

Inquiries						
#	Date Received	Method Received	Comment Details/Description:	Response/ Remedial Action	Response Date	Staff
				Regions. Only non-hazardous residential solid waste that has been subject to recycling and composting efforts will be accepted at the facility. Thanks for your continued interest in the Durham York Energy Centre. Project Team		
4	Feb 9, 2015	Project team direct telephone	Caller was looking to supply equipment/maintenance for turbines	Returned call and sent the following email: Good afternoon, Thank you for your interest in the Durham York Energy Centre (DYEC). The Region has awarded the contract to Design, Build and Operate (DBO) the EFW facility to Covanta Energy Corporation following a public procurement process. As the Design Build Operate (DBO) contractor to the Regions, Covanta is responsible for the procurement of equipment and the hiring of all subcontractors and admin and operations staff. Please feel free to follow up with the contacts from Covanta listed below. Matthew Neild Facility Manager, DYEC mneild@covantaenergy.com Project Team	Feb 9, 2015	LW
5	Feb 12, 2015	Project Team direct telephone	Caller looking for information/clarification on ash.	Project team clarified that bottom ash is not toxic and will not be buried in landfill but will be used as an alternative daily landfill covering source, which would otherwise be covered using soil.	Feb 12, 2015	LW
6	Feb 13, 2015	Project web email	Good afternoon I heard on the radio today that Durham Region is moving forward in waste management with incineration. Could you please send me any information or links you have about your specific project?	Good afternoon, Thank you for your interest in the Durham York Energy Centre. The facility commenced burning waste on February 13, 2015 and is still in the start-up commissioning process. Please visit our newly re-launched website at www.durhamyorkwaste.ca for more detailed information. Under Documents and Publications	Feb 18, 2015	LW

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			I live in Ottawa and would like to become more familiar with how approval was granted etc.... Thanks for any help you can provide.	you will see an Archive tab. The archive data is where you will find reports from the Environmental Assessment and Planning stages of the project. Please let us know if there is anything specific you are not able to find. Thanks, Project Team		
7	Feb 16, 2015	Project web email	Is it correct that energy from waste plant has no controls for fluoride or chloride? Are the trucks involved in the plant operation going to have "green" speed limiter settings of 90 kph and are the setting going to be regularly verified? The emissions from these trucks are part of the emissions from the whole plant operation. Are clear bags going to be required for the garbage collected? Is an analysis of the solid ash going to be available?	Good afternoon, Thank you for your interest in the Durham York Energy Centre. No it is not correct. The facility does have emissions control equipment in place to control acid gases such as hydrogen chloride and hydrogen fluoride. Lime is injected into the flue gas where acid gases are absorbed by the lime and dropped into the fly ash discharger and remaining lime particulate get trapped by a series of fabric filter bags used to collect particulate from flue gas. All trucks coming to the facility are private hauling companies which either the Regions or Covanta (facility operator) have contracts with for either waste delivery, delivery of reagents, hauling of metals and ash. These haulers must comply with the 15 km/h speed limits set on the property grounds. Trucks not on the facility property must comply with whatever company policy has been set in addition to all other highway traffic and haulage legislation. Emission estimations for the facility did consider emissions from trucks on site. There will be approximately 25 trucks per day coming through the site, including waste delivery, reagent deliveries and haulage for metals and ash. Clear bags have been explored by staff and presented to Durham Region Council. Up until this point Council has not made the recommendation to mandate residents to use clear bags. The use of clear bags is certainly a choice any resident	Feb 18, 2015	LW

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				<p>can make without a Council direction.</p> <p>Yes, please visit the website under facility management plans and click on Ash. As soon as testing reports for ash are available they will be posted there.</p> <p>Thank you,</p> <p>Project Team</p>		
8	Feb 19, 2015	Project web email	Requestor looking for employment with the Region for EFW project.	<p>Good morning,</p> <p>Thank you for your interest in employment with the Durham York Energy Centre. Please visit www.durham.ca and click on the careers section. You will be able to submit your resume on-line.</p> <p>Thanks,</p> <p>Project Team</p>	Feb 25, 2015	LW
9	Feb 19, 2015	Project Team direct telephone	Caller asking when the DYEC would be open to the public and wanted to confirm if there is a set up for visitors to watch how the facility operates.	Project Team returned call and advised that there will be a public opening event set for the spring.	Feb 20, 2015	LW
10	Feb 23, 2015	Project web email	<p>"Reduced carbon dioxide (CO2) emissions from fossil fuel combustion. When a megawatt of electricity is generated by an EFW facility, carbon dioxide emissions that would have been generated by a fossil-fuel fired power plant are avoided." Are you suggesting that the natural gas used to combust the garbage is not a fossil fuel?</p> <p>Posted on twitter @nomoreghg</p>	<p>Good afternoon,</p> <p>Thank you for your interest in the Durham York Energy Centre.</p> <p>We wish to clarify how natural gas is used at the facility. Natural gas is used during facility start-up to raise the temperature of the boilers to meet minimum temperature requirements and during shutdown to maintain temperature in the boiler until the waste is completely combusted and temperature can be safely lowered. Natural gas may also be used on an as-needed basis to help sustain efficient combustion if the plant is processing very wet garbage.</p> <p>Overall, natural gas represents only a very small portion of the plant's fuel. The vast majority of the fuel is garbage.</p> <p>Project Team</p>	Feb 25, 2015	LW

Inquiries						
#	Date Received	Method Received	Comment Details/Description:	Response/ Remedial Action	Response Date	Staff
	Feb 26, 2015		Thanks for your reply. So in fact the plant is "fired" by natural gas, a fossil fuel. If its a small percentage, then it would not be onerous to offset this by purchasing bio-gas offsets through someone like Bullfrog.	<p>Thank you for your interest in the Durham York Energy Centre.</p> <p>We do not agree that the plant can be properly said to be "fired by gas" when, in fact, no gas is consumed most of the time. We can appreciate that you may not agree. We currently have no authorization to purchase bio-gas offsets.</p> <p>Project Team</p>	Feb 27, 2015	
11	Feb 23, 2015	Email directed to the Regional Chair	<p>Is it true that the facility uses oil? not Gas?</p> <p>Is it true that the "connection ..budgeted for \$200,000 ... came in at \$4.89million"</p> <p>Has the report of this cost-overflow been submitted to Council? has it been approved?</p>	<p>Your email of February 23rd to the Regional Chair was directed to me for a response to your questions.</p> <p>Is it true that the facility uses oil? not Gas?</p> <p>No. The facility uses Natural Gas to bring the boilers up to temperature and will occasionally use Natural Gas if the garbage is very wet and cannot sustain efficient combustion.</p> <p>Is it true that the "connection ..budgeted for \$200,000 ... came in at \$4.89million"</p> <p>In 2009, the natural gas requirements to the site were estimated to be \$200K. This was based on our assumption that the existing natural gas line had sufficient capacity to service the EFW</p> <p>In 2011, Covanta during the design stage, determined the EFW natural gas requirements for the worst case scenario (both burners running on natural gas)</p> <p>In 2012, Enbridge determined that a new gas line would be needed and that the closest network to provide this supply was north of the 401. Enbridge estimated that the new line would cost \$3.5M. Due to unforeseen construction conditions they have determined that the new cost is \$4.89M.</p>	Feb 25, 2015	CC

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#	Date Received	Method Received	Comment Details/Description:	Response/ Remedial Action	Response Date	Staff
	Feb 25, 2015		Thank you for your prompt and complete reply.	<p>Has the report of this cost-overrun been submitted to Council? has it been approved?</p> <p>The EFW update report was submitted to Durham Council and was approved</p> <p>I hope that this adequately answers your questions.</p>		
12	Feb 27, 2015	Project web email	<p>Good afternoon,</p> <p>I offer the following feedback regarding the “new documents notifications” that are emailed out to registered individuals/groups. The notification email directs you to the website and indicates that the new item(s) can be found in the “What’s New” section. However, once you get to “What’s New” location on the website, the new item is not apparent. For example, I received a new item notification email on Feb. 25th. All of the reports that I appear in the “What’s New” section appear to be the same as those that appeared when I received a previous new item notification on Feb. 20th. As a suggestion, it may be helpful to have the new document(s) named in the notification email, the new items flagged in the “What’s New” section on the website, and/or a posted date indicated next to the document title in the “What’s New” section.</p> <p>Thank you for the opportunity to provide feedback and share ideas.</p> <p>Kind regards,</p>	<p>Good afternoon, Thank you for your interest in the Durham York Energy Centre.</p> <p>We appreciate your input and will follow up with our IT on how we can better present new notifications.</p> <p>Project Team</p>	Feb 27, 2015	LW

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#	Date Received	Method Received	Comment Details/Description:	Response/ Remedial Action	Response Date	Staff
Total Project Team Inquiries this month (project web email/telephone):				12		
Total Covanta Inquiries this month:				0		
Total Council/ Committee Inquiries this month:				0		
Total Durham Call Centre Inquiries this month (separate attachment):				0		
Total Inquiries from York this month:				0		
Total Inquiries from previous months:				9		
Total Inquiries in 2015:				21		

Complaints						
#	Date Received	Method Received	Comment Details/Description:	Response/ Remedial Action	Response Date	Staff
1	Feb 12, 2015	Email forwarded by York Regional Councillor	Email correspondence expressing concern about potential dioxin emissions from the facility. The email also questioned the legal status of the contractor in Ontario. The full email and supporting documents are attached.	See attached response	Feb 24, 2015	York LM/SD
Total Project Team Complaints this month (project web email/telephone):				0		
Total Covanta Complaints this month:				0		
Total Council/ Committee Complaints this month:				0		
Total Durham Call Centre Complaints this month (separate attachment):				0		
Total Complaints from York this month:				1		
Total Complaints from previous months:				0		
Total Complaints in 2015:				1		

Summary of topics rejected by Regions email software for exceeding size limits

This letter comments upon York Region's Disputed Items and questionable claimed costs that were referenced in "**Durham York Energy Centre (DYEC) Construction Update Report**"

My investigations into the licensing, zoning and funding provide the benefit of protecting your health, your family's health, and taxpayers of York Region, as well as millions of others who are about to become exposed to York Region's garbage.

Your own personal garbage and others will be converted into nano and microscopic particles that will be distributed by ambient winds into hospitals, schools, office buildings, workplaces and homes not only within York Region but others located in New York State, Ontario and Quebec.

The following contains an overview of topics in my letter sent to you on February 10, 2015 that are offered for your consideration.

You might like to investigate if the following items warrant being added to York Region's "Disputed Items."

- **Six Million dollars in alleged "Architectural Enhancements" (2.0)**

- **Two hundred fifty eight million dollars in allegedly paid taxes. (3.0)**

- **Thousands of dollars paid for Covanta's questionable lawyers' fees. (4.0)**

- **Thousands of dollars of questionable donations given to politically influential individuals and their alleged charities. (5.0)**

- **York Region's exposures to expensive Class Actions will raise property taxes and awarded damages risk bankrupting York Region. (6.0)**

- **As a Councillor you have a personal exposure to Criminal Code prosecutions. (7.0)**
 - **York Region's Legal ability to cancel its contract with Covanta Durham York Renewable Energy Limited Partnership without being sued for breach of contract by Covanta Durham York Renewable Energy Limited Partnership. (8.0)**

- **Recommendations (9.0)**

Please note that York Region's exposures to Class Action litigation and Criminal Prosecution Begins **April 2015** as per "Durham York Energy Centre (DYEC) Construction Update Report"

The "Durham York Energy Centre (DYEC) Construction Update Report"

Start-up Operations

Boilers run on solid wastes

April 2015

**System runs at minimum at
75 per cent capacity for 28
days accumulative.**

April 2015 means that York Region's exposures to Civil Class Actions and Criminal Code prosecutions begin when ambient winds start transporting your garbage's toxic particles to schools, hospitals, workplaces and homes around April 2015.

This also means that York Region's garbage particle emissions will impact thousands of participants and visitors attending the PanAm Games.

Clusters of asthma attacks and cardiac arrests will overwhelm untrained PanAm volunteers. The predicted number of fatalities and hospitalizations will sponsor coroner's inquests, class actions and criminal prosecutions.

The question to be answered is NOT will this happen, but how can it not.

From: McDowell, Laura
To: Carvalho, Luis; Dittman, Seth; Wilson, Elizabeth
Cc: Rabeau, Mike; DeMarco, Lina; Hodgins, David; Foster, Helen
Subject: Fw: Hello Jack. Enclosed is an answer to your question, "What's this about." Regards, [REDACTED]
Date: February-12-15 5:40:35 PM
Attachments: image001.jpg
image002.jpg
1 - Dioxin - The most deadly dioxin is 2378-tetrachloro di-benzo-p- dioxin or TCDD (2).doc
Covanta Construction Nov 30 2013 - low cloud cover.jpg
1 - 1 - DIOXIN FALLOUT IN THE GREAT LAKES SYSTEMS QUEENS COLLEGE CUNY FLUSHING NEW YORK and ONTARIO MINISTRY OF ENVIRONMENT AND ENERGY.doc
Article - Sudbury nickel particles increased heart rates of laboratory mice in New York - Scientific American December 17 2009 (2).doc
Exhibit - Article - Covanta's History of Convictions for Violating Air Quality Laws in the United States - The source is America's Covanta Watch.doc
Article - Air pollution Nine Times deadlier than car crashes VANCOUVER SUN - October 21 2013.doc
Summary of topics rejected by York Region's email software for exceeding size limits.doc
ATT00001.txt
ATT00002.htm

Please take a look at this as we need to provide a response. Given the extent of the claims in the email I think we need some time to thoroughly address [REDACTED] claims to Councillor Heath
Laura McDowell, Director EPP

From: Mahoney, Erin
Sent: Thursday, February 12, 2015 05:04 PM
To: McDowell, Laura
Cc: Hodgins, David; DeMarco, Lina
Subject: FW: Hello Jack. Enclosed is an answer to your question, "What's this about." Regards, [REDACTED]

Laura

Please draft response – perhaps we can also point him to a website where more details can be found.

Erin

From: Deputy Mayor Jack Heath Markham
Sent: Thursday, February 12, 2015 4:20 PM
To: asrltd@rogers.com
Subject: FW: Hello Jack. Enclosed is an answer to your question, "What's this about." Regards, [REDACTED]

Thanks for this.

I will forward it on to the Commissioner of Environmental Services at the Region of York for her comments.

Jack Heath
Deputy Mayor of Markham & York Region Councillor
905-415-7506 Cell 416-464-5517

From: [REDACTED]
Sent: February 12, 2015 3:11 PM
To: Heath, Jack
Subject: Hello Jack. Enclosed is an answer to your question, "What's this about." Regards, [REDACTED]

February 12, 2015

RE: YORK REGION'S DISPUTED ITEMS

Hello Jack:

- 1) Thank you for responding to my request for you to provide an alternative email to which legal, accounting, and other materials may be delivered.
- 2) You asked: **“PS – what’s this about?”**
- 3) The answer to your question is as follows.

The materials that I would like to provide to you includes a detailed analysis of the “Durham York Region Energy Centre (DYEC) Construction Update Report” dated January 29, 2015. The size of my email is because the detailed analysis is supported by .PDF files obtained via Freedom of Information, Access To Information and other sources.

This Construction Update report contains a reference to **York Region’s “Disputed Items.”**

The e-mail that is in your interest to receive provides sufficient evidence to recommend that York Region’s accountants and legal department more closely examine Covanta’s claims for certain costs that appear in the Construction Update Report.

York Region is paying its share of Covanta’s **alleged** construction costs.

York Region’s review of Covanta’ claimed costs may add new items for York Region to dispute.

- 4) I have spent thousands of dollars and man-hours over fourteen-months researching public records obtained via the “Municipal Freedom of Information and Protection of Privacy Act”, the “Freedom of Information and Protection of Privacy Act”, the “Access to Information Act” and other sources.

I have been investigating the licensing, zoning, and funding of the Covanta incinerator. This research has revealed surprising legal and accounting irregularities.

I thought you as an elected representative, should be aware of your potential legal and financial exposures resulting from these irregularities

One example of a legal irregularity is the following.

On November 22, 2010, when York Region signed its contract with York Region's legal department **failed to notice that Covanta Durham York Renewable Energy Limited Partnership had not first registered** itself with **Ontario's Limited Partnership Act** that legally authorizes limited partnerships to legally conduct business in Ontario.

The benefit that Covanta's oversight creates is that the "Penalty Section" of the Limited Partnership Act allows York Region to **breach** its contract **without** fearing being sued by **Covanta Durham York Renewable Energy Limited Partnership**.

20. (1) "Penalty Section"

Limited Partnerships Act

R.S.O. 1990, CHAPTER L.16

20. (1) No limited partnership that has unpaid fees or penalties or in respect of which a declaration **has not been filed** as required by this Act and **no member thereof is capable of maintaining a proceeding in a court in Ontario in respect of the business carried on by the limited partnership except** with leave of the court. R.S.O. 1990, c. L.16, s. 20 (1).

This is just one of the numerous examples of legal and accounting irregularities that are being offered for York Region's consideration described in the email that was rejected by York Region's software.

In order to substantiate the observations in my letter of February 10, 2015, my e-mail has attached to it .PDF's.

These files contain copies of original court transcripts, York Region's 431 page contract with **Covanta Durham York Renewable Energy Limited Partnership**, and other materials.

These public records are provided to you pro bono so that York Region's elected representatives, lawyers and accountants have the tools to independently verify the observations contained in my e-mail.

The public records contained in my e-mail also provides; (i) descriptions of how York Region Council members are potentially exposed to Criminal Code prosecutions under Bill 45, (ii) the preparations taken by people living downwind of York Region's incinerator's emissions to sue York Region for their damages in Class Actions, (iii) and the political and health reasons why York Region's elected representatives will find it far better business to **breach** its contract with **Covanta Durham York Renewable Energy Limited Partnership**.

Council representatives should know that Ontario law makes each partner to a contract, responsible for the acts and omissions of other partners, under the legal principle of joint and several liability.

If one of parties in the Covanta Durham York Renewable Energy Limited Partnership, defaults, or goes bankrupt, or had the foresight to insert a clause into the November 22, 2010 contract that limits its liability to a fixed sum, and the damages awarded in American and Canadian class action courts exceed that limit, York Region will pay all or its portion of those damages.

The attached map displays, the distance that Ontario's own two year study on dioxins shows how far York Region's incinerator will travel.

Animal tests indicate that **one gram of dioxins** possess the potential to induce **cancer in 10,000 people**. Incinerator-r eleased dioxins, and heavy metal particles will contaminate farmlands, buildings and homes located downwind of York Region's incinerator.

The Class Action's damages, especially awarded by American Courts will exceed any insurance coverges possessed by Covanta and York and Durham Regions.

Incidentally, the twenty million dollar insurance policy, performance bonds obtained by Covanta may exist only on paper.

Lawyers for the insurance and performance bond companies may refuse to honour their contracts by arguing argue that since Covanta purchased its insurance contract while not complying with the Limited Partnership Act, for example, the insurance company will not pay the Covanta's claimed twenty million dollars in insurance. That is the insurance company will breach its contract with Covanta Durham York Renewable Energy Limited Partnership, and Covanta Durham York Renewable Energy Limited Partnership, will be unable to sue the insurance company for its breach.

This means that because of the joint and severable liability of partnerships, potentially billions of dollars awarded in Class Actions will be paid by York Region and Durham Region. York Region. York Region may have to file for bankruptcy as have several American Cities have had to do for different reasons.

The legal, and financial problem for York Region is created because York's Covanta Durham York Renewable Energy Limited Partnership's incinerator will be converting tons of York Region's industrial, commercial and residential garbage into nano and microscopic sized toxic particles.

Ambient winds will transport these toxic particles throughout Ontario Quebec and New York state where millions of

people reside.

York Region is knowingly **exporting two thirds** of its toxic garbage to other jurisdictions where it will contaminate properties and induce fatalities and hospitalizations.

As mentioned earlier, scientific studies indicate that **one gram** of dioxins contains the potential to induce cancer in **10,000 people**.

Even brief exposures to traces of heavy metal particles causes blood vessels to constrict. **Constriction of blood vessels induces asthma attacks and cardiac arrests.**

When cloud ceilings are low, say 300 feet as they often are, tons of the incinerator's emissions will become trapped between the lower surfaces of the clouds and the earth.

Environment Canada studies reveal that winds from the east will blow York Region's garbage towards Toronto, engulfing schools, hospitals, office buildings and homes.

H.V.A.C. (Heating Ventilation and Air Conditioning) systems installed on hospitals, schools, universities, office buildings, condominiums will inhale these toxic particles into the buildings

The heavy metal particles will expose children and adults with preexisting respiratory and circulatory to toxic particles. When the PanAm Games are held in a few months, and the winds blow to Toronto, there will be clusters of asthma attacks, strokes and cardiac arrests.

Untrained volunteers, as with teachers, will be unable to attend to the medical emergencies. Mistakes will be made, deaths and hospitalizations will occur. Families who lose a loved one or bread winner will aggressively sue YorkRegion for financial compensation either directly, or through Class Actions.

The documented irregularities discovered in my investigations of public records will be offered pro bono to these parties.

The letter that was rejected by York Region's email software also Councillors' exposures to prosecution under the Criminal Code of Canada

Organizations duty to protect s 221 222 and 2171

creates a *Criminal Code* duty for organizations and their representatives to **take every reasonable precaution in order to protect their workers as well as the general public.**

22.1 In respect of an offence that requires the prosecution to prove negligence, an organization is a party to the offence if

(a) acting within the scope of their authority

(i) one of its representatives is a party to the offence, or

(ii) two or more of its representatives engage in conduct, whether by act or omission, such that, if it had been the conduct of only one representative, that representative would have been a party to the offence; and

(b) the senior officer who is responsible for the aspect of the organization's activities that is relevant to the offence departs — or the senior officers, collectively, depart — markedly from the standard of care that, in the circumstances, could reasonably be expected to prevent a representative of the organization from being a party to the offence.

2003, c. 21, s. 2.

Other offences — organizations

22.2 In respect of an offence that requires the prosecution to prove fault — other than negligence — an organization is a party to the offence if, with the intent at least in part to benefit the organization, one of its **senior officers**

(a) acting within the scope of their authority, is a party to the offence;

(b) having the mental state required to be a party to the offence and acting within the scope of their authority, directs the work of other representatives of the organization so that they do the act or make the omission specified in the offence; or

(c) **knowing that a representative of the organization is or is about to be a party to the offence, does not take all reasonable measures to stop them from being a party to the offence.**

2003, c. 21, s. 2.

217.1 Every one who undertakes, or has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task.

This means that York Region, by **Not Breaching** York Region's contract with Covanta Durham York Renewable Energy Limited Partnership, and you know that the incinerator's emissions will cause death to members of the general public and you are not taking all reasonable measures to stop York Region's partner from being a party to the offence you may be prosecuted under Bill 45.

(c) knowing that a representative of the organization is or is about to be a party to the offence, does not take all reasonable measures to stop them from being a party to the offence.

You should also be aware that the judge and jury who hear the trial's evidence will live and work within the area where York Region's contaminating toxins will fall. They will be breathing the toxins and eating foods contaminated with traces of mercury, aluminum, lead, radioactive Tritium, asbestos, nickel etc. York Region's risk is that it will be found guilty of the Criminal Code charges.

You should be aware that Toronto's Department of Health issued its air pollution report in April 2014. It concluded that in the preceding 12 months, 1,300 fatalities, and 3,500 hospitalizations were attributed to Toronto's air pollution.

When winds transport York Region's garbage to Toronto, those who lose loved ones, and insurance companies that have to pay compensation, will launch Class Actions to recover their losses.

Did you know that 95,000 students and staff attend Toronto Catholic School Board Schools. Did you know that 40,000 students and staff York University?

Statistically, how many students and staff do you estimate already have pre-existing asthma or circulatory medical conditions that will react to York Region's incinerator's toxic emissions?

When their schools are engulfed, clusters of emergencies will occur and vulnerable people will die or become hospitalized. **They, their families and insurance companies will seek justice.**

People will want sue York Region to pay for their properties being decontaminated.

My February 10, 2015 email that was rejected by York Region's software describes, how for the past 14 months, people and institutions in Ontario, Quebec and New York State have been taking soil and biological samples to establish their base line of their status quo BEFORE the incinerator begins burning York Region's garbage. These samples have been taken in preparation of suing York Region as a partner to the Covanta contract.

AFTER York Region's toxic particles are released by York's, Durham's and Covanta's incinerator are transported by winds to these areas, new samples will be taken.

The BEFORE and AFTER samples, will be laboratory tested, and results compared.

It is speculated that blood samples taken from asthmatics and heart attack victims will show a list of exotic metals. Environment Canada wind direction data base, along with other technologies, infra red cameras, radio controlled drones will prove, "on the balance of probabilities" that the variety and quantity of contaminants came from the Covanta municipal waste incinerator.

To assist with gathering evidence for presentation in Class Action, Coroner's inquests and Criminal Code prosecutions, people on both sides of Lake Ontario have been registering that they have taken samples on a Class Action and Health Study's website:

waste-to-energy-class-action-and-health-studies.org

The website provides instructions on how to take samples, how to label the samples, how to store them in preparation for presenting in Class Action or Criminal Code court proceedings.

These samples along with blood samples taken from victims will prove, "On the Balance of Probabilities" that the exotic mix of heavy metal contaminants found in peoples' blood and other samples were emitted from York/Durham/Covanta's incinerator located in Clarington On.

Other technologies to evidence the toxins in the samples came from York/Durham/Covanta's incinerator located in Clarington On. will be employed, such as infra-red cameras, radio controlled drones, and Environment Canada's wind direction studies.

The website also provides a "TIP" feature. This allows insiders and public employees to anonymously post information that will help obtain for example, an injunction, reveal conflicts of interests, perhaps reveal tax fraud, bribes, and misuse of public funds.

The prediction that people exposed to York Region's incinerator will die or be hospitalized is very real. York Region will be joined in costly litigation. York Region's budgets will be enormously stressed. The legal fees and damages awarded by judges hearing class actions, in Ontario, New York State, and Quebec risk bankrupting York Region.

My February 10, 2015 letter also explains Bill 45 which amended the Criminal Code. This amendment makes institutions such as Regional Councils, and those within these organizations criminally responsible for not protecting the public.

The overwhelming scientific evidence is that the poisonous emissions from York's cost-saving garbage disposal incinerator threatens the lives of the general public.

My research will be offered to prosecutors and Class Action lawyers to hold those accountable for the harms they allowed to

occur for their self serving interests.

Please access this 45-minute professionally produced documentary on the health effects experienced by those living downwind of a municipal waste incinerator.

Part 1 <http://youtu.be/thj5QQ342LE>

Part 2 <http://youtu.be/nUlhnmw21Zs>

Please read this excellent study on Dioxins, conducted at the Ontario Ministry of Environment and Energy’s field station in Dorset Ontario.

“**Dioxin Fallout in the Great Lakes**” a two-year study conducted by the Center for the Biology of Natural Systems, Queens College, Cuny, Flushing, New York and the Ontario Ministry of Environment and Energy.

<http://www.qc.edu/CBNS/dxnsum.html>

Incidentally, next year at this time, the donut or bagel you purchase, if made with Ontario grown wheat, and spread with Ontario butter or cheese will be contaminated with trace amounts of dioxins and heavy metals.

Furthermore, **the tea or coffee you drink**, probably made with **Lake Ontario’s drinking water will contain trace amounts of dioxins and heavy metals.**

For confirmation of this prediction, please read the “**Dioxin Fallout in the Great Lakes**” two-year study conducted by **Ontario Ministry of Environment** and Energy with participation of the National Oceanic and Atmospheric Administration (NOAA) and the Center for the Biology of Natural Systems, Queens College, New York.

It is now known that animal tests indicate that **one gram of dioxins** contains the potential to induce cancer in 10,000 people!

The independent study confirmed that:

- Dioxins can be transported 1,500 miles from their source incinerator by ambient winds.

-Ten percent of Dixons will fall within thirty miles of their source incinerator.

Markham is located 28 miles from Clarington.

You and your family live inside the thirty-mile dioxin kill zone.

- Two thirds of people’s exposure to dioxins will come from **eating foods produced downwind** of their source incinerator.

- Dioxins are produced when chlorine atoms cool sufficiently in the incinerator’s chimney to bond with other atoms and molecules. Covanta cannot filter out dioxins as the attached number of EPA convictions attest.

Within one growing season after York Region starts burning its garbage, Covanta’s released dioxins, mercury, lead, cadmium, nickel, tritium heavy metals etc. will be discovered in agricultural products grown on lands located downwind of Clarington.

This means that farmers in Durham region will discover that retailers will discover trace amounts of toxic heavy metals in their foods. Organic farmers will lose their certification. Farmers will seek compensation from York Region through Class Actions for lost markets.

Whether or not an alternate email address is provided to receive my email containing public records that implicate York Region in litigation and prosecutions, you are **deemed to know** the content of Ontario Statutes. You are deemed to know what is contained in public records.

My recommendation is to provide me with an alterntive email address so that you and your fellow York Region Council members can make informed decisons in adhering to the virtues espoused by York Region.

York Region’s website aspouses; “**Creating Strong, Caring, Safe Communities**”

Research of public records suggests along with other irregularities practiced by York Region associated with the licensing, zoning, funding and promotion of the Covanta Durham York Renewable Energy Limited Partnership, this could be construed as misleading and deceitful misrepresentations of the facts.

XXXXXXXXXXXXXXXXXX

Please refer to the enclosed MAP.

The samples registered on the Class Action’s website were obtained from areas far distant from the **selectively narrow** sample-taking referenced in the “Soil, water, Testing Plan’s Response to MOE Comments Durham York Energy Centre – 2013 Soil Sampling **Plots Project No. 111-26648-00 100-0414018**

http://durhamyorkwaste.ca/Assets/Documents/MonitoringPlansReports/Soil/Correspondence/2013/April_2014_Response_to_MOE_Regarding_2013_Soil_Test_Report.pdf

XXXXXXXXXXXXXXXXXXXX

Here is a question for you.

Based upon ARTICLE 13 - OPERATING REQUIREMENTS found on page 106 of the “DURHAM REGION YORK REGION, PROJECT AGREEMENT BY AND BETWEEN THE REGIONAL MUNICIPALITY OF DURHAM AND THE REGIONAL MUNICIPALITY OF YORK, AS OWNER

AND

COVANTA DURHAM YORK RENEWABLE ENERGY LIMITED PARTNERSHIP, AS DBO CONTRACTOR

COVANTA E N E R G Y for a cleaner world

33.1 Hours of Operation

33.1.1 The DBO Contractor shall operate the facility on a twenty four (24) hours, 7 days per week basis except in the event of a planned or unplanned shutdown

Tons of toxins of York Region’s garbage particles will be released into the atmosphere then fall back to earth.

Therefore, the question for you to ask is; **not** will the contaminations of food and property, fatalities, hospitalizations, class actions, coroner’s inquests and criminal prosecutions happen, **but how can they not happen.**

Fortunately, other York Regional Councillors and Mayors’ e-mail software permitted the delivery of these .PDF files and materials issued via e-mails on February 10, 2015.

In addition, the CBC’s radio programme, “Sunday Edition” also has copies of my research obtained via the I thought you might like to receive a copy as a heads-up to what your future and your constituents is about to experience.

If you would like to receive copies of the PDF files and materials, please provide an alternative email address to which they can be sent.

I shall be happy to provide you with these verifiable public records for your decision making.

York Region will be held financially accountable for the harms your Region’s garbage particles induce.

Warmest Regards,



P.S.

The following map depicts the Covanta municipal waste incinerator’s, potential wind distribution of Dioxins and other toxic particles released into the atmosphere and transported **1,500 miles by** ambient winds as reported in the study “Dioxin Fallout In The Great Lakes” study published by the Center for the Biology of Natural Systems, Queens College, Cuny, Flushing, New York with the active participation of the Ontario Ministry of Environment and Energy’s field station located at Dorset, Ontario, Canada

This map shows **only half** of the potential area covered by wind distributed toxins, i.e. within a 750 mile radius of Clarington ON.

This map represents the billions of dollars in dioxin and heavy metal contaminations that can be **scientifically tracked back** to Clarington as being the **source of the contaminations.**

This municipal waste incinerator is located in Clarington Ontario,

Drawing showing volume relationship for every three bags burned, one bag of toxic waste is produced and the rest is emitted into air, soil, and water

[A Community Guide to Environmental Health](#)



-----Original Message-----

From: Heath, Jack [\[mailto:jheath@markham.ca\]](mailto:jheath@markham.ca)

Sent: Tuesday, February 10, 2015 3:02 PM

To: [REDACTED]

Subject: RE: Hello Jack: An email sent this morning was returned. Your website indicated it exceeded its size limit. Would you please provide an alternate email address to which this information could be sent. Thank You. CEO Covanta Durham York Renewable Energy

Thanks.

I have no answer for the request - that's the City email attachment limit. I have no alternate email address here at the City.

It would probably be the same for all 5 Regionals here in Markham.

PS - what's this about?

Jack Heath
Deputy Mayor of Markham & York Region Councillor
905-415-7506 Cell 416-464-5517

From: [REDACTED]
Sent: February 10, 2015 11:02 AM
To: Heath, Jack
Subject: Hello Jack: An email sent this morning was returned. Your website indicated it exceeded its size limit. Would you please provide an alternate email address to which this information could be sent. Thank You. CEO Covanta Durham York Renewable Energy Ltd.

February 10, 2015

Hello Jack:

An email sent to you this morning was returned.

Your website indicated that it exceeded its software imposed size limit.

Would you please provide an alternate email address to which this information could be sent?

The information contains financial and legal information that directly affects your budgets and the welfare of your constituents.

Thank You.

[REDACTED]

C.E.O. Covanta Durham York Renewable Energy Ltd.

[REDACTED]

From: McDowell, Laura <Laura.McDowell@york.ca>
Sent: February-24-15 3:04 PM
To: [REDACTED]
Subject: Response to [REDACTED]

Dear [REDACTED]:

I have received a copy of your email dated February 12, 2015, which was forwarded to me by Regional Councillor Jack Heath for my review and response. In your email you express concern about potential dioxin emissions from the Durham York Energy Centre (DYEC). Attached to your email was a research summary dated June 1996 from the Center for the Biology of Natural Systems, Queens College, City University of New York, entitled *Dioxin Fallout in the Great Lakes: Where it Comes From; How to Prevent It; At What Cost* (hereinafter "the Study"). The Study identified municipal waste incineration as a major source of dioxin emissions and suggested that dioxin exposure in the Great Lakes region is affected not only by local sources, but also by incinerators located thousands of kilometers away.

I am pleased to inform you that dioxin emission regulations for waste incinerators in the United States and Canada have changed dramatically since the aforementioned Study was published. I have highlighted some of these changes in the paragraphs that follow.

Monitoring of Dioxin Emissions

At the time the Study was prepared most incinerators had never been sampled for dioxin. Due to the lack of data, the Study estimated total emissions based on the few facilities that had been sampled. However, in December 1995, the United States Environmental Protection Agency (US EPA) enacted new standards for waste incinerators that required monitoring of dioxins and furans and compliance with stringent emissions standards. Regulators in Canada have enacted standards that are similar, but more stringent.

In November 2006, the US EPA published *An Inventory of Sources and Environmental Releases of Dioxin-Like compounds in the United States for the Years 1987, 1995, and 2000*. In this study the US EPA estimated that the new regulations had achieved a 94% reduction in emissions of dioxins and furans from municipal waste incinerators from 1995 to 2000.

The combined emissions limit for dioxins and furans at the Durham York Energy Centre is 60 trillionths of a gram per cubic meter on a toxic equivalent basis. Compliance with this standard will be demonstrated by an annual stack test. The Regions have committed to a second annual stack test for the first three years on a voluntary basis. The facility is also equipped with a long-term dioxin and furan sampling device that draws a continuous sample of stack emissions through a filter cartridge. The filter cartridge is periodically removed and analyzed for dioxins and furans as a secondary indicator of system performance between stack tests.

The Regions of Durham and York are also required to measure ambient air quality at monitoring stations in the area surrounding the DYEC in accordance with the approved Ambient Air Monitoring and Reporting Plan. The ambient air monitoring program covers multiple air quality parameters, including dioxins and furans. Copies of the monitoring plan and quarterly reports are available on the following web page.

<http://www.durhamyorkwaste.ca/Documents/MonitoringPlansReports/AmbientAir.aspx>

Environmental Assessment

In June 2005, Durham and York's Regional Councils agreed to undertake a joint Environmental Assessment to investigate alternative methods of managing non-recyclable residual waste. The Environmental Assessment, which took over five years to complete, considered a wide range of waste management alternatives and included detailed technical studies by expert consultants on environmental and social impacts of the facility such as air, water, traffic, noise, visual, cultural, economic, archaeological, infrastructure, and human health and ecological impacts. The Environmental Assessment process included extensive consultation with the public, regulators, and other stakeholders and was endorsed by both Regional Councils at key steps in the process.

According to the Study attached to your email, assessments of incinerator health impacts typically assume that dioxin exposure occurs in the immediate vicinity of the facility and results from inhalation of air, or, in the case of infants, from ingestion of soil and dust. This approach does not consider the collective impact of multiple waste incinerators and other dioxin sources on the food supply.

You may be pleased to learn that the Human Health and Ecological Risk Assessment (HHERA) completed during the DYEC Environmental Assessment included both an inhalation assessment and a "multi-pathway assessment." The multi-pathway assessment considered the cumulative human health impact of exposure to dioxin and other contaminants in air, soil, water, and food. The assessment was based on the combined effect of emissions from the DYEC and measured background concentrations, which include the cumulative effects of other sources. The HHERA concluded that the DYEC could be operated safely at 140,000 tonnes per year at the proposed site without undue risk to either people or the environment. The HHERA can be viewed online on the following web page:

http://www.durhamyorkwaste.ca/Archive/pdfs/study/amended-ea-study-docs/Amended-HHERA-Report/Durham-York-HHERA-FINAL_style-guided_Dec-10_2009-rev.pdf

In its review of the Environmental Assessment, the Ontario Ministry of Environment stated that "the ministry is satisfied with the Regions' proposed mitigation measures to ensure that any potential impacts are appropriately managed. The ministry is also satisfied that potential environmental effects of the proposed undertaking can be managed through the commitments made in the amended Environmental Assessment and in response to the concerns raised during the Environmental Assessment process."

The Regions' highest concern is the safety and well-being of its residents. To that end, the Regions monitor the contractor to ensure that the commitments made through the Environmental Assessment process are satisfied. On this basis, the residents of Durham and York Regions can be confident that the Durham York Energy Centre is a safe, responsible, and sustainable approach to managing the Regions' residual waste stream.

Registration of Covanta Durham York Renewable Energy Limited Partnership

With respect to your allegations regarding the status of Covanta, please be advised that we are satisfied that Covanta is duly authorized to conduct business in Ontario. In addition, we wish to clarify that the Regions of York and Durham are not partners of Covanta within the meaning of the *Limited Partnerships Act*. The Regions are parties to the Project Agreement with Covanta, but no legal partnership has been formed nor should one be implied.

I trust that this response has addressed the concerns raised in your email. Additional project information is available at www.durhamyorkwaste.ca. If you have further questions or concerns I respectfully request that these be addressed to the project team at info@durhamyorkwaste.ca.

Sincerely,

Laura McDowell, P.Eng., Director, Environmental Promotion & Protection, Environmental Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 905-830-4444 ext. 75077 | C: 905-955-0984 laura.mcdowell@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Please consider the environment before printing this email.