERIAL FROM LINDA GASSER, CLARINGTON RESIDENT, AS PROVIDED AT THE SEPTEMBER 19, 2007 DURHAM REGIONAL COUNCIL MEETING REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY

Correspondence Item cc) was provided as a handout.

MOVED by Councillor Johnson,
"THAT Correspondence Items a) to cc), inclusive, be received for information."

CARRIED

6. RESULTS OF THE EVALUATION OF SHORT LIST OF SITES AND IDENTIFICATION OF CONSULTANT'S RECOMMENDED PREFERRED SITE

J. McKay, Jacques Whitford, provided a PowerPoint presentation on the thermal facility site selection process and the consultant's recommendation on the preferred site. A map illustrating the preferred site location was displayed during the presentation. He stated the preferred site is the Clarington 01 site located on the west side of Osbourne Road, north of the CN Rail, near the intersection of Highway 401 and Courtice Road. He provided a summary on the facility site selection process to-date. He gave an overview of the public and agency consultation on the short-list of sites and advised all information with respect to this process has been posted on the Study web-site (www.durhamyorkwaste.ca) and copies of the reports and CD's are available at the local libraries for public review. J. McKay

stated that since the announcement of the short-list, approximately 170 comments have been received and addressed.

J. McKay advised the site supporting documentation includes the following reports:

- Potential Air Quality Impacts
- Potential Water Quality Impacts
- Potential Environmentally Sensitive Areas and Species Impacts and Aquatic and Terrestrial Ecology Impacts
- Compatibility with Existing and/or Proposed Land Uses
- Archaeological and Cultural Resources
- Potential Traffic Impacts
- Capital Costs and Operation and Maintenance Costs
- Compatibility with Existing Infrastructure and Design/Operational Flexibility Provided by Site
- Complexity of Required Approvals and Complexity of Required Agreements.

He outlined the approach used for the evaluation of the short-list of sites which included data collection on each short-list site to identify potential impacts, and comparing the net effects of each site and identifying the relative advantages and disadvantages. He went on to explain the application of the advantages and disadvantages and provided a description of each of these rankings. He stated community priorities were also used in the evaluation process which were established during the development of the Environmental Assessment Terms of Reference and developed by the public. These include high priority issues such as public health and safety and natural environment considerations; medium priority issues such as social and cultural, economic/financial, and technical considerations; and, low priority issues such as legal considerations.

J. McKay provided a summary of the following known advantages for the Clarington 01 site:

- shortest round-trip distance traveled for the transportation of waste
- least potential impact to water quality
- no on-site hazard lands or other natural features
- no potential aquatic habitat on-site
- most compatible with surrounding land uses
- least number of residences (2) within a 1 km radius of the site
- furthest from a designated residential area (existing or planned)
- greatest haul-cost savings
- close to potential market for heat (existing and future potential)
- owned by Region of Durham and property acquisition is not required

He also provided a summary of the following known disadvantages with the Clarington 01 site:

- close proximity to highway 401 and the vehicular emissions related to this transportation route
- haul route requires approximately 1.2km of road improvements
- extension of the water and natural gas servicing will be required
- requires some additional approvals – common for all sites.

He also stated that due to the proximity to the 400 series highway, the potential impacts to air emissions are higher. He advised they are collecting ambient air quality data for this site and the Clarington 05 site, and will report back on this in December once the additional data has been collected. J. McKay stated there are also some potential disadvantages which aren't known at this time but could cause concern such as the potential for the presence of species of conservation; the high potential for the presence of prehistoric and historic archaeological resources; and, an extension of electrical infrastructure may be required.

J. McKay went on to give an overview of the East Gwillimbury 01 site. He provided a summary of the following known advantages of this site:

- potentially better background air quality relative to the other sites
- no parklands within 1km radius of site
- no wooded areas on-site
- low to medium potential for the presence of historic archaeological resources
- lowest estimated capital cost to develop site (assuming sewer connection not required)
- electrical grid connection available at site
- site serviced by water and natural gas
- potential synergies with York Region Recycling Facility
- no road improvements required to haul route
- owned by Region of York and property acquisition is not required

He also provided a summary of the following known disadvantages with the East Gwillimbury 01 site:

- longest round-trip distance traveled for the transportation of waste
- on-site watercourse (typically dry) classified as coldwater fishery
- site located in the Greenbelt Plan area, although not constrained by development requirements within Greenbelt Plan
- designated Estate Residential within 1km radius of site
- least haul-cost savings of all sites

- least surplus area of all sites
- 2 residences along proposed haul route on Davis Drive
- requires some additional approvals – common for all sites

J. McKay stated there are also some potential disadvantages which aren't known at this time, but could cause concern such as the potential for the presence of species of conservation, a regional Official Plan amendment may be required, and it has the highest potential impact to water quality since there is an on-site watercourse which is classified as a "cold-water fishery". It must be confirmed with the Conservation Authorities to lift the "cold-water fishery" designation.

J. McKay gave an overview of the summary of the comparative evaluation results which compares the advantages and disadvantages of all of the sites. He explained the Clarington 04 site was rated with an overall disadvantage as it may be impacted by the hwy. 407 and there is a lagoon on the property. The Clarington 05 site was rated with an overall disadvantage as there is a water course in the middle of the property, the widening of Hwy. 401 could impact the site, and the site may be impacted by the development of a Hwy. 407 interchange.

J. McKay outlined the next steps which include open houses in both York and Durham Region, public polling to be completed in October, and any other events as may be requested or required. He gave an overview of the project milestones and the estimated timeframes for the completion of the project. He advised an Interim EA Document will be prepared and issued late 2007/early 2008 that will document the EA Terms of Reference process; the evaluation of the "Alternatives To" and the identification of Thermal Treatment as the preferred technology; the evaluation of the "Alternative Methods" and the identification of Clarington 01 as the preferred site; all the consultation undertaken as part of the EA study; and, a list of items that require completion before the Draft EA can be submitted to the Minister of the Environment.

J. McKay responded to questions regarding the dates and format of the public information sessions. He advised there will be a Public Information Centre on Wednesday, October 3, 2007 at the Garnet B. Rickard Recreation Complex in Bowmanville, from 2:00 p.m. to 11:00 p.m., with a formal presentation taking place at 9:00 p.m. The formal presentation provided by J. McKay today will be taped so it can be heard every hour on the hour throughout the day by those who can't attend the live presentation at 9:00 p.m. A second Public Information Session is being arranged for the following week in Courtice with the presentation being held earlier in the meeting. He clarified that all questions/comments received (either by e-mail, letter or phone call) are logged and documented in writing and a written response is sent back to the individual.

J. McKay advised there is a misprint in the Executive Summary which states the deadline for the public comment period is October 13, 2007, when it should read October 28, 2007.

7. DELEGATIONS

a) JUNE DAVIES, 6080 LAKE RIDGE ROAD, UXBRIDGE, L9P 1R4, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY

Ms. Davies appeared before the Committee to express her concerns with the Energy from Waste (EFW) project. She feels the EFW alternative is a digression from the work that needs to be done, such as achieving zero waste. She stated the process should continue until December and at that point Council should pause and reconsider whether the \$250 million being used to build an EFW facility should be used to implement the goal of zero waste by 2010, which can be achieved through several methods including the implementation of deposit return programs, or a carbon tax on oil, natural gas and coal based companies, or by subsidizing corporate initiatives to address waste reduction. Ms. Davies advised she attended the Household Hazardous Waste collection event in Clarington and was surprised by the overwhelming response of the citizens. She commented on the Town of Whitby winning the Waste Reduction event. She stated that as evidenced by these two events alone, it is obvious people want to do what is right and staff and Council need to trust that citizens can do what needs to be done. She stated the Region is doing a good job, but the EFW should be a second step, with waste elimination and waste reduction being the first step.

Ms. Davies responded to questions of the Committee.

b) LINDA GASSER, 7421 BEST ROAD, ORONO, LOB 1MO, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY

Ms. Gasser appeared before the Committee to express her concerns with the Energy from Waste (EFW) project. Ms. Gasser provided a copy of her presentation. She stated that actions of the Durham Region, such as denying background reports promised to Clarington staff in July, thwarted the ability of the public and the Municipality of Clarington to provide input that should have been considered by the Project Team prior to the consultants' recommended site announcement. She further stated the site recommendation is based on incomplete information. She also stated that the decision by Durham and the Project Team to hold only one public information session meeting in Bowmanville, with the formal presentation scheduled to begin at 9:00 p.m., is another example of the Region not providing meaningful consultation with the public. Ms. Gasser noted that Clarington staff and the peer reviewers have raised many concerns from the site selection process through to the separation of site and technology decisions.

Ms. Gasser also stated it is heartening to see that York Region representatives have made a public commitment to examine alternatives to incineration, as set out in a July 11th letter by Chairman Fisch to the Editor of the York Region Media Group. She further stated that it was interesting to learn that York Region's 20,000 tonnes commitment would not be subject to a "put or pay" contract.

Ms. Gasser also stated there is no cap on the facility capacity in the Terms of Reference and the bigger the proposed facility, the more waste would have to be imported from outside Durham to keep the facility burning 24 hours a day, 7 days a week.

Ms. Gasser also stated that Durham Region does not appear to have a Plan B strategy in place and should the EFW EA not acquire all necessary approvals, the Region would be unprepared by not having sustainable options once the Michigan border closes. It also makes the Region financially vulnerable because of the need for a public solution.

Ms. Gasser requested that the number of Public Information Sessions in Durham Region be expanded to at least three and that formal presentations be scheduled for both the afternoon and evening, so as to permit a number of options to the public. She also requested that the comment period for input on the recommended site be extended from 30 days to at least 45 days to permit the public, Clarington staff and peer reviewers sufficient time to assess the many detailed reports.

c) KAREN BUCK, 58 LEUTY AVENUE, TORONTO, M4E 2R4, REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL ASSESSMENT STUDY

Ms. Buck appeared before the Committee to discuss the issue of Energy from Waste and climate change. She stated that fields like transportation, construction, and electricity generation need to be examined for their impact on climate change. She stated an Ontario waste policy needs to be developed which must start with waste reduction and prevention. Reuse, recycling, and composting should be second. She stated the worst option is dealing with residual waste through incineration. She stated residual wastes are a design flaw which needs to be phased out through programs like Extended Producer Responsibility (EPR). She also feels the new Ontario policy for an Environmental Assessment (EA) Screening Process seems to be a driving process for EFW facilities.

Ms. Buck stated EFW facilities impact climate change. In the United Kingdom, there are a huge number of EFW technologies to choose from that do not emit fossil fuel derived carbon dioxide (CO₂), which contributes to the emissions affecting climate change. She discussed the rate that CO₂ can be released and the effects on atmospheric CO₂. She stated the preferred technology is an anaerobic, mechanical, biological treatment extracting both metals and plastics with stabilized residual waste going to landfill.

Ms. Buck further stated that there is an initiative underway to make burning coal cleaner. She questioned what the costs would be long-term for an EFW facility to address these measures like coal plants are now regulated to do, since EFW facilities are equal to coal burning plants in their emissions.

With respect to incineration and air pollution, Ms. Buck stated that the MOE Guideline A-7 emission standards for MSW incinerators is a guideline, not a regulation, which allows MOE flexibility when deciding on limits and operational practices for Certificates of Approval. She recommended that because the facility is being sited in Durham, and for the sake of the people in the area, that Dr. Pengelly would be a good person to have come and review the documents for the Durham Region.

Ms. Buck responded to questions of the Committee.

d) **BARRY BRACKEN, 15030 OLD SIMCOE ROAD, PORT PERRY, L9L 1K4,
REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL
ASSESSMENT STUDY**

Mr. Bracken appeared before the Committee to state his opposition to the proposed EFW facility because of the potential serious health effects, green house gas emissions and the unacceptable financial risks. Mr. Bracken provided a copy of his presentation. He is concerned that the independent peer review carried out for Clarington by Steven Rowe identified several flaws and shortcomings in the short list selection process, such as:

- The draft report did not include screening maps nor did it provide sufficient explanation of how each of the criteria were applied;
- The short list does not describe a comprehensive approach to the identification of public lands and therefore were not directly approached as part of the process;
- There may be other potential sites in the Greenbelt that have not been identified;
- The proponents propose to identify a preferred site and submit an interim environmental assessment planning document to the Ministry of the Environment before a preferred vendor and the exact thermal technology have been identified;
- The municipality's peer review consultants did not have access to other background studies with sufficient time to review and provide comments prior to the Project Team completing their analysis and selecting a preferred site.

Mr. Bracken quoted the following comment from Mr. Rowe's report: "It is possible unresolved issues in the process will undermine the validity of the process as a whole". He stated it makes him wonder if a different recommended site would be announced today if the analysis had been done properly in the first place. He also commented that no one has asked the consultants to respond to the criticisms in

Mr. Rowe's report. He further commented that the time for the formal presentation segment of the Public Information Sessions being from 9:00 p.m. to 11:00 p.m. is too late in the evening for a lot of people. He questioned if that had been changed to 8:00 p.m.? He concluded by stating that on smog days, a well defined layer of smog is visible hanging over east Oshawa and Clarington. It is incomprehensible to him that the Region of Durham is going down this route and adding more smog producing, health depriving emissions to this already over-polluted area. How can we justify an incinerator when the whole world is talking about reducing green house gases?

Mr. Bracken responded to questions of the Committee.

e) WENDY BRACKEN, 41 LILLIAN CRESCENT, NEWCASTLE, L1B 1G3,
REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL
ASSESSMENT STUDY

Ms. Bracken appeared before the Committee to state her opposition to the proposed incinerator and primarily to address the health issues surrounding the study. Ms. Bracken provided a copy of her presentation. She stated the greatest concerns in the Clarington and greater Durham Region communities are health, and the emissions from the proposed incinerator which will further degrade the airshed. She further stated the toxins emitted from the EFW will taint the lands, water and air. The toxins will bioaccumulate in the food chain and our bodies will be further burdened by them. The nanoparticulates created by incineration will evade the best available technology scrubbing systems and building an incinerator which creates these nanoparticles associated with toxins will put the public's health at risk.

Ms. Bracken also stated Dr. Kyle, Commissioner and Medical Officer of Health, commissioned Dr. Lesbia Smith to comment on the Durham/York Generic Human Health and Ecological Risk Assessment (GHHERA) and to review the health chapters of the Halton 4a report, after he was requested to do so by Durham Regional Council. She stated there appears to be a conflict of interest here as Dr. Smith was already the reviewer of that same document for the Region's consultant team. She questioned how this is considered an independent review?

Ms. Bracken also stated that the Halton 4a report was done by Dr. C. Ollson, the same author of the Durham/York GHHERA, and concluded that EFW facilities using modern (thermal) methods and pollution control technology would have little or no adverse health effects and are not expected to pose a significant risk to the public. Dr. Pengelly, who peer reviewed the Halton 4a report, stated this conclusion was not supported by the data provided and concluded that this report failed to provide the evidence that modern incinerators are safe.

Ms. Bracken further stated the Durham/York GHHERA study concluded that a thermal treatment EFW facility could be sited in the Durham and York Regions. Dr. Smith, in her peer review commissioned by Dr. Kyle, does conclude the GHHERA

was properly carried out, but Dr. Smith made no conclusion about whether or not modern incinerators are safe or if one could safely be sited in Durham and York regions. Ms. Bracken pointed out that Dr. Smith stated in her report that it would be relevant to ensure that residual wastes are free of those components which are associated with toxic nanoparticles formation (e.g. plastics) before the waste is destroyed in an EFW facility. Ms. Bracken stated this would be an impossible, costly, and impractical task.

Ms. Bracken also stated the waste stream varies all the time and there are hundreds of unknown and unnamed chemicals created and emitted from the incinerator for which the health effects are also unknown. She pointed out that Dr. Smith stated the HHERA was limited and did not make calculations for complex mixture exposures. Ms. Bracken further stated that in light of all the uncertainties and potential harm to human health, the only safe course of action is to use the precautionary principle and look for safer and more sustainable methods for handling the residual waste. She urged the members of the JWVG to return to the "Alternatives To" document. She later stated the key disadvantage identified in the "Alternatives To" document was that thermal treatment would have the greatest impact on the air shed.

Ms. Bracken advised that on September 4, 2007, Dr. Debra Jefferson presented a petition to Clarington Council signed by sixteen (16) physicians urging them to put the health and environmental concerns of its citizens in the forefront and to tell Durham Region that it will not be a willing host to an incinerator. On September 24, 2007, Dr. Jefferson announced that another petition which has been signed by forty-three (43) Durham doctors, has been completed and will soon be presented to Durham Region. This petition states the health concerns and urges Durham Region to explore sustainable alternatives to residual waste treatment that do not include thermal treatment.

Ms. Bracken responded to questions of the Committee.

- f) **PAUL-ANDRE LAROSE, 435 GLENDALE AVENUE, OSHAWA, L1J 3H9,
REGARDING THE DURHAM/YORK ENERGY FROM WASTE ENVIRONMENTAL
ASSESSMENT PROJECT**
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Mr. Larose appeared before the Committee to discuss the site-related implications of the recommended preferred site for the EFW facility. Mr. Larose provided a copy of his presentation. He stated the site is highly decentralized as it is located in the eastern portion of Durham, whereas waste will largely originate in the western portion of the Region, as well as from York Region. Contributing to the decentralization of this site is the fact that about one half of the catchment area is Lake Ontario which is not a source of garbage generation. This decentralization has consequences in terms of traffic density, and for environmental and economic reasons.

Mr. Larose also stated the area consists of Class 1 Agricultural land which will have bio-concentration effects on the food chain. He added there is no point for the Region, through the proposed "Food Charter", to promote local agriculture if it is going to be poisoned by our garbage disposal methods and choice of location.

Mr. Larose further stated there are problems with the proposed technology and its single siting implications such as the lack of proximity to points of waste generation, the lack of flexibility in terms of capacity planning, and the lack of redundancy/multiplicity.

He also questioned if the "Exclusion Zone" implications have been considered. Every nuclear plant has a surrounding exclusion zone. This is part of the licensing requirement and the area residents are governed by an emergency protocol that the Region is party to. This exclusion zone is there for a practical purpose; it can come into play if there is a tritium leak. He questioned if provisions would be made for a garbage "warehouse" outside of the exclusion zone?

Mr. Larose also pointed out that the resulting ashes from an EFW facility will either have to be landfilled or exported, which is contrary and inconsistent with current policies.

He concluded by stating both the recommended technology and site are unacceptable.

8. JOINT WASTE MANAGEMENT GROUP MOTION REGARDING THE RESULTS OF THE EVALUATION OF SHORT LIST OF SITES AND IDENTIFICATION OF CONSULTANT'S RECOMMENDED PREFERRED SITE

The Results of the Evaluation of Short List of Sites and Identification of Consultant's Recommended Preferred Site was received. It was questioned what was being done to resolve some of the issues regarding the process of the waste study. C. Curtis advised steps have been taken to address the process. For example, an additional public meeting will be held in the Courtice area at the request of Clarington Council, all information with respect to the project is available on the project web-site and questions and comments received by the public are answered in a timely manner. Further discussion ensued regarding extending the deadline date of the public comment period from October 28, 2007 to October 31, 2007. Because of staff reporting deadlines, it was decided the deadline would remain as October 28, 2007, however public comments would continue to be accepted after that date and until the EA is submitted next year.

MOVED by Councillor Johnson,

"THAT the Joint Waste Management Group recommends to the Durham Region Works Committee and the York Region Solid Waste Management Committee for their approval and subsequent recommendation to their respective Regional Councils:

- a) THAT the Consultant Team's Report entitled '*Thermal Facility Site Selection Process Results of Step 7: Evaluation of Short List of Sites and Identification of Consultant's Recommended Preferred Site, September 2007*', which recommends the Clarington 01 site as the preferred site, be received for information and released, including all supporting documentation, for public and agency consultation; and
- b) THAT a report be brought back to the respective Durham and York Region Works and Waste Committees in December 2007, outlining the results of the consultation period and identifying a preferred site for the location of the Durham/York Energy from Waste facility."

CARRIED

9. RESOLUTIONS FROM THE MUNICIPALITY OF CLARINGTON

- a) UPDATE ON MUNICIPAL PEER REVIEW OF THE DURHAM/YORK RESIDUAL WASTE ENVIRONMENTAL ASSESSMENT, FILE: E07-EN

MOVED by Councillor Johnson,

"THAT the resolution from the Municipality of Clarington, dated September 13, 2007, regarding an update on the municipal peer review of the Durham/York Residual Waste Environmental Assessment, be received for information and referred to staff."

CARRIED

- b) ENERGY FROM WASTE FACILITY

A resolution from the Municipality of Clarington dated September 25, 2007, regarding the Energy From Waste Facility was received as a handout.

MOVED by Councillor Johnson,

"THAT the following resolution from the Municipality of Clarington, dated September 25, 2007, regarding the Energy From Waste Facility be received for information and referred to staff:

'THAT, as part of the host community discussion, Clarington staff request Durham Region to clarify the advantages of the Municipality of Clarington being a willing host for the EFW facility for Clarington residents; and

THAT Clarington staff report back to Council the information gained from these discussions!."

CARRIED

c) ENERGY FROM WASTE FACILITY

A resolution from the Municipality of Clarington dated September 25, 2007, regarding the Energy From Waste Facility was provided as a handout.

MOVED by Councillor Johnson,

"THAT the following resolution from the Municipality of Clarington, dated September 25, 2007, regarding the Energy From Waste Facility be received for information and referred to staff:

'WHEREAS, in light of the fact that the Municipality of Clarington could become an unwilling or willing host for the EFW facility; and

WHEREAS the Clarington 01 site has been recommended for the EFW facility;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Clarington request the Regional Municipality of Durham to host more than one Public Open House and more than one formal presentation; and

THAT the additional Public Open Houses and formal presentations be held in Courtice as the residents of Courtice will be impacted by the EFW facility more than other residents of Clarington."

CARRIED

[Note: as previously discussed on page 8 of these minutes, an additional open house is in the process of being arranged for the Courtice area after the October 3, 2007 open-house in Bowmanville.]

[Subsequent to the meeting taking place, a second open-house has been arranged for Tuesday, October 9, at Faith United Church in Courtice, starting at 2:00 p.m.]

10. OTHER BUSINESS

There were no items of Other Business.

11. NEXT MEETING: OCTOBER 30, 2007

The next meeting of the JWVG is scheduled for Tuesday, October 30, 2007 at 1:00 p.m. in the Region of York.

12. ADJOURNMENT

MOVED by Councillor Emm,
"THAT the meeting be adjourned."
CARRIED

The meeting adjourned at 3:36 p.m.

C. Bandel, Committee Secretary

C. Trim, Chair
Joint Waste Management Group