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Section 16 Summary

Throughout the EA process, a considerable level of effort has been expended on consultation. The consultation summary provides an overview of all consultation activities undertaken during the EA Study. It documents the consultation activities conducted during the EA process, in accordance with the requirements of the EAA, the Approved Terms of Reference, and the Consultation Code of Practice. Consultation completed as part of the EA process includes input received from interested parties including the general public, government agencies, non-governmental organizations (NGOs) and First Nations, all of which have provided feedback that has been, and will continue to be, considered as the Project continues forward.

As part of the Communications Strategy developed by the Regions, consultation was undertaken through the development of public liaison committees such as the Joint Waste Management Group and the Site Liaison Committee, consultation with Government Agencies, First Nations, the public and other interested parties (e.g., non-governmental organizations).

Notification and dissemination of information was undertaken through newspaper, radio and TV advertising, a mailing list, and an EA Study website (www.durhamyorkwaste.ca) maintained throughout the course of the EA Study. Consultation included public polling, consultation events such as public information centres, and opportunities for delegations at Regional Committee and Council meetings.

Although opportunities for public input were available throughout the EA Study, consultation events typically took place during major milestones such as upon the identification of the preferred technology, Short-list of sites, and the preferred site; and for the results of the draft EA Study document and draft site-specific studies.

These consultation events have been summarized in the EA Study document, and are described in more detail in the Record of Consultation (RoC). The RoC has been submitted as a separate document to the EA Study.

16. Consultation Summary

This summary of consultation provides an overview of the consultation process undertaken during the EA Study as described in detail in the Record of Consultation (RoC). The consultation process followed during the EA satisfies the consultation requirements set out in the Approved Terms of Reference and meets the consultation guidelines set out in the *Code of Practice: Consultation in Ontario's Environmental Assessment Process, June 2007* (Consultation Code of Practice).

The RoC documents the consultation activities conducted during the EA process, in accordance with the requirements of the EAA, the Approved EA Terms of Reference, and the Consultation Code of Practice. This RoC was completed as part of the EA process and includes input received from interested parties including the general public, government agencies (including the federal government), non-governmental organizations (NGOs) and First Nations, all of which have provided feedback that has been, and will continue to be, considered as the Project continues forward.

The RoC has been submitted as a separate document to the EA Study.

16.1 Consultation in Accordance with the Approved Terms of Reference

The consultation process documented in the RoC has addressed the objectives for consultation set out in the Approved Terms of Reference, which were to:

- engage interested and potentially affected parties in a timely, transparent consultation process designed to meet the needs of Durham/York and its stakeholders;
- determine the appropriate consultation methods;
- promote effective, proactive and responsive communications that allow for:
 - the provision of information about the EA Study;
 - issues, areas of concern or support to be considered and addressed; and,
 - accurate and consistent responses.
- track and document communications between Durham and York Regions (the Regions) and interested parties including how comments may be considered in the EA process; and,
- meet consultation requirements under the EAA.

Regional representatives, First Nations, Government Agencies, interested parties and elected representatives and spokespersons for the local residents were consulted throughout the EA.

Key consultation milestones were set out in the Approved Terms of Reference for the purpose of consultation during the EA. These milestones were adjusted as necessary during the EA to

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include additional points of consultation, such as consultation on the generic human health and ecological risk assessment and on the draft results of the EA.

Table 16-1 illustrates the public consultation activities undertaken at key milestones in the EA Study. The number in parentheses indicates the number of sessions held for that particular milestone. In comparison with the consultation plan set out in the Approved EA Terms of Reference, the final consultation plan as completed in support of this EA included both additional consultation milestones and a broader scope of consultation activities at each milestone.

Table 16-1 Public Consultation at Key Milestones in EA Study

Timeframe	Key Milestones as set out in EA Terms of Reference	Public Information Sessions		Polling	GRT Workshops	Drop-in Centre	First Nation Sessions	Delegations
		Open House	Formal Presentation Q&A session					
March '06	Review of "Alternatives to" Evaluation Methodology & Criteria		✓ (6)	✓(1)				
May '06	Identification of Preferred System		✓ (6)	✓(1)				✓ (2)
Sept. '06	Review of "Alternative Methods" (Facility Siting) Methodology & Criteria		✓ (6)	✓(1)	✓ (2)			
Apr. '07	Identification of the Short-Listed Sites		✓ (4)					
June - July '07	Results of Generic HHERA Study		✓ (5)			✓ (1)		
Oct. - Dec. '07	Identification of Consultant's Recommended Site		✓ (3)	✓(1)				
April – May '09	Draft Results of EA				✓ (2)			
May '09	Results of Site-specific Studies	✓ (2)	✓ (2)				✓ (2)	

In addition, the principle of continuous consultation based on multiple points of contact (web, email, 1-866 number, and mailing address) and numerous consultation opportunities was ascribed to throughout the EA.

16.2 Consultation in Accordance with the Code of Practice

The consultation process was structured to meet the guidelines for consultation as set out in the Code of Practice for consultation under the EAA. The Code of Practice outlines the obligations for consultation under the EAA, the consultation requirements for an individual EA, strategies for

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the development of consultation plans and the roles and responsibilities of various parties in the process.

The consultation process used for this EA generally followed the process suggested for a project of medium to high complexity (only a few alternatives) and high environmental sensitivity. Consultation opportunities were provided early in the process to identify concerns and develop the study work plans and to provide input to the comparative evaluation criteria that were used in the EA. All notification requirements for key milestones and public events were met in the consultation process as described in detail in the RoC and summarized in this section of the EA.

The Code of Practice notes the documentation requirements for the consultative process. These documentation requirements, as addressed in the RoC and summarized in the EA Study document as appropriate, include the following:

- A description of the consultation process completed (schedule of events, methods used to consult);
- A description of the consultation that has taken place, with whom (list of persons and Aboriginal communities consulted) and the purpose;
- Identification of how consultation results were considered in the Regions' planning and decision-making process. This is addressed generally in the EA Study document and in the detailed comment/response tables included in the appendices of the RoC;
- Identification of concerns that were raised and how the Regions responded. This is addressed in the summaries of key issues and the detailed comment/response tables included in the annexes of the RoC;
- Agreements or commitments arrived at to address concerns which have been addressed in Section 13 of the EA Study document;
- Identification of outstanding concerns and conflicts and why they are still outstanding, and identification of those concerns that would be addressed at a future date pending completion of the EA and the consultation process;
- A copy of all notification information provided, including how, when and where;
- A description of materials that were handed out or discussed at consultation events;
- Minutes from any meetings held with interested persons; and,
- Copies of written comments received from interested persons.

16.3 Consultation Plan for the EA Study

This section describes the general consultation plan, which was intended to guide the consultation process over the course of the EA Study. It includes reference to the types of parties that were consulted over the course of the Study and the scope of consultation undertaken at various milestones. In general, there are four types or categories of parties that were consulted over the course of the EA Study. These categories, together, are considered to cover the full range of stakeholders, which may have an interest in the EA Study and include:

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- Public Liaison or Advisory Committees which are committees designated by the Regions to represent a broad range of interests across the study area community and to focus public input to the EA Study. Two such committees were formed to act in an advisory capacity; the Joint Waste Management Group and the Site Liaison Committee.
- First Nations Groups as identified by Durham and York in consultation with the Ontario Native Affairs Secretariat that may be potentially affected by the outcome of the EA Study.
- Government and Agencies which represent the interests and mandate of various governmental departments, ministries and agencies potentially affected by the outcome of the EA Study. This included departments and agencies associated with the federal government, provincial government and regional/local municipal governments.
- General Public which includes all residents and businesses within the study area as well as other interested parties (e.g., non-governmental organizations), which may have a broad or general interest in the Study or may be directly affected by the Study outcome. Over the course of the EA, a contact list of those individuals and groups expressing interest in the Study was compiled and was updated as the Study proceeded. The current contact list is included as part of the Consultation Record and forms part of the RoC.

By way of a Communications Strategy developed for the Study and Study consultation events, the lists of parties to be consulted were continually updated over the course of the EA Study.

In accordance with the Study's Communications Strategy, a range of notices, updates, etc. were prepared and issued. The scope of consultation events moved from initiatives and events addressing and seeking input from the larger community to a program that was more focused on the individuals and community with the greatest potential to be impacted by the proposed undertaking. Table 16-2 outlines the minimum scope of consultation associated with the various Study milestones according to the Approved Terms of Reference as well as the actual consultation events that were completed during the EA. Additional consultation activities were developed and implemented as required as part of the EA Study in accordance with the principles outlined in the Residual Waste Study Communications Strategy.

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Table 16-2 Minimum Scope of Consultation Activities Proposed in EA Terms of Reference

Study Milestones	Minimum Scope of Consultation Activities (EA Terms of Reference)	EA Consultation Events Completed
Initiate EA Study and review Evaluation Methodology and Criteria for "Alternatives to" (Alternative technologies)	General Public Notices possibly followed by events such as open houses intended to obtain input on finalizing the evaluation methodology and criteria.	<ul style="list-style-type: none"> • General Notices issued regarding initiation of the EA Study • Meetings of the Joint Waste Management Group formed in 2005 • Six Public Information Sessions on Review of Evaluation Methodology and Criteria
Evaluate "Alternatives to" the Undertaking Select Preferred Approach to Manage Residual Wastes	Open House/Public Meeting type events open to the general public and intended to notify and receive input on selection of the preferred "Alternative to".	<ul style="list-style-type: none"> • Meetings of the Joint Waste Management Group • Six Public Information Sessions on Identification of Preferred Residuals Processing System • Two Public Delegation Sessions
Review of Evaluation Methodology and Criteria for "Alternative methods" (alternative sites)	Events such as open houses intended to obtain input on finalizing the evaluation methodology and criteria.	<ul style="list-style-type: none"> • Meetings of the Joint Waste Management Group • Six Public Information Sessions on Review of Evaluation Methodology and Criteria • Two Agency Workshops
Evaluate "Alternative methods" of Implementing the Undertaking, RFP to Identify a Preferred Technology Vendor and Identification of a Preferred Site.	<p>At Identification of Short-list: Sites Open House / Public Meeting type events open to the general public and intended to notify and receive input on the process leading to selection of the short list sites (i.e., study area to suitable areas to Long-list to Short-list).</p> <p>At Identification of Preferred Site: One-on-one meetings, such as kitchen table meetings, and focused information sessions with community / residents potentially impacted by the Site to inform and exchange information regarding site-specific issues, next steps in process, and opportunities to discuss / resolve concerns.</p> <p>General public notice of selected preferred Site.</p>	<ul style="list-style-type: none"> • Meetings of the Joint Waste Management Group • Four Public Information Sessions on the Short-list of Sites • Five Public Information Sessions and one drop-in centre on the Generic Human Health & Ecological Risk Assessment • Three Public Information Sessions on the Consultant's Recommended Site

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Study Milestones	Minimum Scope of Consultation Activities (EA Terms of Reference)	EA Consultation Events Completed
Complete Site-specific Studies to Confirm Suitability and Documentation to Support Approvals	<p>Provision of opportunity to form a Site Liaison Committee consisting of resident, agency and other interested representatives to review and provide input on site-specific studies.</p> <p>One-on-one meetings, such as kitchen table meetings, and focused information sessions with community / residents potentially impacted by site to obtain input on Study methodologies and to inform and exchange information regarding Study results, design and operational implications, and supporting documentation.</p>	<ul style="list-style-type: none"> • Meetings of the Joint Waste Management Group Meetings of the Site Liaison Committee formed in 2008 • Two Open Houses for First Nations to view results of Site-specific Studies held in May 2009 • Two Public Information Centres held in May 2009 to present results of site-specific studies. Each PIC consisted of one drop-in session and one formal presentation session. • Two GRT EA Update Meetings held in April and May 2009.

Given that the Proposed Thermal Treatment Facility Site (the Site) identified is owned by the Region of Durham and that there are very few residential or other receptors located within 1 km of it, the latter stages of the consultation process did not include one-on-one meetings with individual residents potentially impacted by the Facility but rather general information sessions designed to accommodate the broader community in the Municipality of Clarington.

16.4 Communications Strategy

To effectively disseminate information on the EA Study and to provide opportunities for the public and agencies to provide specific or general input to it, Durham and York developed a communications strategy. Elements of the communications strategy included maintenance of a Study website (www.durhamyorkwaste.ca); the development and issuance of public advisories, notices and news releases; and the provision of a range of avenues for communication between the public and Study representatives. This strategy was maintained and updated, as required, for the entirety of the Study.

The following sections describe the components of the Communications Strategy used throughout the EA Study.

16.4.1 Public Liaison or Advisory Committees

A few committees participated in the consultation process consisting of public and elected members, with two key committees being specifically formed during the EA process. A Joint Waste Management Group was formed very early in the EA process to provide advice and recommendations to Regional committees. Once a site had been chosen, a Site Liaison Committee was created to provide feedback to residents. Meetings of both committees are open to all residents and are advertised in newspapers well in advance of the meeting. Agendas, minutes and relevant presentations are posted on the Study website. Further details about these two committees can be found below.

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16.4.1.1 Joint Waste Management Group

The Joint Waste Management Group (JWMG) was created in 2005 as a sub-committee of Durham's Works Committee and York's Waste Management Committee to provide advice and make recommendations to these Committees on all matters relating to the Residual Waste Management EA Study.

The scope of activities of the JWMG included:

- Examining the composition and quantity of the post-diversion residual wastes to be managed;
- Establishing the limits of the area to be serviced by a facility, or facilities, established as a result of the Committee's work;
- Researching available energy and recyclable resource markets and their operating requirements;
- Reviewing and making recommendations regarding the Study's preferred post-diversion residual waste processing technologies and systems;
- Reviewing and making recommendations regarding the Study's preferred site location(s) for the required facility or facilities;
- Securing meaningful public input through public information protocols such as workshops and open houses;
- Reporting and making recommendations to the Durham's Works Committee and to York's Waste Management Committee.
- The JWMG is comprised of the following:
 - 8 Voting members - Four (4) current members of Durham's Works Committee and four (4) current members of York's Waste Management Committee. The Chairs and Vice Chairs of each Committee, or their designate, shall sit as members of the JWMG. These members shall select the remaining two (2) members from their respective Committee to sit on the JWMG.
 - 6 Non-voting members - Three (3) interested residents from the Region of Durham and three (3) interested residents from the Region of York; and,
 - The Chair of the City & County of Peterborough's Waste Management Steering Committee, or a designate, shall sit as an observer.
 - Membership in the JWMG consists of a 3-year term corresponding with the terms of Regional Councils.

Since the formation of the JWMG in 2005, meetings have been held regularly throughout the EA process in order to provide updates and information on the Study. The dates and meeting content of the JWMG meetings from 2005 – 2009 is outlined in Table 16-3 below.

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Table 16-3 Summary of JWVG Meetings

Meeting Date	Subject
August 30, 2005	Overview of EA process Consultation Summary EA Terms of Reference Update
September 27, 2005	Presentation on EA Terms of Reference
November 22, 2005	EA Terms of Reference Update
January 24, 2006	EA Terms of Reference Update Project Schedule Communications Strategy Implications of York/Dongara Agreement
April 18, 2006	Presentation on Recommended Preferred "Alternative to"
May 30, 2006	Resolution approved by the JWVG Summary of key issues identified during consultation on Draft Report Presentation on Recommended Preferred "Alternative to"
September 19, 2006	Overview of revised timelines Overview of siting methodology – report on consultation Approval of recommended siting evaluation methodology and criteria Consideration and approval to proceed with RFQ for vendor selection
January 30, 2007	Overall facility development process and schedule Durham York Memorandum of Understanding 2007 Work Plan RFQ for vendor selection
February 20, 2007	Presentation on status of REOI for sites Review of facility procurement process Update on generic human health and ecological risk assessment
March 6, 2007	Host community agreement considerations Update on generic human health and ecological risk assessment Outline of communication plan for announcement of Short-list of sites
March 27, 2007	Presentation on the identification of the Short-list of sites Project schedule and proposed EA reform
April 24, 2007	Presentation on new EA screening process Report on Public Information Sessions on Short-list of sites Update on resolutions from Durham and York councils Project schedule – Short-list evaluation process
June 19, 2007	Presentation on generic human health and ecological risk assessment Delegations (8) Update on the Short-list Site evaluation process and workplan Review of recent public consultation events
September 25, 2007	Presentation on Consultants Recommended Preferred Site Review of correspondence received Delegations (3)
January 8, 2008	Presentation on Results of RFQ process

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Meeting Date	Subject
	<p>Presentation on Recommendation of Preferred Site Location Overview of the RFQ Submissions – Design, build, operate an EFW facility Review of correspondence received Presentation on December 2007 Polling Results Delegations (9) Presentation by Peel EFW Facility Public Liaison Committee Co-Chairs</p>
March 4, 2008	<p>Presentation on Results of Ambient Air Quality Study Review of correspondence received Delegations (6)</p>
April 15, 2008	<p>SLC – Terms of Reference Response to Durham Region Council Direction on EFW facility air emissions and control system Presentation on Accommodating Durham Region Council Direction in the Design of EFW Facility Air Emission Criteria Presentation on Formation of a SLC Delegations (3) Review of Correspondence Received</p>
May 13, 2008	<p>Presentation on Accommodating Durham Region Council Direction in the Design of EFW Facility Air Emission Criteria – Proposed Operational Limits Response to Durham Region Council Direction on EFW facility air emission control system – updated Request for Alternate for Citizen Members of the JWVG Review of Correspondence Received</p>
June 24, 2008	<p>Presentation on the Framework for an Environmental Biomonitoring Program and Human Biomonitoring Program Presentation on the Interim Report on Ambient Air Monitoring at the Courtice Road Site Presentation on the Status of the EA Presentation on the Meeting with OPG and Highway 407 EA Representatives Delegations (4) Review of Correspondence Received</p>
October 7, 2008	<p>Presentation on Review of International Best Practices of Environmental Surveillance for EFW facilities Presentation on the Environmental Biomonitoring Program Interim Report on Ambient Air Monitoring at the Courtice Road Site Status of the EA Delegations (3) Review of Correspondence Received</p>
November 4, 2008	<p>Presentation on the Review of International Best Practices of Environmental Surveillance for EFW facilities Presentation on the Environmental Biomonitoring Program Presentation on the Status of the Site-specific studies Status of the EA and the Oct. 24 2008 Meeting with the MOE Review of Correspondence Received</p>
March 10, 2009	<p>Presentation on the Natural Environment Impact Assessment</p>

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Meeting Date	Subject
	Presentation on the Geotechnical Investigation Presentation on the Stage 2 Archaeological Assessment and Built Heritage Presentation on the Environmental Biomonitoring Program Presentation on the Review of International Best Practices of Environmental Surveillance for EFW facilities
April 14, 2009	Updates on SLC meetings Presentation on the Status of the EA process Delegations (3) Memorandum on Request for Proposal 604-2008 for the Proposed Energy-From-Waste (EFW) Facility The Regional Municipality of Durham's Joint Works and Finance and Administration Report 2009-J-18 of April 14, 2009 - Recommendation of a Preferred EFW Proponent: Request for Proposals 604-2008
May 5, 2009	Presentation Update on EA Study Site-Specific Study Results
May 26, 2009	Presentation on the Air Quality Assessment and the Site Specific Human Health and Ecological Risk Assessment

16.4.1.2 Site Liaison Committee

In late 2008, the Municipality of Clarington formed a public Site Liaison Committee (SLC) in partnership with the Region of Durham. The committee was formed to provide feedback to and exchange information with Regional residents on the site-specific studies that were conducted on the recommended Site for a Thermal Treatment Facility.

The Municipality of Clarington selected four Clarington residents to participate on the committee. The Region of Durham selected five residents from the Region of Durham at-large to participate on the committee as well. Committee member selection was based on the qualifications and level of interest provided with a completed application.

The scope of the SLC activities includes:

- Scheduling, advertising and maintaining agendas and minutes for quarterly or more frequent meetings open to the public.
- Review of site-specific EA Study reports in coordination with the ongoing EA Project schedule.
- Distribution of information from the site-specific EA studies as requested by JWVG.
- Facilitating communication between local residents and stakeholders, and the JWVG.
- Receiving and hearing deputations from local residents and stakeholders pertaining to the Thermal Treatment Facility site-specific EA studies. The SLC should develop protocols governing acceptable and relevant content.
- Preparing, maintaining and archiving supporting material as the committee deems necessary including committee agendas and minutes, deputation records, mailing lists, information files, resource materials, newsletters, fact sheets and presentations.

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As per the Terms of Reference developed for the SLC, Durham will provide space on its website to post information such as meeting minutes and pertinent information as it pertains to the site-specific EA studies as it deems appropriate. York and the JWMG may provide independent posting of information or provide linkage to Durham's website as required.

All meeting minutes are posted on the Study website and links to the information are posted on the Regional websites.

A summary of the SLC meetings that have been held to-date, is provided in Section 16.7, Table 16-5.

16.4.1.3 Consultation with Other Committees

Over the course of the EA, discussion has taken place with a number of other committees in Durham and York as necessary, as part of the process of reporting on the EA Study within the respective Regions. Presentations and updates were provided as needed and are documented on the respective areas of the Region's websites.

A number of delegations were received at Regional council and committee meetings such as Works Committees, Finance & Administration Committees, where members of the public had an opportunity to make delegations regarding residual waste management outside of key decision making points in the EA process. Essentially, stakeholders had the ability to make delegations outside of the EA consultation process at any time over the period during which the EA was undertaken. Copies of their delegations/presentations were made public with copies circulated to Council and committee members and posted on the respective Regional website with minutes and agendas.

16.4.2 Consultation with Government Agencies

Various levels of government were consulted during the course of the EA Study. A Government Review Team (GRT) was established consisting of different levels of government (i.e., federal, provincial, and municipal), First Nations, and other municipal agencies early in the consultation process for the EA. The list of all current GRT members, their affiliation, and departments was continually updated over the course of the EA Study and can be found in the consultation summary reports in the appendices to the RoC. Many government agencies along with the First Nations located within a 100 km radius of the Study were included on the GRT list and were invited to participate in the consultation process. The level of participation of each agency and First Nations varied depending on their area of interest in the Study.

The purpose of the GRT was to provide expertise regarding the EA process, as well as to provide expert review of the reports conducted for the EA and the draft EA Study document. The Study Team communicated with the GRT throughout the EA process regarding key Study milestones and updates.

Beyond ongoing consultation with updates about the Study, two major sets of agency consultation occurred during the EA study with the GRT. The first set, a series of two workshops in September 2006, was held to review the evaluation methodology and criteria for "Alternative methods". The second set, two workshops held on April 7 and May 21, 2009, were held during the completion of the Assessment of the Undertaking to discuss the EA Study document. The purpose of the first workshop was to present the "front-end" of the EA Study

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document up to and including the identification of the Preferred Technology and Recommended Preferred Site. The second workshop presented the entire draft EA Study to attendees.

16.4.3 Consultation with First Nations

During the development of the Approved EA Terms of Reference and throughout the duration of the EA Study, a detailed First Nations distribution list was developed in consultation with the Ministry of the Environment, Indian and Northern Affairs Canada, Ontario Secretariat for Aboriginal Affairs and other First Nations organizations and groups.

At each point of consultation in the EA, the First Nations and related organizations on the list were notified of the pending consultation and invited to participate. As well, whenever new documents became available and were distributed to the agency contact list, documents were distributed to all First Nations groups on the list. First Nation consultation has been considered to be part of the agency consultation and is not described as a separate process in this record of consultation.

All First Nations listed below in Table 16-4 were invited to participate on the GRT and were forwarded all EA materials including draft reports, invitations to workshops, and invitations to participate in the review of the various draft reports. In addition, First Nations were invited to participate in a session reserved specifically for them preceding both public information centres held to discuss the draft EA Study document and site-specific studies on May 12 and 19, 2009.

Table 16-4 First Nations Contact List

Chippewas of Mnjikaning	Mississauga of the New Credit First Nation	Six Nations of the Grand River
Chippewas of Georgina Island	Delaware First Nation (Moravian of the Thames)	Oneida Nation of the Thames
Mississaugas of Scugog Island	Mississauga of the New Credit First Nation	Wahta Mohawks
Anishinabek Nation/Union of Ontario Indians	Mississaugas of Alderville First Nation	Ontario Secretariat for Aboriginal Affairs
Association of Iroquois and Allied Indians (AIAI)	Mohawks of the Bay of Quinte	Aboriginal Affairs - Policy and Relationship
Batchewana First Nation	Ojibways of Hiawatha First Nation	Indian and Northern Affairs Canada
Beausoleil First Nation	Huronne-wendat Nation	Department of Indian and Northern Affairs-Litigation Management and Resolution, Specific Claims, Environment Unit - Lands and Trusts Services
Caldwell First Nation	Curve Lake First Nation	

16.4.4 Public Notification and Consultation Activities

The following sections describe the notification and communication outreach activities undertaken by the Regions to inform the public of EA Study updates and milestones.

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16.4.4.1 Newspaper and Radio Advertising

Advertisements were placed in major and local newspapers in each municipality, which provided information on the public information sessions, workshops and drop-in centres. Efforts were made to place information in non-English newspapers (e.g., Ming Pao, Pakistani Star, Lo Specchio) in order to reach a greater audience. Radio advertisements were aired on local radio stations in Durham and York, prior to each community event.

In addition to the placement of notices in local weekly newspapers, Public Service Announcements were issued to notify interested parties and organizations throughout Durham and York. The 'brand image' notifications, developed for the Study advising of the Public Information Sessions, were also placed across both Durham and York via bus ads and local movie theatres as well as via the Toronto Star newspaper.

16.4.4.2 Website, Email and Toll-free Number

A website (www.durhamyorkwaste.ca) was established in late 2005 to provide information about the Study and the EA to interested parties. This website, hosted and regularly updated by an independent web design company includes news and updates about the EA Study, the EA, updated documents for review and comment, and contact information. The address for this website has been made available to the public in newsletters, notices, open house information boards, presentations, Study handouts available at the open houses and public information sessions, and correspondence with the public.

An e-mail address, local and toll-free phone numbers and a mailing address were posted on the website. Messages and letters received included questions concerning information that was distributed, requests for copies of the Technical Study Reports, dates for planned public information sessions and general comments about the Project. Comments received from the toll-free number, e-mails or letters are summarized in the public comment and response tables found in the Record of Consultation. These comments were considered in the development of the EA Study document.

16.4.4.3 Mailing List

A preliminary mailing list was developed before the EA's consultation process began to identify key contacts within the community, government agencies, NGOs and First Nations. These were updated through workshops and information supplied by the agencies themselves. The Study mailing list was continuously updated, primarily as a result of attendance at the public information sessions where a mailing list sign-up sheet was always made available. At an individual's request, their name was placed on the mailing list to which updates and Project information would be sent by either mail or e-mail.

Note: upon identification of the Short-list of sites, in addition to the use of the overall Study mailing-list, site-specific mailing lists were developed to issue notices to property owners within 1 km of the sites and notices were also hand delivered in order to reach current tenants of any properties.

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16.4.4.4 Public Information Sessions

The majority of public consultation events took place through public information sessions held in both Durham and York. The Public Information Sessions included an informal presentation of display boards and a formal presentation by the Study Team. These consultation events focused on aspects of background, scope and work plan activities associated with each milestone of the Study. Representatives from Durham and York Region's Waste Management Services Department together with members of the Study Team - Genivar and Jacques Whitford Ltd. - attended each of the sessions and were available to discuss content of the display boards and answer questions. At each session, participants were provided with comment sheets which could be handed in or mailed in at a later date. These comments were compiled and published in comment/response tables documented in the RoC.

An important part of the public information sessions was the formal presentation which was followed by a Q&A session. This allowed attendees an opportunity to obtain additional information from the Study Team.

All the public information sessions held on the identification of the Short-list of sites, the Generic Human Health and Ecological Risk Assessment, the Recommended Site, and the results of the Site-specific studies were facilitated by an independent facilitator not involved in the Study. The facilitator also provided attendees with a form entitled "I didn't get a chance to say" which they could fill out later and return with questions/issues that they didn't have a chance to raise or didn't want to raise, at the session. Transcripts of these sessions and forms were posted on the website and are included in the RoC.

16.4.4.5 Public Polling

The Joint Waste Management Group retained the services of the public polling firm Ipsos Reid to undertake a series of four sets of public polls over the course of the EA Study; two during the identification of the preferred residuals processing system, one during the identification of the Short-list of sites and one following the preferred site identification to confirm the results of an earlier poll regarding the selection of thermal treatment as the preferred technology for managing the post-diversion residual solid waste stream.

16.4.4.6 Public Delegations

A series of two (2) concurrent Public Delegation Sessions on 'Alternatives to' – Identification of Preferred Residuals Processing System were held on May 17, 2006, one in the morning and one in the evening, in both Durham and York. The purpose of these sessions was for the interested parties to present their comments/opinion to members of the Joint Waste Management Group on the draft report on the *Evaluation of "Alternatives to" and Identification of the Preferred Residuals Processing System* and its results. Notification of these Public Delegation Sessions was issued through placement of notices in local weekly newspapers that serve both Durham and York. Following the identification of the preferred Site, the public had opportunities to make delegations to the JWMG, SLC and various committees and Council.

Following the release of the draft EA, Durham and York Councils provided opportunities for the public to make delegations to both Council meetings and Committee of the Whole meetings.

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Durham Region extended the June Regional Council meeting and Committee of the Whole meeting to receive over 80 delegations at each meeting.

16.4.4.7 Drop-in Centre

One Drop-in Centre was held on June 18, 2007 in Courtice to present the results of the Generic Human Health and Ecological Risk Assessment Study. There was no formal presentation at the Drop-in Centre, rather there were a series of display boards which included information on: the EA Study Process, the Durham/York Residual Waste Study, thermal treatment technologies and emissions, the siting process and results, the Short-list of alternative sites, an overview of the Generic Human Health and Ecological Risk Assessment Study and the results of the Study. Members from the Study Team were available to discuss the content of the display boards and answer questions throughout the entire Drop-in Centre.

16.5 Public and Agency Consultation on the Preferred System

This section provides a brief summary of the results of the phase of the consultation process undertaken related to the selection of the preferred post-diversion residual waste management system. With the receipt of the draft report *Report on Evaluation of "Alternatives to" and Identification of Preferred Long-term Residual Processing System Recommendations* by the Joint Waste Management Group on April 18, 2006 the following activities were undertaken prior to completion of the evaluation of "Alternatives to" and the identification of the preferred long-term residuals processing system:

- The draft report was released to the public and government review agencies for a review period of 30 days starting on April 19th, 2006 and ending on May 19th, 2006.
- Notification was issued of the availability of the draft report 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 draft report 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.
- Concurrent Public Information Sessions were held in both Durham and York during the evenings of May 9, 10 and 11, 2006. These sessions were attended by a total of 303 individuals, and 110 attendees completed and returned a questionnaire providing input on the draft report. The majority of attendees indicated that they strongly or somewhat agreed with the recommended residuals processing system.
- A telephone poll was conducted by Ipsos Reid during the week of May 15, 2006, reaching 200 individuals in Durham and 200 individuals in York to determine their support for the recommended residuals processing approach. The results of the survey indicated that approximately 80% of the residents of Durham and York agreed with building a Thermal Treatment Facility.
- The Joint Waste Management Group scheduled, advertised and held concurrent special meetings in both Durham and York during the day and evening of May 17, 2006 to receive delegations from interested parties on the draft report and its results. A total of 18 delegations were received in Durham and 16 in York. The majority of delegations

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supported the recommended residuals processing system, and those that did not were highly supportive of increased diversion efforts in both municipalities.

- Comments received during the draft report review period were documented and included in the final report on the evaluation of “Alternatives to” dated May 30, 2006. Comments received were considered and addressed, as appropriate, during finalization of this report.

Additional details regarding the public and agency consultation on the preferred system are provided in the Record of Consultation.

The results of the consultative process indicated that:

- A significant majority of the public (approximately 80%) that participated in the consultative process agreed with the consultants’ recommendation the preferred system is *System 2a – Thermal Treatment of MSW and Recovery of Energy followed by Recovery of Materials from the Ash/Char*. It was recognized that new technologies categorized in System 2b – Thermal Treatment of Solid Recovered Fuel may ultimately offer important benefits and as a result the competitive process used during the evaluation of “Alternative Methods” should allow for the submission of proposals to implement both System 2a and System 2b, with the final decision on the technologies used to implement the preferred residuals processing system being based on the results of this competitive process.
- The majority of those that did not agree with the recommended preferred system generally supported increased diversion activities, including extended producer responsibility and expansion of the municipal diversion system. It was recommended that Durham and York continue to support a hierarchy of waste management practices whereby diversion is the priority and continues to manage an increasing percentage of the municipal waste stream over time with diversion targets of 60% at the beginning of the planning period escalating to 75% towards the latter end of the planning period.
- A minority of those that did not agree with the recommended system, preferred to continue to export waste to landfill sites outside of the Regions.

16.6 Public and Agency Consultation on the Recommended Preferred Site

This section provides a brief summary of the results of the phase of the consultation process undertaken related to the selection of the preferred Site.

The following activities were undertaken prior to completion of the evaluation of “Alternative methods” and the identification of the Recommended Preferred Site.

- Public and agency consultation took place to review and obtain input on the siting methodology and criteria in September 2006. Six public information sessions were held in Durham and York and were attended by 167 people. Questionnaires on awareness of and siting of an EFW facility were completed by 89 attendees. Two agency workshops were held in September 2006. An online poll was conducted in September 2006 to test

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support for the undertaking, determine issues of concern to the broader community with respect to facility siting and provide additional input on priorities regarding facility siting.

Results of this consultation step resulted in some refinements to the site selection methodology, and were used to establish environmental priorities for the considerations used to evaluate and identify the preferred site.

- Potential sites were identified by reviewing publicly owned sites as well as issuing a call for willing sellers which included a Request for Expressions of Interest (REOI) and two public information sessions on the REOI.
- Public and agency consultation was conducted on the identification of the Short-list of alternative sites. Four (4) Public Information Sessions were held between April 10, 2007 and April 21, 2007; the first of which was held in York Region and the remaining three in Durham Region. These events were attended by 380 people. The results of this consultation step were used to confirm/ensure that the criteria and indicators that were used to evaluate the Short-list, addressed the community issues to the extent that was reasonable. Certain matters were identified as being more appropriately addressed during the more detailed assessment of the preferred Undertaking (preferred Site and Technology) as part of the site-specific technical studies or pertained to items that would be addressed/clarified in the EA Study document (e.g. consideration of zero waste).
- Throughout the public consultation process, concerns were raised about the potential for emissions from a Thermal Treatment Facility to adversely impact human and environmental health. Although previous human health and ecological risk assessments of thermal treatment conducted in Ontario have concluded that there would be no significant impact on the environment, recent regulatory changes have prompted a re-examination of these findings. In response to these concerns, the Regions opted to include Health Risk Assessment as part of the EA Study. Given that a specific site had not been selected, nor had a vendor or technology been chosen, a regional generic risk assessment was conducted based on emissions data from an existing facility and Ontario emissions guidelines. The generic risk assessment study was meant as a feasibility study only and to identify potential issues of concern that should be closely examined during the conduct of the site-specific risk assessment. One Drop-in Centre and five Public Information Sessions were held between June 18, 2007 and July 24, 2007. Three of the Public Information Sessions were held in Durham and the other two Public Information Sessions were held in York and were attended by a total of 386 people.
- The draft report *Thermal Facility Site Selection Process, Results of Step 7: Evaluation of Short- List of Sites and Identification of Consultants Recommended Preferred Site* and supporting documentation was released to the public and government review agencies for a period of 76 days starting on September 26, 2007 and ending on December 10, 2007. The timeframe was extended from 30 days at the request of the JWVG to allow an extended period of review.
- Notification was issued of the availability of the draft report 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.

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- Copies of the draft documents were forwarded to the public and government agencies in the established contact lists and copies placed in the local libraries, municipal offices and on the Study website for public review.
- Three Public Information Sessions were held in Durham and York on October 3, 9 and 23, 2007. The sessions were attended by 379 people.
- A telephone poll was conducted during December 2007, reaching 400 residents of Durham and York to gauge awareness and opinions regarding building a Thermal Treatment Facility. Overall three-quarters agreed (strongly or somewhat) with building a thermal facility.
- Peer Review Consultants, working on behalf of Clarington, provided extensive comments on the Consultant Team's report.

Comments received during the draft report review period were documented and included in the final report on the Preferred Recommended Site to be submitted to both Regional Councils for approval. Comments were considered and addressed, as appropriate, during finalization of the report.

Generally, a variety of concerns were expressed that related to matters including the HHERA and the site evaluation process, consistent with those raised throughout the siting process. The issues raised largely related to matters that had either been addressed during site evaluation or which were to be addressed during the more detailed assessment of the preferred Undertaking (preferred Site and Technology) as part of the site-specific technical studies, or pertained to items that would be addressed/clarified in the EA document (e.g., consideration of zero waste).

An overview of key issues along with discussion as to how these issues were taken into consideration during the EA process is provided in Table 16-7. Detailed responses to each of the comments raised at the public information sessions are provided in the summaries/transcripts for each session which can be found in the Record of Consultation.

The net effect of considering and addressing many of the public and peer review comments received was to enhance the level of detail, readability and traceability of the final EA Study document. Based on the consideration of the comments received, the overall result of the evaluation process continued to be, the identification of Clarington 01 as the Consultant Team's Preferred Recommended Site.

16.7 Public and Agency Consultation on the Assessment of the Undertaking

Following the identification of the Preferred Recommended Site, the primary point for public consultation through most of 2008 and into early 2009 was through the JWMG and the Site Liaison Committee (SLC) meetings whose mandate is to provide information on site-specific issues to the public and to provide a vehicle for public input (e.g., delegations, correspondence, questions, etc). In addition, ongoing consultation through the Study website and email address continued throughout this period.

The JWMG met ten times during this phase of the EA; seven meetings were held in 2008 and three meetings were held in 2009.

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Table 16-3 provides an overview of the meeting dates and subjects of the meetings. Twenty-seven delegations were made to the JWVG during this period.

Following the formation of the SLC in 2008, six meetings of the SLC have been held. Table 16-5 outlines the dates and content of the meetings.

Table 16-5 SLC Meeting Dates and Content

Meeting Date	Subject
November 25, 2008	Background and Terms of Reference Presentation on the EA Process Presentation on the Review of International Best Practices of Environmental Surveillance for EFW facilities Presentation on the EFW Technology Procurement Process
January 14, 2009	Presentation on the Site-specific studies Public Questions/Comments
March 4, 2009	Presentation on the Natural Environment Impact Assessment Presentation on the Geotechnical Investigation Presentation on the Stage 2 Archaeological Assessment and Built Heritage Presentation on the Environmental Baseline Study Presentation on the Review of International Best Practices of Environmental Surveillance for EFW facilities Delegations (3)
April 8, 2009	Further discussion on the Draft Technical Reports (Natural Environment, Geotechnical, Archaeological, Environmental Baseline and International Best Practices) Discussion of Upcoming Public Information Centres Delegations (1)
May 6, 2009	Presentation on Update on EA Study and Site-specific Study Results Delegations (2)
May 20, 2009	Presentation on the draft results of the Air Quality Assessment and Human Health and Ecological Risk Assessment

As of May 2009, draft Interim EA Study documentation and draft site-specific studies had been released to the public and agencies. The May versions of these documents addressed the initial design capacity scenario (140,000 tpy). As of June 12, 2009, the draft EA Study document and draft site-specific studies addressing both the initial design capacity scenario (140,000 tpy) and the maximum design capacity scenario (400,000 tpy) design had been released. The following activities were completed following the release of these documents.

- Copies were placed in Durham and Clarington's Clerks Department and were available on the Study website for public review.
- On April 7 and May 21, 2009, two Agency workshops were held for members of the GRT to review the draft Interim EA. These were attended by 33 people. As of June 5, 2009, seven representatives from various agencies provided comment on the draft Interim EA documents.
- On May 12 and 19, 2009, two Public Information Centres (PICs) were held with a drop-in style afternoon session and a formal presentation in the evening. These were attended

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by 176 and 105 registered attendees respectively. Including those who did not register, approximately 200 people attended each PIC.

- On May 12 and 19, 2009, one session at each of the Public Information Centres was reserved exclusively for First Nations consultation.
- Peer Review Consultants, working on behalf of Clarington, provided extensive comments on the Study Team's report.
- Opportunities were provided at the Durham Region Committee of the Whole meeting held on June 16, 2009, the Durham Region Council meeting held on June 24, 2009 and the York Region Solid Waste Committee meeting of June 19th, 2009 to hear delegations. In the order of 32 hours of delegations were heard, 16 hours at each of the Durham committee and council meetings.

In regards to the public consultation on the draft EA Study document and site-specific studies, a variety of concerns were expressed that were consistent with many of the issues that were raised throughout consultation regarding the selection of the preferred alternative system (as discussed in Section 7) and regarding the selection of the preferred site (as discussed in Section 8). Many of the issues raised related to matters that were addressed during the detailed assessment of the preferred Undertaking (preferred Site and Technology) through the site-specific technical studies and/or were items that would be addressed/clarified in the EA document (e.g., consideration of zero waste).

16.8 Consideration of Key Issues

Input was solicited from stakeholders and agencies in different forms throughout the Study. At workshops, public information sessions and facilitated meetings, attendees had a chance to provide input with questionnaires, comment sheets, and opportunities to speak with members of the Study Team. Delegations were received during the process at JWMG and SLC meetings. At all times during the Study, letters, emails and phone messages were received and responded to by the Study Co-ordinator.

Responses to comments made during the Study were compiled and made public as part of the summary of public consultation reports posted on the Study website. Letters, emails and phone messages were also compiled with the appropriate responses and these tables were also posted on the website. All comment/response tables can be found in the appendices of the RoC.

Generally, the key issues identified in Table 16-6 below, are those issues that have been consistently raised and addressed throughout the EA process. There are a number of summary tables within the Record of Consultation that summarize key issues that were identified at each major phase of the consultation process and that discuss how they were considered at each stage of the EA. A full and detailed overview of all of the issues raised during the course of the consultation process is included in the various comment/response tables in the Record of Consultation.

In regards to the consideration of the results of agency consultation and peer review processes undertaken throughout the Study, and documented in the Record of Consultation the net effect

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of considering and addressing the agency and peer review comments was to enhance the detail, readability and traceability of the final EA Study document.

Table 16-6 Summary of Key Issues

Summary of Key Issues	Consideration in the EA
<p>Concerns regarding air emissions from a Thermal Treatment Facility and the potential impact on Public Health</p>	<p>During the initial public consultation events, it was evident that human health was a major concern for residents and as a result it has received significant consideration throughout the EA process.</p> <p>During consultation regarding the evaluation criteria used to select the preferred “Alternative to”, the highest priority category of criteria identified by the public was consideration of the natural environment. In part, this included examination of emissions to Air and Water from waste management practices and was linked in public comments to the issue of public health. As a result, natural environment considerations were applied as the highest ranking set of criteria in the evaluation of “Alternatives to” and potential emissions from all alternative systems were derived from Life Cycle Assessment models.</p> <p>During the evaluation of “Alternative methods”, public consultation on the methodology and criteria identified “Public Health & Safety and Natural Environment” as the most important priority of evaluation categories. Air quality was used as one of the criteria for evaluating the Short-list of sites, including the consideration of the local meteorological conditions at each of the Short-listed site locations. Overall, the preferred Site Clarington 01 was found to be comparatively neutral in regards to Air Quality impacts. Once a Short-list of sites had been identified, a generic air quality assessment was conducted on the sites.</p> <p>Following the identification of Clarington 01 as the Proposed Thermal Treatment Facility Site, a generic analysis of the impact of air emissions from a Municipal Solid Waste (MSW) thermal treatment facility on the air quality of the surrounding area was conducted which indicated that during normal operations, emissions from the Facility in combination with existing air quality levels are predicted to meet all applicable provincial/federal air quality criteria for all contaminants (continuous operation at maximum capacity). A generic human health and ecological risk assessment based on the results of this air quality assessment was also completed. Five consultation events were held in June/July 2007 to present and discuss the results of the Generic Human Health and Ecological Risk Assessment (HHERA). Additionally, a review of international best practices of environmental surveillance for Thermal Treatment Facilities was conducted to guide the site-specific studies that were used to assess the Undertaking. The focus of this study was to review environmental surveillance programs at similar facilities around the world and to recommend an appropriate level of environmental surveillance for the Proposed Thermal Treatment Facility.</p> <p>Once the preferred Site and technology vendor were identified, a site (and Vendor) specific air quality assessment was undertaken which was used, in part, by the site-specific human health and ecological risk assessment. Results of the Air Quality Assessment and the HHERA were presented and discussed at the Public Information Centre held on May 19, 2009. The results of the air quality assessment indicated that during normal operations, emissions from the Facility in combination with existing air quality levels are predicted to meet all applicable provincial/federal air quality criteria for all contaminants (continuous operation at maximum capacity). The human health risk assessment found that exposure to Facility-related air emissions will result in no adverse health effects to humans living or visiting the area around the Facility.</p>

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Summary of Key Issues	Consideration in the EA
	<p>Given the continued concerns expressed regarding air quality and potential health effects, in addition to implementing Continuous Emissions Monitoring (CEM) for a number of key operational parameters, and emissions (stack) testing and monitoring protocol as required for the C of A under the EPA, it is proposed that ambient air quality monitoring be undertaken in the immediate vicinity of the Facility for a 3-year period.</p>
<p>Potential Impacts to Ecological Health</p>	<p>Public and Agency consultation identified the Natural Environment as the most important priority for the identification of the preferred “Alternative to” and “Alternative method”. During the evaluation of “Alternatives to”, the environment potentially affected by the Undertaking was examined at a Regional level by compiling background information on the terrestrial and aquatic environment to provide a baseline for further studies. During the evaluation of “Alternative methods”, a generic assessment of the effects of a Thermal Treatment Facility on Environmentally Sensitive Areas and Species and Aquatic and Terrestrial Species was conducted on the Short-list of sites which found that Clarington 01 was likely to be the least sensitive site for a Thermal Treatment Facility. A generic ecological risk assessment was also undertaken to help classify potential ecological impacts of Thermal Treatment Facility activities, the results of which were used to guide the site-specific ecological risk assessment.</p> <p>Following the identification of Clarington 01 as the preferred recommended site, a site-specific natural environment assessment and an ecological risk assessment was conducted to confirm these results. The results of the natural environment assessment indicated that impacts to the terrestrial and aquatic features of Clarington 01 Site would be minimal to non-existent, confirming the results of the assessment undertaken during the evaluation of the Short-list sites. The results of the ecological risk assessment confirmed that the combination of chemical and non-chemical stressors (noise, habitat alteration, water resources), were not expected to have an effect on ecological receptors in the area.</p>
<p>Potential Effects from Traffic</p>	<p>The potential effects of traffic related to waste management facilities were also identified as a key issue early in the EA process, and was considered as a key issue in the evaluation of “Alternative methods”.</p> <p>Evaluation of the Long-list of potential sites considered the accessibility of all of the sites in regards to the maximum distance of the sites to the nearest major highway, as generally shorter haul routes on secondary or tertiary roads lower the potential effect of traffic on receptors.</p> <p>During the evaluation of the Short-list of potential sites, traffic impacts including the type of roadway, site access, proximity to major highways and existing and projected traffic volumes were considered. A report on the potential traffic impacts at the Short-list sites, prepared as part of this evaluation, did not identify any concerns for the preferred site, Clarington 01. A more detailed traffic assessment was prepared to support these findings and analyzed the impact of increased traffic associated with the Facility and the build-out of the Clarington Energy Business Park.</p> <p>The effects of traffic (including noise and emissions) related to the Undertaking was addressed in the traffic assessment and considered in the air quality assessment, the acoustic assessment, the human health and ecological risk assessment, and the social/cultural assessment.</p>

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Summary of Key Issues	Consideration in the EA
Energy Output and Efficiency	<p>As noted in Section 3.0, the Purpose of the Undertaking is “ to process – physically, biologically and/or thermally – the waste that remains after the application of both Regions’ at-source waste diversion programs in order to recover resources – both material and energy – and to minimize the amount of material requiring landfill disposal.” The potential for energy recovery, and the desire to maximize energy recovery was expressed consistently in public consultation during the development of the Approved Terms of Reference and throughout the EA.</p> <p>During consultation regarding the evaluation criteria used to select the preferred “Alternative to”, the highest priority category of criteria identified by the public was consideration of the natural environment, including the consumption/preservation of non-renewable environmental resources. A Life Cycle Analysis (LCA) was undertaken to consider the energy balance for all of the alternative systems and an estimate of the net electrical energy generation (both renewable and total) was also determined and considered in the selection of the preferred “Alternative to”, thermal treatment. The preferred system (thermal treatment of MSW) was comparatively advantaged in regards to its overall energy balance and capacity to generate electricity.</p> <p>During the evaluation of “Alternative methods” the proximity of the Short-list sites to the potential markets for energy were considered, in regards to the proximity to required infrastructure to market electricity and also in regards to potential markets for recovered heat. Clarington 01 was relatively advantaged given that it was in close proximity to the required infrastructure for sale of electricity to the grid as well as potential users of heat energy including the Courtice Water Pollution Control Plant (WPCP) and the Clarington Energy Business Park (CEBP).</p> <p>As part of the Vendor identification process, the potential for vendors to address the energy recovery objectives of Durham and York was assessed as part of the evaluation and selection of the preferred Vendor. Vendors were required to demonstrate the capability of their technology to maximize energy production as superheated steam used to generate electricity and potentially district heating for use in the Courtice WPCP and the CEBP. The preferred Vendor, Covanta, demonstrated its capability to generate sufficient energy for both electricity generation and district heating. Covanta provided the highest net electricity production and performance guarantees of any Vendor, with and without a future district heating system.</p> <p>Once Site and Vendor-specific information was available, an updated LCA was completed to estimate the environmental implications related to air, water, and energy associated with developing a Thermal Treatment Facility. It included the assessment of raw material production, manufacture, distribution, use, and disposal, including transportation, involved in operating the Facility. Three scenarios were analyzed for the Facility:</p> <ul style="list-style-type: none"> • <i>Recovery of the electrical energy.</i> • <i>Recovery of both electrical and heat energy</i> for district heating within the CEBP, where the Site is located. • <i>Recovery of both electrical and heat energy</i> for district heating and cooling within the CEBP. <p>In broad terms, the electricity produced by the Facility, when operating at the initial design capacity of 140,000 tpy, is sufficient to power about 10,000 homes; while the district heating produced could heat the equivalent of 2,200 homes.</p>
Potential Effects on Property Values	Concerns regarding the potential effects of a Thermal Treatment Facility on property values were raised during consultation regarding selection of the Site, Clarington

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Summary of Key Issues	Consideration in the EA
	<p>01. As a result, during the assessment of the potential effects of the Undertaking, the potential effect of the Facility on Property Values was considered in the Economic Assessment.</p> <p>The most recent studies available to the Study Team that examine the potential effect of Thermal Treatment Facilities on property value indicate that there may be some short-term effects during the first few months following announcement of a new project on residential property values based on 'perceived risk' associated with a facility. There is no evidence that there is any real effect on residential property values in the longer term. Also, the effect is primarily within the area closest to the Facility and drops-off the further away residential neighbourhoods are from the site. There are only two occupied residential properties near the Facility, and the area around the Facility is planned to be developed as part of the CEBP. The nearest existing and/or proposed built-up community is located over 3.2 km northwest of the Site.</p> <p>The Facility has the potential to have either a neutral or positive effect on property values in the immediate vicinity of the Site within the Energy Park, given the investment in infrastructure (road access, district heating) associated with the Facility.</p>
<p>Costs and Economic Viability</p>	<p>Concerns regarding the potential cost of managing post-diversion residual waste were raised early in the EA process, and as a result, the public identified economic/financial considerations as being an important priority in the evaluation and selection of the preferred "Alternative to". During the evaluation of "Alternatives to" the net system costs for the alternative systems, as well as the sensitivity of these systems to external influences was examined. The preferred system, System 2a, Thermal Treatment of MSW & Recovery of Materials from Ash/Char was advantaged, having one of the lowest net system costs per tonne and in that it was found to be less sensitive to external financial influences.</p> <p>During the evaluation of "Alternative methods", economic/financial criteria were also considered important in the evaluation of alternative sites and in the selection of the preferred Vendor. The evaluation of the Short-list of sites considered the potential capital and operational costs that could be influenced by site-specific factors, such as site development costs and the cost to haul residual waste to the Facility. Clarington 01 was found to be comparatively advantaged given potential haul cost savings and in regards to the proximity of the site to a potential market for heat energy (the Courtice WPCP and the CEBP).</p> <p>Prior to issuing the RFP to identify the preferred Vendor, the Region of Durham retained Deloitte & Touche to complete a Business Case for the development of a Thermal Treatment Facility. The Business Case indicated that although the proposed Thermal Treatment Facility has a higher up-front cost compared to a landfill option, it was deemed beneficial given that it would provide a long-term secure and local waste disposal option and as it avoids the risks associated with the shortage of Ontario landfill options. The Business Case evaluation found that the cost of thermal treatment was comparable to Ontario Landfill on a net present value basis and therefore would have similar effects on the taxpayers in regards to the long-term cost of waste disposal.</p> <p>The Business Case determined that it would cost approximately \$197 million to build the Facility and \$16,915,000 a year to operate the Facility, assuming a waste throughput of 140,000 tpy. The RFP submission from Covanta identified construction costs as \$236 million, and annual operating costs for the same sized Facility at \$14,665,000. According to Durham Region Report 2009-J-18 the</p>

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Summary of Key Issues	Consideration in the EA
	<p>Covanta submission falls within the scope of the Durham Business Case.</p> <p>The assessment of the Undertaking, considered the potential effects of the Facility on the Economic Environment, including effects on employment, aggregate wages and salaries, and effects on the municipal tax base. Overall, it was found that the economic effects of the Facility will benefit the local and regional areas through increased employment opportunities, potential growth in various service sectors and in providing a more sustainable economic base in the community.</p>
<p>Facility Ownership and Operational Responsibility</p>	<p>Concerns were expressed throughout the EA in regards to the potential implementation model for the Facility and that public-private partnerships (P3s) could cost more, are less effective and less accountable to the public. According to the Business Case prepared for Durham Region, the long-term operating contract with the private entity, if structured properly, can ensure:</p> <ul style="list-style-type: none"> • Cost certainty; • The asset is properly maintained through appropriate investments; and, • The service levels are constant over the Facility's life cycle. <p>The Facility will operate under a public-private partnership as it will be publicly owned by the Regions but privately operated by Covanta Energy. The Regions will be responsible for supplying waste to the Facility and Covanta will be responsible for operation and maintenance in accordance with a performance-based contract. Covanta will be responsible for any non-compliance issues.</p> <p>Durham and York have publicly identified a number of measures relating to operational responsibility including:</p> <ul style="list-style-type: none"> • A requirement that the successful Vendor ensure incorporation into the design and installation of the Facility of the most modern and state-of-the-art emissions control technologies in order to meet or exceed the European Union monitoring and measurement standards and commit to maximum achievable control technology for emissions standards and monitoring; • An agreement to provide accurate and timely information on emission levels to the public through a variety of means (e.g., an electronic display board mounted on the Facility exterior that will display the real time emissions and most recent stack test results); • The establishment of a Thermal Treatment Facility Site Liaison Committee; and, • The development of a Community Relations Plan (CRP) to establish a plan through which Durham, York, and Covanta staff would relate to the local community.
<p>Facility Compliance With and Monitoring of Air Emissions</p>	<p>During the EA process, particularly following the identification of thermal treatment as the preferred "Alternative to" and throughout the evaluation of sites, residents expressed concerns regarding monitoring of the proposed Facility and the potential for non-compliance.</p> <p>As noted, the Regions specified in the RFP that the Facility must use the most modern and state-of-the-art emissions control technologies to meet exceed the European Union monitoring and measurement standards and commit to maximum achievable control technology for emissions standards and monitoring. Covanta has guaranteed that it will meet the emissions and monitoring requirements set out in the RFP.</p>

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Summary of Key Issues	Consideration in the EA
	<p>The air emissions limits that will govern this facility are the lower of Ontario A-7 limits and European Union (EU) standards. As a result, during operations, the Facility emissions will meet or will be below the air contaminant emission limits placed on municipal waste incinerators by the current version of Ministry of the Environment (MOE) Guideline A-7 (dated 2004). This will be verified through continuous monitoring of stack emissions and annual stack tests. Monitoring data will be submitted to the MOE as required in Guideline A-7 and the conditions of the C of A issued for the facility by the MOE. The following emission source monitoring would be undertaken to meet these requirements.</p> <p>Continuous Emissions Monitoring</p> <p>A continuous emission monitoring (CEM) system will be provided to continuously monitor and record parameters such as sulfur dioxide, nitrogen oxides, carbon monoxide, carbon dioxide, hydrogen chloride, and oxygen. CEM systems will also measure flue gas temperature, air flow and flue gas opacity. A long-term continuous sampling device for dioxins and furans will be installed which will sample the flue gas with the adsorption of dioxins onto an exchangeable adsorption-resin-filled cartridge. The CEM system will allow for continuous monitoring of the efficacy of the operations of the Facility, by monitoring the key performance parameters that would indicate if there is any potential for process upsets. It is proposed that the results of the CEM for key performance parameters be posted publicly, so that they are available to residents in Durham Region.</p> <p>Stack Testing</p> <p>In Guideline A-7 (dated 2004), it is noted that emission testing requirements will be included in the C of A for a Thermal Treatment Facility in order to verify compliance with the limits set out in the C of A issued for the Facility. Completion of testing in accordance with the Ontario Source Testing Code under maximum operating feed rates for the equipment is normally required within six months of start up and annually thereafter. Annual testing is expected to be included in the C of A for the Facility. The air contaminants to be sampled will be determined in consultation with the MOE but would be expected to include dioxins, combustion gases and selected Contaminants of Concern.</p>
<p>Concern that a Thermal Treatment Facility will hinder future diversion efforts</p>	<p>Some concern has been expressed that a Thermal Treatment Facility will compete for materials in the waste stream and hinder efforts to achieve higher diversion rates. It is essential to reinforce that both Durham and York are committed to an immediate goal of 60% waste diversion by 2013 and a goal of 75% in the future.</p> <p>Diversion was studied in detail as part of the consideration of "Alternatives to" including consideration of the level of diversion being achieved worldwide and the potential to divert additional materials from the Durham/York waste stream. No comparable municipality – including both single and multi-family housing - in North America has achieved a diversion rate much beyond 50%. Some jurisdictions in Europe have achieved higher diversion rates and the majority of these also use thermal treatment to dispose of the residues that remain after diversion. In such jurisdictions it has been found that the recovery of metals from ash, and the potential utilization of thermal treatment ash or char as an aggregate material can add significantly to diversion rates.</p> <p>The EA has assumed material recovery rates that are reasonably aggressive, based on Durham and York's planned waste diversion systems and noted that further initiatives such as extended producer responsibility will be required to further increase diversion to 75% over the planning period. It has been determined that if the 140,000 tpy Facility continues to operate at this capacity through to the end of the study planning period, then increased municipal diversion will be required to</p>

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	<p>offset population growth, or otherwise residual waste in excess of the 140,000 tpy initial design capacity will be generated. An overall diversion rate in excess of 75% would be required to continue to address Durham and York's residual waste management needs.</p> <p>The composition of the residual waste that would be thermally treated is largely made of materials that cannot be easily recovered by source separated diversion programs or mechanical treatment and that in the most part are difficult to recycle into new materials/products. The Facility has the potential to increase diversion rates beyond that achieved by residential recycling by recovering metals from components of the residual waste stream such as bulky wastes that would not otherwise be diverted. The Facility also offers the potential to manage and make beneficial use of materials in the post diversion waste stream including those materials for which diversion may decline or disappear in the future.</p>
Greenhouse Gas Emissions	<p>Concern was expressed by many of those that participated in the consultation regarding "Alternatives to" on potential greenhouse gas emissions (GHG) from thermal treatment and the need to address climate change.</p> <p>In the evaluation of alternative residuals processing systems for Durham and York, the initial LCA found that System 2a Thermal Treatment of Mixed Solid Waste and Recovery of Energy followed by Recovery of Materials from Ash/Char would have the highest net life-cycle emissions of GHG. However, for the purpose of evaluating systems it was assumed that only electrical energy would be recovered. If the recovery of available heat as well as electricity had been factored into the analysis, the thermal treatment systems would have had the lowest life-cycle emissions of GHG.</p> <p>Additional analysis regarding the potential for GHG emissions was undertaken and provided as an addendum to the original LCA, to compare the potential GHG emissions from the preferred thermal treatment system to the emissions that would result if Durham and York continue to use landfill capacity located outside of the Regions. That analysis indicated that the potential GHG emissions from thermal treatment would be significantly less than a long-haul landfill alternative.</p> <p>Following identification of the preferred Site and Vendor, a site-specific LCA analysis was undertaken. Greenhouse gas (GHG) emissions resulting from the thermal treatment of waste, expressed in terms of metric tonnes of CO₂ equivalents (CO₂e) were found to be reduced based on the recovery of energy (electricity and potentially district heating) and in regards to avoided landfill methane emissions.</p>
Consideration of other Technologies (e.g., Gasification)	<p>Throughout the EA, various members of the public and interested parties indicated that 'new technologies' such as gasification should be considered as alternatives for processing the post-diversion waste stream.</p> <p>The evaluation of "Alternatives to" incorporated the consideration of 'new technologies' in the formulation of the alternative systems. System 2a, Thermal Treatment of MSW with Recovery of Materials from the Ash/Char, did not specify the thermal treatment approach, but generally more conventional processes are used to thermally treat MSW. System 2b, Thermal Treatment of Solid Recovered Fuel, included consideration of gasification approaches that could be used to gasify fuels generated from processing of residual waste. System 2c, Thermal Treatment of Solid Recovered Fuel with Biogas Recovery, included consideration of anaerobic digestion to recover biogas from the organic fraction of the waste stream prior to thermal treatment of solid recovered fuel.</p>

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	<p>While System 2a was identified as the Preferred Long-Term Residual Processing System, System 2b Thermal Treatment of Solid Recovered Fuel was considered to exhibit an acceptable range of advantages and disadvantages. It was therefore recommended that the final selection of System 2a as the preferred residual processing system would be based upon the results of the competitive process used during the evaluation of "Alternative Methods". It was recommended that the RFQ and RFP process allow for the submission of proposals to implement both System 2a and System 2b, and that the final decision on the technologies used to implement the preferred residual processing system would be based on the results of this competitive process.</p> <p>The results of the RFQ and RFP process undertaken as part of the evaluation of "Alternative Methods" resulted in the final decision to proceed with System 2a – Thermal Treatment of MSW and Recovery of Energy followed by the Recovery of Materials from the Ash/Char as the preferred technology.</p>
<p>Consideration of multiple smaller Facilities</p>	<p>Various participants in the consultation process indicated support for consideration of multiple smaller facilities located across Durham and York Regions, with the idea that such a system could reduce overall potential effects associated with hauling residual waste materials, and facility costs.</p> <p>A single versus multiple site scenario was considered in the evaluation of "Alternatives to" and "Alternative methods". Generally it was found that in the consideration of systems and sites, that there were significant advantages of a 'single site' scenario as:</p> <ul style="list-style-type: none"> • A 'single facility, single site' system configuration represented the most efficient system configuration and would provide the economies of scale sought in the Durham/York EA Study; • In general, a 'single facility, single site' configuration also represented the configuration which would be expected to have a lower potential for environmental and social impacts, as the total land area required and number of potential receptors that could be impacted by the systems increases as the number of sites required for each system increases.
<p>Zero-waste and Extended Producer Responsibility</p>	<p>Concern was expressed throughout the EA process that consideration of zero-waste and programs such as extended producer responsibility could avoid the need for Durham and York to develop a residual waste disposal facility. As a result, the potential for zero-waste and extended producer responsibility was included in the assessment of the potential success of diversion in order to determine the quantity of potential post-diversion residual waste that would require management over the planning period.</p> <p>During the EA, investigations found that typically, the better-performing cities and urban areas in Europe and North America are achieving waste diversion rates of approximately 45 to 50% through recycling and composting programs. Through extensive research, only a few jurisdictions were found to be achieving higher diversion rates which suggest that the 60% to 75% diversion targets set by Durham and York are aggressive. Research clearly shows that to go beyond 60% diversion requires the implementation of full organics diversion programs (such as those implemented by both Durham and York), supportive policies at the local level, and strong education and outreach programs. Jurisdictions with high diversion rates also typically have a supportive legislative and regulatory framework from senior levels of government, particularly in regards to extended producer responsibility.</p> <p>The concept of zero-waste has been building momentum over the past number of</p>

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	<p>years; however, progress towards zero-waste targets has been slow. No jurisdiction has been able to come close to their zero-waste goal. The goal of zero-waste will not be achieved, even with well thought out policy and program development, without a fundamental shift from a consumer society to a conserver society. One of the key elements stressed by all zero-waste programs is the required support of all levels of government: federal, provincial and municipal, if the program is truly going to have a chance of success.</p> <p>Durham and York may choose to adopt a zero-waste vision, but have determined that it is prudent to plan on achieving a more realistic overall diversion rate (i.e., 60%, for both municipalities potentially escalating to 75% over the 35-year planning timeframe). Reaching zero-waste in the timeframe of this EA Study cannot be reasonably expected, however the achievement of higher diversion rates will be a milestone on this path that could be achieved.</p> <p>The EA has assumed material recovery rates that are reasonably aggressive, based on Durham and York's planned waste diversion systems and noted that further initiatives such as extended producer responsibility will be required to further increase diversion to 75% over the planning period.</p>

16.9 On-going Public and Agency Consultation

On July 8, 2009, a letter was sent to the Director of the EAAB advising of the submission of the completed EA on July 31, 2009.

Following completion of the final EA Study document, the document was formally submitted to the Minister of the Environment as of July 31, 2009. The formal seven week government and public review of the EA will begin within two weeks of the July 31, 2009 submission date. A Notice of Submission was issued when the EA document was submitted to the Ministry. This notice was posted in newspapers and was also sent to everyone on the Study contact list.

At a minimum, the final EA document was distributed to and was available for public review at:

- The Ministry of the Environment Environmental Assessment and Approvals Branch;
- The Ministry of the Environment regional and/or district office closest to the study area;
- Durham Regional Headquarters;
- York Regional Headquarters;
- Other public viewing locations (municipal offices and libraries used throughout the study); and,
- As a downloadable document, accessed by the project Website address.

At the point in time that the EA Study document is submitted to the Minister, it is mandatory that a Notice of EA submission be issued. For this mandatory notification process the following must be undertaken:

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- Publish a notice in the same local newspaper(s) as used throughout the EA.
- Give notice by mail to local and adjacent municipalities (including municipal councillors).
- Give notice by mail or personal delivery to potentially affected First Nations.
- Give notice by mail or personal delivery to all those who have expressed an interest in writing in regards to the proposed Undertaking.

The following is the minimum information that must be included on the notice:

- Durham/York's contact person, address, phone number, fax number, e-mail address.
- Ministry and Branch name, Branch contact person, phone number.
- Listing of public record locations and available times for the public to review the application (terms of reference or environmental assessment).
- A brief description of the purpose of the environmental assessment study (identify the opportunity or problem being examined). Where appropriate, also include a brief description of the proposed undertaking and how it relates to or is part of the existing development in the area.
- A map that identifies or locates the study area.
- Statements indicating that:
 - An application for approval under the Environmental Assessment Act has been made to the ministry.
 - A government and public review has been initiated and the length of the review period.
 - The date that comments are to be submitted to the Branch contact.
 - A statement that notes that all records held by the ministry are subject to the public right of access (complying with *Freedom of Information and Protection of Privacy Act* requirements).
 - A brief statement that indicates that any submission from interested persons, including Aboriginal communities and government agencies, including any personal information contained therein, will be maintained as part of a record available to the public.

A copy of the Notice of Submission is included in Appendix 11 of the RoC.

Following EA approval, a new communications strategy would be developed and implemented to keep interested parties apprised of the status of the Facility. During this time, a new Site Liaison Committee may be formed to address community relations and public information needs.

16.10 Issues Resolution and Outstanding Concerns

Over the course of the Study it was expected that issues would arise requiring resolution either before moving from one step to the next or prior to the issuance of approvals. It was Durham and York's preference to resolve issues as they arose and without the assistance of an outside

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party. However, should this approach not have worked as the EA process was completed, the use of a facilitator to negotiate a resolution or use of the EAA's mediation provisions would have been considered. It is recognized that unresolved issues could be referred to the Province's Environmental Review Tribunal which would make a decision on approval of the undertaking and that unresolved issues could have a bearing on that decision and that conditions of approval could be imposed to deal with certain issues.

As of the date of preparation of this EA Study document, there were no unresolved matters or outstanding concerns that had not been addressed during the process of completing this EA.