1. Purpose

The EFW-Waste Management Advisory Committee (EFW-WMAC) is established to provide a forum for public and other stakeholders to monitor, review and liaise with the Regional Municipality of Durham (Durham) on the Energy from Waste (EFW) facility including the how the waste is being sorted prior to arriving on-site. The success of the EFW facility will depend on the diversion measures and waste separation (waste management) that happens at the transfer stations and curb-side. The EFW-WMAC is being established to satisfy the Host Community Agreement (HCA) with the Municipality of Clarington and the Medical Officer of Health’s Report 2009-COW-01 obligations (attached).

Mandate

The EFW-WMAC will act in an advisory role to the Durham Works Committee on issues or concerns which arise with waste diversion, waste management, environmental performance and monitoring of the EFW Facility, including the construction and operational phases.

The EFW-WMAC will be comprised of volunteers from the Region of Durham appointed by Regional Council and Clarington Council in accordance with the following Terms of Reference.

2. Scope of Activities

The scope of activities that the EFW-WMAC may undertake include, but are not limited to:

a) Review, discuss and improve understanding of waste diversion and management that occurs before the waste arrives at the EFW facility.

b) Review, discuss, summarize and/or provide opinions about available information, environmental surveillance programs, independent environmental testing, public reporting of environmental surveillance data, environmental performance for the EFW facility (as outlined in the Medical Officer of Health’s Report 2009-COW-01).

c) Identify, assess and study specific issues/concerns which may be related to or associated with the EFW facility or feeder waste management.
system, including issues referred to the EFW-WMAC by the public, local governments, health professionals, etc., or that otherwise come to the EFW-WMAC’s attention and to relay findings to the Works Committee.

d) Advise on the development and implementation of community outreach activities which support the growth and environmental awareness and appreciation in Durham in co-operation with other organizations where appropriate. This may include public information sessions, educational workshops and participating in some community events.

e) Review and discuss matters of public interest regarding the EFW facility and its processes, policies and operation. Advise on emerging issues that may be associated with environmental and human health.

f) Facilitate communication between stakeholders.

g) Provide a forum for the residents to bring their concerns/questions or suggestions pertaining to the EFW facility.

3. Composition

The EFW-WMAC will be comprised of volunteers selected at large from Durham in accordance with these Terms of Reference.

The EFW-WMAC will be comprised of nine members. Members shall not hold elected office (municipal, provincial or federal).

All members are regarded as individuals and do not represent their respective employers or advocacy group in their capacity as an EFW-WMAC member.

Members will be appointed for a two (2) year term and can be for a maximum of three (3) consecutive terms. Appointments will be staggered to provide continuity for the committee.

4. Membership

Membership shall consist of nine (9) residents from Durham.

Five (5) residents will be appointed by Durham Regional Council.

Four (4) residents will be appointed by Clarington Council.

The EFW-WMAC will notify the Works Committee or Clarington, as the case may be, of the need to seek replacement members. Members will be replaced in accordance with membership selection process outlined in Section 5 and 6 of these Terms of Reference.
Non-attendance for three consecutive meetings will be considered grounds for replacement.

Invitations to attend EFW-WMAC meetings will be provided to the following non-voting members:

- Staff representative from Durham's Works Department
- Staff representative from Durham's Health Department
- Staff representative from York Region
- Staff representative from the Municipality of Clarington
- Staff representative from the Ministry of the Environment
- Senior staff representative of the Facility's DBO contractor and operator
- The Ward 1 local and regional members of Clarington Council

5. Call for Membership

Durham will advertise the opportunity to participate in the EFW-WMAC using local newspaper(s) within the boundary of Durham. Responses will be evaluated by Durham's Senior Waste Management staff and recommended for appointment by Durham's Works Committee and Durham Regional Council for five (5) members.

Clarington will advertise the opportunity to participate in the EFW-WMAC as a representative of Clarington, using Clarington's process for committee appointments for four (4) members.

6. Eligibility Criteria/Evaluation

Interested residents from Durham must provide a detailed resume with a covering letter outlining their interest and their qualifications in being appointed on this Committee. The submission of additional information on why they should be selected for membership, detailing their knowledge of the EFW facility and the Environmental Assessment process and project will be considered.

Previous participation or experience with committees/working groups will be considered an asset.

Every potential appointee must disclose any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with his or her duties as part of the EFW-WMAC. A conflict of interest could arise in relation to personal matters including:

- Directorships or other employment.
• Interests in business enterprises or professional practices.
• Share ownership.
• Existing professional or personal associations.
• Professional associations or relationships with other organizations.
• Personal associations with other groups or organizations, or family relationships.

7. Officers

The Chair will be elected by the Committee and serve for a two (2) year term.

The Vice Chair will be elected by the Committee and serve for a two (2) year term.

If a vacancy of any of the key roles occurs, a replacement will be elected by the Committee.

Chair
• Shall manage and provide leadership to the committee.
• Shall Chair meetings, maintaining order, while allowing for discussion and input from committee members and staff representatives.
• Shall establish and maintain a positive meeting environment.
• Shall make presentations as requested, including at least one presentation annually to Clarington Council and Durham Council.
• Shall co-ordinate any exchange of information (advise, request for information, etc.) through the EFW-WMAC to the Works Committee.

Vice Chair
• Shall act on behalf of Chair in his/her absence.

Durham Staff Liaison
• Shall prepare all meeting agendas and take minutes.
• Shall keep a current and accurate statement of all expenses.
• Shall advertise each meeting in Durham area newspapers and update the website by posting minutes, annual reports and any other important meeting correspondence.
8. Support Services

The Waste Management division of Durham's Works Department will appoint a staff liaison to the EFW-WMAC to provide administrative, procedural and technical support to the EFW-WMAC.

The staff liaison will co-ordinate all requests for advice from the EFW-WMAC through meeting agendas with Works Committee and/or Joint Works Committees.

An annual budget of $20,000 will be administered to cover operational expenses of the Committee.

EFW-WMAC members will be reimbursed for mileage expenses for attendance at EFW-WMAC meetings upon submission of an expense sheet. Any other funding requests must be submitted, in advance to the Durham Works Department for consideration.

Durham will provide space on its website to post information such as meeting minutes and other relevant information.

Upon request, the representatives of the Regions, Contractors and governmental/regulatory bodies shall ensure that all studies and other information relevant to the committee's mandate are made available to the EFW-WMAC.

9. Meetings/Resolutions

The EFW-WMAC shall meet quarterly throughout the year. Meeting dates must be determined such that they are synchronized with other committees. The meeting location may be subject to change once the EFW Facility is operational and providing space is available. The EFW-WMAC will establish a meeting schedule at its inaugural meeting. The Committee may choose to adjust the schedule, however, must ensure that one meeting will be held per quarter. Additional meetings may be held at the request of the EFW-WMAC Chair. All meetings will be advertised and any changes to the dates must be published two weeks in advance of the proposed meeting.

All meetings will be open to the public.

All decisions made by the EFW-WMAC will be based on a majority vote.

Quorum will be established by 50 per cent plus one of the members.
10. Delegations to Meetings

Any person wishing to appear as a delegate to the EFW-WMAC must submit a written request two weeks prior to the EFW-WMAC staff liaison advising of the topic on which they wish to speak for inclusion in the agenda. The staff liaison will forward information to the EFW-WMAC Chair. The Chair will seek input from the committee, as to whether a delegation should be heard, if the relevance of the delegation appears to be outside the mandate of the committee. Materials to be presented by a delegate shall be provided one week in advance of the meeting.

11. Minutes and Agendas

Agendas should be prepared and circulated one week in advance of upcoming meetings.

Following the meeting, minutes will be circulated by e-mail. Members will have a specified time period to comment. The minutes will then be submitted as “final draft” to the Works Committee and posted on the Regional website. The minutes will be adopted at the next meeting of the committee.

The “final draft” minutes will be received as correspondence at the Durham Works Committee.

12. Annual Reports

An annual report summarizing the activities of the previous year shall be prepared by the EFW-WMAC and the staff liaison and forwarded to the Works Committee and Clarington Council. The report should include any suggested revisions to the Terms of Reference.

The Chair of the EFW-WMAC will present their annual report, and any additional reports as requested to the Works Committee/Regional Council and to Clarington Council.

An annual review of the EFW-WMAC will be completed by the Works Committee to determine the effectiveness of the EFW-WMAC and ensure continued improvement.

Clarington will be consulted on any changes to the terms of reference.
13. EFW-WMAC Dissolution

The Committee can be dissolved at any time by Regional Council, in consultation with Clarington Council and the members providing that the requirements of Durham Report 2009-COW-01 and Host Community Agreement have been fulfilled or upon the decommissioning of the Facility.