

Ministry of the Environment

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January 28, 2014

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

Laura McDowell, P. Eng.  
Director, Environmental Protection and Promotion  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

**RE: Durham York Energy From Waste Project  
Durham York Energy Centre Soils Testing Report Submission  
Certificate of Approval #7306-8FDKNX (CofA)**

Dear Ms. Januszkiewicz and Ms. McDowell:

Thank you for the Durham York Energy Centre Soils Testing Report dated November 20, 2013 (Report) which was submitted to me via a covering letter dated November 19, 2013. Submission of the Report is a requirement of condition 15(4) of the CofA.

Following an initial review of the Report, I contacted the Regional Municipality of Durham on January 21, 2014, and was provided with additional quality assurance/quality control laboratory analysis sheets that are considered part of the submission of the Report.

### **Report**

Ministry of the Environment (ministry) staff reviewed the Report and conclude that the study methodology and the information provided met the general requirements of the Durham York Energy Centre Soils Testing Plan - Revision 2 Submission Date: 2013-02-08.

The ministry offers the following comments:

1. The actual amount of soil collected from each subplot and location where the sample was collected from within the subplot, should be provided.
2. It is understood that the laboratory used for the chemical analysis of the soil samples is an accredited laboratory however it should be stated whether or not this laboratory is accredited for the methods used.

3. It was noted that the metal, polycyclic aromatic hydrocarbon, dioxin and furan concentrations were considered to be at typical Ontario background concentrations (based on MOE Table 1 standards). The report should make a statement as to the suitability of these two sites for long-term contaminant monitoring around a potential source. It should be stated how similar the contaminant concentrations are between the plots.
4. The Report states that storing these samples will "affect the laboratory results for some parameters". The parameters thought to be affected by storage should be stated.

Please provide an addendum to the Report which addresses the comments above.

**Plan:**

The Plan states that "Within one month of completion of each soil testing event, the Regions will submit a soil testing report, to the District Manager in accordance with Certificate of Approval Condition 15(4)". A "soil testing event" is not defined in either the CofA nor in the Plan. However, I consider the soil testing event to include completion of soil sample analysis.

The Plan states that "In accordance with Condition 20.10 of the EA Notice of Approval, the Soil Testing Plan and subsequent Soil Testing Reports shall be posted to the DYEC website". I have reviewed Condition 20.10 of the EA Notice of Approval. Posting of the Soil Testing Plan and subsequent Soil Testing Reports to the DYEC website is not a requirement of the EA Notice of Approval. However, it is my opinion that the Soil Testing Plan and all subsequent Soil Testing Reports should be posted to the DYEC website.

Please provide an addendum to the Plan which defines a soil testing event as suggested above and removes the reference to Condition 20.10 of the EA Notice of Approval in Section 8.2.

Should you have any questions, please contact me at (905) 427-5626 or [dave.fumerton@ontario.ca](mailto:dave.fumerton@ontario.ca).

Sincerely,



Dave Fumerton  
District Manager  
York Durham District Office