



Regional Municipality of Durham  
Regional Municipality of York

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## **Durham York Energy Centre Compliance Monitoring Program**

**EAAB File No.:** EA-08-02  
Condition 4

**Date:** October 14, 2011

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## 1.0 Introduction

### 1.1 Purpose

The *Durham York Energy Centre Compliance Monitoring Program* has been prepared to satisfy Condition 4 of the Notice of Approval to Proceed with the Undertaking for the Durham and York Residual Waste Study (Ministry of Environment EAAB File Number EA-08-02). The Compliance Monitoring Program outlines how the proponents will comply with conditions in the Notice of Approval and other commitments made in the Environmental Assessment (EA) Study Document.

### 1.2 Background

The Durham York Energy Centre is an energy from waste facility to be constructed in the Municipality of Clarington, Ontario. Owned by the Regional Municipality of Durham and the Regional Municipality of York ("the Regions"), the facility will process up to 140,000 tonnes of solid, non-hazardous, municipal solid waste per year. Heat generated by waste combustion will be used to generate electricity and steam. Recyclable metals will also be recovered from the ash. The facility will be designed, built, and operated by Covanta Energy Limited. The facility was approved under the *Environmental Assessment Act* by the Minister of the Environment and the Lieutenant Governor in Council on November 3, 2010. A multi-media Certificate of Approval for waste, air and noise, and stormwater was issued on June 28, 2011 (#7306-8FDKNX). It is anticipated that construction will commence in January 2012 and that commissioning will be completed in September 2014.

### 1.3 Compliance Reporting Requirements

The Regions will jointly submit annual Compliance Reports to the Ministry of the Environment (MOE) covering all activities of the previous 12 month period. Two copies of the Compliance Reports will be submitted to the Director of the MOE Environmental Approvals Branch (EAAB) on or before each anniversary date of approval (November 3). The Regions will also provide copies of the Compliance Reports to the MOE Regional Director, MOE District Manager, Clerks of the Regional Municipality of Durham, the Regional Municipality of York, and the Municipality of Clarington, and the facility Advisory Committee as required by Condition 3.2 of the Notice of Approval. Along with the submission of the Compliance Reports, the Regions will make a presentation on their submission to the EAAB (Environmental Approvals Branch) and MOE Regional Directors.

The first compliance report will be due November 3, 2011. The Regions shall retain a copy of each annual Compliance Report on site and make this documentation available to the MOE upon request.

### 1.4 Compliance Monitoring Report Structure

Annual Compliance Reports will consist of two tables included in this monitoring program as Appendix A and Appendix B. *Appendix A: EA Notice of Approval Compliance Table* includes all Notice of Approval Conditions referenced by condition number. *Appendix B: EA Study Document Compliance Table* includes all of the commitments made in the EA Study Document (including appendices) as documented in Section 13 of the approved EA. Both tables include columns for documenting the current status and anticipated completion date for each item. As required by Condition 8.2 of the Notice of Approval, annual Compliance Reports will also include as Appendix C an annual report about the Advisory Committee's activities.

As an example of the type of information that will be included in the Compliance Reports, Appendix A and Appendix B have been completed based on work completed as of submission of this Compliance Monitoring Plan. These tables will be updated in each successive Compliance Report to reflect all work completed since Notice of Approval.

## **1.5 Master Compliance Monitoring Schedule**

The attached tables in Appendices A and B will be used to monitor the completion of the various compliance commitments.

# Appendix A

## EA Notice of Approval Compliance Table

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Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
<b>1.</b>	<b>Definitions</b>			
	N/A	N/A	N/A	N/A
<b>2.</b>	<b>General Requirements</b>			
2.1	The proponent shall comply with the provisions in the environmental assessment which are hereby incorporated in this Notice of Approval by reference except as provided in these conditions and as provided in any other approval or permit that may be issued for the site or the undertaking.	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	N/A	Ongoing
2.2	These conditions do not prevent more restrictive conditions being imposed under other statutes.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	N/A	Ongoing
2.3	A statement must accompany the submission of any documents, reporting requirements or written notices required by this Notice of Approval to be submitted to the Director or Regional Director identifying which conditions the submission is intended to address in this Notice of Approval.	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	N/A	Ongoing
<b>3.</b>	<b>Public Record</b>			
3.1	Where a document, plan or report is required to be submitted to the ministry, the proponent shall provide two copies of the final document, plan or report to the Director: a copy for filing in the specific public record file maintained for the undertaking and a copy for staff use.	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	N/A	Ongoing
3.2	The proponent shall provide additional copies of the documents required for the public record file to the following for access by the public: <ol style="list-style-type: none"> <li>Regional Director;</li> <li>District Manager;</li> <li>Clerks of the Regional Municipality of Durham, the Regional Municipality of York, and the Municipality of Clarington; and,</li> <li>Advisory Committee (as required in Condition 8 of this Notice of Approval).</li> </ol>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	N/A	Ongoing
3.3	The EAAB file number EA-08-02 shall be quoted on all documents submitted by the proponent pursuant to this Condition.	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>	N/A	Ongoing
<b>4.</b>	<b>Compliance Monitoring Program</b>			
4.1	The proponent shall prepare and submit to the Director a Compliance Monitoring Program outlining how it will comply with conditions in the Notice of Approval and other commitments made in the environmental assessment	<ul style="list-style-type: none"> <li>This Compliance Monitoring Program was submitted in September 2011.</li> </ul>	September 2011	Yes
4.2	A statement shall accompany the submission of the Compliance Monitoring Program indicating that the submission is intended to fulfil	<ul style="list-style-type: none"> <li>See Section 1.1</li> </ul>	October 2011	Yes

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	Condition 4 of this Notice of Approval.			
4.3	The Compliance Monitoring Program shall be submitted within one year from the date of approval, or a minimum of 60 days prior to the start of construction, whichever is earlier.	<ul style="list-style-type: none"> <li>Submitted within one year of November 3, 2010 approval date.</li> <li>Submitted more than 60 days prior to anticipated start of construction in January 2012</li> </ul>	September 2011	Yes
4.4	The Compliance Monitoring Program shall describe how the proponent will monitor its fulfilment of the provisions of the environmental assessment pertaining to the mitigation measures, public consultation, and additional studies and work to be carried out; the fulfilment of all other commitments made by the proponent during the environmental assessment process; and the conditions included in this Notice of Approval.	<ul style="list-style-type: none"> <li>Progress will be tracked on the compliance tables provided in Appendix A and Appendix B</li> </ul>	October 2011	Yes
4.5	The Compliance Monitoring Program shall contain an implementation schedule.	<ul style="list-style-type: none"> <li>See next column</li> </ul>	October 2011	Yes
4.6	The Director may require amendments to the Compliance Monitoring Program, including the implementation schedule. If any amendments are required by the Director, the Director will notify the proponent of the required amendments in writing.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	N/A	Ongoing
4.7	The proponent shall implement the Compliance Monitoring Program, as it may be amended by the Director.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	N/A	Ongoing
4.8	The proponent shall make the documentation pertaining to the Compliance Monitoring Program available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	N/A	Ongoing
<b>5.</b>	<b>Compliance Reporting</b>			
5.1	The proponent shall prepare an annual Compliance Report which describes its compliance with the conditions of approval set out in this Notice of Approval and which describes the results of the proponent's environmental assessment Compliance Monitoring Program required by Condition 4.	<ul style="list-style-type: none"> <li>Agreed. See Section 1.3 of this Compliance Monitoring Program</li> </ul>	November 3, 2011 and annually thereafter	Ongoing
5.2	The annual Compliance Report shall be submitted to the Director within one year from the date of approval, with the first report being due in 2011, and shall cover all activities of the previous 12 month period.	<ul style="list-style-type: none"> <li>Agreed. See Section 1.3 of this Compliance Monitoring Program</li> </ul>	November 3, 2011 and annually thereafter	Ongoing
5.3	Subsequent compliance reports shall be submitted to the Director on or before the anniversary of the date of approval each year thereafter. Each Compliance Report shall cover all activities of the previous 12 month period.	<ul style="list-style-type: none"> <li>Agreed. See Section 1.3 of this Compliance Monitoring Program</li> </ul>	November 3, 2011 and annually thereafter	Ongoing
5.4	The proponent shall submit annual Compliance Reports until all conditions in this Notice of Approval and the commitments in the environmental	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	assessment are satisfied.			
5.5	Once all conditions in this Notice of Approval have been satisfied, or have been incorporated into any other ministry approval, the proponent shall indicate in its annual Compliance Report that the Compliance Report is its final Compliance Report and that all conditions in this Notice of Approval have been satisfied.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
5.6	The proponent shall retain either on site or in another location approved by the Director, a copy of each of the annual Compliance Reports and any associated documentation of compliance monitoring activities.	<ul style="list-style-type: none"> <li>Reports to be retained on site. See Section 1.3 of the Compliance Monitoring Program.</li> </ul>	Ongoing	Ongoing
5.7	The proponent shall make the Compliance Reports and associated documentation available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
<b>6.</b>	<b>Complaint Protocol</b>			
6.1	The proponent shall prepare and implement a 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.	<ul style="list-style-type: none"> <li>Protocol submitted to the Director via letter dated March 10, 2011.</li> <li>Director requested minor modifications to protocol in letter dated March 25, 2011</li> <li>Revised protocol approved by the Director via letter dated July 13, 2011</li> </ul>	Ongoing	Ongoing
6.2	The Complaint Protocol shall be provided to the advisory committee for review prior to submission to the Director.	<ul style="list-style-type: none"> <li>Protocol was reviewed by the Advisory Committee on January 20, 2011 and revised based on comments received by January 31, 2011.</li> </ul>	January 20, 2011	Yes
6.3	The proponent shall submit the Complaint Protocol to the Director within one year from the date of approval or a minimum of 60 days prior to the start of construction, whichever is earlier.	<ul style="list-style-type: none"> <li>Protocol was submitted within one year of the November 3, 2010 date of approval.</li> <li>March 10, 2011 submission date is more than 60 days prior to anticipated start of construction in January 2012.</li> </ul>	March 10, 2011	Yes
6.4	The Director may require the proponent to amend the Complaint Protocol at any time. Should an amendment be required, the Director will notify the proponent in writing of the required amendment and date by which the amendment must be completed.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
6.5	The proponent shall submit the amended Complaint Protocol to the Director within the time period specified by the Director in the notice.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
<b>7.</b>	<b>Community Involvement</b>			
7.1	The proponent shall prepare and implement a Community Communications Plan. The plan shall be prepared in consultation with the EAAB and to the satisfaction of the Director.	<ul style="list-style-type: none"> <li>Regions are preparing a draft plan for discussion with the EAAB prior to submission.</li> </ul>	Prior to receipt of non-hazardous municipal solid waste.	No



Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
7.2	The proponent shall finalize and submit the Community Communications Plan to the Director prior to the initial receipt of non-hazardous municipal solid waste at the site.	<ul style="list-style-type: none"> <li>To ensure that the community is well informed throughout the implementation phase of the project, the proponents intent to submit the plan prior to the start of construction</li> </ul>	November 2011	No
7.3	The Community Communications Plan shall include at a minimum details on: <ol style="list-style-type: none"> <li>How the proponent plans to disseminate information to interested members of the public and any Aboriginal communities;</li> <li>How interested members of the public and any Aboriginal communities will be notified and kept informed about site operations; and,</li> <li>The procedures for keeping interested members of the public and Aboriginal communities informed about information on documents related to the undertaking, and when and how the information will be made available.</li> </ol>	<ul style="list-style-type: none"> <li>In Progress</li> </ul>	November 2011	No
7.4	The proponent shall give notice of and provide information about the undertaking to interested members of the public and Aboriginal communities through an internet web site and by other means. Such information shall include: <ol style="list-style-type: none"> <li>Activities that are part of the undertaking, including monitoring activities;</li> <li>Reports and records related to the undertaking that are required to be submitted under this Notice of Approval or under any other ministry approvals that apply to the undertaking; and,</li> <li>Information on the Complaint Protocol required by Condition 6 of this Notice of Approval.</li> </ol>	<ul style="list-style-type: none"> <li>Web site is currently operational <a href="http://www.durhamyorkwaste.ca">http://www.durhamyorkwaste.ca</a></li> <li>The Complaint Protocol, Certificate of Approval, Archived EA documentation, project schedule, advisory committee information and many other documents have been posted on the website.</li> <li>Additional information will be posted as it becomes available</li> </ul>	Ongoing	Ongoing
7.5	The proponent shall hold public meetings to discuss the design, construction and operation of the undertaking, including, but not limited to: <ol style="list-style-type: none"> <li>At least one meeting prior to the start of construction;</li> <li>At least one meeting prior to the receipt of non-hazardous municipal solid waste on site; and,</li> <li>At least one meeting a minimum of six months but not later than 12 months after the initial receipt of non-hazardous municipal solid waste on the site.</li> </ol>	<ul style="list-style-type: none"> <li>Anticipated timing of pre-construction public meeting is December 2011.</li> <li>Anticipated timing of public meeting prior to receipt of waste is April 2014.</li> <li>Anticipated timing of public meeting after receipt of waste is January 2015.</li> <li>Proposed timing assumes that "initial receipt of non-hazardous municipal solid waste on site" includes waste received for commissioning and testing purposes but prior to full scale operation.</li> </ul>	December 2011, April 2014 January 2015	No
7.6	The proponent shall provide notice of the public meetings a minimum of 15 days prior to the meeting.	<ul style="list-style-type: none"> <li>Meeting notices will be posted in local newspapers and on the project website at least 15 days prior to the final meeting dates</li> </ul>	November 2011 March 2014 December 2014	No
7.7	The proponent shall give the Director written notice of the time, date and	<ul style="list-style-type: none"> <li>The MOE District Office will receive an invitation at least 15 days</li> </ul>	November 2011	No

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	location of each of the required community meetings a minimum of 15 days prior to the meeting.	prior to the meetings and will receive a summary of the presentation materials and any comments received.	March 2014 December 2014	
<b>8.</b>	<b>Advisory Committee</b>			
8.1	The proponent shall establish an advisory committee to ensure that concerns about the design, construction and operation of the undertaking are considered and mitigation measures are implemented where appropriate.	<ul style="list-style-type: none"> <li>Complete</li> </ul>	January 20, 2011	Yes
8.2	The proponent shall provide administrative support for the advisory committee including, at a minimum: <ol style="list-style-type: none"> <li>Providing a meeting space for advisory committee meetings;</li> <li>Recording and distributing minutes of each meeting;</li> <li>Preparing and distributing meeting notices; and,</li> <li>Preparing an annual report about the advisory committee's activities to be submitted as part of the Compliance Reports required by Condition 5 of this Notice of Approval.</li> </ol>	<ul style="list-style-type: none"> <li>Agreed</li> <li>Commitment to prepare an annual report is also recognized in Section 1.4 and Appendix C of this Compliance Monitoring Program.</li> </ul>	Ongoing	Ongoing
8.3	The proponent shall invite one representative from each of the following to participate on the advisory committee: <ol style="list-style-type: none"> <li>Each of the lower tier municipalities in the Regional Municipality of Durham; and,</li> <li>Each of the lower tier municipalities in the Regional Municipality of York.</li> </ol>	<ul style="list-style-type: none"> <li>Letters of invitation dated December 15, 2010 were sent to all listed municipalities</li> </ul>	December 15, 2010	Yes
8.4	The proponent shall invite one representative from Central Lake Ontario Conservation Authority, and any other local conservation authorities that may have an interest in the undertaking to participate on the advisory committee.	<ul style="list-style-type: none"> <li>Letter of invitation dated December 15, 2010 was sent to Central Lake Ontario Conservation Authority</li> </ul>	December 15, 2010	Yes
8.5	The proponent shall invite one representative from each of the following local community groups to participate on the advisory committee: <ol style="list-style-type: none"> <li>DurhamCLEAR;</li> <li>Durham Environmental Watch</li> <li>Zero Waste 4 Zero Burning</li> </ol>	<ul style="list-style-type: none"> <li>Letters of invitation dated December 15, 2010 were sent to all listed local community groups.</li> </ul>	December 15, 2010	Yes
8.6	The proponent may also invite other stakeholders to participate in the advisory committee, including but not limited to, interested members of the public, Aboriginal communities, and other federal or provincial agencies.	<ul style="list-style-type: none"> <li>Letters of invitation dated December 15, 2010 were sent to Durham Region Health Department and York Region Public Health Services.</li> <li>Aboriginal communities received separate invitation to participate in other consultation activities. See Condition 9.1</li> </ul>	December 15, 2010	Yes
8.7	A representative from the ministry shall be invited to attend meetings as an observer.	<ul style="list-style-type: none"> <li>Letters of invitation dated December 15, 2010 were sent to MOE District Manager Dave Fumerton.</li> </ul>	December 15, 2010	Yes

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
8.8	<p>The advisory committee shall be provided with a copy of the documents listed below for information and may review the documents as appropriate and provide comments to the proponent about the documents, including the:</p> <p>a) Compliance Monitoring Program required by Condition 4;                      b) Annual Compliance Report required by Condition 5;                      c) Complaint Protocol required by Condition 6;                      d) Community Communications Plan required by Condition 7;                      e) The annual reports required by Condition 10;                      f) Ambient Air Monitoring and Reporting Plan and the results of the ambient air monitoring program required by Condition 11;                      g) Air Emissions Monitoring Plan required by Condition 12;                      h) Written report prepared and signed by the qualified professional required by Condition 16.5;                      i) Spill Contingency and Emergency Response Plan required by Condition 17;                      j) Odour Management and Mitigation Plan and the Odour Management and Mitigation Monitoring Reports required by Condition 18;                      k) Noise Monitoring and Reporting Plan as required by Condition 19;                      l) Groundwater and Surface Water Monitoring Plan, the results of the groundwater and surface water monitoring program, and the annual report on the results of the groundwater and surface water monitoring program required by Condition 20; and,                      m) Notice in writing of the date that municipal solid waste is first received as required by Condition 23.</p>	<ul style="list-style-type: none"> <li>Advisory Committee reviewed the Complaint Protocol on January 20, 2011 and will be provided with copies of the remaining documents as they are prepared.</li> </ul>	Ongoing	Ongoing
8.9	<p>The proponent shall hold the first advisory committee meeting within three months of the date of approval. At the first meeting, the advisory committee shall develop a Terms of Reference outlining the governance and function of the advisory committee.</p>	<ul style="list-style-type: none"> <li>First meeting held January 20, 2011 was within three months of November 3, 2010 date of approval</li> <li>Draft Terms of Reference were reviewed by the Committee and revised based on comments received both at the meeting or submitted in writing by February 14, 2011.</li> </ul>	January 20, 2011	Yes
8.10	<p>The Terms of Reference shall, at minimum, include:</p> <p>a) Roles and responsibilities of the advisory committee members;                      b) Frequency of meetings;                      c) Member code of conduct;                      d) Protocol for dissemination and review of information including timing; and,                      e) Protocol for dissolution of the advisory committee.</p>	<ul style="list-style-type: none"> <li>Terms of Reference submitted to MOE via letter dated February 18, 2011.</li> <li>Terms of Reference approved via letter from the Director dated March 3, 2011.</li> </ul>	February 18, 2011	Yes
8.11	<p>The proponent shall submit the advisory committee's Terms of Reference to the Director and Regional Director.</p>	<ul style="list-style-type: none"> <li>Terms of Reference submitted to MOE via letter dated February 18, 2011.</li> <li>Terms of Reference approved via letter from the Director dated</li> </ul>	February 18, 2011	Yes

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
		March 4, 2011.		
<b>9.</b>	<b>Consultation With Aboriginal Communities</b>			
9.1	The proponent shall continue to consult with any interested Aboriginal communities during the detailed design and implementation of the undertaking.	<ul style="list-style-type: none"> <li>Letters dated March 14, 2011 were sent to 22 Aboriginal communities inviting them to meet with the project team to discuss future consultation efforts.</li> <li>The MOE EAAB Director, Regional Director, and Approvals Program Director were copied on these letters.</li> </ul>	Ongoing	Ongoing
<b>10.</b>	<b>Waste Diversion</b>			
10.1	The proponent shall make a reasonable effort to work cooperatively with all lower tier municipalities to ensure that waste diversion programs, policies and targets set by the Regional Municipalities are being met.	<ul style="list-style-type: none"> <li>Both Regions continue to work with local municipalities to improve waste diversion and report waste diversion statistics to Waste Diversion Ontario annually.</li> <li>WDO recently confirmed Durham Region's 2009 Waste Diversion at 50.61%, second place in the "Urban Regional" category. Durham's 2010 WDO Waste Diversion rate was 52% (unconfirmed)</li> <li>WDO recently confirmed York Region's 2009 Waste Diversion at 56.99%, first place in the "Large Urban" category. In 2010, York's estimated Waste Diversion has dipped to 52% (unconfirmed) due to the temporary closure of its two contracted organic waste processing facilities. Both facilities have since reopened and a third contracted processing facility has been added.</li> </ul>	Ongoing	Ongoing
10.2	The proponent shall prepare and implement a Waste Diversion Program Monitoring Plan.	<ul style="list-style-type: none"> <li>In progress as part of the Regions' normal reporting procedure</li> </ul>	Ongoing	No
10.3	The Waste Diversion Program Monitoring Plan shall provide a description of monitoring and reporting which shall at minimum include: <ol style="list-style-type: none"> <li>Results of at source diversion programs and policies to determine the waste diversion rates and practices at both the regional and lower tier municipal level within the Regional Municipalities of Durham and York.</li> <li>Progress in the diversion programs, policies, practices and targets described in the environmental assessment, at both the regional and lower tier municipal level within the Regional Municipalities of Durham and York.</li> <li>Monitoring results for any additional diversion programs, policies, practices and targets carried out within the Regional Municipalities of Durham and York, which are not described in the environmental assessment.</li> </ol>	<ul style="list-style-type: none"> <li>In progress</li> </ul>	Ongoing	No
10.4	The proponent shall prepare and submit to the Director and Regional	<ul style="list-style-type: none"> <li>First report due November 3, 2011</li> </ul>	Ongoing	Ongoing

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	Director, commencing one year after the approval of the undertaking, annual reports detailing the results of the Waste Diversion Program Monitoring Plan.			
10.5	The proponent shall post the Waste Diversion Program Monitoring Plan and the annual reports required on the proponent's web site for the undertaking.	<ul style="list-style-type: none"> <li>Information about Durham and York's Diversion programs is currently posted on the project website at <a href="http://www.durhamyorkwaste.ca/project/project_wasteprograms.htm">http://www.durhamyorkwaste.ca/project/project_wasteprograms.htm</a></li> <li>The Monitoring Plan and Monitoring reports will be posted on the website when completed.</li> </ul>	Ongoing	Ongoing
<b>11.</b>	<b>Ambient Air Monitoring and Reporting</b>			
11.1	The proponent shall prepare, in consultation with the ministry's Central Region Office and to the satisfaction of the Regional Director, an Ambient Air Monitoring and Reporting Plan for the undertaking.	<ul style="list-style-type: none"> <li>Final Plan submitted to the Regional Director August 31, 2011</li> <li>Consultation activities described under Condition 11.3</li> </ul>	August 31, 2011	Approval Pending
11.2	The proponent shall submit the Ambient Air Monitoring and Reporting Plan to the Director and Regional Director a minimum of nine months prior to the start of construction or by such other date as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>Submission deadline revised to August 31, 2011 via letter from the Director dated June 30, 2011.</li> <li>Submitted August 31, 2011</li> </ul>	August 31, 2011	Yes
11.3	The proponent shall establish a working group that will provide advice on the development of the Ambient Air Monitoring and Reporting Plan. The Regions will, at a minimum, extend an invitation to Health Canada, the Durham Region Health Department, York Region Public Health Services, one participant from the advisory committee, and any other relevant federal or provincial government agencies including the ministry.	<ul style="list-style-type: none"> <li>Letters of invitation dated March 16, 2011 were sent to all listed working group participants with copies to the Director and Regional Director.</li> <li>Two participants were appointed by the Advisory Committee.</li> <li>Health Canada declined to participate. At Health Canada's suggestion, a representative from the Ontario Ministry of Health participated instead.</li> <li>First working group meeting occurred on April 28, 2011.</li> <li>Monitoring plan was revised based on comments received from the working group and circulated for comments to the MOE Central Region Office, the Ambient Air Monitoring Working Group, and the Advisory Committee on July 7, 2011. The monitoring plan was revised based on comments received by August 15, 2011.</li> <li>The Final Monitoring Plan was submitted to the Regional Director on August 31, 2011.</li> </ul>	March 16, 2011	Yes
11.4	The Ambient Air Monitoring and Reporting Plan shall include at minimum: a) An ambient air monitoring program which includes an appropriate number of sampling locations. Siting of the sampling locations shall be done in accordance with the Ministry of the Environment's Operations Manual for Air Quality Monitoring in Ontario, March 2008, as amended from time to time; b) The proposed start date for and frequency of the ambient air	<ul style="list-style-type: none"> <li>The submitted document meets these requirements.</li> </ul>	Approval Pending	Approval Pending

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	<p>monitoring and reporting to be carried out;</p> <p>c) The contaminants that shall be monitored as part of the Ambient Air Monitoring and Reporting Plan; and,</p> <p>d) At least one meeting on an annual basis between the proponent and the Regional Director to discuss the plan, the results of the ambient air monitoring program and any changes that are required to be made to the plan by the Regional Director.</p>			
11.5	The proponent shall implement the ambient air monitoring program prior to the receipt of non-hazardous municipal solid waste on the site or at such other time that may be determined by the Regional Director and communicated to the proponent in writing and shall continue the monitoring until such time as the Regional Director notifies the proponent in writing that the Ambient Air Monitoring Program is no longer required.	<ul style="list-style-type: none"> <li>Agreed</li> <li>Submitted plan includes monitoring of ambient air for one year prior to facility commissioning to establish background concentrations.</li> </ul>	Ongoing	Ongoing
11.6	The Regional Director may require changes to be made to the Ambient Air Monitoring and Report Plan and the proponents shall implement the plan in accordance with the required changes.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
11.7	The proponent shall report the results of the ambient air monitoring program to the Regional Director in accordance with the Ambient Air Monitoring and Reporting Plan.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
11.8	Audits will be conducted by the ministry, as outlined in the Ministry of the Environment's Audit Manual for Air Quality Monitoring in Ontario, March 2008 to confirm that siting and performance criteria outlined in the Operations Manual are met. The proponent shall implement any recommendations set out in the audit report regarding siting of the sampling locations and performance criteria. The proponent shall implement the recommendations in the audit report within three months of the receipt of an audit report from the ministry.	<ul style="list-style-type: none"> <li>The monitoring program was written with reference to the MOE Audit Manual</li> </ul>	Ongoing	Ongoing
11.9	The proponent shall post the Ambient Air Monitoring and Reporting Plan and the results of the ambient air monitoring program on the proponent's web site for the undertaking upon submission of the plan or results of the program to the ministry.	<ul style="list-style-type: none"> <li>The Ambient Air Monitoring and Reporting Plan has been posted on the website.</li> <li>Ambient Air Monitoring Reports will be posted to the website as they are completed.</li> </ul>	Ongoing	Ongoing
<b>12.</b>	<b>Emissions Monitoring</b>			
12.1	The proponent shall install, operate and maintain air emissions monitoring systems that will record the concentrations of the contaminants arising from the incineration of waste.	<ul style="list-style-type: none"> <li>Requirement of Certificate of Approval Condition 7(2)</li> </ul>	Ongoing	Ongoing
12.2	The air emissions monitoring systems shall be installed and operational prior to the receipt of non-hazardous municipal solid waste at the site.	<ul style="list-style-type: none"> <li>Requirement of Certificate of Approval Condition 7(2)</li> <li>Contract requires Covanta to submit a start up procedure and schedule at least 90 days prior to start-up operations. The schedule</li> </ul>	Prior to start of commissioning (~May 2014)	No

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
		<p>should outline major equipment original operation dates and the contractors best estimate as to the amount of waste required to support start-up operations activities.</p> <ul style="list-style-type: none"> <li>Following the start-up and phasing-in of all the process operating equipment of the facility, and before acceptance testing, all key processes and temporary instrumentation and controls required for testing and documentation will be calibrated by technicians provided by the DBO contractor, sub-contractors or suppliers.</li> <li>The testing of all emission and operating parameters in accordance with requirements established by the CofA and MOE anytime during the 30 day reliability test.</li> <li>The CEMS shall be certified and used to demonstrate continuous compliance during the test period with all CEMS emission parameters. (Appendix 10, Table A10-1 of the PA)</li> </ul>		
12.3	The proponent shall prepare and implement an Air Emissions Monitoring Plan. The Plan shall be prepared, in consultation with the ministry and to the satisfaction of the Director.	<ul style="list-style-type: none"> <li>Air Emissions Monitoring Plan submitted for comments to the MOE and to the Advisory Committee via letter dated July 23, 2011.</li> <li>Final plan incorporating comments from MOE and Advisory Committee submitted via letter dated August 31, 2011</li> </ul>	August 31, 2011	Yes
12.4	<p>The Air Emissions Monitoring Plan shall include, at a minimum:</p> <p>a) Identification of all sources of air emissions at the site to be monitored;</p> <p>b) Identification of which contaminants will be monitored by continuous emissions monitoring and which by stack testing;</p> <p>c) The proposed start date for and frequency of air emissions monitoring;</p> <p>d) The frequency of and format for reporting the results of air emissions monitoring;</p> <p>e) The contaminants that shall be monitored, which shall include at a minimum those contaminants set out in Schedule 1 to this Notice of Approval; and,</p> <p>f) A notification, investigation and reporting protocol to be used in the event that the concentration(s) of one or more of the contaminants released from an emission source that requires approval under Section 9 of the <i>Environmental Protection Act</i> exceeded the relevant limits.</p>	<ul style="list-style-type: none"> <li>Submitted plan fulfills these requirements</li> </ul>	August 31, 2011	Yes
12.5	The proponent shall submit the Air Emissions Monitoring Plan to the Director, a minimum of six months prior to the start of construction or by such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> <li>Director revised submission deadline to August 31, 2011 via letter dated June 30, 2011.</li> <li>Plan submitted August 31, 2011</li> </ul>	August 31, 2011	Yes
12.6	The proponent shall implement the Air Emissions Monitoring Plan such	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Commissioning and	No

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	that the monitoring commences when the first discharges are emitted from the facility to the air or at such other time as the Director may agree to in writing and shall continue until such time as the Director notifies the proponent in writing that the Air Emissions Monitoring Plan is no longer required.		Operating Periods	
12.7	The proponent shall post the reports of the air emissions monitoring systems on the proponent's web site for the undertaking.	<ul style="list-style-type: none"> <li>Web site is operational <a href="http://www.durhamyorkwaste.ca/project/project_wasteprograms.htm">http://www.durhamyorkwaste.ca/project/project_wasteprograms.htm</a></li> <li>No emissions to report until commissioning</li> </ul>	Commissioning and Operating Periods	No
12.8	For those contaminants that are monitored on a continuous basis, the proponent shall post on the proponent's website for the undertaking the results of the monitoring for each of those contaminants in real time.	<ul style="list-style-type: none"> <li>See previous item</li> </ul>	Commissioning and Operating Periods	No
<b>13.</b>	<b>Air Emissions Operational Requirements</b>			
13.1	The proponent is expected to operate the undertaking in accordance with Schedule 1 of this Notice of Approval. If the facility is not operating in accordance with Schedule 1, the operator is required to take steps to bring the facility back within these operational requirements.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Commissioning and Operating Periods	No
13.2	Schedule 1 sets out the operational requirements the ministry expects the facility to meet during the normal operating conditions of the facility when operating under a steady state but does not include start up, shut down, or malfunction.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Commissioning and Operating Periods	No
13.3	The timing and frequency of monitoring for a contaminant in Schedule 1 shall be as required by the approval granted to the facility under the <i>Environmental Protection Act</i> , should approval be granted.	<ul style="list-style-type: none"> <li>Timing and frequency will be in accordance with Schedule C of the Certificate of Approval.</li> </ul>	Commissioning and Operating Periods	No
<b>14.</b>	<b>Daily Site Inspection</b>			
14.1	The proponent shall conduct a daily site inspection of the site including the non-hazardous municipal solid waste received at the site, each day the undertaking is in operation to confirm that: <ol style="list-style-type: none"> <li>The site is secure;</li> <li>The operation of the undertaking is not causing any nuisance impacts;</li> <li>The operation of the undertaking is not causing any adverse effects on the environment;</li> <li>The undertaking is being operated in compliance with the conditions in this Notice of Approval and any other ministry approvals issued for the undertaking; and,</li> <li>Only non-hazardous waste is being received at the site.</li> </ol>	<ul style="list-style-type: none"> <li>See Certificate of Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Commissioning and Operating Periods	No
14.2	If, as a result of the daily inspection, any deficiencies are noted by the	<ul style="list-style-type: none"> <li>See Certificate of Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Commissioning and	No



Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	employee in regard to the factors set out in Condition 14.1 above, the deficiency shall be remedied immediately by the proponent. If necessary to remedy the deficiency, the proponent shall cease operations at the site until the deficiency has been remedied.		Operating Periods	
14.3	<p>A record of the daily inspections shall be kept in the daily log book required in Condition 15. The information below must be recorded in the daily log book by the person completing the inspection and includes the following information:</p> <p>a) The name and signature of the person that conducted the daily inspection;</p> <p>b) The date and time of the daily inspection;</p> <p>c) A list of any deficiencies discovered during the daily inspection;</p> <p>d) Any recommendations for action; and,</p> <p>e) The date, time, and description of actions taken.</p>	<ul style="list-style-type: none"> <li>• See Certificate of Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Commissioning and Operating Periods	No
14.4	The proponent shall retain either on site or in another location approved by the District Manager, a copy of the daily log book and any associated documentation regarding the daily site inspections.	<ul style="list-style-type: none"> <li>• See Certificate of Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Commissioning and Operating Periods	No
<b>15.</b>	<b>Daily Record Keeping</b>			
15.1	<p>The proponent shall maintain a written daily log which shall include the following information:</p> <p>a) Date;</p> <p>b) Types, quantities, and source of non-hazardous municipal solid waste received;</p> <p>c) Quantity of unprocessed, processed and residual non-hazardous municipal solid waste on the site;</p> <p>d) Quantities and destination of each type of residual material shipped from the site;</p> <p>e) The record of daily site inspections required to be maintained by Condition 14.3;</p> <p>f) A record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill or process upset, the time and date of the spill or process upset, and for spills, the time that the ministry and other persons were notified of the spill pursuant to the reporting requirements of the <i>Environmental Protection Act</i>;</p> <p>g) A record of any waste that was refused at the site, including: amounts, reasons for refusal and actions taken; and,</p> <p>h) The name and signature of the person completing the report.</p>	<ul style="list-style-type: none"> <li>• See Certificate of Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Commissioning and Operating Periods	No
15.2	The proponent shall retain, either on site or in another location approved	<ul style="list-style-type: none"> <li>• See Certificate of Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Commissioning and	No

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	by the District manager, a copy of the daily log book and any associated documentation.		Operating Periods	
15.3	The proponent shall make the daily log book and any associated documentation available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Commissioning and Operating Periods	No
<b>16.</b>	<b>Third Party Audits</b>			
16.1	The proponent shall retain the services of a Qualified, Independent Professional Engineer to carry out an independent audit of the undertaking.	<ul style="list-style-type: none"> <li>Draft Audit Plan submitted to MOE for comments June 2, 2011. Construction Phase Auditor procurement to be complete prior to September 30, 2011</li> </ul>	September 30, 2011	No
16.2	Within six months from the date of approval or other such date as agreed to in writing by the Regional Director, the proponent shall submit to the Director and the Regional Director, the name of the Qualified, Independent Professional Engineer and the name of the company where he/she is employed.	<ul style="list-style-type: none"> <li>Deadline to submit name of auditor revised to September 30, 2011 via letter from the Director and Regional Director dated June 30, 2011.</li> </ul>	September 30, 2011	No
16.3	The proponent shall submit an audit plan to the satisfaction of the Regional Director that sets out the timing of and frequency for the audits, as well as the manner in which the audits are to be carried out.	<ul style="list-style-type: none"> <li>Draft Audit Plan submitted to MOE for comments via letter dated June 2, 2011. Revised Audit Plan submitted August 19, 2011.</li> </ul>	Approval Pending	Approval Pending
16.4	The audit shall include, at a minimum, the following: <ol style="list-style-type: none"> <li>A detailed walkthrough of the entire site;</li> <li>A review of all operations used in connection with the undertaking; and,</li> <li>A detailed review of all records required to be kept by this Notice of Approval or under any other ministry approvals for the undertaking.</li> <li>The proponent shall obtain from the Qualified, Independent Professional Engineer, a written report of the audit prepared and signed by the Qualified, Independent Professional Engineer that summarizes the results of the audit.</li> </ol>	<ul style="list-style-type: none"> <li>Submitted Audit Plan complies with these requirements.</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
16.5	The proponent shall submit the written report summarizing the result of the audit to the Regional Director no later than 10 business days following the completion of the audit.	<ul style="list-style-type: none"> <li>Agreed.</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
16.6	The proponent shall retain either on site or in another location approved by the Regional Director, a copy of the written audit report and any associated documentation.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
16.7	The proponent shall make the written audit report and any associated documentation available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
16.8	The proponent shall post the written audit report on the proponent's web site for the undertaking following submission of the report to the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
<b>17.</b>	<b>Spill Contingency and Emergency Response Plan</b>			
17.1	The proponent shall prepare and implement a Spill Contingency and Emergency Response Plan.	<ul style="list-style-type: none"> <li>Required by Condition 11 of the Certificate of Approval</li> </ul>	January 2014	No
17.2	The proponent shall submit to the Director, the Spill Contingency and Emergency Response Plan a minimum of 60 days prior to the receipt of non-hazardous municipal solid waste at the site or such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> <li>Deadline to submit plan revised to 120 days prior to the commencement date of operation by Certificate of Approval Condition 11 (3).</li> </ul>	January 2014	No
17.3	<p>The Spill Contingency and Emergency Response Plan shall include, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) Emergency response procedures, including notification procedures in case of a spill, fires, explosions or other disruptions to the operations of the facility;</li> <li>b) Cell and business phone numbers and work location for all person(s) responsible for the management of the site;</li> <li>c) Emergency phone numbers for the local ministry office, the ministry's Spills Action Centre, and the local Fire Department;</li> <li>d) Measures to prevent spill, fires and explosions;</li> <li>e) Procedures for use in the event of a fire;</li> <li>f) Details regarding equipment for spill clean-up and all control and safety devices;</li> <li>g) Shut down procedures for all operations associated with the undertaking including alternative waste disposal site locations;</li> <li>h) Maintenance and testing program for spill clean-up equipment and fire fighting equipment;</li> <li>i) Training for site operators and emergency response personnel; and,</li> <li>j) A plan, identifying the location and nature of wastes on site.</li> </ul>	<ul style="list-style-type: none"> <li>Additional requirements included in Certificate of Approval Condition 11 (2).</li> </ul>	January 2014	No
17.4	The proponent shall provide the Spill Contingency and Emergency Response Plan to the District Manager, the local Municipality of Clarington and the local Municipality of Clarington Fire Department a minimum of 30 days prior to the initial receipt of non-hazardous municipal solid waste at the site or such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> <li>Deadline to submit finalized plan to the Director revised to 120 days prior to the commencement date of operation by Certificate of Approval Condition 11 (3). Document to be submitted to the District Manager, local municipality, and fire department for comments prior to final submission.</li> </ul>	November 2013	No
17.5	The proponent shall take all necessary steps to contain and clean up a spill on the site. A spill or upset shall be reported immediately to the ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060.	<ul style="list-style-type: none"> <li>Agreed. Will be included in the Spill Contingency and Emergency Response Plan</li> </ul>	Commissioning and Operating Periods	Ongoing

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
<b>18.</b>	<b>Odour Management and Mitigation</b>			
18.1	The proponent shall prepare, in consultation with the ministry's Central Region Office and to the satisfaction of the Regional Director, and implement an Odour Management and Mitigation Plan for the undertaking.	<ul style="list-style-type: none"> <li>Required by Condition 8 (8) of the Certificate of Approval</li> </ul>	August 31, 2011	No
18.2	The proponent shall submit the Odour Management and Mitigation Plan to the Regional Director a minimum of six months prior to the start of construction or at such other time as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>Deadline to submit plan revised to August 31, 2011 via letter from the Director and Regional Director dated June 30, 2011.</li> <li>Plan submitted in draft form to MOE and Advisory Committee for comments via email dated July 25, 2010</li> <li>Final Plan incorporating MOE and Advisory Committee comments submitted August 31, 2011</li> </ul>	August 31, 2011	Yes
18.3	The Odour Management and Mitigation Plan shall include at a minimum: <ol style="list-style-type: none"> <li>Standard operating and shut down procedures;</li> <li>Maintenance schedules;</li> <li>Ongoing monitoring for and reporting of odour;</li> <li>Corrective action measures and other best management practices for ongoing odour control and for potential operational malfunctions;</li> <li>A schedule for odour testing at sensitive receptors; and,</li> <li>A section that specifically addresses odour control measures should operation of the undertaking be disrupted or cease.</li> </ol>	<ul style="list-style-type: none"> <li>Additional requirements listed in Certificate of Approval Condition 8 (9).</li> </ul>	August 31, 2011	No
18.4	The proponent shall prepare and submit the Odour Management and Mitigation Monitoring Reports annually to the Regional Director with the first report submitted beginning six months following the initial receipt of non-hazardous municipal solid waste at the site or such other date as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>Proposed annual reporting requirements referenced in final Odour Monitoring and Mitigation Plan submitted August 31, 2011.</li> <li>Estimated date of first report November 2014</li> </ul>	Commissioning and Operations Period	Ongoing
18.5	The Odour Management and Mitigation Monitoring Reports shall be submitted every 12 months from the date of the submission of the first report or until such time as the Regional Director notifies the proponent in writing that the Odour Management and Mitigation Monitoring Reports are no longer required.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Commissioning and Operations Period	Ongoing
18.6	The proponent shall post the Odour Management and Mitigation Monitoring Reports on the proponent's web site for the undertaking following submission of the reports to the Regional Director.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Commissioning and Operations Period	Ongoing
<b>19.</b>	<b>Noise Monitoring and Reporting</b>			
19.1	The proponent shall prepare and implement a Noise Monitoring and Reporting Plan for the undertaking.	<ul style="list-style-type: none"> <li>Draft plan submitted to MOE and Advisory Committee for comments via letter dated July 23, 2011.</li> </ul>	September 16, 2011	Yes
19.2	The proponent shall submit the Noise Monitoring and Reporting Plan to the Director a minimum of 90 days prior to the start of construction or such	<ul style="list-style-type: none"> <li>Anticipated September 16 final submission date is more than 90</li> </ul>	September 16, 2011	Yes

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	other date as agreed to in writing by the Director.	days prior to anticipated start of construction in January 2012		
19.3	The Noise Monitoring and Reporting Plan shall include a protocol to ensure that the noise emissions from the facility comply with the limits set out in the Ministry of the environment's Publication NPC-205 "Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October 1995, as amended from time to time.	<ul style="list-style-type: none"> <li>Plan to include an acoustic audit as required by Certificate of Approval Condition 7 (5).</li> </ul>	September 16, 2011	Yes
19.4	The proponent shall post the Noise Monitoring and Reporting Plan on the proponent's web site for the undertaking following submission of the plan to the Director.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	September 16, 2011	Yes
<b>20.</b>	<b>Groundwater and Surface Water Monitoring and Reporting</b>			
20.1	Prior to the start of construction, the proponent shall identify any areas where the undertaking may affect groundwater or surface water. For those areas, the proponent shall prepare and implement, in consultation with the ministry's Central Region Office and to the satisfaction of the Regional Director, a Groundwater and Surface Water Monitoring Plan.	<ul style="list-style-type: none"> <li>Draft Groundwater and Surface Water Monitoring and Reporting Plan submitted to the MOE Central Region office for comment on April 19, 2011.</li> <li>Revised based on comments received and resubmitted on July 7, 2011.</li> </ul>	September 16, 2011	Yes
20.2	The proponent shall provide the Groundwater and Surface Water Monitoring Plan to any other government agencies for review and comment, as may be appropriate.	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring Plan has been submitted to the Central Lake Ontario Conservation Authority and the Advisory Committee for comments.</li> </ul>	July 25, 2011	
20.3	The Groundwater and Surface Water Monitoring Plan shall include at a minimum: <ol style="list-style-type: none"> <li>A groundwater and surface water monitoring program;</li> <li>The proposed start date and frequency of groundwater and surface water monitoring;</li> <li>The contaminants that shall be monitored as part of the groundwater and surface water monitoring program; and,</li> <li>At least one meeting each year between the proponent and the Regional Director to discuss the plan, the results of the monitoring program and any changes that are required to be made to the plan by the Regional Director.</li> </ol>	<ul style="list-style-type: none"> <li>Included in the submitted plan</li> </ul>	September 16, 2011	Approval Pending
20.4	The proponent shall submit the Groundwater and Surface Water Monitoring Plan to the Regional Director a minimum of 90 days prior to the start of construction or such other date as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>September 16, 2011 submission date is more than 90 days prior to anticipated start of construction in January 2012.</li> </ul>	September 16, 2011	Yes
20.5	The Regional Director may require changes to be made to the Groundwater and Surface Water Monitoring Plan and the proponent shall implement the plan in accordance with the required changes.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
20.6	The groundwater and surface water monitoring program shall commence	<ul style="list-style-type: none"> <li>Proposed Groundwater and Surface Water Monitoring Plan to</li> </ul>	Construction,	No

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	prior to the receipt of non-hazardous municipal solid waste at the site or such other time as agreed to in writing by the Regional Director, and shall continue until such time as the Regional Director notifies the proponent in writing that the groundwater and surface water monitoring program is no longer required.	commence prior to start of construction and continue until the Regional Director notifies the Regions in writing that the monitoring program is no longer required.	Commissioning and Operations Periods	
20.7	Thirty days after waste is first received on site, the proponent shall prepare and submit to the Director and Regional Director, a report containing all of the results of the groundwater and surface water monitoring program.	<ul style="list-style-type: none"> <li>Included in the proposed Groundwater and Surface Water Monitoring Plan</li> </ul>	June 2014	No
20.8	The proponent shall prepare and submit to the Director and Regional Director, an annual report containing the results of the groundwater and surface water monitoring program. The first report shall be submitted 12 months from the start of the monitoring program and every year thereafter.	<ul style="list-style-type: none"> <li>Included in the proposed Groundwater and Surface Water Monitoring Plan</li> </ul>	Commissioning and Operations Periods	No
20.9	The proponent shall prepare and submit to the Director and Regional Director, a report containing the results of the groundwater and surface water monitoring program with 30 days of any of the following events: <ol style="list-style-type: none"> <li>A spill occurs on site;</li> <li>A fire or explosion occurs on site;</li> <li>A process upset; or,</li> <li>Any disruption to normal operations that may directly or indirectly have an impact on groundwater or surface water.</li> </ol>	<ul style="list-style-type: none"> <li>Included in the proposed Groundwater and Surface Water Monitoring Plan</li> </ul>	Commissioning and Operations Periods	No
20.10	The proponent shall post the Groundwater and Surface Water Monitoring Plan and all reports required by this condition on the proponent's web site for the undertaking following submission of the plan and reports to the ministry.	<ul style="list-style-type: none"> <li>Will be posted upon approval of the plan</li> </ul>	Pending MOE Approval	Pending MOE Approval
<b>21.</b>	<b>Types of Waste and Service Area</b>			
21.1	Only non-hazardous municipal solid waste from municipal collection within the jurisdictional boundaries of the Regional Municipality of Durham and the Regional Municipality of York may be accepted at the site.	<ul style="list-style-type: none"> <li>Required by Conditions 2 (1), 2 (2), and 2 (3) of the Certificate of Approval</li> </ul>	Commissioning and Operations Periods	Ongoing
21.2	Materials which have been source separated for the purposes of diversion shall not be accepted at this site. This prohibition does not apply to the non-recyclable residual waste remaining after the separation of the recyclable materials from the non-recyclable materials at a materials recycling facility or other processing facility.	<ul style="list-style-type: none"> <li>See Condition 2 (3) (b) of the Certificate of Approval</li> </ul>	Commissioning and Operations Periods	Ongoing
21.3	The proponent shall ensure that all incoming waste is inspected prior to being accepted at the site to ensure that only non-hazardous municipal solid waste is being accepted.	<ul style="list-style-type: none"> <li>See Condition 4 (2) and 4 (3) of the Certificate of Approval</li> </ul>	Commissioning and Operations Periods	Ongoing
21.4	If any materials other than non-hazardous municipal solid waste are found	<ul style="list-style-type: none"> <li>See Condition 4 (3) of the Certificate of Approval</li> </ul>	Commissioning and	Ongoing

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	during inspection or operation, the proponent shall ensure that management and disposal of the material is consistent with ministry guidelines and legislation.		Operations Periods	
<b>22.</b>	<b>Amount of Waste</b>			
22.1	The maximum amount of non-hazardous municipal solid waste that may be processed at the site is 140,000 tonnes per year.	<ul style="list-style-type: none"> <li>140,000 tonnes per year is the maximum annual tonnage recognized on page 1 of the Certificate of Approval</li> </ul>	Commissioning and Operations Periods	Ongoing
<b>23.</b>	<b>Notice of the Date Waste First Received</b>			
23.1	Within 15 days of the receipt of the first shipment of waste on site, the proponent shall give the Director and Regional Director written notice that the waste has been received.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	May 2014	No
<b>24.</b>	<b>Construction and Operation Contracts</b>			
24.1	<p>In carrying out the undertaking, the proponent shall require that its contractors, subcontractors and employees:</p> <p>a) fulfill the commitments made by the proponent in the environmental assessment process, including those made in the environmental assessment and in the proponent's responses to comments received during the environmental assessment comment periods;</p> <p>b) meet applicable regulatory standards, regarding the construction and operation of the undertaking;</p> <p>c) obtain any necessary approvals, permits or licenses; and,</p> <p>d) have the appropriate training to perform the requirements of their position.</p>	<ul style="list-style-type: none"> <li>Project Agreement requires Contractor to comply with all authorizations including the Environmental Assessment and Notice of Approval (incorporated by reference) the Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Certificate of Approval Condition 9(1) requires Covanta is to document staff training on the EA and C of A conditions and applicable laws and regulations.</li> <li>Complaint Protocol will remain in effect throughout the construction, commissioning, and operations periods in accordance with Condition 6 of the Notice to Proceed.</li> </ul>	Construction, Commissioning, and Operations Periods	Ongoing
<b>25.</b>	<b>Amending Procedures</b>			
25.1	Prior to implementing of any proposed changes to the undertaking, the proponent shall determine what <i>Environmental Assessment Act</i> requirements are applicable to the proposed changes and shall fulfill those <i>Environmental Assessment Act</i> requirements.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	No changes contemplated at the present time	N/A

1. Future completion dates are estimates based on best available information. Completion dates occurring in the past are dates of actual completion
2. Anticipated construction period from January 2012 – May 2014
3. Anticipated commissioning period from May 2014 – August 2014.
4. Anticipated operations period from August 2014 – facility closure.

## **Appendix B**

### **EA Study Document Compliance Table**

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Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
<b>General Requirements</b>				
2	<ul style="list-style-type: none"> <li>The Proponents commit that if approval to proceed with the Undertaking is given, it will be the Proponents who are legally responsible for carrying out the Undertaking as approved.</li> </ul>	<ul style="list-style-type: none"> <li>The Regions are 100% owners under the Project Agreement</li> <li>Both Regions and the Contractor are named on the Certificate of Approval Application at the MOE's request.</li> <li>As owners, the Regions remain legally responsible for ensuring that the contractor fulfills its duties under the contract.</li> </ul>	Ongoing	Yes
11	<ul style="list-style-type: none"> <li>The Regions will undertake an evaluation of post-closure uses for the property associated with the Project, at the appropriate time when the Project is nearing the end of its life expectancy.</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 16 of the Design and Operations Report submitted with the Waste C of A Application</li> <li>Certificate of Approval Condition 18 requires the Regions to submit a Closure Plan for approval by the MOE at least 9 months prior to facility closure.</li> </ul>	Prior to decommissioning	No
11	<ul style="list-style-type: none"> <li>Decommissioning of the Facility will be conducted in compliance with applicable regulatory requirements at the time of decommissioning.</li> </ul>	<ul style="list-style-type: none"> <li>Regulatory requirement</li> </ul>	During decommissioning	No
11.2	<ul style="list-style-type: none"> <li>Environmental protection awareness, spill prevention planning and contingency training will be implemented for all employees as necessary and appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>Spill Contingency and Emergency Response Plan, including to be submitted at least 120 days prior to commencement of operation as required by Condition 11 (3) of the Certificate of Approval</li> <li>Staff training requirements including regulatory compliance and emergency response provided in Certificate of Approval Condition 9 (1).</li> </ul>	Ongoing	Ongoing
15	<ul style="list-style-type: none"> <li>The Regions will prepare and submit to the Director of the EAAB of the Ontario MOE an EA Compliance Monitoring Program.</li> </ul>	<ul style="list-style-type: none"> <li>This Compliance Monitoring Program fulfills this requirement</li> </ul>	September 2011	Yes
<b>Air Quality</b>				
11.1	<p>Air quality related mitigation/management during construction will include:</p> <ul style="list-style-type: none"> <li>Mitigation and environmental management / monitoring measures will include:</li> <li>Employment of controlled entrances and exits at the construction site to minimize the offsite tracking of mud.</li> <li>Temporary and permanent grassing in disturbed areas.</li> <li>Dust control during dry periods.</li> <li>Possible implementation of an idling protocol as required.</li> <li>Adherence to an equipment maintenance program.</li> <li>Ambient air quality monitoring for particulate matter will be undertaken to monitor the effectiveness of the mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> </ul>	Construction Period	No
11.1	<ul style="list-style-type: none"> <li>Very low NO<sub>x</sub> (VLN) system in the Facility's stoker</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.1.1 of the Design and Operations Report submitted with the Waste C of A Application</li> </ul>	Commissioning and Operations Period	No

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
11.1	<ul style="list-style-type: none"> <li>SNCR for additional NO<sub>x</sub> control</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.1.2 of the Design and Operations Report submitted with the Waste C of A Application</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>Activated carbon injection after the economizer for mercury and dioxin/furan control</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.2 of the Design and Operations Report submitted with the Waste C of A Application</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>Acid gas scrubber the removal of gases such as SO<sub>x</sub> and HCl</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.3 of the Design and Operations Report submitted with the Waste C of A Application</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>A fabric filter baghouse to remove solid particulate matter</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.4 of the Design and Operations Report submitted with the Waste C of A Application</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>The application of design and operations pre-processing odour control measures such as enclosed loading, negative air pressure inside the Facility and fully-enclosed feedstock delivery trucks.</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 13.3 of the Design and Operations Report submitted with the Waste C of A Application</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>Provision of a Continuous Emissions Monitoring System (CEMS) at the baghouse outlet to monitor and record opacity, moisture, CO, O<sub>2</sub>, NO<sub>x</sub>, SO<sub>2</sub>, HCL and HF. Opacity measurements will be used as the filter bag leak detection system.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.7 of the Design and Operations Report submitted with the Waste C of A Application includes all listed parameters except carbon monoxide, which is now to be monitored at the economizer outlet only (see following item). Purpose of two carbon monoxide monitors was to calculate percentage reduction achieved by air pollution control system. No longer necessary since MOE has imposed an absolute standard for CO emissions instead of a percentage reduction. Change approved through Certificate of Approval Condition 7(2)(b) and 7(2)(c)</li> <li>A continuous ammonia monitor has been added</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>Provision of a Continuous Emissions Monitoring System (CEMS) at the economizer outlet to monitor and record O<sub>2</sub>, SO<sub>2</sub> and CO.</li> </ul>	<ul style="list-style-type: none"> <li>Although not reflected in Certificate of Approval Condition 7(2)(c), and SO<sub>2</sub> analyzer will be provided at the economizer outlet for process control. Not needed to evaluate compliance since final SO<sub>2</sub> standard is an absolute standard rather than a percentage reduction.</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>Provision of a Continuous Emissions Monitoring System (CEMS) to monitor and record                             <ul style="list-style-type: none"> <li>Flue gas temperatures at the inlet of the boiler convection section and at the baghouse inlet.</li> <li>The temperature and pressure of the feedwater and steam for each boiler.</li> <li>The mass flow rate of steam at each boiler.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Flue gas temperature measurements required as per Certificate of Approval Conditions 7(2)(a) and 7(2)(b).</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>A long-term continuous dioxins sampling device will be installed to monitor the adsorption of dioxins onto the exchangeable adsorption-resin-filled cartridge.</li> </ul>	<ul style="list-style-type: none"> <li>Required as per Condition 7(3) of the Certificate of Approval</li> </ul>	Commissioning and Operations Period	No

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
11.1	<ul style="list-style-type: none"> <li>Emissions (stack) testing and monitoring protocol as required for the C of A under the EPA.</li> </ul>	<ul style="list-style-type: none"> <li>As per Condition 7(1) and Schedule D of the Certificate of Approval</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>NPRI emissions reporting that will entail a combination of monitoring or direct measurement, mass balance, process-specific emissions factors and engineering estimates.</li> </ul>	<ul style="list-style-type: none"> <li>National Pollutant Release Inventory (NPRI) annual reporting is a requirement under the Canadian Environmental Protection Act (Federal)</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>Proposed ambient air quality monitoring in the immediate vicinity of the Facility for a 3-year period.</li> </ul>	<ul style="list-style-type: none"> <li>Ambient Air Monitoring and Reporting Plan submitted August 31, 2011 as per EA Notice of Approval Condition 11</li> <li>Submission deadline was revised to August 31, 2011 as per letter from the Director and Regional Director dated June 30, 2011.</li> <li>Approval of plan is pending</li> </ul>	Commissioning and Operations Period	No
<b>Surface Water and Groundwater</b>				
11.2	<p>Surface water and groundwater related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>Construction phase drainage will route stormwater from throughout the Site to a stormwater sedimentation pond and to the extent feasible, maintain existing drainage routes. Permanent SWM ponds may be constructed early to reduce need for sedimentation ponds.</li> <li>Use of perimeter ditching and site grading as well as silt fencing around forested areas to isolate runoff.</li> <li>Use of setback transition use areas and erosion control fencing along watercourses.</li> <li>ESC will be implemented during the construction phase to reduce potential soil loss and runoff velocities.</li> <li>During the construction phase, stormwater will be routed via conveyance swales and/or storm sewers draining catchbasins to a SWM pond in the southwest corner of the Site.</li> <li>The pond will discharge to the CN Rail swale and stormwater will subsequently be conveyed to Tooley Creek.</li> <li>In addition to the pond, lot level, and conveyance controls such as surface stabilization measures, sediment traps, and swales enhanced with rock check dams will also be employed.</li> <li>Grading plans will be designed to maintain existing drainage patterns which will ensure all captured stormwater will be routed through SWM features.</li> <li>Dewatering and excavation pumping is expected in order to establish a sufficiently dry environment to construct the Facility foundations.</li> </ul>	<ul style="list-style-type: none"> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Groundwater and Surface Water Monitoring and Reporting Plan submitted September 16, 2011 in accordance with EA Condition 20 includes monitoring of water quality in Tooley Creek using continuous data loggers, and documentation of regular inspection and maintenance of check dams and other sediment controls.</li> <li>Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> </ul>	Construction Period	No
11.2	<ul style="list-style-type: none"> <li>A series of groundwater monitoring wells may be installed within the Site to assess the Facility's effects on both groundwater quantity and quality</li> </ul>	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring Plan submitted September 16, 2011 as per EA Notice to Proceed Condition 20.1</li> </ul>	October 2011	No

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	during construction to be determined at subsequent approvals stage.	includes groundwater monitoring wells to be installed prior to facility construction and 1 well to be installed after construction.		
11.2	<ul style="list-style-type: none"> <li>Storm water pond design criteria will meet enhanced design guidance criteria found in the MOE SWM Planning and Design Manual;</li> </ul>	<ul style="list-style-type: none"> <li>The stormwater management pond design provided in Section 6.2.4 of the Design Report</li> </ul>	Construction Period	No
11.2	<ul style="list-style-type: none"> <li>Increase in runoff potential will be mitigated with peak flow attenuation, baseflow augmentation and SWM design that provides an enhanced level of receiving water protection;</li> </ul>	<ul style="list-style-type: none"> <li>Pond has been designed with an active storage volume greater than the entire runoff volume from the 100 year storm.</li> </ul>	Construction Period	No
11.2	<ul style="list-style-type: none"> <li>Accidents and malfunctions planning and spill management redundancy and stormwater control from source to discharge will ensure the protection of surface water and groundwater resources.</li> </ul>	<ul style="list-style-type: none"> <li>Covanta will submit a Spill Contingency and Emergency Response Plan at least 120 days prior to commencement of operation (~January 2014) as required by Condition 17.1 of the Notice of Approval and Condition 11(2) of the Certificate of Approval</li> <li>Storage of waste and ash will be indoors on impervious surfaces with no drainage to outside the facility.</li> <li>Storage of all chemical reagents will be in accordance with applicable regulations. Storage of aqueous ammonia to include secondary containment.</li> <li>Outdoor surface drainage will discharge to the stormwater management ponds with gate valves on the outlets, providing an opportunity to contain and remediate any spills occurring outside the process buildings.</li> </ul>	Commissioning and Operations Period	No
11.2	<ul style="list-style-type: none"> <li>Monitoring of stormwater end-of-pipe Facility discharge quality (as required as part of C of A);</li> </ul>	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring and Reporting Plan developed in consultation with MOE Central Region Office and to be submitted September 16, 2011 in accordance with EA Condition 20.</li> </ul>	Commissioning and Operations Period	No
	<b>Soils</b>			
11.2 & 11.3	Soils related mitigation and environmental management / monitoring measures during construction will include: <ul style="list-style-type: none"> <li>Topsoil and subsoil salvage and storage.</li> <li>Apply erosion and sedimentation control measures (also described in surface water).</li> </ul>	<ul style="list-style-type: none"> <li>Regions required to submit a Soil Testing plan within 90 days from the date of the Certificate of Approval (due September 26, 2011) as per Certificate of Approval Condition 13(4).</li> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction, commissioning, and operations periods.</li> </ul>	Construction, Commissioning, and Operations Period	No

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	<b>Acoustic</b>			
11.4	<p>Acoustic related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>• Pile driving effects will be reduced through alternative technologies (e.g., vibratory pile driving), controls, and scheduling.</li> <li>• Construction vehicle traffic is predicted to be acceptable against applicable criteria, but short-term (i.e., 1-hour) effects during peak demand are possible. These peaking issues will be reduced through scheduling and planning of vehicle trips.</li> <li>• A monitoring program and contingency plan will be implemented to address any issues that may arise during the construction and post-closure periods of the Facility.</li> </ul>	<ul style="list-style-type: none"> <li>• The Regions will submit a Noise Monitoring and Reporting Plan in accordance with Condition 19 of the Notice of Approval by September 16, 2011</li> <li>• Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>• Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>• Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> </ul>	Construction Period	No
11.4	<p>Noise-related mitigation and environmental management/monitoring measures during operation will include:</p> <ul style="list-style-type: none"> <li>• The Facility will be designed to current standards incorporating efficiencies and design enhancements that reduce sound emissions.</li> <li>• Where necessary, mitigation measures will be included to ensure applicable noise criteria are met at PORs as predicted.</li> <li>• Mitigation measures may include the use of equipment control options such as enclosures, local or property-line barriers, mufflers and silencers, and acoustic baffles or insulation.</li> </ul>	<ul style="list-style-type: none"> <li>• The Regions will submit a Noise Monitoring and Reporting Plan in accordance with Condition 19 of the Notice of Approval by September 16, 2011</li> <li>• Condition 19.3 of the Notice of Approval requires noise emissions from the facility comply with the limits set out in the Ministry of the environment's Publication NPC-205 "Sound Level Limits for Stationary Sources in Class 1 &amp; 2 Areas (Urban)", October 1995, as amended from time to time.</li> <li>• Acoustic modeling submitted with the Certificate of Approval Application for Air and Noise predicts that the facility will comply with NPC-205.</li> <li>• Compliance to be verified through an acoustic audit to completed within three months of the commencement of operations in accordance with Certificate of Approval Condition 7 (5).</li> </ul>	Commissioning and Operations Periods	No
	<b>Visual</b>			
11.5	<p>Visual-related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>• Staging of construction activities.</li> <li>• Timely removal of construction debris.</li> <li>• A monitoring program and contingency plan will be implemented to address any issues that may arise during the construction of the Facility.</li> <li>• Investment in architectural enhancements to the Facility.</li> </ul>	<ul style="list-style-type: none"> <li>• An architectural concept for the facility has been developed in consultation with the Municipality of Clarington.</li> <li>• The project agreement requires the contractor to update the construction schedules weekly with detailed staging that will be reviewed at regularly scheduled construction meetings.</li> <li>• Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>• Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> </ul>	Construction Period	No

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
11.5	<p>Visual-related mitigation and environmental management / monitoring measures during operation will include:</p> <ul style="list-style-type: none"> <li>• The use of neutral external colours and effective landscaping.</li> <li>• If concerns regarding Facility visibility are raised by members of the community in the vicinity of the Facility, mitigation measures will be considered such as planting trees or other suitable vegetation at the particular location to provide a screen within the line of the sight of the Facility.</li> </ul>	<ul style="list-style-type: none"> <li>• An architectural concept for the facility has been developed in consultation with the Municipality of Clarington.</li> <li>• Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> <li>• Need for supplementary, off-site visual remediation will be assessed on a case-by-case basis after the facility is constructed.</li> </ul>	Operating Period	No
<b>Natural Environment</b>				
11.6	<p>Natural environment related mitigation and environmental management / monitoring during construction will include:</p> <ul style="list-style-type: none"> <li>• Protective protocols to avoid killing or harming wildlife during Project activities.</li> <li>• Wildlife corridor along the entire east-west length of the Facility's southern property line may be established to enhance wildlife movement.</li> <li>• Native tree and shrub species will be planted and existing species allowed to grow without disturbance providing additional habitat.</li> <li>• Undertake a pre-construction survey to assess bird nesting activity prior to clearing and grubbing.</li> <li>• Habitat enhancement for Chimney Swifts, if present onsite, and once construction has been completed, compensation for the loss of hedgerow by incorporating native shrubs and trees into landscaping for the Facility.</li> </ul>	<ul style="list-style-type: none"> <li>• Landscape plan will be reviewed for consideration to wildlife habitat.</li> <li>• Pre-construction bird nesting survey to be completed prior to January 2012 start of construction</li> <li>• Onsite inspection to confirm habitat or wildlife presence to be conducted.</li> </ul>	Construction Period	No
<b>Social / Cultural</b>				
11.7, 8, 9	<p>Social / cultural related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>• See Noise above for related mitigation / management measures.</li> <li>• See Visual above for related mitigation / management measures</li> <li>• Dust control during construction will be accomplished through a number of physical and operational methods such as construction exits, timely revegetation, watering, and staging of work.</li> <li>• Deeply buried archaeological resources could still exist and standard conditions regarding discovery of human remains and/or other cultural heritage values will apply.</li> </ul>	<ul style="list-style-type: none"> <li>• Contract requires Covanta to document any findings of archaeological significance and to deal with these findings as directed in writing by the owner and in accordance with applicable laws.</li> <li>• Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>• Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>• Complaint protocol submitted to MOE as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> </ul>	Construction Period	No
	<ul style="list-style-type: none"> <li>• Road/pavement improvements to the South Service Road and Osborne Road to accommodate construction vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>• Construction of improvements to South Service Road and Osborne Road will be undertaken as required</li> </ul>		

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
	<ul style="list-style-type: none"> <li>Formation of a Thermal Treatment Facility Site Liaison Committee (SLC) for the construction period.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to the Advisory Committee described in Notice of Approval Condition 8, the Regions will be forming an Integrated Waste Management Committee intended to address issues of concern to the local community.</li> <li>Advertising for membership conducted September 2011</li> <li>First meeting tentatively scheduled for November 2011</li> </ul>	Construction, Commissioning and Operations Periods	Ongoing
	<ul style="list-style-type: none"> <li>Development and implementation of a Community Relations Plan (CRP) through which Durham, York, and Covanta staff will relate to the local community, including advance notification to local authorities and residents near the Facility of any planned unusual noises or activities (e.g., pile driving, steam blows) or other events that may be of concern to the local community during the construction phase. The plan will also establish contacts and procedures for providing accurate and timely information to the community in the event of an unforeseen incident that may cause concern or impact upon the community.</li> </ul>	<ul style="list-style-type: none"> <li>A requirement of the EA Notice of Approval [See Appendix A, Section 7 (Community Communications Plan)]</li> </ul>	November 2012	Ongoing
	<ul style="list-style-type: none"> <li>Development and implementation of a community complaints system for construction.</li> </ul>	<ul style="list-style-type: none"> <li>Complaint protocol approved by the MOE July 13, 2011 as per Condition 6 of the EA Notice of Approval.</li> </ul>	Construction, Commissioning, and Operations Periods	Ongoing
	<ul style="list-style-type: none"> <li>Management of residual waste in enclosed vehicles and on enclosed tipping floor</li> </ul>	<ul style="list-style-type: none"> <li>Noted in Sections 5.3 and 5.8 of the Design and Operations Report and required by Certificate of Approval Condition 4(2)</li> </ul>	Commissioning and Operations Periods	No
	<ul style="list-style-type: none"> <li>Air from tipping floor is used as combustion air, destroying odours and maintaining negative pressure within receiving area.</li> </ul>	<ul style="list-style-type: none"> <li>Noted in Section 5.8 of the Design and Operations Report</li> </ul>	Commissioning and Operations Periods	No
	<ul style="list-style-type: none"> <li>Management of ash and residues using various measures to reduce ash emissions.</li> </ul>	<ul style="list-style-type: none"> <li>See Section 8.0 of the Design and Operation Report for additional details.</li> <li>Storage of ash, and will be indoors on impervious surfaces with no drainage to outside the facility.</li> <li>Ash is transported to the ash storage building in enclosed conveyors</li> <li>Bottom ash and fly ash handled separately.</li> <li>Building maintained under negative pressure and fully ventilated to a dust collection system</li> <li>Loading of trucks occurs indoors with the doors closed</li> <li>Fly ash is mixed with water, cement and pozzolan to render it non-hazardous and reduce dust.</li> <li>Bottom ash is immersed in quench water and retains 15-25% moisture content, reducing dust potential</li> </ul>	Commissioning and Operations Periods	No
	<ul style="list-style-type: none"> <li>Mitigation of vectors/vermin through pest/vector control.</li> </ul>	<ul style="list-style-type: none"> <li>Noted in Section 13.5 of the Design and Operations Report and</li> </ul>	Commissioning and	No



Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
		<ul style="list-style-type: none"> <li>Condition 8(14)</li> <li>Pest/Vector control will be subcontracted to a qualified pest control company and monitored for effectiveness.</li> </ul>	Operations Periods	
	<ul style="list-style-type: none"> <li>Mitigation of litter through implementation of litter control program throughout the Site.</li> </ul>	<ul style="list-style-type: none"> <li>Site-wide litter collection on a daily basis as per Section 13.4 of the Design and Operations Report and Certificate of Approval Condition 8(12)</li> </ul>	Commissioning and Operations Periods	No
	<ul style="list-style-type: none"> <li>Some traffic control measures (traffic signals, loop ramps, etc.) may be required to the adjacent road network to address future traffic conditions in the CEBP.</li> </ul>	<ul style="list-style-type: none"> <li>Will be addressed during design and approvals stage of Energy Park development.</li> </ul>	N/A	N/A
	<ul style="list-style-type: none"> <li>The Host Community Agreement between Durham and the Municipality of Clarington includes the Region assuming the cost of construction of Energy Drive from Courtice Road to Osborne Road to serve the CEBP.</li> </ul>	<ul style="list-style-type: none"> <li>Host Community Agreement executed on February 18, 2010 includes this provision</li> <li>Expropriation proceedings are underway to acquire the land to the west of the site needed to construct Energy Park Drive and separate truck access road.</li> <li>Design and approvals for Host Community Agreement commitments will commence when expropriation is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> <li>Anticipated completion by commencement of operations; however, operations are not affected since site access will ultimately be provided via a private truck laneway from Courtice Road to the south edge of the property, or temporarily via South Service Road and Osborne Road.</li> </ul>	May 2015	No
	<ul style="list-style-type: none"> <li>Soil testing for contaminants for a minimum of three years at which time its effectiveness will be evaluated (recommendation by Durham Region Medical Officer of Health, endorsed by both Regional Councils)</li> </ul>	<ul style="list-style-type: none"> <li>Regions required to submit a Soil Testing plan within 90 days from the date of the Certificate of Approval (due September 26, 2011) as per Certificate of Approval Condition 13(4).</li> </ul>	Commissioning and Operations Periods	No
	<ul style="list-style-type: none"> <li>Formation of a Thermal Treatment Facility Site Liaison Committee SLC for the operations period.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to the Advisory Committee described in Notice of Approval Condition 8, the Regions will be forming an Integrated Waste Management Committee intended to address issues of concern to the local community.</li> <li>Advertising for membership conducted September 2011</li> <li>First meeting tentatively scheduled for November 2011</li> </ul>	Construction, Commissioning and Operations Periods	Ongoing
	<ul style="list-style-type: none"> <li>See construction above regarding development and implementation of a Community Relations Plan</li> </ul>	<ul style="list-style-type: none"> <li>A requirement of the EA Notice of Approval [See Appendix A, Section 7 (Community Communications Plan)]</li> </ul>	November 2012	Ongoing
	<ul style="list-style-type: none"> <li>See construction above regarding development and implementation of a community complaints system for operations</li> </ul>	<ul style="list-style-type: none"> <li>Appendix A, Complaint Protocol (Notice of Approval Condition 6 applies to construction, commissioning, and operations periods)</li> </ul>	Construction, Commissioning and Operations Periods	Ongoing



Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date <sup>1,2,3,4</sup>	Complete?
<b>Economic</b>				
11.10	<ul style="list-style-type: none"> <li>Establishment of a hazardous waste depot to serve Clarington residents.</li> </ul>	<ul style="list-style-type: none"> <li>Will commence when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> <li>Anticipated completion by commencement of operations; however, operations are not affected.</li> </ul>	May 2015	No
11.10	<ul style="list-style-type: none"> <li>Construction of Energy Drive from Courtice Road to Osborne Road to serve the Energy Park.</li> </ul>	<ul style="list-style-type: none"> <li>Expropriation proceedings are underway to acquire the land to the west of the site needed to construct Energy Park Drive and separate truck access road.</li> <li>Design and approvals for Host Community Agreement commitments will commence when expropriation is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> <li>Anticipated completion by commencement of operations; however, operations are not affected since site access will ultimately be provided via a private truck laneway from Courtice Road to the south edge of the property, or temporarily via South Service Road and Osborne Road.</li> </ul>	May 2015	No
11.10	<ul style="list-style-type: none"> <li>Construction of a SWM Facility to serve the Energy Park.</li> </ul>	<ul style="list-style-type: none"> <li>Tied to Energy Park Drive Construction, see previous item.</li> </ul>	May 2015	No
11.10	<ul style="list-style-type: none"> <li>Construction of a waterfront trail from Courtice Road to the eastern limit of the Durham property.</li> </ul>	<ul style="list-style-type: none"> <li>Will commence when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> <li>Anticipated completion by commencement of operations; however, operations are not affected</li> </ul>	May 2015	No
11.10	<ul style="list-style-type: none"> <li>Transfer of 22 acres of surplus land adjacent to the Courtice WPCP to Clarington.</li> </ul>	<ul style="list-style-type: none"> <li>Transfer will occur when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> </ul>	January 2014	No
11.10	<ul style="list-style-type: none"> <li>Commencement of the EA for servicing the Clarington Science Park.</li> </ul>	<ul style="list-style-type: none"> <li>EA will commence when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued</li> </ul>	January 2014	No
<b>Human Health and Ecological Risk</b>				
	<ul style="list-style-type: none"> <li>Refer to "Air Quality" above.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to "Air Quality" above.</li> </ul>		

1. Future completion dates are estimates based on best available information. Completion dates occurring in the past are dates of actual completion
2. Anticipated construction period from January 2012 – May 2014
3. Anticipated commissioning period from May 2014 – August 2014.
4. Anticipated operations period from August 2014 – facility closure.

# **Appendix C**

**Advisory Committee Annual Report**

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An annual report on the Advisory Committee's activities will be provided as an appendix to the annual Compliance Reports as required by Condition 8.2 of the Notice of Approval.