The Regional Municipality of Durham
To: The Works Committee
From: Commissioner of Works
Report: 2011-WR-3
Date: April 13, 2011

SUBJECT:
Summary Report on Correspondence Received on Energy from Waste

RECOMMENDATION:
THAT the Works Committee receives this report for information and forwards it to Regional Council for information.

REPORT:
Attachment No. 1: Table 1 – Complaints/Inquiries Log
Attachment No. 2: Table 2 – Summary of Correspondence (correspondence provided on CD)

1. PURPOSE

This report summarizes the correspondence received regarding the Energy from Waste (EFW) project since the receipt of approval to proceed provided by the Ministry of the Environment (MOE) through the Environmental Assessment (EA) process.

2. BACKGROUND

At the March 9, 2011, Regional Council meeting, the following motion was passed:

"That Council Correspondence CC 35 be received for information and that Durham Region staff provide a synopsis of all "inquiries, comments and concerns related to the Durham York Energy-From-Waste project" to Regional Council as well as forwarding these items to the Project Team."

This report provides the requested synopsis.
3. **ENVIRONMENTAL ASSESSMENT COMPLIANCE**

The Regional Municipality of Durham (Region) submitted the EFW EA to the MOE on July 31, 2009. Following the official consultation phase ending September 25, 2009, the Project Team responded to every comment or question received and subsequently submitted the final Amended EA on November 27, 2009, to the MOE. Subsequently, the EA regulations transferred the obligation to respond to any comments and questions to MOE staff.

One of the Minister of the Environment's EA Conditions of Approval, Condition 6 - Complaint Protocol, focused on ensuring the proponent develops a formal complaint protocol setting out "how it will deal with and respond to inquiries and complaints received during the design, construction and operation of the undertaking". The protocol was developed in consultation with the EFW Advisory Committee, submitted to the MOE and was adopted for implementation in February 2011.

4. **SUMMARY OF CORRESPONDENCE SINCE ENVIRONMENTAL ASSESSMENT APPROVAL**

Between November 19, 2010 and March 28, 2011, there have been 18 complaints and/or inquiries received. Of the total, 13 have been received through the project website and one via the project Call Centre (toll free telephone number). The remaining correspondence was received directly by staff through either the Works or Clerk's Departments and has been summarized in Attachment No.1 Complaints/Inquiries Log.

5. **SUMMARY OF CORRESPONDENCE BETWEEN JUNE 6, 2009 AND NOVEMBER 18, 2010**

During the period between the submission of the final Amended EA and the EA Notice of Approval, the obligation to respond to complaints/inquiries specific to the EFW undertaking rested with the MOE. During that period copies of many of the complaints and/or inquiries sent to the MOE were also received by the Region for information purposes. Any other complaints/inquiries sent directly to the Region during that same time frame which did not require action through Regional Council were 'received for information' and added to the summary tracking Table 2 attached as Attachment No. 2.
6. **CONCLUSION**

Throughout the entire Energy from Waste Environmental Assessment process, the Regional Municipality of Durham has tracked, logged and responded to every complaint and/or inquiry received. All complaints and/or inquiries received during the Environmental Assessment phase became part of the official Record of Consultation contained in the Environmental Assessment documents. During the period following final Environmental Assessment submission when the obligation for receiving complaints/inquiries reverted to the Ministry of the Environment, any copies of correspondence forwarded to the Regional Municipality of Durham were received for information and logged. Any specific items that required the attention of Committee and Council were addressed. There are no outstanding items.

Following the Minister of the Environment's November 19, 2010, Notice of Approval, any new complaints and/or inquiries are being addressed through the approved Complaint Protocol as required by the Ministry of the Environment Condition 6. That process includes receiving, responding, tracking and logging all such complaints/inquiries. Regular reporting of these summaries will be provided to the Energy from Waste Advisory Committee and an annual summary report will be prepared for the Ministry of the Environment.

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Clifford Curtis, P.Eng. MBA,
Commissioner of Works

Recommended for Presentation to Committee

G. H. Cubitt, M.S.W.,
Chief Administrative Officer

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