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Sent via standard mail and email (celeste.dugas@ontario.ca)

October 19, 2020

Celeste Dugas, Manager, York Durham District Office
Ministry of the Environment, Conservation and Parks
230 Westney Road South, Floor 5
Ajax, Ontario L1S 7J5

Dear Ms. Dugas:

**RE: Durham York Energy Centre
Emergency Environmental Compliance Approval (ECA) Amendment
ECA #7306-8FDKNX**

In response to the ongoing COVID-19 pandemic, the Regional Municipalities of Durham and York (Regions) requested an emergency amendment to the Environmental Compliance Approval #7306-8FDKNX (ECA) for the Durham York Energy Centre (DYEC). An amendment to the Environmental Compliance Approval was subsequently issued on April 22, 2020.

Condition 10 of the Amendment requires the Owners to provide a summary to the Ministry of Environment, Conservation and Parks (MECP) District Manager outlining the process to return to normal operations, addressing the conditions in the Amendment, by the end of the ninety (90) day-period from the date when the Ontario Government ends the current Declaration of Emergency to Protect the Public Health.

With respect to Condition 1, which allowed the Owners to increase the amount of waste processed up to 160,000 tonnes, the Regions have forecasted the waste processed to be approximately 150,000 tonnes by the end of calendar year 2020.

With respect to Conditions 4 through 9, relating to the management of material storage and the shipping and receiving of materials, none of those permissions were utilized while dealing with the current COVID-19 pandemic which triggered the request for amendment. During the emergency declaration, the facility was able to be operated under the existing ECA Conditions.

As none of the emergency ECA Conditions were needed to be employed no notifications were provided to the District Manager as directed in Condition 3.

Due to the continuation of the pandemic, the Regions are and expect to continue to experience an increase in the quantities of materials being disposed of within the existing curbside programs. While the state of emergency has been lifted, many residents are continuing to telework, as well as attending education programs in a remote setting.

In addition to the increased waste generation, the Regions have and will continue to implement changes to collection programs in order to facilitate 'social distancing' as well as to protect collection and waste management workers. The Regional Municipality of Durham (Durham Region) temporarily increased the existing garbage bag limit, from March 27 until September 8, 2020 in order to reduce the number of residents accessing Durham Region's waste management facilities, including when they are purchasing bag tags.

The Regions and Covanta continue to monitor developments with concerns to the logistical and transportation requirements that impact the DYEC, as well as the Regions' waste management systems. A critical concern continues to be a potential need to operate with reduced transportation network capacity—including for portions of York Region's material which crosses the US border for processing at Covanta Niagara, as well as ash leaving the facility.

While efforts continue to be made to maintain status quo operations, events where material cannot enter or leave the facility may develop. Should these situations occur or appear likely, the Regions will advise the District Manager and discuss potential contingencies.

Other than the exceptions noted above, the DYEC will continue to operate within current ECA restrictions for all conditions.

The Regions continue to work with their various contractors and consultants to ensure that the DYEC, as well as their other Regional facilities, are able to continue operating and meet the needs of the Regions' communities, while continuing to comply with all reporting and operational requirements associated with the various regulations and approvals. Given the situation is evolving in communities across the country, as well as globally, the Regions will continue to monitor and assess program needs as they develop.

Should you have any questions regarding this update, please do not hesitate to contact the undersigned.

Sincerely,

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Director, Waste Management Services

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- c. L. Trevisan, Director, Central Region, MECP
- M. Keyvani, Manager, Waste Approvals, MECP
- P. Dunn, Senior Environmental Officer, York Durham District Office, MECP
- J. Butchart, Issues Project Coordinator (Acting), York Durham District Office, MECP
- M. Neild, Facility Manager, Covanta
- A. Huxter, Environmental Specialist, Covanta
- E. Mahoney, Commissioner, Environmental Services, York Region
- S. Siopis, Commissioner, Works, Durham Region
- S. Dittman, Supervisor, Technical Services, Waste Management, Environmental Services York Region
- M. Farid, Contract Management Engineer, Environmental Promotion and Protection, Environmental Services, York Region
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