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May 24, 2013

Mirka Januszkiewicz, P. Eng
Director, Waste Management
The Regional Municipality of Durham
605 Rossland Road East
Whitby ON L1N 6A3

**Re: Durham York Energy From Waste Project, Condition 20
2012 Annual Surface Water and Groundwater Monitoring Reports Submission**

Dear Ms. Januszkiewicz,

Thank you for your April 30, 2013 letter and submission of the 2012 Annual Groundwater and Surface Water Monitoring Reports. The reports have been submitted to meet Condition 20.8 of the Notice of Approval for the Durham York Energy from Waste EA. Genivar's April 2013 Durham York Energy Centre 2012 Groundwater Monitoring Report and Golder Associates' April 30, 2013 During Construction Annual Report Year 1- Durham York Energy Centre Surface Water Monitoring Program have been reviewed and the following comments are offered for your consideration:

Surface Water

The monitoring undertaken during the year was consistent with the program that the ministry agreed to in August 2011.

The ministry agrees with the consultant's recommendation to continue the monitoring program during the construction period. While the monitoring data shows that there have been no significant effects on Tooley Creek, we recommend consideration be given to increase the onsite turbidity monitoring.

We have no objection of reducing the Total Suspended Solids (TSS) sampling, given that adequate data of TSS and turbidity samples is gathered and turbidity may be used as a surrogate for TSS. Instead of sampling, it would be more efficient and practical if more frequent turbidity monitoring is carried out; at least for the two Tooley Creek stations during the weekly inspection.

The report states that the sedimentation ponds are pumped out as needed subject to quality of the discharge water. I understand this is covered by an Environmental Compliance Approval (ECA). Please note that if construction works require dewatering at more than 50,000 l/day, a PTTW may be required.

Groundwater

The facility has been under construction but has not yet begun operations. Therefore, the monitoring data presented in this report are useful as baseline, pre-development data or for detecting the effects of construction.

The majority of the data collected in several monitoring wells between December 2011 and March 2013 indicated that groundwater quality shows no effect from construction activities.

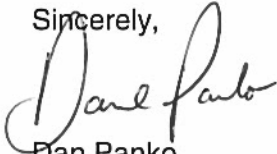
The consultants note that the horizontal or vertical variability in the concentrations of substances in samples from the monitoring wells was due to natural variations in soil characteristics or to previous land use either on site or up-gradient off site.

Groundwater levels showed a response to construction of a stormwater management pond, but the effect is local to one monitoring well near the pond and is not expected to extend off site.

The report states that an additional monitoring well will be installed in future in an area where construction of facilities has not yet been completed, in order to provide additional information on site conditions.

Therefore there are no concerns with the monitoring program to date.

Sincerely,



Dan Panko
Supervisor, Air, Pesticides and Planning Unit
Central Region

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