

Groundwater and Surface Water Monitoring Plan Comment and Response Table

Item #	Comment	Response
1	<p>The location of SW02-11 on Figure 2 should be south of the outlet anticipated to be on Tooley Creek. The Plan references provincial standards and objectives that have been long established by the MOE.</p>	<p>Figure 2 of the monitoring plan has been revised to move SW2-11 downstream approximately 200 m. (Note: due to the requested surficial geology map per Comment #4, Figure 2 has been re-numbered as Figure 3.)</p>
2	<p>Generally the staff (CLOCA) believes that the analyses and documentation are relatively thorough. The documentation was found to be appropriate and clear, and the figures well presented the data according to the specifications.</p>	<p>Please note that the MOE's Technical Support Section groundwater reviewer requested a revision to the number of parameters included for analysis subsequent to the draft monitoring plan being distributed for review. The rationale for the revision in the parameter listing was to focus on groundwater parameters that would be useful in evaluating if there are any upset conditions, and excluding parameters that could be elevated due to other sources or are naturally present in groundwater.</p> <p>The revised parameter list is designed to provide a basic understanding of groundwater geochemistry which will aid in distinguishing whether or not differing sources of water are interpreted and thus allow for identification of any issues with the Facility controls. Additionally, specific metals that have been identified as related to municipal solid waste leachate and/or combustion ash that may be potential contaminants of concern and that are unlikely to be present at naturally elevated concentration have been included in the revised parameter list.</p> <p>The revised parameter list is: field measurements (temperature, pH, conductivity, oxidation reduction potential (ORP)), major cations (calcium, magnesium, sodium, potassium), major anions (chloride, sulphate, carbonate, bicarbonate), and metals (boron, cadmium, cobalt, lead, mercury).</p> <p>The MOE also requested a slight revision be made to the contingency plan as it related to groundwater, to harmonize elements of the plan with the contingency plan outlined for surface water. The trigger for implementation of contingency measures was modified from two consecutive results above an Ontario Drinking Water Standard (ODWS), to being based on either a spill or other upset condition at the Facility, or if evaluation of the groundwater monitoring data</p>

		suggesting a possible failure in the Facility controls. The rationale for the change in the trigger mechanism was due to the possibility that the upgradient background groundwater may have elevated concentrations of some parameters (i.e. chloride or sodium) due to the presence of Highway 401 and road salting, and the ODWS being exceeded for that reason should not result in contingency measures being triggered at the Facility.
3	For baseline conditions and in the event of future issues it is recommended that one or two of the private wells (down-gradient) that are currently not in use just outside of the site boundary be included in the monitoring program.	Given the presumed overall groundwater flow direction to the south toward Lake Ontario, and the presence of the Courtice Water Pollution Control Plan (WPCP) between the Facility and Lake Ontario, the potential for private groundwater supply wells to be located downgradient of the Facility is low. MOE water well records have been plotted on surficial geology map (per Comment #4 below) and added to the plan. A review of the MOE water well records indicates a handful of records were returned that plot on the Courtice WPCP and are likely related to historical geotechnical drilling at that property. A comment to this effect has been added to the monitoring plan, as well as adding a task to the monitoring plan to confirm the absence of downgradient private wells once groundwater flow directions have been confirmed.
4	A clear geological map and cross section could be added for clarity to the supplemental water level description, aquifer unit and groundwater flow.	A surficial geology map has been added to the monitoring plan documentation. A cross-section and groundwater flow map for the Facility cannot be developed until the monitoring wells detailed in the plan have been installed. The monitoring plan has been updated to clearly reflect that these items will be included in the data evaluation.
5	CLOCA would appreciate obtaining the water well records and hydraulic testing results after drilling.	Comment noted.
6	Section 3.4 outlines the parameters for the sampling of surface water. It is recommended that water temperature be included as a parameter to be monitored.	Temperature was already included as a parameter to be monitored during the operations phase of the monitoring program. It has been added to the construction phase monitoring program.
7	Figure 2 provides the proposed location for monitoring locations. It is recommended that monitoring station SW02-11 be moved downstream of the convergence of the stormwater conveyance swale and Tooley Creek.	Comment noted. Same as Item #1.
8	Request that the proponents hold a public consultation event around all the draft	All monitoring plans are subject to review and approval by the MOE. In addition, they are reviewed by members of the EFWAC. All comments from these

	<p>monitoring plans in the next two months so that Clarington and Durham residents would be made aware of how the two Regions propose to monitor the incinerator. Such a meeting should be advertised at least 3 weeks in advance and to be held at one location in Clarington and one location central to most Durham residents. Since staff has put on full blown information events for councilors, surely they should be required do the same for the directly impacted public.</p>	<p>members are taken into consideration. Members of the public are welcome to call staff to discuss concerns around the monitoring plans of the facility and all reports are made publicly available.</p> <p>The Region will hold a public meeting prior to the start of construction as required by Condition 7.5 of the Notice of Approval to Proceed with the Undertaking. This meeting will provide an additional forum for members of the public to express any concerns they may have about the Project, including the Groundwater and Surface Water Monitoring Plan</p> <p>The Durham Region Council Education Day was held March 25, 2011 as per a directive from Durham Region Council to help Regional Councillors make informed decisions surrounding the EFW facility. Staff also held a Waste Fair on March 5, 2011, prior to the Education Day, which was advertised to the public which featured a booth from Covanta and the certificate of approval applications for public viewing. Staff were on hand to answer any questions regarding any waste related program.</p>
9	<p>The Project Team requested changes to EA conditions, which the Ministry of the Environment granted, around the submission dates of many monitoring plans set out in the Minister's EA Approval. These tight time lines and short comment periods the Project Team currently impose on the public are a result of the Project Team mucking about with – and MOE agreeing – to changes to the Minister's EA conditions.</p>	<p>We note that the submission deadline for the Groundwater and Surface Water Monitoring Plan has not been revised.</p> <p>The timelines provided in the EA are tight, as such the Regions requested and were granted an extension to other deadlines. The Regions want to be sure when a document is submitted that is well thought out. Part of the reason for seeking deadline extensions was to allow for the documents to be reviewed by the Advisory Committee prior to submission to the MOE, although the Regions are not required to do so under the Conditions of Approval.</p>
10	<p>The short time between when many of the plans became available July 25th and the EFW AC meeting meant that the 3 public groups have a very short window in which to</p>	<p>The plans were submitted to the Advisory Committee 10 days prior to the Advisory Committee meeting on August 4. The Regions also continued to receive written comments on the plans until August 31st. The final plans are posted to the website upon submission to the MOE, where they can be</p>

	respond and review these plans.	commented upon at any time by members of the public.
11	<p>Not all members of the public are members of the 3 groups and the onus should not be on the 3 groups to communicate complex plans-where much remains unknown-to the public. As it turned out, the three public EFW AC reps had a number of unforeseen urgent matters to address which included one member having a serious accident and another having a death in the family. Neither the proponents nor MOE should rely exclusively on the 3 public groups to identify and/or solicit and/or represent the concerns of the general public. That's the job of the proponents and MOE should be ensuring they do that.</p>	<p>All three of the public member groups were in attendance by way of member or alternate at the last EFWAC meeting. It was for this reason that the TOR included alternate member representation. Members of the public are welcome to call staff to discuss concerns around the monitoring plans of the facility and all reports are made publicly available. All monitoring plans are subject to review and approval by the MOE.</p>
12	<p>I am not aware that the EFW AC meeting was advertised, and if not, how would the general public be aware of what's on the agenda and when the meeting would take place. It's insufficient to post the meeting date on the website as there is no published meeting schedule that would allow the public to anticipate upcoming meetings. As I wrote when responding to the C of A, some of these monitoring plans should have been available for public comment when the C of A was posted to the EBR – so that these could be considered prior to MOE making their decision. Many plans would have been if the proponents had adhered to the prescribed timelines in the EA conditions.</p>	<p>The last EFWAC meeting notification was posted on the project website. In future the project team will be posting a Public Service Advisory (PSA).</p> <p>The committee has not yet established a set meeting schedule at this point. The project team is working toward this. Recent meetings have been scheduled with the consideration of the deadline for submission of the monitoring reports.</p> <p>The MOE decided that they would open the CofA to a public comment period after the application had already been submitted. Many of the monitoring plans needed to include information contained in the final CofA, and therefore could not be submitted prior to issuance of the CofA. Additionally, the EFWAC, which is comprised of several public groups who have been involved in the process and selected by the MOE to the committee, will review the monitoring plans as directed in the EA. Their comments will be considered and recorded in a comment and response table which will be forwarded to the MOE along with the report submission. All monitoring plans are subject to review and approval by the MOE.</p>
13	I could not attend the August 4 th EFW AC	Just as some public members could not attend neither could all of the

	<p>but heard that members of the project team could not respond to basic questions from the public members about the project monitoring plans (according to the draft minutes only 3 project team staff were present, no consultants noted as attending).</p> <p>If the Project Team doesn't have people on staff sufficiently informed available to respond to EFW AC members' questions, surely the Project Team could dredge up the consultants hired to develop the plans to be present at EFW AC meetings – especially if the proponents expect the EFW AC meeting to serve as the sole public consultation opportunity. This way questions could be responded to in real time, versus the weeks or months it generally takes for the Project Team to respond. E.g. questions submitted to the Project Team after the April EFW AC meeting about the C of A documents were responded to on July 14th – AFTER the C of A was approved.</p>	<p>consultants. The project team cannot guarantee all consultants will be present at every meeting. In addition, the project team cannot always foresee what questions may be asked by the members in advance. However, the project team committed to providing answers to all questions. Some questions were answered at the meeting by the project team and others were referred to the Regions' consultants.</p> <p>The Regions committed to answer the list of questions put forth by the public member groups in the second EFWAC meeting by the EFWAC meeting held August 4th (subsequent EFWAC meeting). At this point in time the Regions were not aware the MOE would post the CofA for public comment, as the typical MOE practice in accordance with the Environmental Bill of Rights Act is not to post CsofA for public comment if the CofA results from the completion of an approved environmental assessment.</p> <p>The minutes for EFWAC meeting #3 also confirm that the project team will try to turn the questions around quickly depending on the technical detail required to respond to the questions.</p>
14	<p>When will the questions from August 4th be responded to and in what forum? To reiterate, formally request the proponents to consult with the public in Clarington and Durham, within the next two months, about the draft monitoring plans, and to have staff and/or consultants with the appropriate expertise present and sufficiently informed to respond to questions.</p>	<p>The questions from the August 4th meeting have been included in the comment and response tables for the plans discussed. The majority of the questions were answered during the meeting and when they were unable to be answered at the time, the minutes reflect follow up is required by the project team. The minutes reflect that the project team committed to provide answers by September 15, 2011.</p>
15	<p>I request that MOE be asked to defer ANY</p>	<p>This comment and response table has been provided to the MOE for their</p>

	decisions/approvals around these monitoring plans until after such consultation occurs.	consideration.
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