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Mirka Januszkiewicz, P.Eng
Director, Waste Management
The Regional Municipality of Durham

Laura McDowell, P.Eng
Director, Environmental Promotion and Protection
The Regional Municipality of York

Dear Ms. Januszkiewicz and Ms. McDowell

**RE: Durham/York Energy from Waste Project – Comments on Soil Testing Plan
Condition 13(4)(a) Certificate of Approval No. 7306-8FDKNX**

This letter is to provide Ministry of the Environment's (ministry) comments as follow-up to our previous comments dated December 28, 2011, our visit of July 27, 2012, and the Regional Municipality of Durham's comments dated August 8, 2012.

My itemized comments below follow the same comment sequencing as the December 28, 2011 letter.

- a) The Regional Municipalities of York and Durham (Regions) agree; and as the Ambient Air Monitoring and Reporting Plan was finalized on May 30, 2012 the soils sampling site locations are confirmed.
- b) The Regions agree to compare soils analysis results to Table 1 of the O. Reg 153/04 which was updated on April 15, 2011.
- c) The Regions agree compare soil sampling analysis results to the original monitoring event.
- d) The Regions agree that the sampling period of the year will be consistent during each sampling year.
- e) The ministry agrees that the two soil sampling locations, one upwind and one downwind are acceptable given that these sampling locations are required to be located at the approved ambient air monitoring locations as per the Certificate of Approval. Additionally, I recognize that a control site will be difficult to find and agree that the upwind station located on property owned by the Regional Municipality of Durham will provide sufficient protection against site disruption and other sources of contamination.

- f) The Regions will ensure that sampling is conducted in compliance with Ministry of the Environment's protocol.
- g) The ministry recognizes that the Regions are to conduct soil sampling at the same location as the approved ambient air monitoring location and thus, a sampling grid area of 100 metres X 100 metres is not possible. I agree that a sampling plot area of 10 metres x 10 metres is acceptable.
- h) The Regions will ensure that sampling is conducted in compliance with Ministry of the Environment's protocol.
- i) The Regions will use GPS co-ordinates to identify sample locations and will mark off the corners of the sample plots
- j) The Regions will sample 0 – 2 to a centimetre depth.
- k) The ministry recognizes that the Regions are to conduct soil sampling at the same location as the approved ambient air monitoring location and thus, a sampling grid area of 100 metres X 100 metres is not possible. I agree that a sampling plot area of 10 metres x 10 metres is acceptable.
- l) The Regions will produce a plan which addresses this matter.
- m) The Regions will ensure that sampling is conducted in compliance with Ministry of the Environment's protocol.
- n) I agree that there is no need to provide a map as part of the plan as this will produced by the soils consultant.
- o) The Regions agree with this matter
- p) The Region will ensure that the dioxin and furan cogener-specific measurements of PCDD/PCDF is managed by the chosen laboratory and made available. There is no need to mention this in the plan

I look forward to reviewing your revised Soil Testing Plan. If you have any questions, please do not hesitate to contact me at (905) 427-5626 or by email at dave.fumerton@ontario.ca

Regards,

Dave Fumerton
District Manager
York Durham District

Cc: D. Orr, Technical Support Section
C. Charron, Terrestrial Assessment Unit