

TABLE 2
RESPONSE TO MINISTRY OF THE ENVIRONMENT (MOE) COMMENTS
ON DRAFT ENVIRONMENTAL ASSESSMENT (EA) TERMS OF REFERENCE

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the Proposed EA Terms of Reference
Dave Bell, Project Officer, Environmental Assessment and Approvals Branch <i>Ministry of the Environment</i>	<ul style="list-style-type: none"> Please note that MOE’s Regional Water Resource Unit felt that comments were not necessary at this time, but would like to participate later in the Study. 	<ul style="list-style-type: none"> Thank you for your comment, no response required at this time. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.



TABLE 2 (cont'd)

Consultation on the Draft Environmental Assessment (EA) Terms of Reference
Response to Ministry of the Environment (MOE) Comments

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Dave Bell, Project Officer, Environmental Assessment and Approvals Branch Ministry of the Environment <i>(cont'd)</i>	<ul style="list-style-type: none"> It should be noted that a requirement of a ToR is that consultation be initiated on the draft ToR and that the results of the consultation be summarized in a record of Consultation be summarized in a Record of Consultation which is to be submitted with the formal ToR. 	<ul style="list-style-type: none"> Attached to the Draft EA Terms of Reference is the Consultation Record which documents all consultation activities and events that were held in the development of the Draft EA Terms of Reference. Attached to the Proposed EA Terms of Reference will be a similar consultation record as that which accompanied the Draft, however, will also include the results of consultation held on the Draft EA Terms of Reference document and associated Background documentation. This table will form part of the Consultation Record that will be submitted along with the Proposed EA Terms of Reference. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.
	<ul style="list-style-type: none"> We understand that if no major concerns arise during the draft review, that the Regions plan to submit the formal terms of Reference on December 31, 2005 	<ul style="list-style-type: none"> This assumption is correct. Based on our current schedule, the Ministry will be receiving the document formally on December 31, 2005. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.

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Dave Bell, Project Officer, Environmental Assessment and Approvals Branch Ministry of the Environment <i>(cont'd)</i>	<ul style="list-style-type: none"> In an effort to ensure efficient review of the formal submission we request the following prior to the submission of the formal ToR <ul style="list-style-type: none"> An update on the results of consultation to date; An opportunity to discuss and formalize the proposed Government Review Team distribution 	<ul style="list-style-type: none"> In advance of the formal submission, the summary tables outlining the comments provided by agencies and stakeholders will be delivered to the MOE for their information. The proponent will commit to discussing and formalizing the Government Review Team prior to delivery of the documentation to the Ministry. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.
	<ul style="list-style-type: none"> We will require a project summary by December 16, 2005, in order to have proper lead time to translate the summary into French. 	<ul style="list-style-type: none"> A project summary will be prepared by the Proponent and submitted to the MOE within their prescribed timeframe. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.
	<ul style="list-style-type: none"> Notices of the Proposed EA Terms of Reference submission must be filed with the Clerk of each Municipality in which the undertaking is to be carried out, section 6 (3.3) EAA. 	<ul style="list-style-type: none"> Notices of the Proposed EA Terms of Reference submission will be filed with the Clerk of each Municipality in which the undertaking is to be carried out in accordance with section 6 (3.3) EAA. The Clerk of each Municipality is currently on the Study distribution list and have been previously circulated a copy of the Draft EA Terms of Reference for review and comment. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.



TABLE 2 (cont'd)
 Consultation on the Draft Environmental Assessment (EA) Terms of Reference
 Response to Ministry of the Environment (MOE) Comments

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the Proposed EA Terms of Reference
Dave Bell, Project Officer, Environmental Assessment and Approvals Branch <i>Ministry of the Environment</i> (cont'd)	<ul style="list-style-type: none"> To reiterate the information provided by CEAA in an email of October 7, 2005 that the Terms of Reference should include wording that commits the Regions to coordinate the Provincial and Federal EA process (if triggered). Stock wording has been provided that may be included in the Terms of Reference. 	<ul style="list-style-type: none"> Stock wording provided by the MOE/CEAA will be incorporated into Section 6.6 of the Proposed EA Terms of Reference. 	<ul style="list-style-type: none"> <i>Stock wording provided by the MOE/CEAA has been incorporated into Section 6.6 of the Proposed EA Terms of Reference.</i> <i>It is proposed that should a potential CEAA trigger be identified, the exact relationship between the proponents, the provincial government and the Federal government in completing a coordinated EA Study be determined at that time.</i>



TABLE 2 (cont'd)
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<p>Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section</p> <p><i>Ministry of the Environment</i></p>	<ul style="list-style-type: none"> • Section 6.1 – Comparative Evaluation of “Alternatives to” the Undertaking, Step 3 - We note that the proposed disposal system comparative evaluation criteria referenced in this section and included in Appendix “E” – Table E-1, makes reference to “natural environmental considerations”. While most key areas of the natural environment are explicitly mentioned in the preliminary evaluation criteria, our office notes that potential for air impacts is not identified. We suggest that, as a component of the natural environment and an area that falls within MOE’s mandated responsibilities, the potential for air impacts should be addressed in the ToR when considering the three alternatives to be highlighted by the proponent (mechanical, thermal, biological) 	<ul style="list-style-type: none"> • We recognize the importance of addressing air impacts when evaluating “Alternatives to” and the EA Terms of Reference commits to only considering those “<u>approaches that will meet or exceed all regulatory requirements</u>” (Section 3.1). • One of the criteria for evaluating the Natural Environmental Considerations is Environmental Burden at a Global or macro-environmental scale (See EA Terms of Reference, Appendix E-1). One of the proposed indicators for this criterion is predicted emissions released to the atmosphere (See Background Document 2-2, Table 4-1). 	<ul style="list-style-type: none"> • <i>Clarification has been provided in the Proposed EA Terms of Reference, Appendix E-1 as follows: “Environmental burden at a global or macro-environmental scale including impacts to air, land and water.”</i>



TABLE 2 (cont'd)
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Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section <i>Ministry of the Environment</i> (cont'd)	<ul style="list-style-type: none"> • “Unconstrained” - In the introductory paragraph of this section, the proponents indicated “site selection will start with a review of the entire study area to identify those areas considered unconstrained from the standpoint of locating the facility component(s)...” The proponents meaning of “unconstrained” is not clearly defined, we suggest some additional explanation be provided. 	<ul style="list-style-type: none"> • A clearer explanation of the siting process has been provided in Section 6.2 of the Proposed EA Terms of Reference which identifies the consideration of areas considered to be generally suitable for the purpose of locating the preferred disposal system. These generally suitable areas will then be systematically evaluated to identify a long-list of sites followed by additional screening and comparative steps to narrow that list down to a preferred siting option. 	<ul style="list-style-type: none"> • <i>The Proposed EA Terms of Reference, Section 6.2 has been revised to identify the consideration of areas considered to be generally suitable for the purpose of locating the preferred disposal system. These generally suitable areas will then be systematically evaluated to identify a long-list of sites followed by additional screening and comparative steps to narrow that list down to a preferred siting option.</i>



TABLE 2 (cont'd)
 Consultation on the Draft Environmental Assessment (EA) Terms of Reference
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Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section <i>Ministry of the Environment</i> (cont'd)	<ul style="list-style-type: none"> • “Exclusionary Criteria” - This section references the proponents’ “exclusionary criteria” (Appendix F – Table F-1). Our office notes that the exclusionary criteria is missing explicit reference to the legislation/policies protecting the Oak Ridges Moraine and Greenbelt, including but not limited to: <ul style="list-style-type: none"> - Wellhead protection areas (policy 28 of the Oak Ridges Moraine Conservation Plan (ORMCP)) - Areas of high aquifer vulnerability (policy 29 of the ORMCP) - Prime agricultural areas (policy 4.1.1 of the Greenbelt Plan) 	<ul style="list-style-type: none"> • Table F-1, excludes “Designated lands located within areas protected by Provincial and Federal legislation. This exclusionary criteria will include the screening of the Greenbelt Plan area and Oak Ridges Moraine. • The exclusionary criteria to be applied in Step 2 of the proposed siting methodology will be utilized to eliminate areas that would be considered unsuitable for the purposes of siting a waste processing facility. This would include, for example, the exclusion of the Greenbelt Plan area and therefore any significant features within the Greenbelt Plan area would also be excluded. • Table F-1, excludes Prime Agricultural lands. The identification of Prime Agricultural lands will consider Policy 4.1.1 of the Greenbelt Plan. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.



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Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section <i>Ministry of the Environment</i> (cont'd)	<ul style="list-style-type: none"> • Current or previous land uses which may potentially impose constraints on the alternatives are not included in the proponents' exclusionary list, information about some of which may readily be obtained using GIS. For example, the location of underground transmission lines/transmission pipelines (e.g. natural gas) and railways 	<ul style="list-style-type: none"> • The exclusionary criteria to be applied in Step 2 of the proposed siting methodology will be utilized to eliminate areas that would be considered unsuitable for the purposes of siting a waste processing facility. • The types of "constraints" related to linear infrastructure will be addressed as part Step 7 in the siting process where the short list of sites are comparatively evaluated under the category of "Technical Considerations" and any on site constraints are identified, including underground transmission lines/transmission pipelines and railways under the "Compatibility with existing infrastructure" criterion. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

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Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section <i>Ministry of the Environment</i> (cont'd)	<ul style="list-style-type: none"> The exclusionary criteria set out indicates the appropriate separation distances will be defined later, in consultation with the public, agencies, and MOE. Our office notes it would be useful for the proponents to indicate that consideration will be given to existing guidelines pertaining to separation distances in this future exercise, and to state some of these. For example, the Ministry's "D-Series" Guidelines for Land Use Compatibility B-7 Series Guidelines for Reasonable Use Concept (used to determine the reasonable use of groundwater on property adjacent to sources of contaminants) 	<ul style="list-style-type: none"> Footnote 2 in Table F-1 of the Proposed EA Terms of Reference will be expanded to include a reference to the use of available guidelines pertaining to the identification of separation distances in addition to consulting with the public, agencies and MOE. 	<ul style="list-style-type: none"> Footnote 2 in Table F-1 of the Proposed EA Terms of Reference has been revised as follows: "Appropriate Separation Distances will be defined following the identification of the preferred "Alternative to" and in consultation with the public, agencies and the MOE. <u>Consideration will also be given to existing land use compatibility guidelines including, for example, the MOE's "D-Series" Guidelines for Land Use Compatibility, and B-7 Series Guidelines for Reasonable Use Concept.</u>
Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section <i>Ministry of the Environment</i> (cont'd)	<ul style="list-style-type: none"> Short-List Evaluation - Step 6 of this section sets out the methodology for evaluating the "short-list" of alternative sites. Although the methodology described in Section 6.1 (steps 4,5,6 and 7)" is referenced here , our office notes that there is no reference to a commitment for 	<ul style="list-style-type: none"> In order to undertake the detailed evaluation process outlined in Sections 6.1 and 6.2 of the EA Terms of Reference, the necessary data will be required. To the degree possible, this data will be collected from existing sources. However, should the necessary 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.



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	<p>additional data collection or study analysis for the purpose of applying the comparative evaluation criteria to each of the alternative sites. A similar commitment is made, however, in Section 6.1 step 3. Our office feels that additional data and studies will be required prior to applying the short-list criteria, and would like the proponents to clarify what kind of studies will be forthcoming prior to applying the short-list criteria. As a minimum, a commitment to carry out data collection and studies that provide the information required to apply the criteria would be appropriate in the ToR. For example, to address our ministry's mandated areas of responsibility, baseline air studies, hydrology studies, and hydrogeology studies may be appropriate. Consultation with the ministry's Central Regional Office to determine the appropriate scope of each assessment is advisable prior to carrying out the studies. Central T\Region is also available</p>	<p>data not exist to complete the evaluation, the need to identify additional data sources or collect first order data will be considered at that time.</p>	

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Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section Ministry of the Environment <i>(cont'd)</i>	to further discussion mitigation measures at the appropriate stage. <ul style="list-style-type: none"> Step 1 of both sections 6.1 and 6.2 indicates the proponents “will seek additional input on the proposed evaluation steps and criteria...to establish and confirm the priorities to be selected...”. We recommend that the public be provided the opportunity to participate in the assignment of priorities/weighting based on their perception of the level of importance of environmental attributes. 	<ul style="list-style-type: none"> The public, agencies and stakeholders will be provided an opportunity to provide input on the proposed evaluation criteria and the priorities to be assigned to each category of evaluation. The assignment of priorities will also include polling on the environmental categories to solicit information from a broad, and statistically significant, range of stakeholders. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.



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<p>Ernie Hartt, Supervisor, Air, Pesticides and Environmental Planning, Central Region Technical Support Section</p> <p><i>Ministry of the Environment</i></p> <p>(cont'd)</p>	<ul style="list-style-type: none"> While it is recognized that the development of monitoring strategy will be dependant on the alternatives selected, the section should include considerably more detail on the types of monitoring which will occur (i.e. air (quality, noise, odor), surface and groundwater quantity and quality, etc). In addition, we stress that it is important for commitments to indicate monitoring to occur not only during and after construction, but also before construction activities begin to ensure a sufficient level of baseline environmental data is available. 	<ul style="list-style-type: none"> As you have identified, specifics of a monitoring program have not been included in the EA Terms of Reference, as the type of technology is not known and therefore the necessary monitoring requirements are also not known. The specifics of the monitoring programs and requirements will be developed during the EA study once the technology and site are known. It is anticipated that the specific details of the monitoring program requirements will be outlined in detail in the Certificate of Approval for the eventual facility operations. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.
<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i></p>	<ul style="list-style-type: none"> In general, the Draft EA Terms of Reference are presented in a logical manner and in keeping with the requirements of the EA Act. 	<ul style="list-style-type: none"> Thank you for your comment. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.



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<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i></p> <p><i>(cont'd)</i></p>	<ul style="list-style-type: none"> With regard to the Purpose of Undertaking, the proponent may wish to reconsider the wording provided in section 3.1. The current purpose appears to exclude all alternatives that do not recover both <u>material and energy</u>. Therefore it would appear that mechanical treatment would be an alternative that warrants further consideration only if the mechanical treatment produces both a fuel and recyclable materials. Additionally the Purpose statement appears to rule out aerobic composting as it would not recover the energy component of the waste. With regard to the biological treatment category in general neither aerobic nor anaerobic treatment would be consistent with the purpose of the biological treatment. The proponent may also wish to consider opportunities for refining the source separation program to improve the quality of waste and thus the qualities of compost so that it need not be landfilled. 	<ul style="list-style-type: none"> As outlined in Section 4.1.1 of the Draft EA Terms of Reference, “processing systems will be evaluated rather than independent component approaches or technologies”. As a result a mechanical only component would not meet the proposed purpose of the undertaking, however, mechanical in combination with a biological component would satisfy the proposed purpose of the undertaking. The Mechanical/Biological Treatment (MBT) system utilizing anaerobic digestion would recover both materials and energy. Only those systems that can recover both materials and energy would be considered and would be considered in a systems context, not as individual components. The proponent will be investigating all reasonably available opportunities to maximize the beneficial use of the residual materials that will result from the preferred long-term processing facility. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.
		<p>3</p>	

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<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i> (cont'd)</p>	<ul style="list-style-type: none"> Based on the “Alternatives To” the Undertaking the proponent expects that there is no one technology that could by itself provide a good option to deal with the total residual waste remaining after source separation. Regardless of the selected alternative, some form of mechanical separation would be part of the facility in order to increase capture of recyclables and to achieve the diversion target. Therefore it would appear that the Terms of Reference can consider only two broad alternative systems to process the total residual waste: anaerobic digestion, if marketable compost can be produced, complete with energy recovery and thermal processing with energy recovery. Both alternatives would also include a mechanical component for material recovery and landfilling of residue at least for the thermal processing option. A third option, not mentioned in the draft Terms of Reference, would appear to be an integrated facility incorporating both of the 	<ul style="list-style-type: none"> The types of systems described in this comment will be considered as part of the evaluation of “Alternatives to”. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.

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	<p>above systems. In this third option waste would first be separated into three basic streams, recyclable waste, waste that can be treated biologically and waste that cannot be treated biologically. The facility would then include both biological as well as thermal processing capabilities.</p>		
<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p>Ministry of the Environment <i>(cont'd)</i></p>	<ul style="list-style-type: none"> It is noted that evaluation of suggested “Alternatives To” the undertaking may become fairly complex in view of the potentially significant number of variations of the “advanced thermal treatment technologies”. In this regard it is expected that the Environmental Assessment (EA) would compare various combinations of complete facilities that include the mechanical as well as thermal waste processing step together with compatible gas cleaning and energy recovery components and the required monitoring equipment. On the other hand it is noted that section 3.2 of Background Document 2-2 sets out a requirement that the selected 	<ul style="list-style-type: none"> Thermal processing will be considered as a component that can be included in Alternative systems along with Mechanical and Biological treatment. Thermal processes include both conventional and advanced thermal technologies. If the preferred system includes thermal processing, the technology would be chosen through a competitive process undertaken during the evaluation of alternative methods. The detailed evaluation of specific technologies and combinations of technologies capable of fulfilling the requirements of the preferred “Alternative to” will be completed at the Request for 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.



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	<p>alternative must be proven technology, i.e. must have operated successfully on a commercial basis for at least two years with comparable waste stream and other conditions. If this requirement is applied against a complete facility, such as a gasifier followed by gas cleaning equipment and energy recovery, then the field will become narrower and the list of potential technology vendors will be more limited. In view of the potential complexity of these advanced thermal technology solutions, the EA should indeed look at the combinations of operational conditions together with equipment selections that have been proven in commercial operation as opposed to considering individual system components separately. It would appear that step 2 on page 19 of the draft Terms of Reference already addresses this need to consider complete systems.</p>	<p>Proposals (RFP) stage outlined in Section 6.3 of the EA Terms of Reference.</p>	



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<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i> (cont'd)</p>	<ul style="list-style-type: none"> It is noted that the draft Terms of Reference does not include any opportunity to set up a demonstration plant in the event that it is difficult to find a proven technology, complete with all required components, that would be sufficiently comparable to what is needed and desired in Durham/York. 	<ul style="list-style-type: none"> The Regions of Durham and York are not considering the development and implementation of a demonstration plant at this time. However, should in the future an information gap be identified with respect to the ability of a particular technology to process the subject waste stream, the Regions of Durham and/or York may consider the development of a pilot scale facility to assess a particular technology(ies). 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required.

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	<ul style="list-style-type: none"> Section 6.4 of the draft ToR provides a time schedule for the EA study up until implementation of the Undertaking. If implementation is intended to mean start up of operation, then Table 6.1 should include a submission section for all applications, such as applications under the Environmental Protection Act, and receipt of all necessary approvals and permits that are required prior to implementation of the Undertaking. 	<ul style="list-style-type: none"> Section 6.4, Table 6.1 of the Proposed EA Terms of Reference, will be revised to provide additional detail on the implementation schedule and timing for receipt of other necessary approvals to operate the facility. 	<ul style="list-style-type: none"> <i>Section 6.4, Table 6.1 of the Proposed EA Terms of Reference, has been revised to provide additional detail on the implementation schedule and timing for receipt of other necessary approvals to operate the facility.</i>
<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i></p> <p><i>(cont'd)</i></p>	<ul style="list-style-type: none"> Appendix E of the draft Terms of Reference provides a preliminary evaluation criteria for the Alternatives to the Undertaking. Natural Environmental Considerations are identified as the first criteria. While not explicit in the preliminary list, it is assumed that impact of noise and air emissions and other potential discharges would be included in 	<ul style="list-style-type: none"> Section 3.1 of the EA Terms of Reference specifies that only those technologies that will meet or exceed all regulatory requirements will be considered. The ability of a system to meet or exceed regulatory requirements will be based on technical data collected from existing proven technologies. One of the criteria for evaluating 	<ul style="list-style-type: none"> <i>Clarification has been provided in the Proposed EA Terms of Reference, Appendix E-1 as follows: “Environmental burden at a global or macro-environmental scale <u>including impacts to air, land and water.</u>”</i>



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	<p>the environmental considerations when selecting the technology. The above issues appear to be dealt with in Appendix F (alternate Methods), however, it should be noted that the monitoring requirements and mitigation of potential effects of the various discharges and residues as well as gas quality requirements in connection with the selected energy recovery system would affect the capital as well as operating costs of the various technologies being evaluated. With regard to technical risks it is assumed that the requirement for proven technology on a complete system basis would be included in this consideration in Appendix E.</p>	<p>the Natural Environmental considerations is Environmental Burden at a Global or macro-environmental scale (See EA Terms of Reference, Appendix E-1). One of the proposed indicators for this criterion is predicted emissions released to the atmosphere (See Background Document 2-2, Table 4-1).</p>	



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<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i></p> <p><i>(cont'd)</i></p>	<ul style="list-style-type: none"> It should be noted that Guideline A-6 is no longer available on the Ministry's website as it does not represent current policy. In brief, the staff of the Ministry would currently apply the requirements of Guideline A-7, as applicable, to any combustion device that burns gases, liquids or solids generated by any thermal process used for management of solid municipal waste. As such the thermal process classified as an incineration process with regard to Ministry policy. In contrast, where the waste is processed thermally to generate feedstock to a manufacturing process, the thermal process would not be considered final disposal of waste and would not be classified as an incineration process. 	<ul style="list-style-type: none"> References to Guideline A-6 will be removed from Background Document 2-5. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required. <i>References to Guideline A-6 have been removed from Background Document 2-5.</i>

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<p>Anne-Maria Pennanen, Hazardous Waste Project Engineer, Certificates of Approval Review Section.</p> <p><i>Ministry of the Environment</i> (cont'd)</p>	<ul style="list-style-type: none"> When completing the Terms of Reference and all other EA documents the proponent is advised to ensure that reference is made to the current legislation and latest policy documents. In this regard it is noted that the latest revision date for Guideline A-7 is February 2004. Additionally Regulation 346 will be replaced by Regulation 419/05 on November 30, 2005 	<ul style="list-style-type: none"> Background Document 2-5, section 3.2.1 will be updated to correctly reference these regulations. 	<ul style="list-style-type: none"> No changes to the content of the Draft EA Terms of Reference (September 2005) required. <i>Background Document 2-5, section 3.2.1 has been updated to correctly reference these regulations.</i>
<p>Jim Hiraishi Waste Management Policy Branch</p> <p><i>Ministry of the Environment</i></p>	<ul style="list-style-type: none"> Section 4.2 “Alternative Methods...” - I agree with the premise that the site selection process should not be all inclusive but should instead focus on “unconstrained” lands. Will there be a definition of “unconstrained”? At this point in the EA, the “alternatives to” would have identified the preferred process(es) to handle the residuals. The processes identified are all industrial processes. Why is this not the focal point? It is an industrial process and rightfully belongs in an industrial zone and industrially zoned lands. If it is 	<ul style="list-style-type: none"> A clearer explanation of the siting process has been provided in Section 6.2 of the Proposed EA Terms of Reference which identifies the consideration of areas considered to be generally suitable for the purpose of locating the preferred disposal system. These generally suitable areas will then be systematically evaluated to identify a long-list of sites followed by additional screening and comparative steps to narrow that list down to a preferred siting option. Agreed, the type of process(es) being considered are industrial 	<ul style="list-style-type: none"> <i>The Proposed EA Terms of Reference, Section 6.2 has been revised to identify the consideration of areas considered to be generally suitable for the purpose of locating the preferred disposal system. These generally suitable areas will then be systematically evaluated to identify a long-list of sites followed by additional screening and comparative steps to narrow that list down to a preferred siting option.</i>

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the Proposed EA Terms of Reference
	<p>intended that “unconstrained” refers, in part, to industrial zoned lands, then the Terms of Reference is too obscure in its use of words.</p> <ul style="list-style-type: none"> • Lands zoned industrial then becomes the first level of site selection. The suitability of these lands in terms of size, location and so on can be applied to develop a short list of candidate sites. If no suitable lands are found, then subsequent work can incorporate “publicly owned lands” and “willing seller” to identify other suitable sites. 	<p>processes and therefore would most suitably be sited in an industrial area.</p> <ul style="list-style-type: none"> • However, to limit the site search to only industrially zoned lands may eliminate potential sites, within or in close to proximity to industrial areas, without the appropriate zoning. 	
<p>Jim Hiraishi Waste Management Policy Branch <i>Ministry of the Environment</i> (cont'd)</p>	<ul style="list-style-type: none"> • Section 2.2, Potential for Cooperation with the Private Sector - This section addresses potential partnerships with suppliers of processes and facilities that will handle the residual waste. Can this partnership also extend to those private corporations that may offer other opportunities, such as available land, willing user of energy recovery, existing infrastructure and so on? 	<ul style="list-style-type: none"> • As identified, Section 2.2 and also Section 7.3 address the potential for working with the private sector to develop a long-term facility. • As part of the RFP process, the proponents would encourage private sector vendors to include available land (as outlined in Step 6 of Section 6.2), willing users of energy recovery, existing infrastructure, etc. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.

Stakeholder/Agency	Comment Received	Response	How it was Incorporated into the Proposed EA Terms of Reference
	<ul style="list-style-type: none"> • Can existing industries in the Regions offer facilities, processes, lands suitable to manage the wastes with the selected method? 	<ul style="list-style-type: none"> • Yes, these industries could offer such facilities provided they meet the requirements as laid out in the Proposed EA Terms of Reference. These opportunities are provided for in the Siting and RFP stages of the EA Study. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
John Kowalewski, Senior Review Engineer - Noise Air/Noise Unit, Environmental Assessment and Approvals Branch. <i>Ministry of the Environment</i>	<ul style="list-style-type: none"> • The planning should address the impact on the environment due to noise emissions from activities associated with the proposed project. 	<ul style="list-style-type: none"> • The consideration of impacts on the environment caused by noise emissions will be dealt with at the EPA level and also in accordance with the Planning Act (Municipal Noise By-laws) • All approaches being considered must be able to meet or exceed all regulatory requirements in order to be considered. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.
	<ul style="list-style-type: none"> • Reference should be made to requirements under the Electricity Projects Regulation (O.Reg 116/01) and the MOE noise guidelines such as the “Noise Guidelines for Landfill Sites” October 1998, as applicable. 	<ul style="list-style-type: none"> • Reference will be made during the EA Study at the appropriate stages to requirements under the Electricity Projects Regulation (O.Reg 116/01) and the MOE noise guidelines such as the “Noise Guidelines for Landfill Sites” October 1998, as applicable. 	<ul style="list-style-type: none"> • No changes to the content of the Draft EA Terms of Reference (September 2005) required.