



Durham/York Residual Waste Study

Final Consultants Recommendation and Record of Consultation on the Thermal Facility Site Identification and Evaluation

“Identification of the Consultants Recommended Preferred Site”

December 2007





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**Thermal Facility Site
Identification and Evaluation
CONSULTATION REPORT**

December 2007

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1. Introduction and Background

1.1 The Consultant Team's Recommendation of the Preferred Site

A short-list of potential sites for the location of the EFW facility was compiled by the Consultant Team, as part of the Durham/York Residual Waste Study and following public and agency consultation on the short-list of potential sites, a detailed comparative evaluation of the sites was initiated by the Consultant Team. This assessment considered the sites, as well as the haul routes, transfer requirements and requirements for additional infrastructure to develop the sites.

The conclusion of the Consultant Team was that the Clarington 01 site had the highest ranking and it was therefore recommended as the site for further consultation. Consequently, the Consultant Team's report was issued for public and agency consultation prior to the York and Durham Regional Councils making a decision with respect to the recommended preferred site. This site is undeveloped land owned by Durham, and is located south of Highway 401 on Osbourne Road, in the Municipality of Clarington (Clarington). The recommendation of the preferred site is based on the Consultant Team's consideration of each site's relative advantages, disadvantages and the environmental priorities established by Durham and York.

1.2 Overview of Environmental Assessment (EA) Terms of Reference Consultation

Durham and York Regions have joined in a Planning Study to address the long-term residual waste disposal capacity requirements of both Regions. This joint Study is subject to the requirements of an Individual Environmental Assessment under the Province of Ontario's Environmental Assessment Act (EAA) related to municipal waste disposal undertakings.

In accordance with the Province of Ontario's EAA, the Environmental Assessment (EA), completed in consultation with the public and submitted to the Minister of the Environment for approval, must include a record of the public consultation process. This summary report has been prepared as part of the required public consultation record included with the EA submission.

1.3 Public and Agency Consultation on the Consultants Recommended Preferred Site

On September 25, 2007, the JWMG received the Consultant Team's recommendation on the preferred site and consequently, the public and agency consultation period began and was completed as follows:

- The Consultant Team's report was released to the public and government review agencies for a period beginning on September 26, 2007, and ending on December 10, 2007.
- Notification of the availability of the report was issued by way of direct contact with the established public and government review agency list and by way of the website and local media for the general public.

- Copies of the documentation were forwarded to the public and government agencies in the established contact lists and copies were placed in the local libraries, municipal offices and on the study website for public review.
- Public Information Sessions were held on October 3 and 9, 2007, in Durham and on October 23, 2007, in York. These sessions were held to allow the public an opportunity to ask questions of the Consultants and Regional staff and were attended by a total of 379 people.
- Comments that were received during the report review period have been documented in a Consultation Summary Report on the preferred site. These comments will be incorporated into the draft EA document to be submitted to the Minister of the Environment in late 2008 for review.
- Peer review Consultants, working on behalf of Clarington, have provided extensive comments on the Consultant Team's report, and their comments have been addressed in the Consultation Summary Report on the preferred site. These comments will be incorporated into the draft EA document to be submitted to the Minister of the Environment in late 2008 for review.

1.4 Overview of Summary Report Contents

Durham and York Regions have provided the following opportunities to provide comment on the Consultants recommended preferred site for the Durham/York Residual Waste Study:

- Opportunity for Comment via the Study telephone line and website;
- Opportunity for Comment via Clarington's consideration of the facility siting recommendation, including a Peer Review Process; and
- Opportunity for Comment via Public Information Sessions.

Each of the above opportunities for comment is summarized in the following sections. A detailed account of each of these opportunities can be found in the appendices to this report. Due to the size of these appendices, requests for copies of these appendices will be distributed by CD and made available on the study website at www.durhamyorkwaste.ca.

1.4.1 Comments via the Study Telephone Line and Website

In addition to the standard public consultation events described in subsequent sections, the EA consultation process has included several other opportunities for the public, agencies and other interested parties to obtain information and provide comments on the preferred site.

These include:

- Posting of Study information on the websites for both Durham (www.region.durham.on.ca) and York (www.region.york.on.ca) Regions including: a description of the Study background

together with key Study documents as they become available; and, an online comment form (providing email address and contact information relevant to the Study) to allow residents to share their comments with the Study Team. A joint Study website has also been developed and includes information on the Study and can be accessed via www.durhamyorkwaste.ca.

- A government agency and stakeholder contact list has been developed and notices, as well as the study documentation and other relevant information regarding the Study, were sent to agencies with a request for feedback on future consultation needs.

The results of these initiatives will also be included in the consultation record for the EA.

As a result of the consultation with the public, one hundred sixty six (166) comments were received on the following issues:

- Environment – twenty (20) comments
- Health – twenty eight (28) comments
- Diversion of Waste – twenty (20) comments
- Siting – eighteen (18) comments
- Public Consultation and the Environmental Assessment process – twenty nine (29) comments
- Other General – fifty one (51) comments

The net effect of considering and addressing the comments received will be to enhance the detail, readability and traceability of the EA final document; however, based on the consideration of the comments received, the overall result of the evaluation process continues to be, the identification of Clarington 01 as the Consultant Team's recommended preferred site.

1.4.2 Comments from the Municipality of Clarington including the Peer Review Process

As part of Clarington's consideration of the Durham/York Residual Waste Study and EFW facility siting recommendation, the Municipality retained the services of the following Consultants to complete a peer review of the documentation prepared in support of the identification of Clarington 01 as the preferred site. These Consultants included:

- AMEC;
- SENES Consultants Limited;
- Totten Sims Hubicki Associates; and
- Steven Rowe.

Each of the above firms/individuals undertook a review of the documentation based on their particular area of expertise. The results of their review were documented and submitted to the Region of Durham for consideration and discussion. On October 10, 2007 a meeting was held involving Clarington Staff and their peer review Consultants and Durham Region Staff and their Consultants to discuss their initial findings. From this meeting the Region of Durham and their Consultants prepared responses to each of the comments/issues raised. These comments and

responses are documented in Appendix 2 of this report. The Municipality of Clarington and their peer review Consultants then revised their documents considering some of the responses provided and prepared a final set of conclusions regarding the documentation. These conclusions are summarized as:

- General concerns with respect to the site evaluation process including the application of advantages and disadvantages, the assessment of net effects, and the transparency and traceability of the evaluation process; and
- Separation of the site selection process from the technology selection.

These comments and concerns are contained within Report PSD-141-07 submitted to Clarington Council. In response to this Staff Report, Clarington Council passed an amended set of recommendations and forwarded them in a letter of December 11, 2007 to the JWMG. This letter, along with Report PSD-141-07 (and all supporting attachments to this report) has been included in Appendix 2 of this report.

In early 2008, Regional staff and Consultants will be working with Clarington staff and their peer review Consultants to address the remaining concerns identified above.

However, in the Study Team's opinion, the issues identified by the Peer Review Consultants will help to strengthen and improve the traceability of the site identification process but the overall result of the evaluation process continues to be the selection of Clarington 01 as the preferred site.

1.4.3 Comment via Public Information Sessions

Three (3) Public Information Sessions were held between October 3rd, 2007 and October 23rd, 2007. Two sessions were held in Durham Region and one was held in York Region. The purpose of these sessions was to:

- Provide an overview of the Study to-date;
- Review the process used to review and evaluate the short-list of sites;
- Discuss the preferred site and how it was identified
- Obtain public input; and
- Identify the next steps in the process.

The Public Information Sessions included a formal presentation as well as discussions around a series of display boards. Members from the Study Team were available to discuss content of the display boards and answer questions during each session both before and after the formal presentations.

Each Public Information Session was moderated by an independent public facilitator. For each session, a transcript was prepared and posted at www.durhamyorkwaste.ca under "Facilitator's Summary Report". The facilitator also provided attendees with a form entitled "I didn't get a chance to say" which they could fill out later if they still had questions/issues that they didn't

have a chance or didn't want to raise at the time. All questions and answers were posted on the website for each session.

Appendix 3 contains detailed summary reports of each of these events, the information presented, and the questions and comments raised by the public and the responses to those questions and comments.

The net effect of considering and addressing the comments received will be to enhance the detail, readability and traceability of the final document; however, based on the consideration of the comments received at these meetings, the overall result of the evaluation process continues to be, the identification of Clarington 01 as the Consultant Team's recommended preferred site.

2. Next Steps

Following the approval of the preferred site by Durham and York Regional Councils, an Interim EA Planning document will be prepared. This document will outline the EA process followed to date, including:

1. Development and approval of the EA Terms of Reference;
2. Evaluation of Alternatives To and the identification of thermal treatment as the preferred system including the outcome of the Vendor RFQ process which serves to focus the selection of the technology to be employed at the facility; and
3. Evaluation of Alternative Methods and the identification of the preferred site.

This document will form the basis of the draft EA document that will be submitted to the Minister of the Environment in late 2008/early 2009. Over the course of 2008, the Interim EA Planning document will be updated as additional studies are completed and the preferred technology vendor is identified. At that time the formal EA submission (including a draft and final EA document) will be prepared.

3. Recommendation

The Consultant Team is recommending that the preferred site for the location of the Durham/York Energy-From-Waste facility is in the Municipality of Clarington on the site identified as Clarington 01, as identified in the Consultant Team's report and supporting report on public consultation.