



Regional Municipality of Durham  
Regional Municipality of York

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# **Durham York Energy Centre 2014 Compliance Monitoring Report**

**EAAB File No.:** EA-08-02  
Condition 5

**Date:** October 31, 2014

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## 1.0 Introduction

### 1.1 Purpose

The *Durham York Energy Centre 2014 Compliance Monitoring Report* has been prepared in accordance with Condition 5.3 of the Notice of Approval to Proceed with the Undertaking for the Durham and York Residual Waste Study (Ministry of Environment and Climate Change EAB File Number EA-08-02). Annual compliance reports are based on a reporting period ending November 3<sup>rd</sup> of each year, corresponding to the anniversary date of the Notice of Approval. This is the fourth annual compliance report covering the period from November 3, 2013 to November 2, 2014.

Annual compliance monitoring reports follow the reporting structure established in the *Durham York Energy Centre Compliance Monitoring Program* submitted to the EAB Director on October 14, 2011 in accordance with Condition 4.1 of the Notice of Approval. As outlined in the Compliance Monitoring Program, the Annual Report consists of the following three parts.

Appendix A	EA Notice of Approval Compliance Table	Documents the proponent's progress on requirements of EA Notice of Approval
Appendix B	EA Study Document Compliance Table	Documents the proponent's progress on commitments made in the EA study document
Appendix C	Advisory Committee Annual Report	Provides a report on activities of the Advisory Committee during the reporting period as required by Condition 8.2 of the Notice of Approval

### 1.2 Background

The Durham York Energy Centre is an energy from waste facility that is currently under construction in the Municipality of Clarington, Ontario. Owned by the Regional Municipality of Durham and the Regional Municipality of York ("the Regions"), the facility will process up to 140,000 tonnes of solid, non-hazardous, municipal solid waste per year. Heat generated by waste combustion will be used to generate electricity and steam. Recyclable metals will also be recovered from the ash. The facility will be designed, built, and operated by Covanta Energy Limited. The facility was approved under the *Environmental Assessment Act* by the Minister of the Environment and the Lieutenant Governor in Council on November 3, 2010. A multi-media Environmental Compliance Approval for waste, air and noise, and stormwater was issued on June 28, 2011 (#7306-8FDKNX). Facility construction commenced in January 2012 and it is anticipated that commissioning will be completed by March 2015.

# Appendix A

## EA Notice of Approval Compliance Table

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**Durham York Energy Centre 2014 Compliance Monitoring Report – Appendix A**  
**EA Notice of Approval Compliance Table**  
**Table A1**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
<b>1.</b>	<b>Definitions</b>			
	N/A	N/A	N/A	N/A
<b>2.</b>	<b>General Requirements</b>			
2.1	The proponent shall comply with the provisions in the environmental assessment which are hereby incorporated in this Notice of Approval by reference except as provided in these conditions and as provided in any other approval or permit that may be issued for the site or the undertaking.	<ul style="list-style-type: none"> <li>• Commitments in the EA are carried forward in the Environmental Compliance Approval.</li> </ul>	Carried into the ECA	Yes
2.2	These conditions do not prevent more restrictive conditions being imposed under other statutes.	<ul style="list-style-type: none"> <li>• Agreed</li> </ul>	N/A	Yes
2.3	A statement must accompany the submission of any documents, reporting requirements or written notices required by this Notice of Approval to be submitted to the Director or Regional Director identifying which conditions the submission is intended to address in this Notice of Approval.	<ul style="list-style-type: none"> <li>• Submissions under the EA have included identification of each Condition being satisfied.</li> </ul>	N/A	Yes
<b>3.</b>	<b>Public Record</b>			
3.1	Where a document, plan or report is required to be submitted to the ministry, the proponent shall provide two copies of the final document, plan or report to the Director: a copy for filing in the specific public record file maintained for the undertaking and a copy for staff use.	<ul style="list-style-type: none"> <li>• Required by Condition 16 (1) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
3.2	The proponent shall provide additional copies of the documents required for the public record file to the following for access by the public: <ol style="list-style-type: none"> <li>a) Regional Director;</li> <li>b) District Manager;</li> <li>c) Clerks of the Regional Municipality of Durham, the Regional Municipality of York, and the Municipality of Clarington; and,</li> <li>d) Advisory Committee (as required in Condition 8 of this Notice of Approval).</li> </ol>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>	Carried into the ECA	Yes
3.3	The EAAB file number EA-08-02 shall be quoted on all documents submitted by the proponent pursuant to this Condition.	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>	N/A	Yes
<b>4.</b>	<b>Compliance Monitoring Program</b>			
4.1	The proponent shall prepare and submit to the Director a Compliance Monitoring Program outlining how it will comply with conditions in the Notice of Approval and other commitments made in the environmental assessment	<ul style="list-style-type: none"> <li>• The Compliance Monitoring Program was submitted to the Director and Advisory Committee via letter dated October 14, 2011.</li> </ul>	October 2011	Yes
4.2	A statement shall accompany the submission of the Compliance Monitoring Program indicating that the submission is intended to fulfil	<ul style="list-style-type: none"> <li>• See Section 1.1 of the Compliance Monitoring Program</li> </ul>	October 2011	Yes

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**Table A2**

<b>Condition No.</b>	<b>Requirement</b>	<b>Status Remarks</b>	<b>Actual or Estimated Completion Date</b>	<b>Complete?</b>
	Condition 4 of this Notice of Approval.			
4.3	The Compliance Monitoring Program shall be submitted within one year from the date of approval, or a minimum of 60 days prior to the start of construction, whichever is earlier.	<ul style="list-style-type: none"> <li>The Compliance Monitoring Program was submitted on October 14, 2011. This is within one year of November 3, 2010 approval date.</li> <li>The October 14, 2011 submission date is more than 60 days prior to the start of construction in January 2012</li> </ul>	October 2011	Yes
4.4	The Compliance Monitoring Program shall describe how the proponent will monitor its fulfilment of the provisions of the environmental assessment pertaining to the mitigation measures, public consultation, and additional studies and work to be carried out; the fulfilment of all other commitments made by the proponent during the environmental assessment process; and the conditions included in this Notice of Approval.	<ul style="list-style-type: none"> <li>Progress will be tracked on the compliance tables provided in Appendix A and Appendix B</li> </ul>	October 2011	Yes
4.5	The Compliance Monitoring Program shall contain an implementation schedule.	<ul style="list-style-type: none"> <li>See next column</li> </ul>	October 2011	Yes
4.6	The Director may require amendments to the Compliance Monitoring Program, including the implementation schedule. If any amendments are required by the Director, the Director will notify the proponent of the required amendments in writing.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	N/A	Yes
4.7	The proponent shall implement the Compliance Monitoring Program, as it may be amended by the Director.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	N/A	Yes
4.8	The proponent shall make the documentation pertaining to the Compliance Monitoring Program available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Required by Condition 14 (1) of the Environmental Compliance Approval</li> </ul>	N/A	Yes
<b>5.</b>	<b>Compliance Reporting</b>			
5.1	The proponent shall prepare an annual Compliance Report which describes its compliance with the conditions of approval set out in this Notice of Approval and which describes the results of the proponent's environmental assessment Compliance Monitoring Program required by Condition 4.	<ul style="list-style-type: none"> <li>This annual report is the fourth annual submission in accordance with this condition</li> </ul>	November 3, 2011 and annually thereafter	Ongoing
5.2	The annual Compliance Report shall be submitted to the Director within one year from the date of approval, with the first report being due in 2011, and shall cover all activities of the previous 12 month period.	<ul style="list-style-type: none"> <li>This annual report is the fourth annual submission in accordance with this condition</li> </ul>	November 3, 2011 and annually thereafter	Ongoing
5.3	Subsequent compliance reports shall be submitted to the Director on or before the anniversary of the date of approval each year thereafter. Each Compliance Report shall cover all activities of the previous 12 month period.	<ul style="list-style-type: none"> <li>This annual report is the fourth annual submission in accordance with this condition</li> </ul>	November 3, 2011 and annually thereafter	Ongoing
5.4	The proponent shall submit annual Compliance Reports until all conditions	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing

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**Table A3**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	in this Notice of Approval and the commitments in the environmental assessment are satisfied.			
5.5	Once all conditions in this Notice of Approval have been satisfied, or have been incorporated into any other ministry approval, the proponent shall indicate in its annual Compliance Report that the Compliance Report is its final Compliance Report and that all conditions in this Notice of Approval have been satisfied.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	Ongoing	Ongoing
5.6	The proponent shall retain either on site or in another location approved by the Director, a copy of each of the annual Compliance Reports and any associated documentation of compliance monitoring activities.	<ul style="list-style-type: none"> <li>Reports to be retained on site. See Section 1.3 of the Compliance Monitoring Program.</li> <li>Required by Condition 14(2) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
5.7	The proponent shall make the Compliance Reports and associated documentation available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> <li>Required by Condition 14(1) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
<b>6.</b>	<b>Complaint Protocol</b>			
6.1	The proponent shall prepare and implement a Complaint Protocol setting out how it will deal with and respond to inquiries and complaints received during the design, construction and operation of the undertaking.	<ul style="list-style-type: none"> <li>Protocol submitted to the Director via letter dated March 10, 2011.</li> <li>Director requested minor modifications to protocol in letter dated March 25, 2011</li> <li>Revised protocol approved by the Director via letter dated July 13, 2011</li> </ul>	March 10, 2011	Yes
6.2	The Complaint Protocol shall be provided to the advisory committee for review prior to submission to the Director.	<ul style="list-style-type: none"> <li>Protocol was reviewed by the Advisory Committee on January 20, 2011 and revised based on comments received by January 31, 2011.</li> </ul>	January 20, 2011	Yes
6.3	The proponent shall submit the Complaint Protocol to the Director within one year from the date of approval or a minimum of 60 days prior to the start of construction, whichever is earlier.	<ul style="list-style-type: none"> <li>Protocol was submitted within one year of the November 3, 2010 date of approval.</li> <li>March 10, 2011 submission date is more than 60 days prior to the start of construction in January 2012.</li> </ul>	March 10, 2011	Yes
6.4	The Director may require the proponent to amend the Complaint Protocol at any time. Should an amendment be required, the Director will notify the proponent in writing of the required amendment and date by which the amendment must be completed.	<ul style="list-style-type: none"> <li>Complaint Procedure is required by Condition 10 of the ECA</li> </ul>	N/A	Yes
6.5	The proponent shall submit the amended Complaint Protocol to the Director within the time period specified by the Director in the notice.	<ul style="list-style-type: none"> <li>Complaint Procedure is required by Condition 10 of the ECA</li> </ul>	N/A	Yes
<b>7.</b>	<b>Community Involvement</b>			
7.1	The proponent shall prepare and implement a Community	<ul style="list-style-type: none"> <li>Regions submitted a final plan via letter dated September 18, 2013.</li> </ul>	September 18, 2013	Yes

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**Table A4**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	Communications Plan. The plan shall be prepared in consultation with the EAAB and to the satisfaction of the Director.	<ul style="list-style-type: none"> <li>This plan has been submitted prior to receipt of waste.</li> <li>The Community Communications Plan was approved by the Director via letter dated September 30, 2013.</li> </ul>		
7.2	The proponent shall finalize and submit the Community Communications Plan to the Director prior to the initial receipt of non-hazardous municipal solid waste at the site.	<ul style="list-style-type: none"> <li>Regions submitted a final plan via letter dated September 18, 2013. This plan has been submitted prior to receipt of waste.</li> </ul>	September 18, 2013.	Yes
7.3	<p>The Community Communications Plan shall include at a minimum details on:</p> <p>a) How the proponent plans to disseminate information to interested members of the public and any Aboriginal communities;</p> <p>b) How interested members of the public and any Aboriginal communities will be notified and kept informed about site operations; and,</p> <p>c) The procedures for keeping interested members of the public and Aboriginal communities informed about information on documents related to the undertaking, and when and how the information will be made available.</p>	<ul style="list-style-type: none"> <li>Completed.</li> </ul>	September 18, 2013.	Yes
7.4	<p>The proponent shall give notice of and provide information about the undertaking to interested members of the public and Aboriginal communities through an internet web site and by other means. Such information shall include:</p> <p>a) Activities that are part of the undertaking, including monitoring activities;</p> <p>b) Reports and records related to the undertaking that are required to be submitted under this Notice of Approval or under any other ministry approvals that apply to the undertaking; and,</p> <p>c) Information on the Complaint Protocol required by Condition 6 of this Notice of Approval.</p>	<ul style="list-style-type: none"> <li>Web site is currently operational</li> <li>Documents posted on the website currently include, but are not limited to, the Complaint Protocol, Environmental Compliance Approval, Archived EA documentation, Groundwater and Surface Water Monitoring Plan, Soil Monitoring Plan, Ambient Air Monitoring Plan, Emissions Monitoring Plan, Noise Monitoring Plan, Odour Management and Mitigation Plan, Compliance Monitoring Plan, Community Communications Plan, Waste Diversion Program Monitoring Plan, Third Party Audit Plan, Draft Spill Contingency and Emergency Response Plan, Advisory Committee advertisements, agendas, and minutes, and annual monitoring reports prepared in accordance with the approved monitoring plans.</li> <li>Additional information will be posted to the website as it becomes available</li> <li>Required by ECA Condition 16: Public Access to Documentation</li> </ul>	Carried into the ECA	Yes
7.5	<p>The proponent shall hold public meetings to discuss the design, construction and operation of the undertaking, including, but not limited to:</p> <p>a) At least one meeting prior to the start of construction;</p> <p>b) At least one meeting prior to the receipt of non-hazardous municipal solid waste on site; and,</p> <p>c) At least one meeting a minimum of six months but not later than 12 months after the initial receipt of non-hazardous municipal solid waste</p>	<ul style="list-style-type: none"> <li>Pre-construction public meeting was held at the Durham Regional Offices on December 7, 2011 from 5:00 pm to 6:30 pm.</li> <li>Public meeting prior to receipt of waste was held in Clarington on June 25, 2014 from 5:00 pm to 8:00 pm.</li> <li>Anticipated timing of public meeting after receipt of waste is late spring or summer of 2015</li> <li>Proposed timing assumes that "initial receipt of non-hazardous</li> </ul>	December 2011 June 2014 spring-summer 2015	Ongoing



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**Table A5**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	on the site.	municipal solid waste on site” includes waste received for commissioning and testing purposes but prior to full scale operation.		
7.6	The proponent shall provide notice of the public meetings a minimum of 15 days prior to the meeting.	<ul style="list-style-type: none"> <li>Meeting notices for the December 2011 pre-construction meeting were advertised in local newspapers during the week of November 14, 2011 and also posted on the project website.</li> <li>Meeting notices for the June 2014 prior to receipt of waste meeting were advertised in local newspapers from May 28 through June 5, 2014.</li> <li>Meeting notices will be posted in local newspapers and on the project website at least 15 days prior to future meeting dates</li> </ul>	November 2011 June 2014 April 2015	Ongoing
7.7	The proponent shall give the Director written notice of the time, date and location of each of the required community meetings a minimum of 15 days prior to the meeting.	<ul style="list-style-type: none"> <li>The MOECC Environmental Approvals Branch and District Office received an invitation to the December 7, 2011 pre-construction meeting on November 18, 2011.</li> <li>The MOECC Environmental Approvals Branch District and Central Offices received an invitation to the June 25, 2014 prior to waste meeting on June 3, 2014.</li> <li>The MOECC will receive an invitation at least 15 days prior to future meetings.</li> </ul>	November 2011 June 2014 April 2015	Ongoing
<b>8.</b>	<b>Advisory Committee</b>			
8.1	The proponent shall establish an advisory committee to ensure that concerns about the design, construction and operation of the undertaking are considered and mitigation measures are implemented where appropriate.	<ul style="list-style-type: none"> <li>Complete</li> </ul>	January 20, 2011	Yes
8.2	The proponent shall provide administrative support for the advisory committee including, at a minimum: <ol style="list-style-type: none"> <li>Providing a meeting space for advisory committee meetings;</li> <li>Recording and distributing minutes of each meeting;</li> <li>Preparing and distributing meeting notices; and,</li> <li>Preparing an annual report about the advisory committee’s activities to be submitted as part of the Compliance Reports required by Condition 5 of this Notice of Approval.</li> </ol>	<ul style="list-style-type: none"> <li>Meeting minutes and related correspondence are posted on the project website.</li> <li>Annual report on advisory committee activities is included as Appendix C of this report.</li> <li>Required by ECA Condition 17, and the Energy from Waste Advisory Committee (EFWAC) approved Terms of Reference</li> </ul>	N/A	Yes
8.3	The proponent shall invite one representative from each of the following to participate on the advisory committee: <ol style="list-style-type: none"> <li>Each of the lower tier municipalities in the Regional Municipality of Durham; and,</li> <li>Each of the lower tier municipalities in the Regional Municipality of York.</li> </ol>	<ul style="list-style-type: none"> <li>Letters of invitation dated December 15, 2010 were sent to all listed municipalities</li> </ul>	December 15, 2010	Yes

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Table A6**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
8.4	The proponent shall invite one representative from Central Lake Ontario Conservation Authority, and any other local conservation authorities that may have an interest in the undertaking to participate on the advisory committee.	<ul style="list-style-type: none"> <li>• Letter of invitation dated December 15, 2010 was sent to Central Lake Ontario Conservation Authority</li> </ul>	December 15, 2010	Yes
8.5	The proponent shall invite one representative from each of the following local community groups to participate on the advisory committee: <ol style="list-style-type: none"> <li>a) DurhamCLEAR;</li> <li>b) Durham Environmental Watch</li> <li>c) Zero Waste 4 Zero Burning</li> </ol>	<ul style="list-style-type: none"> <li>• Letters of invitation dated December 15, 2010 were sent to all listed local community groups.</li> </ul>	December 15, 2010	Yes
8.6	The proponent may also invite other stakeholders to participate in the advisory committee, including but not limited to, interested members of the public, Aboriginal communities, and other federal or provincial agencies.	<ul style="list-style-type: none"> <li>• Letters of invitation dated December 15, 2010 were sent to Durham Region Health Department and York Region Public Health Services.</li> <li>• Aboriginal communities received separate invitation to participate in other consultation activities. See Condition 9.1</li> </ul>	December 15, 2010	Yes
8.7	A representative from the ministry shall be invited to attend meetings as an observer.	<ul style="list-style-type: none"> <li>• Letters of invitation dated December 15, 2010 were sent to MOECC District Manager.</li> </ul>	December 15, 2010	Yes
8.8	The advisory committee shall be provided with a copy of the documents listed below for information and may review the documents as appropriate and provide comments to the proponent about the documents, including the: <ol style="list-style-type: none"> <li>a) Compliance Monitoring Program required by Condition 4;</li> <li>b) Annual Compliance Report required by Condition 5;</li> <li>c) Complaint Protocol required by Condition 6;</li> <li>d) Community Communications Plan required by Condition 7;</li> <li>e) The annual reports required by Condition 10;</li> <li>f) Ambient Air Monitoring and Reporting Plan and the results of the ambient air monitoring program required by Condition 11;</li> <li>g) Air Emissions Monitoring Plan required by Condition 12;</li> <li>h) Written report prepared and signed by the qualified professional required by Condition 16.5;</li> <li>i) Spill Contingency and Emergency Response Plan required by Condition 17;</li> <li>j) Odour Management and Mitigation Plan and the Odour Management and Mitigation Monitoring Reports required by Condition 18;</li> <li>k) Noise Monitoring and Reporting Plan as required by Condition 19;</li> <li>l) Groundwater and Surface Water Monitoring Plan, the results of the groundwater and surface water monitoring program, and the annual report on the results of the groundwater and surface water monitoring program required by Condition 20; and,</li> <li>m) Notice in writing of the date that municipal solid waste is first received as required by Condition 23.</li> </ol>	Advisory Committee has reviewed and provided comments where applicable to the following documents: <ul style="list-style-type: none"> <li>• Advisory Committee Terms of Reference</li> <li>• Compliance Monitoring Plan</li> <li>• 2011, 2012, 2013, 2014 Annual Compliance Reports</li> <li>• Complaint Protocol</li> <li>• Community Communications Plan</li> <li>• 2011, 2012, 2013, 2014 Annual Waste Diversion Reports</li> <li>• Ambient Air Quality Monitoring Plan</li> <li>• Ambient Air Quarterly and 2013 Annual report covering 2012 activities Air Emissions Monitoring and Reporting Plan</li> <li>• Third Party Auditor's Reports prepared by a qualified professional as required by Condition 16.5</li> <li>• Spill Contingency and Emergency Response Plan</li> <li>• Odour Management and Mitigation Plan</li> <li>• Noise Monitoring and Reporting Plan</li> <li>• Groundwater and Surface water Monitoring Plan</li> <li>• 2012, 2013 Annual Groundwater and Surface Water reports covering the previous year activities</li> <li>• Soil Testing Plan</li> </ul> <p><b>The following documents are to be provided as they are prepared:</b></p>	Ongoing	Ongoing

**Durham York Energy Centre 2014 Compliance Monitoring Report – Appendix A**  
**EA Notice of Approval Compliance Table**  
**Table A7**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
		<ul style="list-style-type: none"> <li>• Notice in writing of the date that municipal solid waste is first received as required by Condition 23.</li> <li>• Future third party auditor's reports, waste diversion reports, environmental monitoring reports, compliance monitoring reports, and the annual facility operations report as required by Condition 15(1) of the Environmental Compliance Approval.</li> <li>• Items listed are built in to the approved EFWAC Terms of Reference with the exception of m) notice of first receipt of waste. Notice of First receipt of waste will be provided and be posted on the website.</li> </ul>		
8.9	The proponent shall hold the first advisory committee meeting within three months of the date of approval. At the first meeting, the advisory committee shall develop a Terms of Reference outlining the governance and function of the advisory committee.	<ul style="list-style-type: none"> <li>• First meeting held January 20, 2011 was within three months of November 3, 2010 date of approval</li> <li>• Draft Terms of Reference were reviewed by the Committee and revised based on comments received both at the meeting or submitted in writing by February 14, 2011.</li> </ul>	January 20, 2011	Yes
8.10	The Terms of Reference shall, at minimum, include: a) Roles and responsibilities of the advisory committee members; b) Frequency of meetings; c) Member code of conduct; d) Protocol for dissemination and review of information including timing; and, e) Protocol for dissolution of the advisory committee.	<ul style="list-style-type: none"> <li>• Terms of Reference submitted to MOECC via letter dated February 18, 2011.</li> <li>• Terms of Reference approved via letter from the Director dated March 3, 2011.</li> </ul>	February 18, 2011	Yes
8.11	The proponent shall submit the advisory committee's Terms of Reference to the Director and Regional Director.	<ul style="list-style-type: none"> <li>• Terms of Reference submitted to MOECC via letter dated February 18, 2011.</li> <li>• Terms of Reference approved via letter from the Director dated March 4, 2011.</li> </ul>	February 18, 2011	Yes
<b>9.</b>	<b>Consultation With Aboriginal Communities</b>			
9.1	The proponent shall continue to consult with any interested Aboriginal communities during the detailed design and implementation of the undertaking.	<ul style="list-style-type: none"> <li>• Letters dated March 14, 2011 were sent to 22 Aboriginal communities inviting them to meet with the project team to discuss future consultation efforts.</li> <li>• Letters dated October 26, 2012 to Aboriginal Communities identified in the EA to advise of project updates and the project website as a resource for continuous updates.</li> <li>• The MOECC EAB Director, Regional Director, and Approvals Program Director were copied on all correspondence to Aboriginal Communities.</li> </ul>	Ongoing	Yes

**Durham York Energy Centre 2014 Compliance Monitoring Report – Appendix A**  
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**Table A8**

<b>Condition No.</b>	<b>Requirement</b>	<b>Status Remarks</b>	<b>Actual or Estimated Completion Date</b>	<b>Complete?</b>
<b>10.</b>	<b>Waste Diversion</b>			
10.1	The proponent shall make a reasonable effort to work cooperatively with all lower tier municipalities to ensure that waste diversion programs, policies and targets set by the Regional Municipalities are being met.	<ul style="list-style-type: none"> <li>Both Regions continue to work with local municipalities to improve waste diversion and report waste diversion statistics to Waste Diversion Ontario annually.</li> <li>Both Regions have long term waste management and diversion plans in place.</li> </ul>	Ongoing	Yes
10.2	The proponent shall prepare and implement a Waste Diversion Program Monitoring Plan.	<ul style="list-style-type: none"> <li>Waste Diversion Program Monitoring Plans for Durham Region and York Region were submitted to the EAB Director and Regional Director on October 21, 2011.</li> <li>The EAB Director approved the Waste Diversion Program Monitoring Plans via letter dated November 25, 2011.</li> </ul>	October 21, 2011	Yes
10.3	The Waste Diversion Program Monitoring Plan shall provide a description of monitoring and reporting which shall at minimum include: <ol style="list-style-type: none"> <li>Results of at source diversion programs and policies to determine the waste diversion rates and practices at both the regional and lower tier municipal level within the Regional Municipalities of Durham and York.</li> <li>Progress in the diversion programs, policies, practices and targets described in the environmental assessment, at both the regional and lower tier municipal level within the Regional Municipalities of Durham and York.</li> <li>Monitoring results for any additional diversion programs, policies, practices and targets carried out within the Regional Municipalities of Durham and York, which are not described in the environmental assessment.</li> </ol>	<ul style="list-style-type: none"> <li>Completed</li> </ul>	October 21, 2011	Yes
10.4	The proponent shall prepare and submit to the Director and Regional Director, commencing one year after the approval of the undertaking, annual reports detailing the results of the Waste Diversion Program Monitoring Plan.	<ul style="list-style-type: none"> <li>Fourth annual monitoring reports have been submitted to the Director and Regional Director.</li> <li>Future monitoring reports to be submitted by November 3<sup>rd</sup> of each successive year.</li> </ul>	Ongoing	Yes
10.5	The proponent shall post the Waste Diversion Program Monitoring Plan and the annual reports required on the proponent's web site for the undertaking.	<ul style="list-style-type: none"> <li>The Waste Diversion Monitoring Plan and annual reports for Durham and York Regions are posted on the project website</li> </ul>	Ongoing	Yes
<b>11.</b>	<b>Ambient Air Monitoring and Reporting</b>			
11.1	The proponent shall prepare, in consultation with the ministry's Central Region Office and to the satisfaction of the Regional Director, an Ambient Air Monitoring and Reporting Plan for the undertaking.	<ul style="list-style-type: none"> <li>Final Plan submitted to the Regional Director August 31, 2011</li> <li>Consultation activities described under Condition 11.3</li> <li>MOECC Approval via letter dated May 30, 2012</li> <li>MOECC Approval of monitoring locations via letter dated June 5,</li> </ul>	August 31, 2011	Yes

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**Table A9**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
		2012.		
11.2	The proponent shall submit the Ambient Air Monitoring and Reporting Plan to the Director and Regional Director a minimum of nine months prior to the start of construction or by such other date as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>Submission deadline revised to August 31, 2011 via letter from the Director dated June 30, 2011.</li> <li>Submitted August 31, 2011</li> </ul>	August 31, 2011	Yes
11.3	The proponent shall establish a working group that will provide advice on the development of the Ambient Air Monitoring and Reporting Plan. The Regions will, at a minimum, extend an invitation to Health Canada, the Durham Region Health Department, York Region Public Health Services, one participant from the advisory committee, and any other relevant federal or provincial government agencies including the ministry.	<ul style="list-style-type: none"> <li>Letters of invitation dated March 16, 2011 were sent to all listed working group participants with copies to the Director and Regional Director.</li> <li>Two participants were appointed by the Advisory Committee.</li> <li>Health Canada declined to participate. At Health Canada's suggestion, a representative from the Ontario Ministry of Health participated instead.</li> <li>First working group meeting occurred on April 28, 2011.</li> <li>Monitoring plan was revised based on comments received from the working group and circulated for comments to the MOECC Central Region Office, the Ambient Air Monitoring Working Group, and the Advisory Committee on July 7, 2011. The monitoring plan was revised based on comments received by August 15, 2011.</li> <li>The Final Monitoring Plan was submitted to the Regional Director on August 31, 2011.</li> </ul>	March 16, 2011	Yes
11.4	The Ambient Air Monitoring and Reporting Plan shall include at minimum: <ol style="list-style-type: none"> <li>An ambient air monitoring program which includes an appropriate number of sampling locations. Siting of the sampling locations shall be done in accordance with the Ministry of the Environment's Operations Manual for Air Quality Monitoring in Ontario, March 2008, as amended from time to time;</li> <li>The proposed start date for and frequency of the ambient air monitoring and reporting to be carried out;</li> <li>The contaminants that shall be monitored as part of the Ambient Air Monitoring and Reporting Plan; and,</li> <li>At least one meeting on an annual basis between the proponent and the Regional Director to discuss the plan, the results of the ambient air monitoring program and any changes that are required to be made to the plan by the Regional Director.</li> </ol>	<ul style="list-style-type: none"> <li>The submitted document meets these requirements.</li> <li>The Regions and The MOECC met and discussed the first year annual report on July 30<sup>th</sup>, 2014. No changes were requested.</li> </ul>	May 30, 2012	Yes
11.5	The proponent shall implement the ambient air monitoring program prior to the receipt of non-hazardous municipal solid waste on the site or at such other time that may be determined by the Regional Director and communicated to the proponent in writing and shall continue the monitoring until such time as the Regional Director notifies the proponent in writing that the Ambient Air Monitoring Program is no longer required.	<ul style="list-style-type: none"> <li>Agreed</li> <li>Submitted plan includes monitoring of ambient air for one year prior to facility commissioning to establish background concentrations.</li> <li>Ambient Air monitoring commenced in April 2013.</li> </ul>	Ongoing	Yes

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**Table A10**

<b>Condition No.</b>	<b>Requirement</b>	<b>Status Remarks</b>	<b>Actual or Estimated Completion Date</b>	<b>Complete?</b>
11.6	The Regional Director may require changes to be made to the Ambient Air Monitoring and Report Plan and the proponents shall implement the plan in accordance with the required changes.	<ul style="list-style-type: none"> <li>Addressing revisions required by the MOECC to the Plan are included in the Ambient Air Monitoring and Reporting Plan.</li> <li>The implementation and reporting of Ambient Air Monitoring is a requirement of ECA Condition 7(4)</li> </ul>	Carried into the ECA	Yes
11.7	The proponent shall report the results of the ambient air monitoring program to the Regional Director in accordance with the Ambient Air Monitoring and Reporting Plan.	<ul style="list-style-type: none"> <li>Agreed</li> <li>In accordance with ECA Condition 7(4)(c) ambient air results will be posted to the website upon submission to the MOECC Regional Director.</li> <li>Quarterly Reports and first annual Ambient Air Monitoring Report have been posted to the project website.</li> <li>The implementation and reporting of Ambient Air Monitoring is a requirement of ECA Condition 7(4)</li> </ul>	Carried into the ECA	Yes
11.8	Audits will be conducted by the ministry, as outlined in the Ministry of the Environment's Audit Manual for Air Quality Monitoring in Ontario, March 2008 to confirm that siting and performance criteria outlined in the Operations Manual are met. The proponent shall implement any recommendations set out in the audit report regarding siting of the sampling locations and performance criteria. The proponent shall implement the recommendations in the audit report within three months of the receipt of an audit report from the ministry.	<ul style="list-style-type: none"> <li>The monitoring program was written with reference to the MOECC Audit Manual</li> <li>On July 31, 2013 and March 26 and September 2, 2014 the Ministry of the Environment, Central Region, Technical Support Section conducted performance and site audits of the ambient air monitoring stations.</li> <li>All continuous ambient air monitors passed the performance and site audits and calibrations met all current Ministry criteria.</li> </ul>	Ongoing	Yes
11.9	The proponent shall post the Ambient Air Monitoring and Reporting Plan and the results of the ambient air monitoring program on the proponent's web site for the undertaking upon submission of the plan or results of the program to the ministry.	<ul style="list-style-type: none"> <li>The Ambient Air Monitoring and Reporting Plan has been posted on the website.</li> <li>Ambient Air Monitoring Reports will be posted to the website as they are completed.</li> <li>The implementation and reporting of Ambient Air Monitoring is a requirement of ECA Condition 7(4)</li> </ul>	Carried into the ECA	Yes
<b>12.</b>	<b>Emissions Monitoring</b>			
12.1	The proponent shall install, operate and maintain air emissions monitoring systems that will record the concentrations of the contaminants arising from the incineration of waste.	<ul style="list-style-type: none"> <li>Requirement of Environmental Compliance Approval Condition 7(2)</li> </ul>	Carried into the ECA	Yes
12.2	The air emissions monitoring systems shall be installed and operational prior to the receipt of non-hazardous municipal solid waste at the site.	<ul style="list-style-type: none"> <li>Requirement of Environmental Compliance Approval Condition 7(2)</li> <li>Contract requires Covanta to submit a start up procedure and schedule at least 90 days prior to start-up operations. The schedule should outline major equipment original operation dates and the contractor's best estimate as to the amount of waste required to support start-up operations activities.</li> </ul>	Prior to start of commissioning Carried into the ECA	Yes

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**Table A11**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
		<ul style="list-style-type: none"> <li>• Following the start-up and phasing-in of all the process operating equipment of the facility, and before acceptance testing, all key processes and temporary instrumentation and controls required for testing and documentation will be calibrated by technicians provided by the DBO contractor, sub-contractors or suppliers.</li> <li>• The testing of all emission and operating parameters will be in accordance with requirements established by the ECA and MOECC anytime during the 30 day reliability test.</li> <li>• The CEMS shall be certified and used to demonstrate continuous compliance during the test period with all CEMS emission parameters. (Appendix 10, Table A10-1 of the PA)</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• Schedule “F” of the ECA details the CEMS specifications required by the MOECC</li> </ul>		
12.3	The proponent shall prepare and implement an Air Emissions Monitoring Plan. The Plan shall be prepared, in consultation with the ministry and to the satisfaction of the Director.	<ul style="list-style-type: none"> <li>• Air Emissions Monitoring Plan submitted for comments to the MOECC and to the Advisory Committee via letter dated July 23, 2011.</li> <li>• Final plan incorporating comments from MOECC and Advisory Committee submitted via letter dated August 31, 2011</li> <li>• MOECC provided comments via letter dated August 21, 2012.</li> <li>• Regions and Covanta revised the Air Emissions Monitoring Plan on October 5, 2012, November 8, 2012, and February 11, 2013 to address comments from the MOECC.</li> <li>• The Air Emissions Monitoring Plan was approved by the MOECC Director via letter dated April 9, 2013.</li> </ul>	August 31, 2011	Yes
12.4	The Air Emissions Monitoring Plan shall include, at a minimum: a) Identification of all sources of air emissions at the site to be monitored; b) Identification of which contaminants will be monitored by continuous emissions monitoring and which by stack testing; c) The proposed start date for and frequency of air emissions monitoring; d) The frequency of and format for reporting the results of air emissions monitoring;	<ul style="list-style-type: none"> <li>• Completed.</li> </ul>	August 31, 2011	Yes

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**Table A12**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	e) The contaminants that shall be monitored, which shall include at a minimum those contaminants set out in Schedule 1 to this Notice of Approval; and, f) A notification, investigation and reporting protocol to be used in the event that the concentration(s) of one or more of the contaminants released from an emission source that requires approval under Section 9 of the <i>Environmental Protection Act</i> exceeded the relevant limits.			
12.5	The proponent shall submit the Air Emissions Monitoring Plan to the Director, a minimum of six months prior to the start of construction or by such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> <li>• Director revised submission deadline to August 31, 2011 via letter dated June 30, 2011.</li> <li>• Plan submitted August 31, 2011</li> </ul>	August 31, 2011	Yes
12.6	The proponent shall implement the Air Emissions Monitoring Plan such that the monitoring commences when the first discharges are emitted from the facility to the air or at such other time as the Director may agree to in writing and shall continue until such time as the Director notifies the proponent in writing that the Air Emissions Monitoring Plan is no longer required.	<ul style="list-style-type: none"> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> </ul>	Carried into the ECA	Yes
12.7	The proponent shall post the reports of the air emissions monitoring systems on the proponent's web site for the undertaking.	<ul style="list-style-type: none"> <li>• Required by Condition 16 (1) (a) of the Environmental Compliance Approval</li> <li>• Web site is operational</li> <li>• No emissions to report until commissioning</li> </ul>	Carried into the ECA	Yes
12.8	For those contaminants that are monitored on a continuous basis, the proponent shall post on the proponent's website for the undertaking the results of the monitoring for each of those contaminants in real time.	<ul style="list-style-type: none"> <li>• No emissions to report until commissioning</li> <li>• Required by ECA Condition 16 (2)</li> </ul>	Carried into the ECA	Yes
<b>13.</b>	<b>Air Emissions Operational Requirements</b>			
13.1	The proponent is expected to operate the undertaking in accordance with Schedule 1 of the Notice of Approval. If the facility is not operating in accordance with Schedule 1, the operator is required to take steps to bring the facility back within these operational requirements.	<ul style="list-style-type: none"> <li>• Schedule 1 is carried into the ECA as Schedule "C" ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS. ECA Condition 7 details the testing and monitoring requirements of the CEMS. ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> </ul>	Carried into the ECA	Yes



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Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
13.2	Schedule 1 sets out the operational requirements the ministry expects the facility to meet during the normal operating conditions of the facility when operating under a steady state but does not include start up, shut down, or malfunction.	<ul style="list-style-type: none"> <li>• Schedule 1 is carried into the ECA as Schedule “C”</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule “F” of the ECA details the CEMS specifications required by the MOECC</li> </ul>	Carried into the ECA	Yes
13.3	The timing and frequency of monitoring for a contaminant in Schedule 1 shall be as required by the approval granted to the facility under the <i>Environmental Protection Act</i> , should approval be granted.	<ul style="list-style-type: none"> <li>• Timing and frequency will be in accordance with Schedule “C” of the Environmental Compliance Approval.</li> <li>• ECA Condition 7 details timing and frequency for source testing.</li> </ul>	Carried into the ECA	Yes
<b>14.</b>	<b>Daily Site Inspection</b>			
14.1	<p>The proponent shall conduct a daily site inspection of the site including the non-hazardous municipal solid waste received at the site, each day the undertaking is in operation to confirm that:</p> <p>a) The site is secure;</p> <p>b) The operation of the undertaking is not causing any nuisance impacts;</p> <p>c) The operation of the undertaking is not causing any adverse effects on the environment;</p> <p>d) The undertaking is being operated in compliance with the conditions in this Notice of Approval and any other ministry approvals issued for the undertaking; and,</p> <p>e) Only non-hazardous waste is being received at the site.</p>	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• See Environmental Compliance Approval Conditions 3 (6), 3 (7), 3 (8), 5 (5), 14 (3), and 14 (5)</li> </ul>	Carried Into the ECA	Yes
14.2	If, as a result of the daily inspection, any deficiencies are noted by the employee in regard to the factors set out in Condition 14.1 above, the deficiency shall be remedied immediately by the proponent. If necessary to remedy the deficiency, the proponent shall cease operations at the site until the deficiency has been remedied.	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• See Environmental Compliance Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Carried into the ECA	Yes
14.3	<p>A record of the daily inspections shall be kept in the daily log book required in Condition 15. The information below must be recorded in the daily log book by the person completing the inspection and includes the following information:</p> <p>a) The name and signature of the person that conducted the daily</p>	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• See Environmental Compliance Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Carried into the ECA	No

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Table A14

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	inspection; b) The date and time of the daily inspection; c) A list of any deficiencies discovered during the daily inspection; d) Any recommendations for action; and, e) The date, time, and description of actions taken.			
14.4	The proponent shall retain either on site or in another location approved by the District Manager, a copy of the daily log book and any associated documentation regarding the daily site inspections.	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• See Environmental Compliance Approval Conditions 5 (5), 14 (3), and 14 (5)</li> <li>• Required by Condition 14 (2) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	No
<b>15.</b>	<b>Daily Record Keeping</b>			
15.1	The proponent shall maintain a written daily log which shall include the following information: a) Date; b) Types, quantities, and source of non-hazardous municipal solid waste received; c) Quantity of unprocessed, processed and residual non-hazardous municipal solid waste on the site; d) Quantities and destination of each type of residual material shipped from the site; e) The record of daily site inspections required to be maintained by Condition 14.3; f) A record of any spills or process upsets at the site, the nature of the spill or process upset and the action taken for the clean up or correction of the spill or process upset, the time and date of the spill or process upset, and for spills, the time that the ministry and other persons were notified of the spill pursuant to the reporting requirements of the <i>Environmental Protection Act</i> ; g) A record of any waste that was refused at the site, including: amounts, reasons for refusal and actions taken; and, h) The name and signature of the person completing the report.	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• See Environmental Compliance Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Carried into the ECA	Yes
15.2	The proponent shall retain, either on site or in another location approved by the District manager, a copy of the daily log book and any associated documentation.	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• See Environmental Compliance Approval Conditions 5 (5), 14 (3), and 14 (5)</li> </ul>	Carried into the ECA	Yes
15.3	The proponent shall make the daily log book and any associated documentation available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>• Agreed</li> <li>• Required by Condition 14(1) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes

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**Table A15**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
<b>16.</b>	<b>Third Party Audits</b>			
16.1	The proponent shall retain the services of a Qualified, Independent Professional Engineer to carry out an independent audit of the undertaking.	<ul style="list-style-type: none"> <li>Selection of auditor during the construction phase of the project was approved by the Director and Regional Director via letter dated December 8, 2011.</li> </ul>	December 8, , 2011	Yes
16.2	Within six months from the date of approval or other such date as agreed to in writing by the Regional Director, the proponent shall submit to the Director and the Regional Director, the name of the Qualified, Independent Professional Engineer and the name of the company where he/she is employed.	<ul style="list-style-type: none"> <li>Deadline to submit name of auditor revised to September 30, 2011 via letter from the Director and Regional Director dated June 30, 2011.</li> <li>Deadline to submit name of external auditor extended to 30 days prior to the commencement of construction to allow for the ministry's comment on the draft audit plan via letter from the MOECC Director and Regional Director dated September 30, 2011.</li> <li>Regions submitted name of construction-phase auditor on November 16, 2011, more than 30 days prior to commencement of construction in January 2012.</li> <li>Regions to submit name of auditor for acceptance testing phase at least six months prior to commencement of acceptance testing in accordance with approved audit plan.</li> <li>Regions have submitted name of acceptance testing phase auditor via letter dated September 18, 2013.Regions have submitted name of auditor for operations phase at least six months prior to receipt of waste in accordance with approved audit plan via letter dated June 9, 2014.</li> </ul>	November 16, 2011	Yes
16.3	The proponent shall submit an audit plan to the satisfaction of the Regional Director that sets out the timing of and frequency for the audits, as well as the manner in which the audits are to be carried out.	<ul style="list-style-type: none"> <li>Construction Phase Audit Plan approved by the Regional Director and Regional Director via letter dated December 8, 2011.</li> <li>Regions to submit audit plan for acceptance testing phase at least 6 months prior to commencement of acceptance testing in accordance with approved audit plan.</li> <li>Regions have submitted audit plan for acceptance testing phase via letter dated September 18, 2013.</li> <li>Regions submitted operations phase audit plan at least 6 months prior to commencement of operations in accordance with approved audit plan via letter dated October 2, 2013.</li> <li>Acceptance test audit plan approved by Regional Director via letter dated July 23, 2014.</li> <li>Operations Phase audit plan approved by MOECC via letter dated October 24, 2013.</li> </ul>	December 8, 2011	Yes

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**Table A16**

<b>Condition No.</b>	<b>Requirement</b>	<b>Status Remarks</b>	<b>Actual or Estimated Completion Date</b>	<b>Complete?</b>
16.4	The audit shall include, at a minimum, the following: a) A detailed walkthrough of the entire site; b) A review of all operations used in connection with the undertaking; and, c) A detailed review of all records required to be kept by this Notice of Approval or under any other ministry approvals for the undertaking. d) The proponent shall obtain from the Qualified, Independent Professional Engineer, a written report of the audit prepared and signed by the Qualified, Independent Professional Engineer that summarizes the results of the audit.	<ul style="list-style-type: none"> <li>Construction phase audit plan complies with these requirements.</li> <li>Audit plans for future phases are also compliant with this condition.</li> </ul>	Construction, Commissioning, and Operating Periods	Yes
16.5	The proponent shall submit the written report summarizing the result of the audit to the Regional Director no later than 10 business days following the completion of the audit.	<ul style="list-style-type: none"> <li>The first Construction Phase Audit was undertaken on June 1, 2012</li> <li>The audit report was submitted to the MOECC on June 15, 2012, within 10 business days following the audit.</li> <li>The second Construction Phase audit was undertaken on April 5, 2013 and was submitted to the MOECC on April 15, 2013.</li> <li>The third Construction Phase Audit was undertaken on September 6, 2013 and was submitted to the MOECC on September 20, 2013.</li> <li>The fourth Construction Phase Audit was undertaken on March 28, 2014 and submitted to the MOECC on April 14, 2014</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
16.6	The proponent shall retain either on site or in another location approved by the Regional Director, a copy of the written audit report and any associated documentation.	<ul style="list-style-type: none"> <li>Copies of the first four audit reports are retained on site.</li> <li>Copies of future audit reports will be retained on site as required by Condition 14 (9)(d) of the Environmental Compliance Approval</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
16.7	The proponent shall make the written audit report and any associated documentation available to the ministry or its designate in a timely manner when requested to do so by the ministry.	<ul style="list-style-type: none"> <li>Agreed</li> <li>Required by Condition 14 (1) of the Environmental Compliance Approval</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
16.8	The proponent shall post the written audit report on the proponent's web site for the undertaking following submission of the report to the ministry.	<ul style="list-style-type: none"> <li>The first four audit reports have been posted to the project website.</li> <li>Future reports will be posted to the website as required by Condition 16(1)(d) of the Environmental Compliance Approval</li> </ul>	Construction, Commissioning, and Operating Periods	Ongoing
<b>17.</b>	<b>Spill Contingency and Emergency Response Plan</b>			
17.1	The proponent shall prepare and implement a Spill Contingency and Emergency Response Plan.	<ul style="list-style-type: none"> <li>Required by Condition 11 of the Environmental Compliance Approval</li> <li>Draft Spill Contingency and Emergency Response Plan was submitted to the MOECC via letter dated September 24, 2013.</li> <li>Final Spill Contingency and Emergency Response Plan was submitted to the MOECC via letter dated January 29, 2014.</li> <li>MOECC approved the Spill Contingency and Emergency Response Plan via Amendment Approval dated August 12, 2014.</li> </ul>	September 24, 2013	Yes
17.2	The proponent shall submit to the Director, the Spill Contingency and	<ul style="list-style-type: none"> <li>Deadline to submit plan revised to 120 days prior to the</li> </ul>	September 24, 2013	Yes

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Table A17**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	Emergency Response Plan a minimum of 60 days prior to the receipt of non-hazardous municipal solid waste at the site or such other date as agreed to in writing by the Director.	<p>commencement date of operation by Environmental Compliance Approval Condition 11 (3).</p> <ul style="list-style-type: none"> <li>The draft Spill Contingency and Emergency Response Plan was submitted via letter dated September 24, 2013 to the MOECC.</li> </ul>		
17.3	<p>The Spill Contingency and Emergency Response Plan shall include, but is not limited to:</p> <p>a) Emergency response procedures, including notification procedures in case of a spill, fires, explosions or other disruptions to the operations of the facility;</p> <p>b) Cell and business phone numbers and work location for all person(s) responsible for the management of the site;</p> <p>c) Emergency phone numbers for the local ministry office, the ministry 's Spills Action Centre, and the local Fire Department;</p> <p>d) Measures to prevent spill, fires and explosions;</p> <p>e) Procedures for use in the event of a fire;</p> <p>f) Details regarding equipment for spill clean-up and all control and safety devices;</p> <p>g) Shut down procedures for all operations associated with the undertaking including alternative waste disposal site locations;</p> <p>h) Maintenance and testing program for spill clean-up equipment and fire fighting equipment;</p> <p>i) Training for site operators and emergency response personnel; and,</p> <p>j) A plan, identifying the location and nature of wastes on site.</p>	<ul style="list-style-type: none"> <li>Additional requirements included in Environmental Compliance Approval Condition 11 (2).</li> <li>Completed.</li> </ul>	September 24, 2013	Yes
17.4	The proponent shall provide the Spill Contingency and Emergency Response Plan to the District Manager, the local Municipality of Clarington and the local Municipality of Clarington Fire Department a minimum of 30 days prior to the initial receipt of non-hazardous municipal solid waste at the site or such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> <li>Deadline to submit finalized plan to the Director revised to 120 days prior to the commencement date of operation by Environmental Compliance Approval Condition 11 (3). Document to be submitted to the District Manager, local municipality, and fire department for comments prior to final submission.</li> <li>Draft Spill Contingency and Emergency Response Plan was submitted to the MOECC via letter dated September 24, 2013.</li> <li>Draft Spill Contingency and Emergency Response Plan was also developed in consultation with the local municipality and local fire department in advance of the final submission to the MOECC.</li> <li>Municipal building code and fire code requirements for construction are reviewed with each building permit submission.</li> </ul>	September 24, 2013	Yes
17.5	The proponent shall take all necessary steps to contain and clean up a spill on the site. A spill or upset shall be reported immediately to the ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060.	<ul style="list-style-type: none"> <li>Agreed.</li> <li>Required by Condition 12 of the Environmental Compliance Approval</li> <li>Required by Condition 13(3) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes

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**Table A18**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
<b>18.</b>	<b>Odour Management and Mitigation</b>			
18.1	The proponent shall prepare, in consultation with the ministry's Central Region Office and to the satisfaction of the Regional Director, and implement an Odour Management and Mitigation Plan for the undertaking.	<ul style="list-style-type: none"> <li>Odour Management and Mitigation Plan submitted to MOECC on August 31, 2011.</li> <li>Revised Odour Management and Mitigation Plan submitted May 4, 2012.</li> <li>Odour Management and Mitigation Plan approved by Regional Director via letter dated August 21, 2012.</li> </ul>	August 21, 2012	Yes
18.2	The proponent shall submit the Odour Management and Mitigation Plan to the Regional Director a minimum of six months prior to the start of construction or at such other time as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>Deadline to submit plan revised to August 31, 2011 via letter from the Director and Regional Director dated June 30, 2011.</li> <li>Plan submitted in draft form to MOECC and Advisory Committee for comments via email dated July 25, 2010</li> <li>Plan incorporating MOECC and Advisory Committee comments submitted August 31, 2011</li> </ul>	August 31, 2011	Yes
18.3	The Odour Management and Mitigation Plan shall include at a minimum: <ol style="list-style-type: none"> <li>Standard operating and shut down procedures;</li> <li>Maintenance schedules;</li> <li>Ongoing monitoring for and reporting of odour;</li> <li>Corrective action measures and other best management practices for ongoing odour control and for potential operational malfunctions;</li> <li>A schedule for odour testing at sensitive receptors; and,</li> <li>A section that specifically addresses odour control measures should operation of the undertaking be disrupted or cease.</li> </ol>	<ul style="list-style-type: none"> <li>Addressed in the approved odour management and mitigation plan</li> <li>Additional requirements listed in Environmental Compliance Approval Condition 8 (9).</li> </ul>	August 31, 2011	Yes
18.4	The proponent shall prepare and submit the Odour Management and Mitigation Monitoring Reports annually to the Regional Director with the first report submitted beginning six months following the initial receipt of non-hazardous municipal solid waste at the site or such other date as agreed to in writing by the Regional Director.	<ul style="list-style-type: none"> <li>Final Odour Monitoring and Mitigation Plan is compliant with these requirements.</li> <li>Estimated date of first report spring 2015</li> <li>Required by ECA Condition 7(8)</li> </ul>	Carried into the ECA	Yes
18.5	The Odour Management and Mitigation Monitoring Reports shall be submitted every 12 months from the date of the submission of the first report or until such time as the Regional Director notifies the proponent in writing that the Odour Management and Mitigation Monitoring Reports are no longer required.	<ul style="list-style-type: none"> <li>Required by ECA Condition 7(8)</li> </ul>	Carried into the ECA	Yes
18.6	The proponent shall post the Odour Management and Mitigation Monitoring Reports on the proponent's web site for the undertaking following submission of the reports to the Regional Director.	<ul style="list-style-type: none"> <li>Odour Management and Mitigation Plan posted to the website.</li> <li>Required by Condition 16(1)(e) of Environmental Compliance Approval.</li> </ul>	Carried into the ECA	Yes
<b>19.</b>	<b>Noise Monitoring and Reporting</b>			
19.1	The proponent shall prepare and implement a Noise Monitoring and	<ul style="list-style-type: none"> <li>Noise Monitoring and Reporting Plan was submitted to the Director</li> </ul>	September 15, 2011	Yes

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**Table A19**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	Reporting Plan for the undertaking.	<ul style="list-style-type: none"> <li>via letter dated September 15, 2011</li> <li>Noise Monitoring and Reporting Plan was approved by the MOECC via Amendment Approval dated August 12, 2014.</li> </ul>		
19.2	The proponent shall submit the Noise Monitoring and Reporting Plan to the Director a minimum of 90 days prior to the start of construction or such other date as agreed to in writing by the Director.	<ul style="list-style-type: none"> <li>Final plan submitted via letter dated September 15, 2011.</li> <li>Final submission date is more than 90 days prior to start of construction in January 2012</li> </ul>	September 15, 2011	Yes
19.3	The Noise Monitoring and Reporting Plan shall include a protocol to ensure that the noise emissions from the facility comply with the limits set out in the Ministry of the environment's Publication NPC-205 "Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban)", October 1995, as amended from time to time.	<ul style="list-style-type: none"> <li>Plan includes annual acoustic audits to confirm compliance.</li> <li>Required by Condition 7(5) of Environmental Compliance Approval.</li> </ul>	September 15, 2011	Yes
19.4	The proponent shall post the Noise Monitoring and Reporting Plan on the proponent's web site for the undertaking following submission of the plan to the Director.	<ul style="list-style-type: none"> <li>Noise Monitoring and Reporting Plan posted to the website.</li> <li>Required by Condition 16(1)(f) of the Environmental Compliance Approval</li> </ul>	September 15, 2011	Yes
<b>20.</b>	<b>Groundwater and Surface Water Monitoring and Reporting</b>			
20.1	Prior to the start of construction, the proponent shall identify any areas where the undertaking may affect groundwater or surface water. For those areas, the proponent shall prepare and implement, in consultation with the ministry's Central Region Office and to the satisfaction of the Regional Director, a Groundwater and Surface Water Monitoring Plan.	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring and Reporting Plan submitted to the Regional Director via letter dated September 15, 2011.</li> <li>Groundwater and Surface Water Monitoring Plan was approved by the Regional Director via letter dated October 14, 2011.</li> </ul>	September 15, 2011	Yes
20.2	The proponent shall provide the Groundwater and Surface Water Monitoring Plan to any other government agencies for review and comment, as may be appropriate.	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring Plan was provided to the Central Lake Ontario Conservation Authority and the Advisory Committee for comments in August 2011.</li> </ul>	August, 2011	Yes
20.3	The Groundwater and Surface Water Monitoring Plan shall include at a minimum: a) A groundwater and surface water monitoring program; b) The proposed start date and frequency of groundwater and surface water monitoring; c) The contaminants that shall be monitored as part of the groundwater and surface water monitoring program; and, d) At least one meeting each year between the proponent and the Regional Director to discuss the plan, the results of the monitoring program and any changes that are required to be made to the plan by the Regional Director.	<ul style="list-style-type: none"> <li>Included in the approved plan</li> <li>Meeting was held with Regions and MOECC on June 5, 2014 to discuss the 2013 Annual Report.</li> <li>No changes were required.</li> </ul>	September 15, 2011	Yes
20.4	The proponent shall submit the Groundwater and Surface Water Monitoring Plan to the Regional Director a minimum of 90 days prior to the start of construction or such other date as agreed to in writing by the	<ul style="list-style-type: none"> <li>September 15, 2011 submission date is more than 90 days prior to the start of construction in January 2012.</li> </ul>	September 15, 2011	Yes

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**Table A20**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	Regional Director.	<ul style="list-style-type: none"> <li>Groundwater Surface Water Monitoring Plan approved by the Regional Director via letter dated October 14, 2011.</li> </ul>		
20.5	The Regional Director may require changes to be made to the Groundwater and Surface Water Monitoring Plan and the proponent shall implement the plan in accordance with the required changes.	<ul style="list-style-type: none"> <li>The mechanism for changes requested by the MOE is included in the Groundwater and Surface Water Monitoring Plan.</li> <li>Groundwater and Surface Water monitoring is a requirement of ECA Condition 7(14)</li> </ul>	Carried into the ECA	Yes
20.6	The groundwater and surface water monitoring program shall commence prior to the receipt of non-hazardous municipal solid waste at the site or such other time as agreed to in writing by the Regional Director, and shall continue until such time as the Regional Director notifies the proponent in writing that the groundwater and surface water monitoring program is no longer required.	<ul style="list-style-type: none"> <li>Proposed Groundwater and Surface Water Monitoring Plan commenced prior to start of construction and will continue until the Regional Director notifies the Regions in writing that the monitoring program is no longer required.</li> <li>Baseline groundwater sampling commenced in January 2012, prior to receipt of waste.</li> </ul>	Carried into the ECA	Yes
20.7	Thirty days after waste is first received on site, the proponent shall prepare and submit to the Director and Regional Director, a report containing all of the results of the groundwater and surface water monitoring program.	<ul style="list-style-type: none"> <li>Included in the approved Groundwater and Surface Water Monitoring Plan</li> <li>Baseline groundwater analytical data (prior to facility operations) is being collected in preparation for the 1<sup>st</sup> report 30 days after waste is first received.</li> </ul>	February 2015	No
20.8	The proponent shall prepare and submit to the Director and Regional Director, an annual report containing the results of the groundwater and surface water monitoring program. The first report shall be submitted 12 months from the start of the monitoring program and every year thereafter.	<ul style="list-style-type: none"> <li>Groundwater well development submission letter sent to MOECC via letter dated January 28, 2013 and advised of an annual report submission date for April which would allow one full year of groundwater and surface water results.</li> <li>First annual Groundwater and Surface Water Monitoring Report was submitted to the MOECC via letter dated April 30, 2013.</li> <li>Second annual Groundwater and Surface Water Monitoring Report was submitted to the MOECC via letter dated April 30, 2014.</li> </ul>	Carried into the ECA	Yes
20.9	The proponent shall prepare and submit to the Director and Regional Director, a report containing the results of the groundwater and surface water monitoring program with 30 days of any of the following events: a) A spill occurs on site; b) A fire or explosion occurs on site; c) A process upset; or, d) Any disruption to normal operations that may directly or indirectly have an impact on groundwater or surface water.	<ul style="list-style-type: none"> <li>Included in the approved Groundwater and Surface Water Monitoring Plan</li> <li>Required by Condition 7(14)(b) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
20.10	The proponent shall post the Groundwater and Surface Water Monitoring Plan and all reports required by this condition on the proponent's web site for the undertaking following submission of the plan and reports to the	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring Plan and first and second annual Groundwater and Surface Water Monitoring Report is posted to the website.</li> </ul>	Ongoing	Yes



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**Table A21**

Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	ministry.	<ul style="list-style-type: none"> <li>Future reports will be posted to the website as they are prepared.</li> <li>Required by Condition 7(14)(c) of the Environmental Compliance Approval</li> <li>Required by Condition 16 (1) (g) of the Environmental Compliance Approval</li> </ul>		
<b>21.</b>	<b>Types of Waste and Service Area</b>			
21.1	Only non-hazardous municipal solid waste from municipal collection within the jurisdictional boundaries of the Regional Municipality of Durham and the Regional Municipality of York may be accepted at the site.	<ul style="list-style-type: none"> <li>Agreed</li> <li>Required by Conditions 2 (1), 2 (2), and 2 (3) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
21.2	Materials which have been source separated for the purposes of diversion shall not be accepted at this site. This prohibition does not apply to the non-recyclable residual waste remaining after the separation of the recyclable materials from the non-recyclable materials at a materials recycling facility or other processing facility.	<ul style="list-style-type: none"> <li>Agreed</li> <li>See Condition 2 (3) (b) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
21.3	The proponent shall ensure that all incoming waste is inspected prior to being accepted at the site to ensure that only non-hazardous municipal solid waste is being accepted.	<ul style="list-style-type: none"> <li>Agreed</li> <li>See Condition 4 (2) and 4 (3) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
21.4	If any materials other than non-hazardous municipal solid waste are found during inspection or operation, the proponent shall ensure that management and disposal of the material is consistent with ministry guidelines and legislation.	<ul style="list-style-type: none"> <li>Agreed</li> <li>See Condition 4 (3) of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
<b>22.</b>	<b>Amount of Waste</b>			
22.1	The maximum amount of non-hazardous municipal solid waste that may be processed at the site is 140,000 tonnes per year.	<ul style="list-style-type: none"> <li>140,000 tonnes per year is the maximum annual tonnage recognized on page 1 of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
<b>23.</b>	<b>Notice of the Date Waste First Received</b>			
23.1	Within 15 days of the receipt of the first shipment of waste on site, the proponent shall give the Director and Regional Director written notice that the waste has been received.	<ul style="list-style-type: none"> <li>Agreed</li> </ul>	May 2014	No
<b>24.</b>	<b>Construction and Operation Contracts</b>			
24.1	In carrying out the undertaking, the proponent shall require that its contractors, subcontractors and employees: <p>a) fulfill the commitments made by the proponent in the environmental assessment process, including those made in the environmental assessment and in the proponent's responses to comments received during the environmental assessment comment periods;</p>	<ul style="list-style-type: none"> <li>Project Agreement requires Contractor to comply with all authorizations including the Environmental Assessment and Notice of Approval (incorporated by reference) the Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract,</li> </ul>	Construction, Commissioning, and Operations Periods	Ongoing

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Condition No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	b) meet applicable regulatory standards, regarding the construction and operation of the undertaking; c) obtain any necessary approvals, permits or licenses; and, d) have the appropriate training to perform the requirements of their position.	including compliance with EA conditions. <ul style="list-style-type: none"> <li>• Environmental Compliance Approval Condition 9(1) requires Covanta to document staff training on the EA and ECA conditions and applicable laws and regulations.</li> <li>• Complaint Protocol will remain in effect throughout the construction, commissioning, and operations periods in accordance with Condition 6 of the Notice to Proceed.</li> </ul>		
<b>25.</b>	<b>Amending Procedures</b>			
25.1	Prior to implementing of any proposed changes to the undertaking, the proponent shall determine what <i>Environmental Assessment Act</i> requirements are applicable to the proposed changes and shall fulfill those <i>Environmental Assessment Act</i> requirements.	<ul style="list-style-type: none"> <li>• No Changes requiring an amendment to the EA were requested.</li> <li>• Two ECA amendments were requested. The first one was to approve the "Ash Sampling and Testing Protocol" as required Condition 7.(7)(a), the "Durham York Energy Centre, Spill Contingency &amp; Emergency Response Plan", as required Condition 11.(3), "Durham York Energy Centre, Noise Monitoring and Reporting Plan" as required Condition 7.(5)(a) and "Durham York Energy Centre, Protocol for the Measurement of Combustion Temperature and the Development of Time and Temperature Correlations" as proposed by the applicant and the second amendment was submitted for lime addition process for ash.</li> </ul>	Carried into the ECA	Yes

## **Appendix B**

### **EA Study Document Compliance Table**

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Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
<b>General Requirements</b>				
2	<ul style="list-style-type: none"> <li>The Proponents commit that if approval to proceed with the Undertaking is given, it will be the Proponents who are legally responsible for carrying out the Undertaking as approved.</li> </ul>	<ul style="list-style-type: none"> <li>The Regions are 100% owners under the Project Agreement</li> <li>Both Regions and the Contractor are named on the Environmental Compliance Approval Application at the MOECC's request.</li> <li>As owners, the Regions remain legally responsible for ensuring that the contractor fulfills its duties under the contract.</li> </ul>	Ongoing	Yes
11	<ul style="list-style-type: none"> <li>The Regions will undertake an evaluation of post-closure uses for the property associated with the Project, at the appropriate time when the Project is nearing the end of its life expectancy.</li> </ul>	<ul style="list-style-type: none"> <li>Required by Condition 18 of the Environmental Compliance Approval</li> <li>Commitment reaffirmed in Section 16 of the Design and Operations Report submitted with the Waste ECA Application</li> <li>Environmental Compliance Approval Condition 18 requires the Regions to submit a Closure Plan for approval by the MOECC at least 9 months prior to facility closure.</li> </ul>	Prior to decommissioning	No
11	<ul style="list-style-type: none"> <li>Decommissioning of the Facility will be conducted in compliance with applicable regulatory requirements at the time of decommissioning.</li> </ul>	<ul style="list-style-type: none"> <li>Regulatory requirement</li> </ul>	During decommissioning	No
11.2	<ul style="list-style-type: none"> <li>Environmental protection awareness, spill prevention planning and contingency training will be implemented for all employees as necessary and appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>Spill Contingency and Emergency Response Plan to be submitted at least 120 days prior to commencement of operation as required by Condition 11 (3) of the Environmental Compliance Approval</li> <li>Staff training requirements including regulatory compliance and emergency response provided in Environmental Compliance Approval Condition 9 (1).</li> </ul>	Carried into the ECA	Yes
15	<ul style="list-style-type: none"> <li>The Regions will prepare and submit to the Director of the EAB of the Ontario MOECC an EA Compliance Monitoring Program.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance Monitoring Program submitted to the Director via letter dated October 14, 2011 in accordance with Condition 4.1 of the EA Notice of Approval</li> </ul>	October 14, 2011	Yes
<b>Air Quality</b>				
11.1	<p>Air quality related mitigation/management during construction will include:</p> <ul style="list-style-type: none"> <li>Mitigation and environmental management / monitoring measures will include:</li> <li>Employment of controlled entrances and exits at the construction site to minimize the offsite tracking of mud.</li> <li>Temporary and permanent grassing in disturbed areas.</li> <li>Dust control during dry periods.</li> <li>Possible implementation of an idling protocol as required.</li> <li>Adherence to an equipment maintenance program.</li> <li>Ambient air quality monitoring for particulate matter will be undertaken to monitor the effectiveness of the mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Complaint protocol submitted to MOECC as per EA Notice to Proceed Condition 6 will be in effect throughout the construction period.</li> <li>Air Quality during construction is addressed by the contractor in their site Quality Management and/or Site Specific Health and Safety Plans</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>Very low NO<sub>x</sub> (VLN) system in the Facility's stoker</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.1.1 of the Design and Operations Report submitted with the Waste ECA Application</li> <li>Construction of a fully compliant system is underway.</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
		<ul style="list-style-type: none"> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>		
11.1	<ul style="list-style-type: none"> <li>• SNCR for additional NO<sub>x</sub> control</li> </ul>	<ul style="list-style-type: none"> <li>• Commitment reaffirmed in Section 7.1.2 of the Design and Operations Report submitted with the Waste ECA Application Construction of a fully compliant system is underway.</li> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>• Activated carbon injection after the economizer for mercury and dioxin/furan control</li> </ul>	<ul style="list-style-type: none"> <li>• Commitment reaffirmed in Section 7.2 of the Design and Operations Report submitted with the Waste ECA Application Construction of a fully compliant system is underway.</li> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
		by the MOECC		
11.1	<ul style="list-style-type: none"> <li>Acid gas scrubber the removal of gases such as SO<sub>x</sub> and HCl</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.3 of the Design and Operations Report submitted with the Waste ECA Application</li> <li>Construction of a fully compliant system is underway.</li> <li>Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>A fabric filter baghouse to remove solid particulate matter</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 7.4 of the Design and Operations Report submitted with the Waste ECA Application</li> <li>Construction of a fully compliant system is underway.</li> <li>Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>The application of design and operations pre-processing odour control measures such as enclosed loading, negative air pressure inside the Facility and fully-enclosed feedstock delivery trucks.</li> </ul>	<ul style="list-style-type: none"> <li>Commitment reaffirmed in Section 13.3 of the Design and Operations Report submitted with the Waste ECA Application.</li> <li>ECA Condition 7(8) details Odour Management.</li> <li>Construction of a fully compliant system is underway.</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>Provision of a Continuous Emissions Monitoring System (CEMS) at the baghouse outlet to monitor and record opacity, moisture, CO, O<sub>2</sub>, NO<sub>x</sub>, SO<sub>2</sub>, HCL and HF. Opacity measurements will be used as the filter bag leak detection system.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.7 of the Design and Operations Report submitted with the Waste ECA Application includes all listed parameters except carbon monoxide, which is now to be monitored at the economizer outlet only (see following item). Purpose of two carbon monoxide monitors was to calculate percentage reduction achieved by air pollution control system. No longer necessary since MOECC has</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
		<p>imposed an absolute standard for CO emissions instead of a percentage reduction. Change approved through Environmental Compliance Approval Condition 7(2)(b) and 7(2)(c)</p> <ul style="list-style-type: none"> <li>• A continuous ammonia monitor has been added</li> <li>• Construction of a fully compliant system is underway.</li> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>		
11.1	<ul style="list-style-type: none"> <li>• Provision of a Continuous Emissions Monitoring System (CEMS) at the economizer outlet to monitor and record O<sub>2</sub>, SO<sub>2</sub> and CO.</li> </ul>	<ul style="list-style-type: none"> <li>• O<sub>2</sub> and CO monitors will be provided at the economizer outlet in accordance with Environmental Compliance Approval Condition 7(2)(c).</li> <li>• Although not reflected in Environmental Compliance Approval Condition 7(2)(c), an SO<sub>2</sub> analyzer will also be provided at the economizer outlet for process control. Not needed to evaluate compliance since final SO<sub>2</sub> standard is an absolute standard rather than a percentage reduction.</li> <li>• Construction of a fully compliant system is underway.</li> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>• Provision of a Continuous Emissions Monitoring System (CEMS) to monitor and record <ul style="list-style-type: none"> <li>○ Flue gas temperatures at the inlet of the boiler convection section and at the baghouse inlet.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Flue gas temperature measurements required as per Environmental Compliance Approval Conditions 7(2)(a) and 7(2)(b).</li> <li>• Construction of a fully compliant system is underway.</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	<ul style="list-style-type: none"> <li>○ The temperature and pressure of the feedwater and steam for each boiler.</li> <li>○ The mass flow rate of steam at each boiler.</li> </ul>	<ul style="list-style-type: none"> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>		
11.1	<ul style="list-style-type: none"> <li>• A long-term continuous dioxins sampling device will be installed to monitor the adsorption of dioxins onto the exchangeable adsorption-resin-filled cartridge.</li> </ul>	<ul style="list-style-type: none"> <li>• Required as per Condition 7(3) of the Environmental Compliance Approval</li> <li>• Construction of a fully compliant system is underway.</li> <li>• Schedule "C" in the ECA outlines emissions performance requirements.</li> <li>• ECA Condition 5 details requirements for operation and maintenance of the air pollution control (APC) and continuous emissions monitoring systems (CEMS) equipment.</li> <li>• ECA Condition 6 details the facility performance requirements for combustion, APC and CEMS.</li> <li>• ECA Condition 7 details the testing and monitoring requirements of the CEMS.</li> <li>• ECA Condition 13 details actions required to notify the MOECC in the event of a spill.</li> <li>• Schedule "F" of the ECA details the CEMS specifications required by the MOECC</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>• Emissions (stack) testing and monitoring protocol as required for the ECA under the EPA.</li> </ul>	<ul style="list-style-type: none"> <li>• As per Condition 7(1) and Schedule D of the Environmental Compliance Approval</li> </ul>	Carried into the ECA	Yes
11.1	<ul style="list-style-type: none"> <li>• NPRI emissions reporting that will entail a combination of monitoring or direct measurement, mass balance, process-specific emissions factors and engineering estimates.</li> </ul>	<ul style="list-style-type: none"> <li>• National Pollutant Release Inventory (NPRI) annual reporting is a requirement under the Canadian Environmental Protection Act (Federal)</li> </ul>	Commissioning and Operations Period	No
11.1	<ul style="list-style-type: none"> <li>• Proposed ambient air quality monitoring in the immediate vicinity of the Facility for a 3-year period.</li> </ul>	<ul style="list-style-type: none"> <li>• Ambient Air Monitoring Plan was approved by the MOECC in a letter dated May 30, 2012.</li> <li>• Ambient Air Monitoring Locations were approved by the MOECC in a letter dated June 5, 2012</li> <li>• Ambient air monitoring in accordance with the approved monitoring plan commenced in April 2013.</li> <li>• Required by ECA Condition 7(4)</li> </ul>	Carried into the ECA	Yes



Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
<b>Surface Water and Groundwater</b>				
11.2	<p>Surface water and groundwater related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>Construction phase drainage will route stormwater from throughout the Site to a stormwater sedimentation pond and to the extent feasible, maintain existing drainage routes. Permanent SWM ponds may be constructed early to reduce need for sedimentation ponds.</li> <li>Use of perimeter ditching and site grading as well as silt fencing around forested areas to isolate runoff.</li> <li>Use of setback transition use areas and erosion control fencing along watercourses.</li> <li>ESC will be implemented during the construction phase to reduce potential soil loss and runoff velocities.</li> <li>During the construction phase, stormwater will be routed via conveyance swales and/or storm sewers draining catchbasins to a SWM pond in the southwest corner of the Site.</li> <li>The pond will discharge to the CN Rail swale and stormwater will subsequently be conveyed to Tooley Creek.</li> <li>In addition to the pond, lot level, and conveyance controls such as surface stabilization measures, sediment traps, and swales enhanced with rock check dams will also be employed.</li> <li>Grading plans will be designed to maintain existing drainage patterns which will ensure all captured stormwater will be routed through SWM features.</li> <li>Dewatering and excavation pumping is expected in order to establish a sufficiently dry environment to construct the Facility foundations.</li> </ul>	<ul style="list-style-type: none"> <li>Required by Condition 4(6) of the Environmental Compliance Approval</li> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Groundwater and Surface Water Monitoring and Reporting Plan submitted via email September 15, 2011 in accordance with EA Condition 20 includes monitoring of water quality in Tooley Creek using continuous data loggers, and documentation of regular inspection and maintenance of check dams and other sediment controls.</li> <li>A sediment and erosion control plan has been developed by the contractor and is in effect during the construction phase which monitors surface water. Golder has been contracted by Covanta to monitor surface water and erosion and sediment control.</li> <li>Site stormwater management plan has been developed and approved by CLOCA and Clarington (Clarington Master Drainage Plan)</li> </ul>	Carried into the ECA	Yes
11.2	<ul style="list-style-type: none"> <li>A series of groundwater monitoring wells may be installed within the Site to assess the Facility's effects on both groundwater quantity and quality during construction to be determined at subsequent approvals stage.</li> </ul>	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring Plan approved by MOECC Central Region Director on October 14, 2011 includes groundwater monitoring wells to be installed prior to facility construction and 1 well to be installed after construction.</li> <li>Groundwater wells installed in December 2011. Baseline monitoring commenced January 2012.</li> </ul>	December 2011	Yes
11.2	<ul style="list-style-type: none"> <li>Storm water pond design criteria will meet enhanced design guidance criteria found in the MOECC SWM Planning and Design Manual;</li> </ul>	<ul style="list-style-type: none"> <li>The stormwater management pond design is compliant with this requirement and is provided in Section 6.2.4 of the Design Report</li> <li>Stormwater ponds have been designed and constructed on site in the southeast and southwest corners of the EFW property</li> </ul>	Construction Period	Yes
11.2	<ul style="list-style-type: none"> <li>Increase in runoff potential will be mitigated with peak flow attenuation, baseflow augmentation and SWM design that provides an enhanced level of receiving water protection;</li> </ul>	<ul style="list-style-type: none"> <li>Pond has been designed with an active storage volume greater than the entire runoff volume from the 100 year storm.</li> <li>Stormwater pond design has been approved and constructed on site.</li> </ul>	Construction Period	Yes
11.2	<ul style="list-style-type: none"> <li>Accidents and malfunctions planning and spill management redundancy and stormwater control from source to discharge will ensure the protection</li> </ul>	<ul style="list-style-type: none"> <li>Covanta submitted a Spill Contingency and Emergency Response Plan on September 24, 2013 as required by Condition</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	of surface water and groundwater resources.	17.1 of the Notice of Approval and Condition 11(2) of the Environmental Compliance Approval <ul style="list-style-type: none"> <li>Storage of waste and ash will be indoors on impervious surfaces with no drainage to outside the facility.</li> <li>Storage of all chemical reagents will be in accordance with applicable regulations. Storage of aqueous ammonia to include secondary containment.</li> <li>Outdoor surface drainage will discharge to the stormwater management ponds with gate valves on the outlets, providing an opportunity to contain and remediate any spills occurring outside the process buildings.</li> </ul>		
11.2	<ul style="list-style-type: none"> <li>Monitoring of stormwater end-of-pipe Facility discharge quality (as required as part of C of A);</li> </ul>	<ul style="list-style-type: none"> <li>Groundwater and Surface Water Monitoring and Reporting Plan was developed in consultation with MOECC Central Region Office and approved by the Central Region Director on October 14, 2011. Monitoring commenced in January 2012</li> </ul>	Carried into the ECA	Yes
	<b>Soils</b>			
11.2 & 11.3	Soils related mitigation and environmental management / monitoring measures during construction will include: <ul style="list-style-type: none"> <li>Topsoil and subsoil salvage and storage.</li> <li>Apply erosion and sedimentation control measures (also described in surface water).</li> </ul>	<ul style="list-style-type: none"> <li>Regions submitted a Soil Testing plan on September 23, 2011.</li> <li>Revised Soil Testing Plan submitted to the MOECC via letter dated October 5, 2012</li> <li>Soil Testing Plan Approved by the MOECC via letter dated March 15, 2013.</li> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Erosion and sediment control monitoring is undertaken continuously in accordance with plan approved by the Ministry of Environment and Climate Change, Central Lake Ontario Conservation authority and the Municipality of Clarington</li> <li>Required by ECA Condition 7(10) and 13(4)</li> </ul>	Carried into the ECA	Yes
	<b>Acoustic</b>			
11.4	Acoustic related mitigation and environmental management / monitoring measures during construction will include: <ul style="list-style-type: none"> <li>Pile driving effects will be reduced through alternative technologies (e.g., vibratory pile driving), controls, and scheduling.</li> <li>Construction vehicle traffic is predicted to be acceptable against applicable criteria, but short-term (i.e., 1-hour) effects during peak demand are possible. These peaking issues will be reduced through scheduling and planning of vehicle trips.</li> <li>A monitoring program and contingency plan will be implemented to</li> </ul>	<ul style="list-style-type: none"> <li>The Regions submitted a Noise Monitoring and Reporting Plan to the Director in accordance with Condition 19 of the Notice of Approval on September 15, 2011</li> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations, including Clarington Noise by-law.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	address any issues that may arise during the construction and post-closure periods of the Facility.	<ul style="list-style-type: none"> <li>Required by ECA Condition 7(5)</li> </ul>		
11.4	<p>Noise-related mitigation and environmental management/monitoring measures during operation will include:</p> <ul style="list-style-type: none"> <li>The Facility will be designed to current standards incorporating efficiencies and design enhancements that reduce sound emissions.</li> <li>Where necessary, mitigation measures will be included to ensure applicable noise criteria are met at PORs as predicted.</li> <li>Mitigation measures may include the use of equipment control options such as enclosures, local or property-line barriers, mufflers and silencers, and acoustic baffles or insulation.</li> </ul>	<ul style="list-style-type: none"> <li>The Regions submitted a Noise Monitoring and Reporting Plan in accordance with Condition 19 of the Notice of Approval on September 15, 2011</li> <li>Noise Monitoring and Reporting Plan was approved by the MOECC via Amendment Approval dated August 12, 2014.</li> <li>Condition 19.3 of the Notice of Approval requires noise emissions from the facility comply with the limits set out in the Ministry of the environment's Publication NPC-205 "Sound Level Limits for Stationary Sources in Class 1 &amp; 2 Areas (Urban)", October 1995, as amended from time to time.</li> <li>Acoustic modeling submitted with the Environmental Compliance Approval Application for Air and Noise predicts that the facility will comply with NPC-205.</li> <li>Compliance to be verified through an acoustic audit to completed within three months of the commencement of operations in accordance with Environmental Compliance Approval Condition 7 (5).</li> </ul>	Carried into the ECA	Yes
	<b>Visual</b>			
11.5	<p>Visual-related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>Staging of construction activities.</li> <li>Timely removal of construction debris.</li> <li>A monitoring program and contingency plan will be implemented to address any issues that may arise during the construction of the Facility.</li> <li>Investment in architectural enhancements to the Facility.</li> </ul>	<ul style="list-style-type: none"> <li>An architectural concept for the facility has been developed in consultation with the Municipality of Clarington.</li> <li>The project agreement requires the contractor to update the construction schedules weekly with detailed staging that will be reviewed at regularly scheduled construction meetings.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>Visual Screening addressed in Condition 8 (15) of the Environmental Compliance Approval.</li> </ul>	Construction Period	Yes
11.5	<p>Visual-related mitigation and environmental management / monitoring measures during operation will include:</p> <ul style="list-style-type: none"> <li>The use of neutral external colours and effective landscaping.</li> <li>If concerns regarding Facility visibility are raised by members of the community in the vicinity of the Facility, mitigation measures will be considered such as planting trees or other suitable vegetation at the particular location to provide a screen within the line of the sight of the Facility.</li> </ul>	<ul style="list-style-type: none"> <li>An architectural concept for the facility has been developed in consultation with the Municipality of Clarington.</li> <li>Need for supplementary, off-site visual remediation will be assessed on a case-by-case basis after the facility is constructed.</li> <li>Awaiting sign off on the landscaping from the Municipality of Clarington</li> </ul>	Operating Period	No
	<b>Natural Environment</b>			
11.6	Natural environment related mitigation and environmental management / monitoring during construction will include:	<ul style="list-style-type: none"> <li>Landscape plan as approved by the Municipality of Clarington gives consideration to wildlife habitat.</li> <li>Construction Site Fencing allows for a wildlife corridor to the North</li> </ul>	Construction Period	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	<ul style="list-style-type: none"> <li>Protective protocols to avoid killing or harming wildlife during Project activities.</li> <li>Wildlife corridor along the entire east-west length of the Facility's southern property line may be established to enhance wildlife movement.</li> <li>Native tree and shrub species will be planted and existing species allowed to grow without disturbance providing additional habitat.</li> <li>Undertake a pre-construction survey to assess bird nesting activity prior to clearing and grubbing.</li> <li>Habitat enhancement for Chimney Swifts, if present onsite, and once construction has been completed, compensation for the loss of hedgerow by incorporating native shrubs and trees into landscaping for the Facility.</li> </ul>	<p>and South of the Site.</p> <ul style="list-style-type: none"> <li>Reconnaissance report prepared by Golder Associates dated November 11, 2011 to address pre-construction bird nesting activities prior to start of construction.</li> <li>For work offsite surrounding the Energy from Waste facility, the Regions have retained a consultant to undertake monitoring of Eastern Meadowlark. Reports will be produced and provided to the MNR as per letter dated August 28, 2013 from the MNR.</li> </ul>		
<b>Social / Cultural</b>				
11.7, 8, 9	<p>Social / cultural related mitigation and environmental management / monitoring measures during construction will include:</p> <ul style="list-style-type: none"> <li>See Noise above for related mitigation / management measures.</li> <li>See Visual above for related mitigation / management measures</li> <li>Dust control during construction will be accomplished through a number of physical and operational methods such as construction exits, timely revegetation, watering, and staging of work.</li> <li>Deeply buried archaeological resources could still exist and standard conditions regarding discovery of human remains and/or other cultural heritage values will apply.</li> </ul>	<ul style="list-style-type: none"> <li>Contract requires Covanta to document any findings of archaeological significance and to deal with these findings as directed in writing by the owner and in accordance with applicable laws.</li> <li>Project Agreement requires Contractor to comply with all authorizations including Environmental Assessment and Certificates of Approval, and all applicable regulations.</li> <li>Regions will provide a full time on-site inspector during construction to monitor compliance with the terms and conditions of the contract, including compliance with EA conditions.</li> <li>To date no findings of archaeological significance have been found on site.</li> </ul>	Construction Period	Yes
	<ul style="list-style-type: none"> <li>Road/pavement improvements to the South Service Road and Osborne Road to accommodate construction vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>Construction of improvements to South Service Road and Osborne Road will be undertaken as required</li> <li>Energy drive and private truck access constructed</li> </ul>	Ongoing	Yes
	<ul style="list-style-type: none"> <li>Formation of a Thermal Treatment Facility Site Liaison Committee (SLC) for the construction period.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to the Advisory Committee described in Notice of Approval Condition 8, the Regions have formed an Integrated Waste Management Committee (Energy from Waste-Waste Management Advisory Committee) intended to address issues of concern to the local community.</li> </ul>	Construction, Commissioning and Operations Periods	Yes
	<ul style="list-style-type: none"> <li>Development and implementation of a Community Relations Plan (CRP) through which Durham, York, and Covanta staff will relate to the local community, including advance notification to local authorities and residents near the Facility of any planned unusual noises or activities (e.g., pile driving, steam blows) or other events that may be of concern to the local community during the construction phase. The plan will also establish contacts and procedures for providing accurate and timely information to the community in the event of an unforeseen incident that may cause concern or impact upon the community.</li> </ul>	<ul style="list-style-type: none"> <li>A requirement of the EA Notice of Approval [See Appendix A, Section 7 (Community Communications Plan)]</li> <li>Community Communications Plan was submitted to the MOECC on September 18, 2013.</li> <li>MOECC approval via letter dated September 30, 2013.</li> </ul>	Prior to receipt of non-hazardous municipal solid waste	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	<ul style="list-style-type: none"> <li>Development and implementation of a community complaints system for construction.</li> </ul>	<ul style="list-style-type: none"> <li>Complaint protocol approved by the MOECC July 13, 2011 as per Condition 6 of the EA Notice of Approval.</li> <li>Requirement of Condition 10 of the Environmental Compliance Approval</li> <li>Monthly reports are sent to the EFWAC and the MOECC.</li> </ul>	Construction, Commissioning, and Operations Periods	Yes
	<ul style="list-style-type: none"> <li>Management of residual waste in enclosed vehicles and on enclosed tipping floor</li> </ul>	<ul style="list-style-type: none"> <li>Noted in Sections 5.3 and 5.8 of the Design and Operations Report and required by Environmental Compliance Approval Condition 4(2) and 4(5)</li> <li>Construction of an enclosed tipping floor is underway.</li> <li>Waste will be delivered to the facility in enclosed vehicles upon commencement of operations.</li> </ul>	Carried into the ECA	Yes
	<ul style="list-style-type: none"> <li>Air from tipping floor is used as combustion air, destroying odours and maintaining negative pressure within receiving area.</li> </ul>	<ul style="list-style-type: none"> <li>Required by Condition 8 (1) of the Environmental Compliance Approval</li> <li>Noted in Section 5.8 of the Design and Operations Report</li> <li>Construction of a compliant system is currently underway.</li> </ul>	Carried into the ECA	Yes
	<ul style="list-style-type: none"> <li>Management of ash and residues using various measures to reduce ash emissions.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement of Condition 4 of the Environmental Compliance Approval</li> <li>See Section 8.0 of the Design and Operation Report for additional details.</li> <li>Storage of ash, and will be indoors on impervious surfaces with no drainage to outside the facility.</li> <li>Ash is transported to the ash storage building in enclosed conveyors</li> <li>Bottom ash and fly ash handled separately.</li> <li>Building maintained under negative pressure and fully ventilated to a dust collection system</li> <li>Loading of trucks occurs indoors with the doors closed</li> <li>Fly ash is mixed with water, cement and pozzolan to render it non-hazardous and reduce dust.</li> <li>Bottom ash is immersed in quench water and retains 15-25% moisture content, reducing dust potential</li> </ul>	Carried into the ECA	Yes
	<ul style="list-style-type: none"> <li>Mitigation of vectors/vermin through pest/vector control.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement of Condition 8 (14) of the Environmental Compliance Approval</li> <li>Noted in Section 13.5 of the Design and Operations Report and Condition 8(14)</li> <li>Pest/Vector control has been subcontracted to a qualified pest control company and monitored for effectiveness.</li> </ul>	Carried into the ECA	Yes
	<ul style="list-style-type: none"> <li>Mitigation of litter through implementation of litter control program throughout the Site.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement of Condition 8(12) of the Environmental Compliance Approval</li> <li>Site-wide litter collection on a daily basis as per Section 13.4 of the Design and Operations Report and Environmental Compliance Approval Condition 8(12)</li> </ul>	Carried into the ECA	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
	<ul style="list-style-type: none"> <li>Some traffic control measures (traffic signals, loop ramps, etc.) may be required to the adjacent road network to address future traffic conditions in the CEBP.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement of Condition 8(10) of the Environmental Compliance Approval</li> <li>Will be addressed during design and approvals stage of Energy Park development.</li> <li>Energy Drive and private truck access constructed.</li> </ul>	N/A	Yes
	<ul style="list-style-type: none"> <li>The Host Community Agreement between Durham and the Municipality of Clarington includes the Region assuming the cost of construction of Energy Drive from Courtice Road to Osborne Road to serve the CEBP.</li> </ul>	<ul style="list-style-type: none"> <li>Host Community Agreement executed on February 18, 2010 includes this provision</li> <li>The expropriation of the lands associated with the host community agreement requirements for the York Durham Energy Centre is currently before the Ontario Municipal Board. As per the most recent revised procedural order in this matter, dated October 15, 2013, the hearing date has been set for Monday, September 15, 2014. Discoveries are commencing in this matter on October 31, 2013.</li> <li>Anticipated completion by commencement of operations; however, operations are not affected since site access will ultimately be provided via a private truck laneway from Courtice Road to the south edge of the property, or temporarily via South Service Road and Osborne Road.</li> <li>Construction on the facility access road has been completed.</li> </ul>	May 2015	No
	<ul style="list-style-type: none"> <li>Soil testing for contaminants for a minimum of three years at which time its effectiveness will be evaluated (recommendation by Durham Region Medical Officer of Health, endorsed by both Regional Councils)</li> </ul>	<ul style="list-style-type: none"> <li>Requirement of Condition 13 (4) of the Environmental Compliance Approval</li> <li>Soil Testing plan submitted September 23, 2011</li> <li>Revised Soil Testing Plan submitted to the MOECC via letter dated October 5, 2012</li> <li>MOECC approval via letter dated March 15, 2013.</li> <li>Soils testing commenced in accordance with the approved plan.</li> <li>The first Soils Testing Report was completed and submitted November 19, 2013.</li> </ul>	Carried into the ECA	Yes
	<ul style="list-style-type: none"> <li>Formation of a Thermal Treatment Facility Site Liaison Committee SLC for the operations period.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to the Advisory Committee described in Notice of Approval Condition 8, the Regions have formed an Integrated Waste Management Committee (Energy from Waste-Waste Management Advisory Committee) intended to address issues of concern to the local community.</li> </ul>	Construction, Commissioning and Operations Periods	Yes
	<ul style="list-style-type: none"> <li>See construction above regarding development and implementation of a Community Relations Plan</li> </ul>	<ul style="list-style-type: none"> <li>A requirement of the EA Notice of Approval [See Appendix A, Section 7 (Community Communications Plan)]</li> <li>Community Communications Plan was submitted to the MOECC on September 18, 2013.</li> <li>MOECC approval via letter dated September 30, 2013.</li> </ul>	Prior to receipt of non-hazardous municipal solid waste	Yes
	<ul style="list-style-type: none"> <li>See construction above regarding development and implementation of a community complaints system for operations</li> </ul>	<ul style="list-style-type: none"> <li>Appendix A, Complaint Protocol (Notice of Approval Condition 6 applies to construction, commissioning, and operations periods)</li> </ul>	Construction, Commissioning and	Yes

Relevant EA Section No.	Requirement	Status Remarks	Actual or Estimated Completion Date	Complete?
			Operations Periods	
	<b>Economic</b>			
11.10	<ul style="list-style-type: none"> <li>Establishment of a hazardous waste depot to serve Clarington residents.</li> </ul>	<ul style="list-style-type: none"> <li>Will commence when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> <li>Anticipated completion by commencement of operations; however, operations are not affected.</li> </ul>	May 2015	No
11.10	<ul style="list-style-type: none"> <li>Construction of Energy Drive from Courtice Road to Osborne Road to serve the Energy Park.</li> </ul>	<ul style="list-style-type: none"> <li>Construction on the facility access road is complete.</li> </ul>	May 2015	Yes
11.10	<ul style="list-style-type: none"> <li>Construction of a SWM Facility to serve the Energy Park.</li> </ul>	<ul style="list-style-type: none"> <li>Tied to Host Community Agreement for Energy Park Drive Construction, see previous item.</li> <li>Two on site stormwater ponds have been constructed.</li> </ul>	May 2015	Yes
11.10	<ul style="list-style-type: none"> <li>Construction of a waterfront trail from Courtice Road to the eastern limit of the Durham property.</li> </ul>	<ul style="list-style-type: none"> <li>Waterfront trail has been completed.</li> </ul>	October 2014	Yes
11.10	<ul style="list-style-type: none"> <li>Transfer of 22 acres of surplus land adjacent to the Courtice WPCP to Clarington.</li> </ul>	<ul style="list-style-type: none"> <li>Transfer will occur when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued.</li> </ul>	January 2015	No
11.10	<ul style="list-style-type: none"> <li>Commencement of the EA for servicing the Clarington Science Park.</li> </ul>	<ul style="list-style-type: none"> <li>EA will commence when land expropriation for other Host Community Agreement commitments is complete and the Certificates of Approval and Building Permit for the Durham York Energy Centre are issued</li> </ul>	January 2015	No
	<b>Human Health and Ecological Risk</b>			
	<ul style="list-style-type: none"> <li>Refer to "Air Quality" above.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to "Air Quality" above.</li> </ul>		

# **Appendix C**

**Advisory Committee Annual Report 2014**

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Durham York Energy Centre 2014 Compliance Monitoring Report – Appendix C  
Energy From Waste Advisory Committee Summary Table

Meeting #	Date	Time	Agenda Topics
10	April 17, 2014	2:00 to 4:30 PM	<ul style="list-style-type: none"><li>• Project Update Presentation</li><li>• Third Party Audit #4 Presentation</li><li>• EFWAC discussion on Terms of Reference</li><li>• York Region Sm4rt Living Presentation</li><li>• Discussion on Durham Council Resolution</li></ul>

# **Meeting #10 Agenda**

**Advisory Committee Annual Report**

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# AGENDA

## Energy from Waste Advisory Committee (EFWAC)

<b>Energy from Waste Advisory Committee (EFWAC)</b>	
<b>SUBJECT</b>	<b>Meeting #10</b>
<b>MEETING DATE/TIME</b>	<b>Thursday, April 17, 2014 from 2 to 4:30 p.m.</b>
<b>LOCATION</b>	<b>The Regional Municipality of Durham Headquarters 605 Rossland Road East, Whitby – Meeting Room LL-C</b>
<b>AGENDA OR REMARKS</b>	<ol style="list-style-type: none"> <li><b>1. Welcome and Introductions (15 minutes)</b></li> <li><b>2. Energy from Waste Project Update (25 minutes)</b> <i>(Presentation by Gioseph Anello, Manager, Waste Planning and Technical Services, The Regional Municipality of Durham)</i> <ol style="list-style-type: none"> <li><b>a. Schedule Update</b></li> <li><b>b. Construction Update</b></li> <li><b>c. Compliance Update</b> <ul style="list-style-type: none"> <li>• <b>2013 Compliance Monitoring Report</b></li> <li>• <b>Ambient Air Baseline Monitoring Report</b></li> </ul> </li> </ol> </li> <li><b>3. Durham York Energy Centre Third Party Audit #4 (25 minutes)</b> <i>(Presentation by Kristy Brooks, Technical Assistant, Works Department, The Regional Municipality of Durham)</i></li> <li><b>4. EFWAC Discussion on the Project Team Comment/Response Terms of Reference Issues Table dated July 31, 2013 (30 minutes)</b></li> <li><b>5. York Region’s SM4RT Living Plan, Integrated Waste Management Master Plan (September 2013) (30 minutes)</b> <i>(Presentation by Dave Gordon, Manager, Waste Management, Program Planning and Policy, The Regional Municipality of York)</i></li> <li><b>6. Receipt of Durham Region Council Direction of February 12, 2014 (‘Item 1 Other Business – EFWAC’) (20 minutes)</b></li> <li><b>7. Meeting Adjourns (5 minutes)</b></li> </ol>
Please contact Facilitator Sue Cumming, MCIP RPP, Cumming+Company at 866 611-3715 or cumming1@total.net with any questions.	

# **Meeting #10 Minutes and Presentations**

**Advisory Committee Annual Report**

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**Energy from Waste  
Advisory Committee (EFWAC)  
Meeting #10**

**MINUTES (Approved)**

<b>SUBJECT:</b>	Energy from Waste Advisory Committee Meeting #10
<b>ATTENDEES:</b>	Please refer to pages 12 of 12 for complete listing.
<b>LOCATION:</b>	The Regional Municipality of Durham, Meeting Room LL-C 605 Rossland Road East, Whitby
<b>DATE AND TIME:</b>	Thursday, April 17, 2014 at 2 p.m.

ITEM	ACTION
<p><b>1. <u>WELCOME AND INTRODUCTIONS</u></b></p> <p>Ms. Sue Cumming, independent Facilitator, welcomed the members of the Committee and the members of the public to the tenth meeting of the Energy from Waste Advisory Committee (EFWAC). The Committee members introduced themselves. The Facilitator confirmed quorum was not obtained and thanked members for their attendance.</p> <p>The Facilitator requested members to advise of any additions or verifications to the agenda.</p> <p>Ms. Linda Gasser noted that, further to her request, the following items were not included on this agenda: commissioning and acceptance testing, and the EA public meeting. Ms. Gasser also noted that the Durham Regional Mobile Air Quality Monitoring Program (Report 2014-MOH-02) should have also been included per direction of Durham Regional Council. Ms. Gasser suggested that Item 5, presentation by Mr. Dave Gordon, Manager, Sustainable Waste Management, York Region, be deferred to the next meeting as this presentation is not directly related to the EFW.</p> <p>Ms. Wendy Bracken noted her support for Ms. Gasser's above comments. Ms. Bracken confirmed that various committees were reviewing Durham Region's Mobile Air Quality Monitoring Program. Ms. Bracken further noted that she felt the submission of individual comments from EFWAC members doesn't meet the directive Durham Council intended, and that it is important to have a public discussion on this Program.</p> <p>Ms. Cumming confirmed that Gioseph Anello, Manager, Waste Planning and Technical Services, Durham Region, would be providing an update on the EA public meeting and the commissioning and acceptance testing under Item 2, EFW Update.</p>	

Ms. Cumming further confirmed that the Durham Region Council direction regarding the Durham Region Mobile Air Quality Monitoring Program was sent to EFWAC members and that as this is a Durham Region-wide Program, it does not fit within the mandate of this Committee. The report was not included as an agenda item, but all EFWAC members were previously provided an opportunity to review the report and submit comments directly to Dr. Kyle and Commissioner Curtis.

Ms. Bracken noted her disagreement that it is not part of the EFWAC mandate, as air monitoring has been reviewed by this Committee as part of the Environmental Assessment (EA) Conditions of Approval, with concerns raised about particulate matter and ultrafine particulate matter. It is important to consider that the EFW is not monitoring for particulate matter, however, it could be monitored by the mobile monitoring units. Ms. Bracken also noted her concern that the item should be discussed publicly with a submission presented on behalf of a Committee to strengthen the Committee's submission.

Ms. Cumming asked for Project Team members' comments and comments from the members around the table with regard to adding this item to the agenda for discussion, with regard to the specifics of the mandate.

Ms. Mirka Januszkiewicz outlined the evolution of Dr. Kyle's report, advising that it has been sent to all local municipalities along with several committees for comment submission directly to Dr. Kyle and Commissioner Curtis. Further, the Project Team is of the opinion that review of this report does not fall under the EFWAC mandate. Ms. Januszkiewicz also confirmed that the Clerks at the respective municipalities were in receipt of this report.

Ms. Gasser noted that in addition to the directive from the Health and Social Services Committee that the EFWAC and Energy from Waste-Waste Management Advisory Committee (EFW-WMAC) comment on this report, that Durham Council further directed that this report be reviewed by local Durham Environmental Advisory Committees, along with local Durham municipalities. Ms. Gasser advised of the importance that this is a Durham Council directive, and that it was inappropriate to debate whether EFWAC is to respond to this Council direction. Ms. Gasser felt that it was incumbent upon members of the EFWAC to respond when directed by Durham Council, and that this report should be on the agenda for the Committee to determine how to proceed with addressing these comments (i.e. individual basis, working group, discussion).

Ms. Cumming asked the members about discussing this report and adding it to the agenda. Discussion ensued with regard to a possible vote, to which Ms. Cumming confirmed that there was no quorum. Ms. Cumming reiterated the importance of the report, and asked the members if it was necessary to have discussion on the content of the report at Committee today in order continue with the meeting.

Ms. Januszkiewicz clarified that the mechanism for any EFWAC member to comment on this report is to send their comments to Dr. Kyle and Commissioner Curtis directly.

Ms. Cumming confirmed that discussion by members of the Committee is the concern, and asked that those discussion points be noted in the minutes and any other action that may arise. However, Ms. Cumming further noted that no one else

at the table is prepared to discuss this report at this meeting. Ms. Faye Langmaid suggested that should there be time to discuss the report at this meeting, whether it is part of the EFWAC mandate or not, that the item be discussed as directed by Durham Council.

Ms. Cumming advised that this item would be tabled, and that if there is an opportunity to discuss this item, they would, and as follow up to Ms. Gasser's suggestion to defer Mr. Gordon's presentation, asked Mr. Gordon to advise why his presentation should be on this agenda and its relevance to the Committee's mandate.

Mr. Gordon advised that in line with one of the EA Conditions of Approval, his presentation demonstrates how York Region, as Co-owner of the Facility, has committed to continued environmental programs, diversion and waste reduction and reuse with its long term strategy for the next 20 years.

Ms. Cumming advised that Mr. Gordon's presentation might be shortened, and asked that the Committee move to Item 2, which would also address the two items requested by Ms. Gasser – commissioning and acceptance testing, and the public meeting.

## **2. PRESENTATION ON EFW UPDATE**

A presentation on EFW Update was provided by Gioseph Anello, Manager, Waste Planning and Technical Services.

Mr. Anello noted that the commissioning of the Facility started in December 2013. As equipment was installed, it was tested in accordance with the manufacturers' requirements, and certified. In order for the Facility to be turned over to Covanta, Mr. Anello advised there are nine milestones to be completed. Following the completion of these milestones, start up and shake down commences which is when the Facility is fired up and Covanta runs the plant for four weeks at 75 per cent capacity or better. Once this is achieved, Covanta can request that they complete acceptance testing. This is how Covanta demonstrates to the owners that they are able to meet the requirements of the Project Agreement (contractual obligation). Commissioning will continue into September 2014. First fire has been delayed to the summer, however, contractual completion remains as December 2014.

Mr. Anello advised that currently, the electrical and mechanical work is being completed, that most of the superstructure is complete, with approximately 85 per cent of the construction also completed.

Mr. Anello updated the Committee on the status of the EA Plans, advising that they have all been submitted to the Ministry of the Environment (MOE) and, with the exception of the Spill Contingency and Emergency Response Plan (SC&ER Plan), the remainder of the Plans have been approved. The MOE have indicated they are currently reviewing the SC&ER Plan and it is anticipated that a response will be received shortly.

In accordance with the Compliance Monitoring Program, the third Compliance Monitoring Report was submitted to the MOE in November last year. Mr. Anello reiterated that this is a template report which includes three annexes to satisfy MOE

requirements: EA Conditions of Approval, EA Commitments and EFWAC agenda, minutes and presentations.

Mr. Anello advised that to date, the second and third quarterly Ambient Air Monitoring Reports, which indicate the timing of the year in which the baseline monitoring has been completed, have been received. These provide data used to compare operations to the baselines results. Once operations begin, it will be possible to compare upwind to downwind; the monitoring results to modeling data and the monitoring results to Ontario Regulation 419, etc. to determine impacts and assessment. The fourth quarterly reported is due shortly.

Ms. Bracken requested that the Project Team request from Stantec that these reports compare the details included in the EA to what is being measured for the baseline. And, that Stantec provide the 98<sup>th</sup> percentile measurement of PM2.5.

Mr. Anello advised that there is a requirement in the Ambient Air Monitoring and Reporting Plan that following receipt of one year of data, that the operating data is compared to the modelling to confirm results. However, Mr. Anello confirmed that he would follow up with Stantec to confirm if this comparison can be completed.

Mr. Anello confirmed that with the first fire now scheduled for a summer time frame, the EA mandated public meeting will be held towards the summer. Notice is due to the MOE a minimum of 15 days prior to the first receipt of waste.

In response to Ms. Bracken's questions as to meeting type and structure, Mr. Anello confirmed that the Project Team are currently confirming the parties to be involved and the venue, in accordance with the approved Durham York Energy Centre Community Communications Plan.

Ms. Bracken requested that mid to late June not be considered for this meeting.

Ms. Gasser requested that the meeting be held from 6 to 9 PM.

Ms. Langmaid suggested that the venue for the meeting be held closer to the Facility.

Mr. Anello confirmed that the above requests would be taken into consideration.

Discussion continued with respect to correspondence regarding the Third Party Independent Audit – Operations Phase which was sent to EFWAC members late last year. In response to a question by Ms. Gasser who was asking if the auditor has been yet identified and the reference made to the advisory committee in the Audit Scope section of the document, Mr. Anello confirmed that the procurement of the auditor for this phase has not yet occurred and that the Audit Scope reference is to the EFWAC.

Mr. Anello further clarified for Ms. Gasser that any change to the Canada-wide Ambient Air Guidelines will be adhered to in accordance with how Ontario implements these standards.

Mr. Greg Borchuk, EFW Project Manager, Durham Region, in response to Ms. Bracken's inquiry concerning recent Covanta staff hires, advised that not all staff fall

**Mr. Anello to follow up with Stantec regarding inclusion of 98<sup>th</sup> percentile measurement of PM2.5 and inclusion of a comparison of the EA to baseline measurements in quarterly ambient air monitoring reports.**



under the Professional Engineers Act, and that some are Stationary Engineers which necessitates different process and criteria, however, continue to be legally liable for the site.

Ms. Januszkiewicz confirmed for Ms. Lisamaria Akeson in response to her inquiry about future changes for local area municipalities as the Facility goes into operations in the fall, that discussions will be held with Whitby and Oshawa to outline how these changes will be implemented, including truck traffic to decrease possible pollution.

### **3. PRESENTATION ON THIRD PARTY INDEPENDENT AUDIT #4**

A presentation on the Third Party Independent Audit #4 was provided by Kristy Brooks, Technical Assistant.

Ms. Brooks advised that audits are completed in accordance with the EA and ECA (CofA), with both the Plan and Auditors (Malroz) having been previously approved by the MOE.

Ms. Brooks noted that all audits follow the same methodology with the same objective to confirm that the project is proceeding in compliance with any applicable legislation and approvals, and that the commitments made throughout the EA process are being addressed.

Ms. Brooks provided an overview on the audit process. Prior to site arrival, Ms. Brooks advised that the auditors complete the website checklist verification as well as a Facility site perimeter check noting changes from the last site visit and areas requiring more focus. The audit starts with a briefing meeting led by the auditors and includes Covanta, CPP, Durham, York, and HDR. Covanta provides an update since the last audit. Once this meeting is completed, the audit moves into the document review phase to confirm all required documents are on-site. Once this is completed, the group then completes a site tour, looking at environmental features. Interviews can be held throughout the audit and may include both group members and any site staff from the various trades. To conclude the audit, a wrap up session is held where the auditors provide to the parties a question period, an opportunity for final comments, followed by the auditors update which could include required improvements for site staff.

Three audits have been completed to date: June 2012, April and September 2013, in which no areas of non-compliance have been noted. Reports were submitted to the MOE.

The fourth audit was completed on March 28, 2014, and the report was submitted to the MOE on April 14. No areas of non-compliance were identified. Ms. Brooks advised that each audit is linked to a milestone, and the fourth audit report was for equipment installation. The next audit will be for acceptance testing and is schedule dependent. It is anticipated to be completed this fall.

Ms. Brooks provided additional details with regard to the audit process in response to Mr. Anderson's inquiries about the length of time this audit took.

Further to the last meeting, Ms. Brooks advised the members that in her follow up with the auditors regarding the reason the Soils Testing Plan and Air Emissions

Monitoring Plan are not included on the web checklist (Appendix E of audit report), the auditors confirmed they are reviewed as part of the audit, however, the EA or ECA conditions related to these plans do not require that these documents be posted to the project website for the audit checklist, however, are included under Appendix E, Item W14, in accordance with EA Condition 7.4. The auditors confirmed both plans have been posted to the project website.

Ms. Gasser commented that should someone be looking at this checklist, one would not know these two plans are included under EA Condition 7.4 and that she still does not fully understand the auditors' rationale for their exclusion. Ms. Gasser suggested that the auditors include all the plans in this checklist to avoid any possible confusion.

Ms. Brooks confirmed that as the auditors are independent, and that the Project Team can only make recommendations for their consideration, it will be at the discretion of the auditors as to how Ms. Gasser's suggestion is included.

Ms. Bracken questioned if the auditors were advised of the missing data due to instrumentation issues from the Ambient Air Monitoring Reports for the second and third quarters to which Ms. Brooks confirmed that the reports were made available during the audit and no specific comment on this issue was addressed in the fourth audit report.

**4. EFWAC DISCUSSION ON THE PROJECT TEAM COMMENT/RESPONSE TERMS OF REFERENCE ISSUES TABLE DATED JULY 31, 2013**

The Project Team Comment/Response table originated from discussion held at the June 2013 meeting to specific concerns raised by Ms. Gasser. The table was distributed to members on July 31, 2013. No further comments were received on the table from EFWAC members. Ms. Gasser requested that the response table be discussed at the October 2013 meeting and in the absence of further comments from EFWAC members at that time, it was not included. Ms. Gasser requested the opportunity to further review the content and continuing concerns with respect to EFWAC operation and this item was deferred to this meeting. The Facilitator asked that in order to have discussion on any outstanding items from this table, that Committee members identify which items or responses in the table warranted in their opinion discussion and further follow-up.

Ms. Gasser requested that further to the Project Team's reply that consideration to membership expansion will not be made, it is requested that if not now, this matter be considered for the next term of Council.

Discussion ensued with regard to an earlier discussion at the June 2013 meeting that following the invitations sent to staff at the director level to participate on this Committee that an additional letter was sent to the Municipal Clerks confirming that members, other than at the director level, could be appointed. This letter, if different than that of December 2010, has not yet been made available to EFWAC.

Ms. Januszkiewicz clarified that the invitation letter sent to senior staff at the local municipalities for the appointment of senior staff to the EFWAC could have been filled by elected officials, non-Works Department staff, as these municipalities could have appointed a member at their discretion and by their process.

**Project Team to confirm if additional correspondence to Municipalities was provided.**

Ms. Gasser and Ms. Bracken reiterated the need, in accordance with the Terms of Reference, to develop a regular meeting schedule to include evening meetings and with consideration to the inclusion of agenda items that are not driven by milestones only, as these items are also important.

Mr. Anderson noted his concern with the membership of the EFWAC, advising that he felt the Project Team deliberately stacked this Committee against the public members and without Council's approval. Further, Mr. Anderson advised that he felt the correspondence from Ms. Januszkiewicz should have been addressed to the Municipal Clerks, and not the directors at the various municipalities.

Ms. Januszkiewicz clarified that direction of the EA Condition of Approval for membership to the EFWAC was followed and that correspondence was sent to the senior staff at the various municipalities in anticipation of technical discussions and with consideration to these discussions and issues being reviewed and clarified with peers. Ms. Januszkiewicz advised that some municipalities initiated that Council actively participate in the selection of their representative to the EFWAC. The Township of Uxbridge was provided as an example.

Mr. Anderson suggested that it was only after he sent an email to York and Durham Regional Councils that consideration was made by local municipal Councils to consider alternate members to those selected staff at the director level. Mr. Anderson felt that this precluded the possibility of community members as part of the EFWAC who could also be considered experts in the matter of the EFW.

Ms. Januszkiewicz confirmed that she never claimed to influence Council decisions.

At this time, Kerry Meydam came to the table to replace Wendy Bracken (3:23 PM).

Ms. Meydam questioned EFWAC membership by the Project Team, advising that she felt that this was not in accordance with EA Conditions of Approval Sections 8.3, 8.4, 8.5 and 8.6.

Discussion ensued with regard to the lists which have been issued which reflect the membership of the EFWAC. It was requested these be more consistent.

Ms. Gasser noted that when members of the Committee received the draft Terms of Reference in January 2011, in response to the members' questions, Ms. Lyndsay Waller had provided a specific reply regarding the role of the Project Team, advising that the Team was comprised of Durham and York Regional staff and their consultants, and that they would be present at the meetings, however, would not be members but instead participate in conversations with the members.

The Facilitator reiterated the public group members' concerns regarding the Project Team members not being on the EFWAC, and their preference that the Project Team not be members, but available at the table as a resource and not providing advice to themselves. Ms. Langmaid suggested consideration to stagger appointments to the Committee to provide long term continuity. Ms. Cumming noted that this could be a future discussion amongst Committee members. Mr. Anderson felt that the EA Conditions of Approval were clear in that all of the appointments are continuous. Ms. Gasser suggested that should correspondence be sent to the municipalities of the members to confirm membership, for example biennially, this

would provide an opportunity to reconfirm members, or even replace those members who are not actively participating in this Committee.

Mr. Anderson asked if some members were replying and then not showing up and were others deliberately not being available for evening meetings.

With respect to the timing of meetings, Ms. Cumming reiterated the process for determining the availability of members for daytime and evening meetings. She noted that multiple dates and times are provided. For example there were two evening meetings suggested for the April meeting and one daytime meeting. She noted that every effort is being made to hold evening meetings but that members are not available.

Ms. Cumming responded that the majority of EFWAC members respond quickly to the meeting request and attend when they have notified that they are available. The decision to select the date and time of the meeting is based on securing the optimal availability and attendance of members striving for quorum.

Mr. Anderson noted that members should be replaced if they do not respond and attend the meetings. Ms. Cumming advised that the majority of members have alternate members who attend when the member is not available to.

Ms. Gasser suggested that regardless of availability that evening meetings be scheduled at least one out of every four.

Ms. Gasser noted that the issue with regard to voting rights of the members was never resolved.

Ms. Gasser further addressed the role of the Facilitator, and suggested that rather than the Facilitator conferring with the Project Team with regard to requested agenda items from the members, that all items requested be included on the agenda, and at the start of each meeting, the Committee determines those which are to remain on the agenda and be addressed.

Mr. Anderson questioned if the role of the Facilitator doesn't compromise the independence of the Committee. The example provided was with regard to the earlier discussion on the direction provided to the Facilitator by the Project Team that it was not a part of the mandate of the Committee to act on Durham Region Council directive to review and comment on the Health and Social Services Regional Mobile Air Quality Monitoring Program. Mr. Anderson suggested that the Facilitator should only be consulting with the members of the Committee, and further that a subcommittee be struck to determine the agenda one month prior to the meeting.

Ms. Gasser suggested that the Facilitator role should be more akin to a Chair role and that the Committee should adopt some rules for the Facilitator to act as Chair of this Committee, as required.

No additional comments were received around the table.

Ms. Cumming advised that her role, as identified in the Terms of Reference on page four, is focused in scope. Ms. Cumming clarified that she does not review the agenda but instead, ensures that items from the agenda reviewed are carried

forward, as required. Ms. Cumming further noted that as previously explained to the Committee, she works in varying capacities on different committees, and that the Terms of Reference for the EFWAC are very specific. Ms. Cumming advised that the comments made will be taken under advisement and she will see if there is an opportunity for input in the agenda process. Ms. Cumming will report back to the Committee on this issue.

Discussion ensued with regard to posting of the meetings on the Regional calendar, agendas and notes to the Regional website, in addition to the Project website. Ms. Gasser noted that there was an inconsistency in the posting of the agenda and minutes on the Regional website. It was confirmed that the Project Team would look into this and follow up with Legislative Services to determine what can be posted to the Regional website.

Ms. Gasser also requested again that minutes be provided to Council to advise them on the Committee and clarify the difference between the EFWAC and the Energy from Waste-Waste Management Advisory Committee (EFW-WMAC).

Ms. Gasser also suggested that the Terms of Reference be revisited to allow the Committee to vote on all matters, not just procedural matters. Consideration to this occurring with the new term of Council was suggested by Ms. Gasser with confirmation of membership correspondence sent to municipalities (as discussed above).

Ms. Gasser discussed public notification for EFWAC meetings, and requested that consideration be made to advertising these meetings to ensure that the public are aware of this Committee and when their meetings are held.

Ms. Cumming confirmed that the minutes of the meeting would reflect the discussion and continuing concerns.

##### **5. YORK REGION'S SM4RT LIVING PLAN, INTEGRATED WASTE MANAGEMENT MASTER PLAN (SEPTEMBER 2013)**

A presentation on York Region's SM4RT Living Plan, Integrated Waste Management Master Plan, was provided by Dave Gordon, Manager, Sustainable Waste Management, York Region. A hard copy of the Plan was also provided to members.

Mr. Gordon advised that the three key aspects of York Region's Long Term Waste Management Plan includes 1) Infra-stretching (through demand management achieved by waste reduction and public education), 2) Investment (in new capital and infrastructure), and 3) Innovation (with partnership-based approach to deliver the SM4RT Living Plan). Mr. Gordon advised that throughout the development of the Plan, there was extensive and robust public consultation.

Mr. Gordon advised that York Region is currently considered a leader in the province with a 57 per cent WDO GAP diversion rate, and a consistent top ranking in the WDO Large Urban category for diversion.

Mr. Gordon noted that York Region Council endorsed the 4Rs hierarchy - this includes use of recovery. Mr. Gordon also discussed the status and cost of current waste diversion, and advised that York Region is looking to reduce waste by

approximately 33,000 tonnes by 2031. York expects to accomplish this by reducing the amount of tonnes generated in the system and by identifying alternate options to achieve the social, economic and environmental benefits with the implementation of their Master Plan.

York Region is currently working on the following initiatives over the first five years of the Plan:

- Food Waste Reduction by expanding Green Bin audits, surveying York Region residents, as well consulting with residents to discuss, educate and provide awareness on this issue. Mr. Gordon provided a breakdown of the composition audit results and the cost impacts of food waste.
- Reuse, Repurpose Strategy by maintaining partnerships with organizations such as Good Will and Habitat for Humanity, along with partnerships with local community groups. A resource tool has been made available on the website to assist York residents with appropriate disposal of waste items. As well, Mr. Gordon advised that this tool will be expanded to include repurpose and reuse locations including businesses, charities, etc. As well, environmental workshops, within the community, are being held to assist residents with tasks such as bicycle repair.
- Advocacy and Collaboration to address packaging and products. This was identified as the key issue during public consultations. Staff are working with colleagues, through the Regional Public Works Commissioners of Ontario (RPWCO), and with the province regarding the recent changes to the Waste Diversion Act.

Mr. Gordon identified that with the implementation of York Region's strategy, a decrease of waste, in all streams, will achieve a reduction from 321 kilograms per year currently per person to 289 kilograms per person in 2031.

In response to Ms. Gasser's inquiries, Mr. Gordon clarified that the timelines (years) identified on Slide 17 at the bottom of the graph are only included to show the timing of key infrastructure; that collection services are administered at the lower tier level; and further, implementation of the use of clear bags is currently being considered at Town of Aurora Council while King Township is considering its implementation in the future.

Mr. Gordon also clarified that York Region is not able to direct their local area municipalities, as they are autonomous. York Region and the municipalities work together as a team.

**6. RECEIPT OF DURHAM REGION COUNCIL DIRECTION OF FEBRUARY 12, 2014 AND DISCUSSION OF FUTURE MEETINGS**

Ms. Cumming requested approval from the Committee members to remain in session until 4:45 PM – this approval was provided.

Ms. Cumming asked the Project Team for clarification with regard to the Durham Council directive of February 12, 2014, previously provided to EFWAC members, with regard to the 2014 EFWAC meeting schedule.

Ms. Januszkiewicz advised that the next meeting is being scheduled on November 25, and that it was still to be determined if it would be an afternoon or evening meeting. Following this meeting, the next would be scheduled for early spring 2015.

Following extensive discussion amongst Committee members with regard to the scheduling of the next EFWAC meetings, as it relates to the Council directive and with consideration to the various opinions of the Project Team and Committee members, the following was suggested:

- The public members requested a meeting in May, June or July to discuss the Review of the Durham Region Mobile Air Quality Monitoring Program.
- Members indicated that they would be willing to discuss the Regional Air Mobile Monitoring Report at the next meeting.
- Several members asked if a meeting could be called for June 19, 2014, at which the Regional Air Mobile Monitoring Plan could be discussed. The Project Team advised that suitable dates for the next meeting would be reviewed.
- Mr. Nick Colucci suggested that future meetings could be scheduled on the third Thursday in June or July, however, taking into consideration the schedule of the Project Team in these months. This will be reviewed in the context of determining an available meeting date. Scheduling of a future meeting with preference to holding the meeting also on the third Thursday in September.
- Confirming of the meeting of November 25, location and time still to be determined.
- Consideration of holding a minimum of one of four 2014/2015 meetings in the evening.
- Dr. Kyle and Commissioner Curtis be requested to not finalize their report regarding Durham Region Mobile Air Quality Monitoring Program until comments have been submitted by EFWAC.
- Consideration to the September agenda including a status update on commissioning and ambient air reports.
- Determination of EFWAC membership end-date to be reviewed in order for update/invitation(s) to be sent out no later than early 2015.
- Consideration to formalizing correspondence to Durham Council advising on how direction on meeting schedule and review of the Durham Mobile Air Quality Monitoring Report was met by EFWAC.

## **7. NEXT MEETING**

Details with regard to the next meeting are discussed under Item 6.

The meeting adjourned.

## **PRESENT**

Mirka Januszkiewicz, Director, Waste Management, The Regional Municipality of Durham (Member)  
Dave Gordon, Manager, Sustainable Waste Management, The Regional Municipality of York (Alternate)  
Mike Saulnier, Manager, Operations, City of Oshawa (Member)  
Nick Colucci, Director, Public Works, Township of Brock (Alternate)  
Lisamaria Akeson, Solid Waste Analyst, Town of Whitby (Representative)  
Chris Darling, Director of Development Review and Regulation, Central Lake Ontario Conservation Authority (Member)  
Faye Langmaid, Manager of Special Projects, Municipality of Clarington (Member)  
Linda Gasser, Zero Waste 4 Zero Burning (Member)  
Wendy Bracken, Durham Environment Watch (Alternate); Kerry Meydam, Durham Environment Watch (Member)  
Doug Anderson, DurhamCLEAR (Member)

Susan Cumming, Cumming + Company, EFWAC Facilitator  
Melodee Smart, Administrative Assistant (Works)

Giuseppe Anello, Manager, Waste Planning and Technical Services, The Regional Municipality of Durham (Alternate)  
Greg Borchuk, Project Manager, Waste Management, The Regional Municipality of Durham  
Lyndsay Waller, Operations Technician, The Regional Municipality of Durham  
Kristy Brooks, Technical Assistant, The Regional Municipality of Durham  
Joanne Paquette, Manager, Communications (Works)  
Dave Fumerton, District Manager, Ministry of the Environment (Observer)

## **REGRETS**

Laura McDowell, Director, Environmental Promotion and Protection, The Regional Municipality of York (Member)  
Dan Pisani, Director of Operations and Engineering, Town of Georgina (Member)  
Gagan Sandhu, Infrastructure and Operations Manager, Town of Georgina (Alternate)  
George Flint, Manager of Air Quality, Climate Change and Waste Policy, Town of Richmond Hill (Alternate)  
Paul Whitehouse, Director, Public Works, Town of Whitchurch-Stouffville (Member)  
John Hannah, Manager, Operations and Environmental Services, Town of East Gwillimbury (Member)  
Peter Loukes, Director of Environmental Services, City of Markham (Member)  
Claudia Marsales, Manager, Waste Management, Town of Markham (Alternate)  
Christopher Kalimootoo, Director, Public Works Services, Town of Newmarket (Member)  
Rod Smith, Manager of Operations, Town of Newmarket (Alternate)  
Brian Anthony, Director, Public Works, City of Vaughan (Member)  
Rob Flindall, Director of Engineering and Public Works, Township of King (Member)  
Derek Bakshi, Senior Project Manager, Township of King (Alternate)  
Ilmar Simanovskis, Director of Infrastructure and Environmental Services, Town of Aurora (Member)  
Dave Meredith, Director of Operations and Environmental Services, Town of Ajax (Member)  
Thomas Gettinby, CAO and Municipal Clerk, Township of Brock (Member)  
Dhaval Pandya, Coordinator of Transportation Engineering, City of Pickering (Member)  
Michelle Whitbread, Coordinator, Parks and Environmental Services, City of Oshawa (Alternate)  
Suzanne Beale, Director of Public Works, Town of Whitby (Member)  
Brad Brooks, Superintendent of Solid Waste Management, Town of Whitby (Alternate)  
Ian Roger, Director of Public Works and Parks, Township of Scugog (Member)  
David Crome, Director of Planning, Municipality of Clarington (Alternate)  
Ben Kester, Director of Public Works, Township of Uxbridge (Member)  
Jacob Mantle, Councillor Ward 4, Township of Uxbridge (Alternate)  
Perry Sisson, Director of Engineering and Field Operations, Central Lake Ontario Conservation Authority (Alternate)  
Ken Gorman, Director, Environmental Health, The Regional Municipality of Durham (Observer)  
Joe La Marca, Director, Health Protection Division, The Regional Municipality of York (Observer)



# Advisory Committee

## EFW Update

April 17, 2014

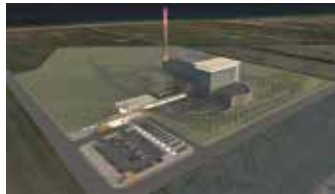
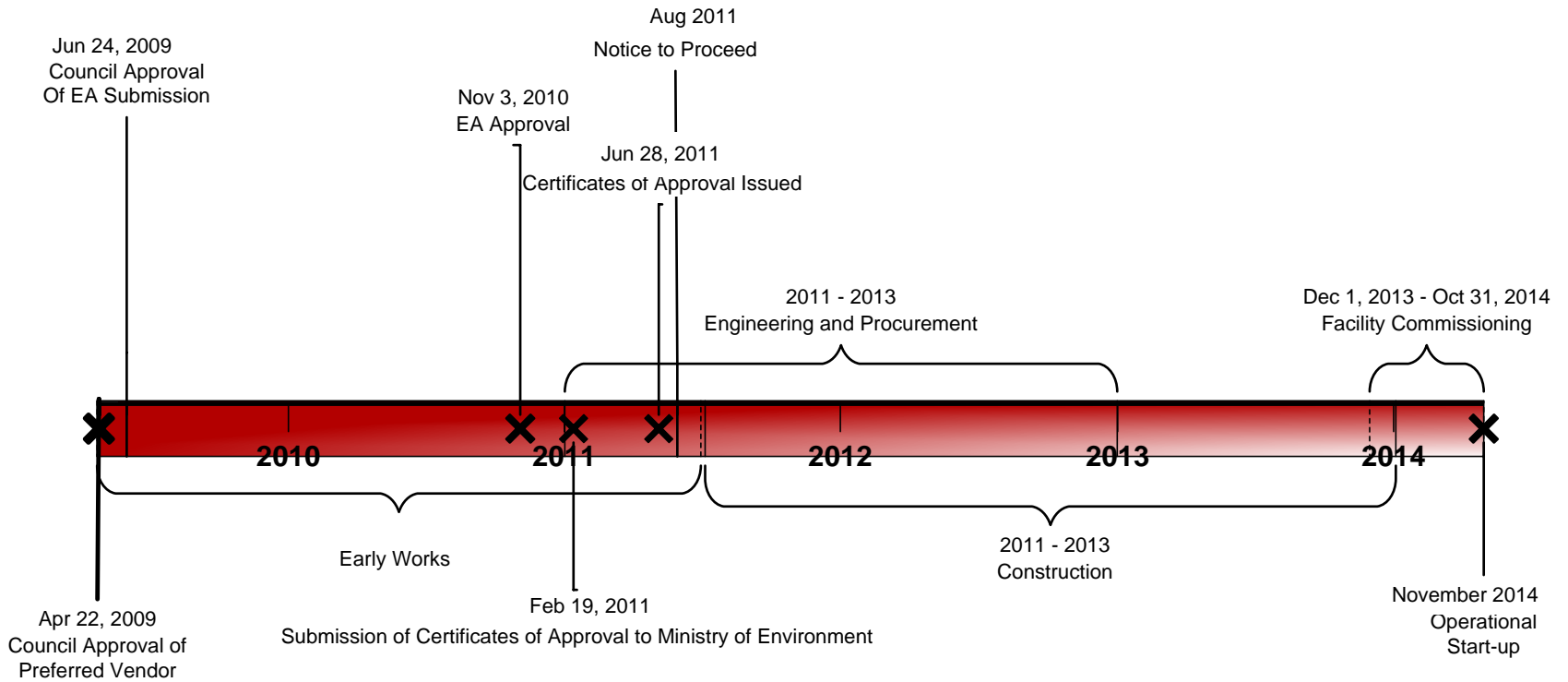
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Gioseph Anello, MEng., PEng., PMP  
Manager of Waste Planning and Technical Services  
Works Department  
The Regional Municipality of Durham

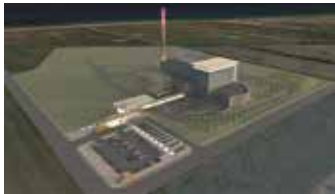


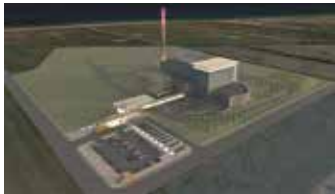


# Durham/York EFW Project Timelines 2009 - 2014

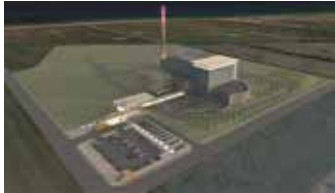


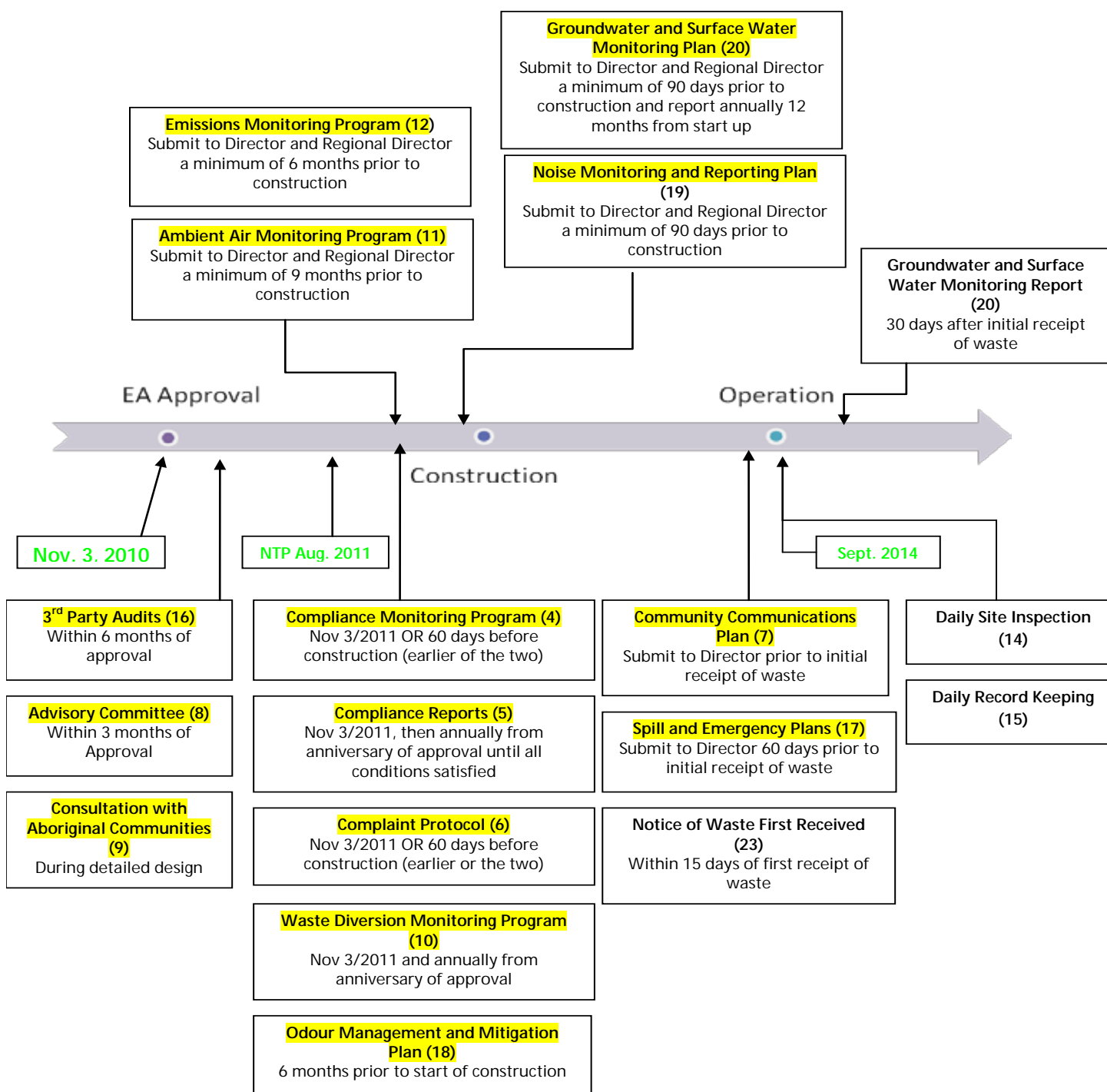






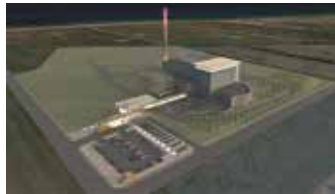








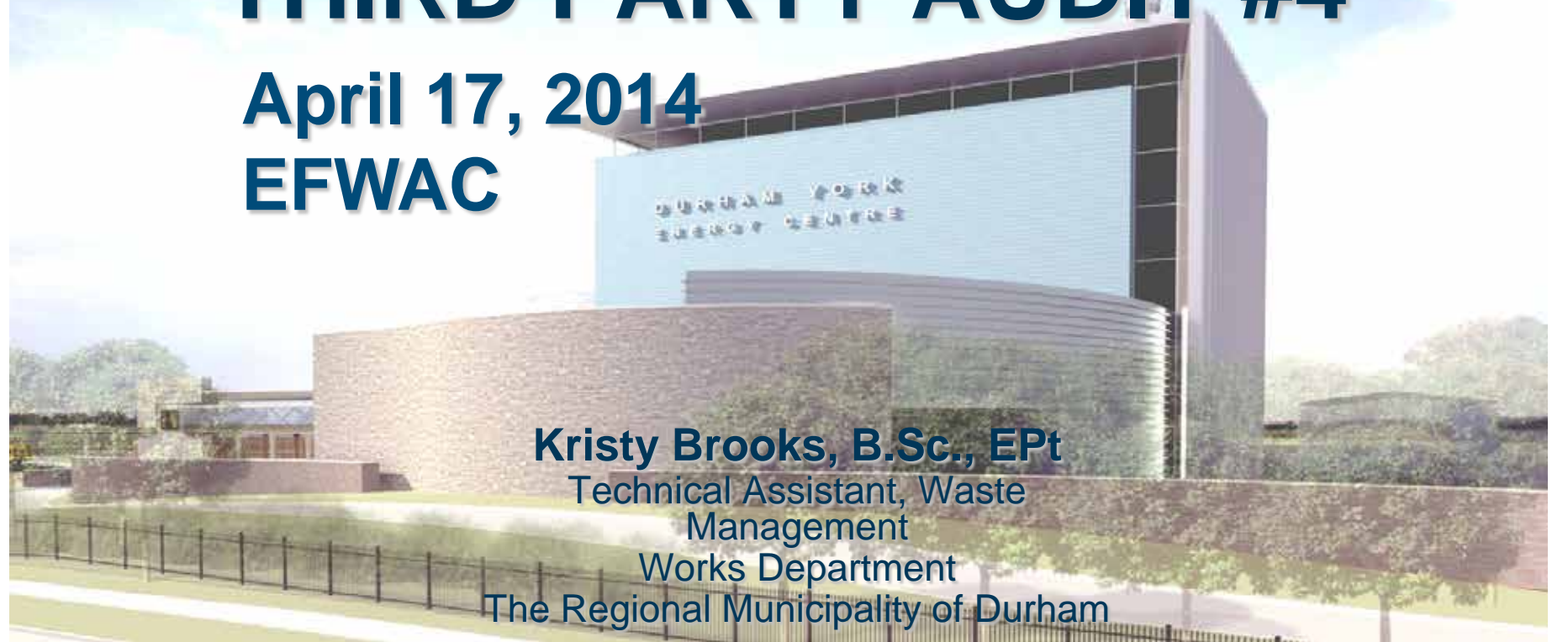
# Questions?





# THIRD PARTY AUDIT #4

April 17, 2014  
EFWAC



**Kristy Brooks, B.Sc., EPT**  
Technical Assistant, Waste  
Management  
Works Department  
The Regional Municipality of Durham



# Audit Background

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- § EA Condition 16 and ECA Condition 15.  
(2),(3)
- § MOE approved Audit Plan and Auditor:  
MALROZ Environmental Scientists & Engineers
  - Mr Steve Rose, MSc., PEng., PGeo.
  - Mr John Pyke, PGeo.



# Audit Objectives

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- § Compliance with applicable legislation;
- § Compliance with applicable approvals and permits such as the Certificate of Approval and site plan permit;
- § Records verifying visual sweep for species of concern; and
- § Records demonstrating adherence to protocols for archaeological aspects.



# Audit Objectives (continued)

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## § Conformance with EA commitments;

- Employment of controlled entrances and exits at the construction site to minimize the offsite tracking of mud.
- Temporary and permanent grassing in disturbed areas.
- Dust control during dry periods.
- Possible implementation of an idling protocol as required.
- Adherence to an equipment maintenance program.
- Ambient air quality monitoring for particulate matter may be undertaken to monitor the effectiveness of the mitigation measures.





# Audit Process

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- § Website Document Review
- § Site Perimeter Check
- § Briefing Meeting
- § Document Review
- § Site Visit and Tour
- § Interviews
- § Wrap Up Session





# Previous Audits

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- § Audits have been completed in June 2012, April 2013, and September 2013
- § No areas of non-compliance have been identified
- § Some areas of improvement have been reported
- § No areas of improvement were noted in the September 2013 audit



# Previous Audits

---

## § Follow up to EFWAC Comments:

- AEMP and Soil Plan are to be posted to the website
- Appendix E item W14
  - 7.4 b) “Reports and records related to the undertaking that are required to be submitted under this Notice of Approval or under any other ministry approvals that apply to the undertaking.”







# Audit 4 Scope

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- § Audit 4 is linked to Equipment Installation
- § Alternate submission date from March 15 to April 14 approved by MOE on January 31
- § The time span of audit 4 is from the date following audit 3 (Sept. 6, 2013) to March 28, 2014





# Audit Observations

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- § No areas of non-compliance
- § Areas of improvement included :
  - General housekeeping
  - Storage of liquid fuels protected from precipitation
  - Repair to silt curtain in the southeast corner of the site

“Documentation showing that each of the three areas was improved prior to issuance of this audit report was provided by site personnel and is included in Appendix D”

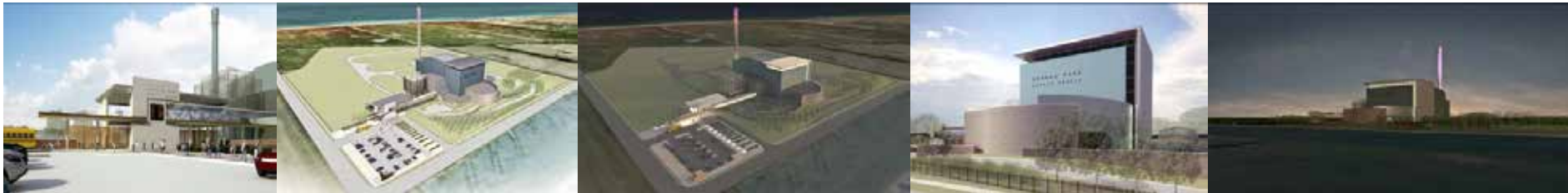




# Audit Report

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- § Submitted to MOE: April 14, 2014
- § Posted to Website:  
[www.durhamyorkwaste.ca](http://www.durhamyorkwaste.ca)
- § Made available to EFWAC for information





**Questions?  
Thank you.**

# Implementation of the SM4RT Living Plan

---

Energy From Waste Advisory Committee

April 17, 2014

Dave Gordon, York Region

# Three key aspects of the SM4RT Living Solid Waste Master Plan

- § *Infra-stretching* through demand management achieved by waste reduction and public education
- § *Investment* in new capital and infrastructure
- § *Innovation* with partnership-based approach to deliver the SM4RT Living Plan



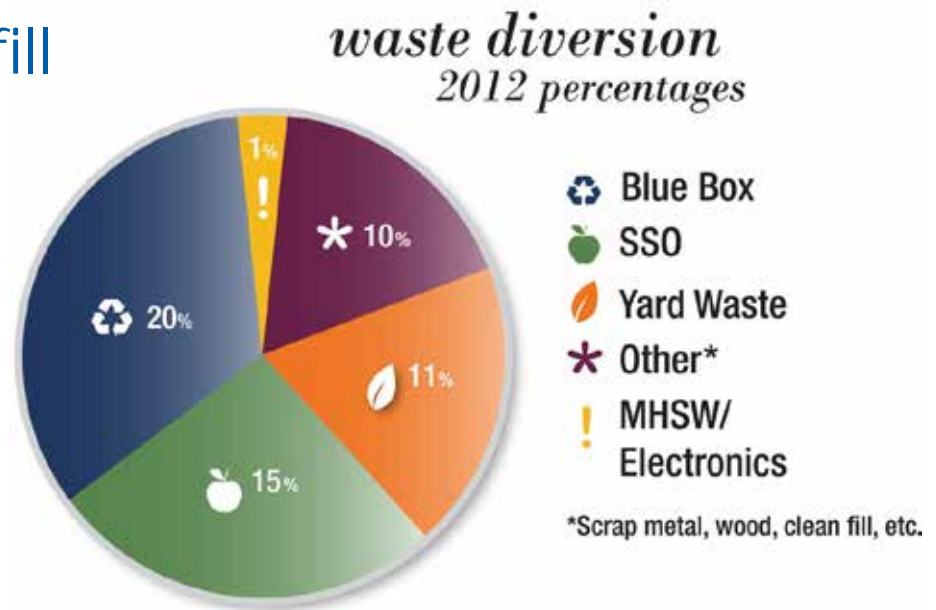
# Where we are

## § Leaders in Ontario (2012)

- 57% WDO diversion
- 82% diversion from landfill

## § Council endorsed 4Rs hierarchy

## § Inclusive blue box and green bin programs with high participation



*Consistently ranking in the top of the WDO Large Urban category of diversion*

# Where we want to go

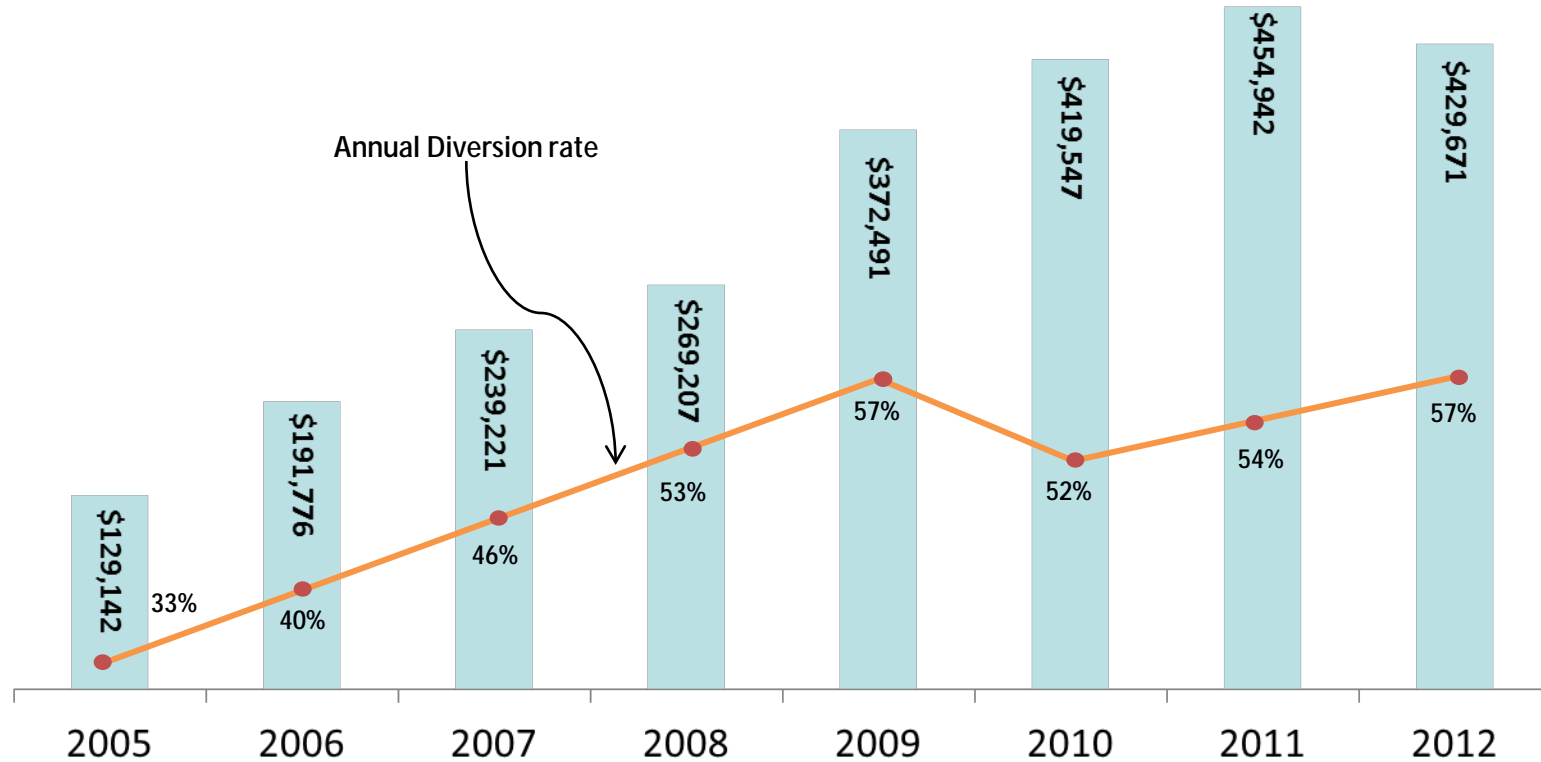
- § Diversion has stalled in Ontario
- § Limited return on investment with additional diversion programs
- § Waste reduction focuses on cost avoidance through waste prevention



*Measures of success in waste management at a tipping point –  
new Waste Reduction Act pending*



# Diminishing return on investment for additional diversion programs



Cost per percent of diversion increased by \$300K over 8 years

# Bending the curve to reduce waste generation

**16,588**  
TONNES

- Reducing food waste
- On-site composting
- Backyard composting

★ **7,519**  
TONNES

- Better facility design
- Increased sharing facilities
- Technical support to ICI and multi-residential

↻ **8,735**  
TONNES

- Textile collection
- Investigating attitudes toward reuse
- Swap events

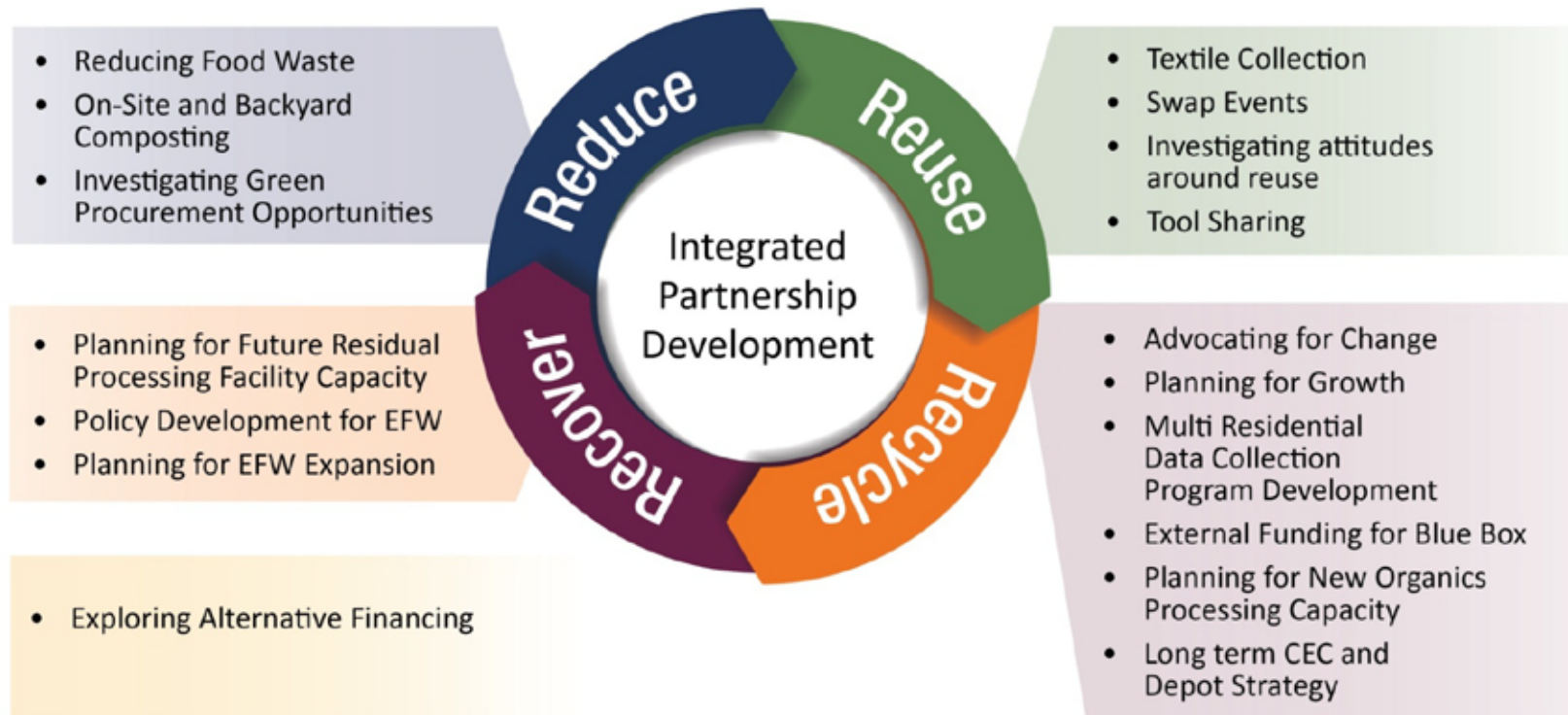
✂ in 2031  
**32,842**  
total tonnes reduced



reductions by tonne:

- 🌿 Organics
- ★ Other
- ↻ Waste Reuse
- ▲ Total Waste Managed

# *Priority initiatives to drive long-term performance*



*Implementation of priority initiatives in first five years projected to avoid up to \$62M in Regional and local net costs and reduce 166,000 tonnes of waste by 2031*

# How We Are Going to Get There

- Comprehensive evaluation identified impacts of each initiative from Phase 1 and Phase 2 research
- Practical application of initiatives
  - Understanding barriers to participation
  - Working with community and industry partners
- Conservative projections set based on program success in other jurisdictions
  - Use of pilots and opportunities to recalibrate

## *How to reduce food waste*



*On-going monitoring of results with first Plan update in 2019 and every four years following to align with term of Council*

# Getting there: Food Waste Reduction

Education



Demonstrations



Partnerships



# Uncovering Food Waste in York Region

---



Food Waste Audits



Survey and Focus groups

# How do we measure wasted food?

Standard Green Bin Audit

New categories to capture food waste



~72%

Kitchen organic waste

~28%

Non-food (pet waste, diapers, plastics etc.)



Unavoidable

OR



Avoidable



Avoidable



Leftovers



"bought and forgot"



Baked goods



Produce



Meats



Pasta/grains



Other



# How much of the green bin is wasted food?\*



10%

Uneaten leftovers

13%

Bought and forgot items

49%

Peelings, bones and other unavoidable waste

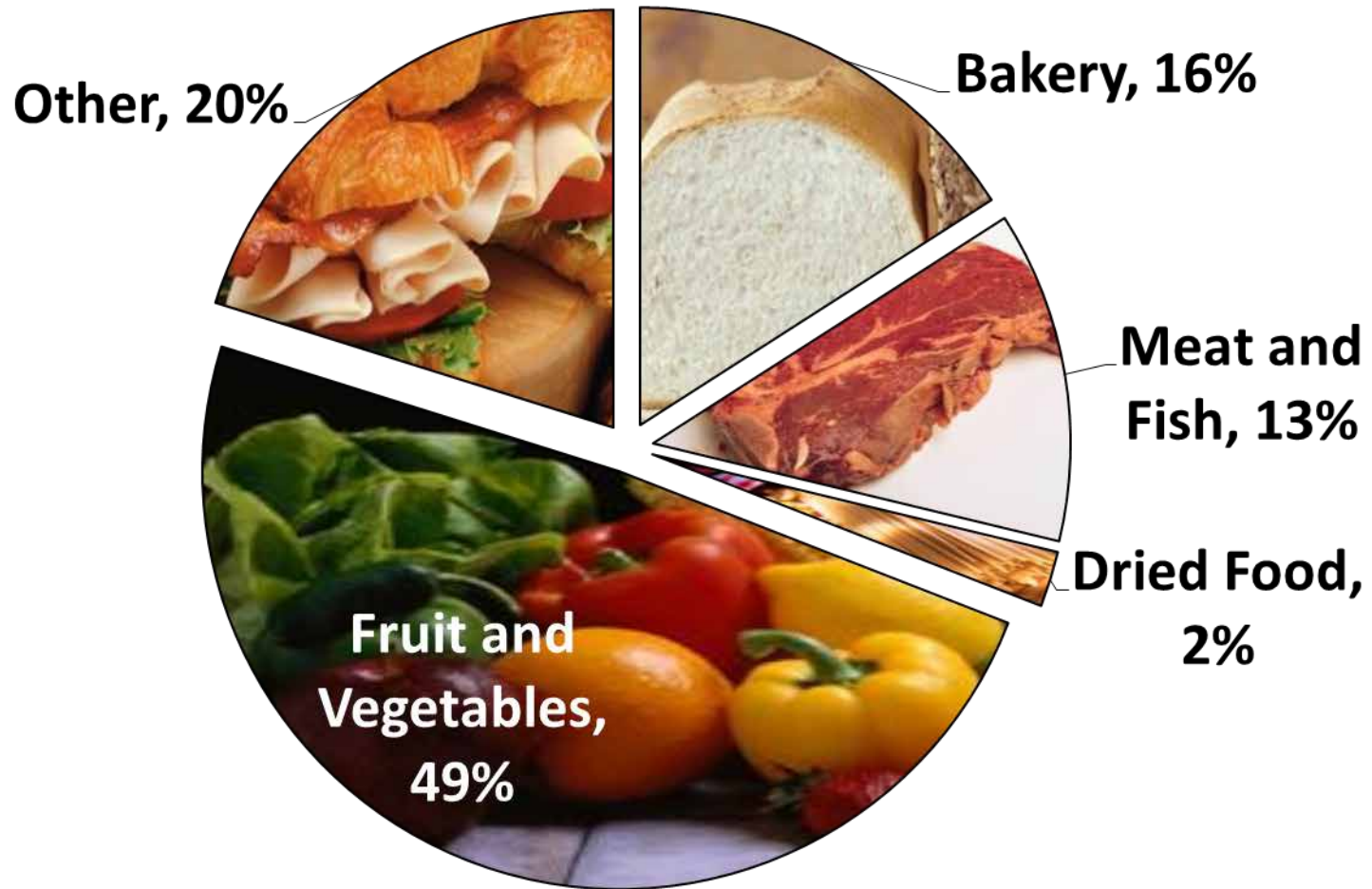
28%

Pet waste, diapers, paper towels and other non-food waste

22000  
Tonnes/yr =  
\$5.5 M

# What types of food are going to waste?

---



*Fruits and vegetables make up almost half of the wasted food in the green bin audit*

# Getting there: Reuse, Repurpose Strategy



- § Community-led partnerships to increase diversion of reusable goods from landfill
- § Donation/swapping
- § Repair workshops
- § Creative repurposing



Slide 15

# Getting there: Advocacy and Collaboration



- § Municipal/Industry collaboration for better packaging materials/design
- § New Ontario Waste Reduction Act moving towards greater producer responsibility

***“Ontario producers and product stewards know that if they fail to address the environmental impacts of their products, they risk eroding consumer confidence and market share.”***

***Stewardship Ontario, Sept. 2013***



Slide 16

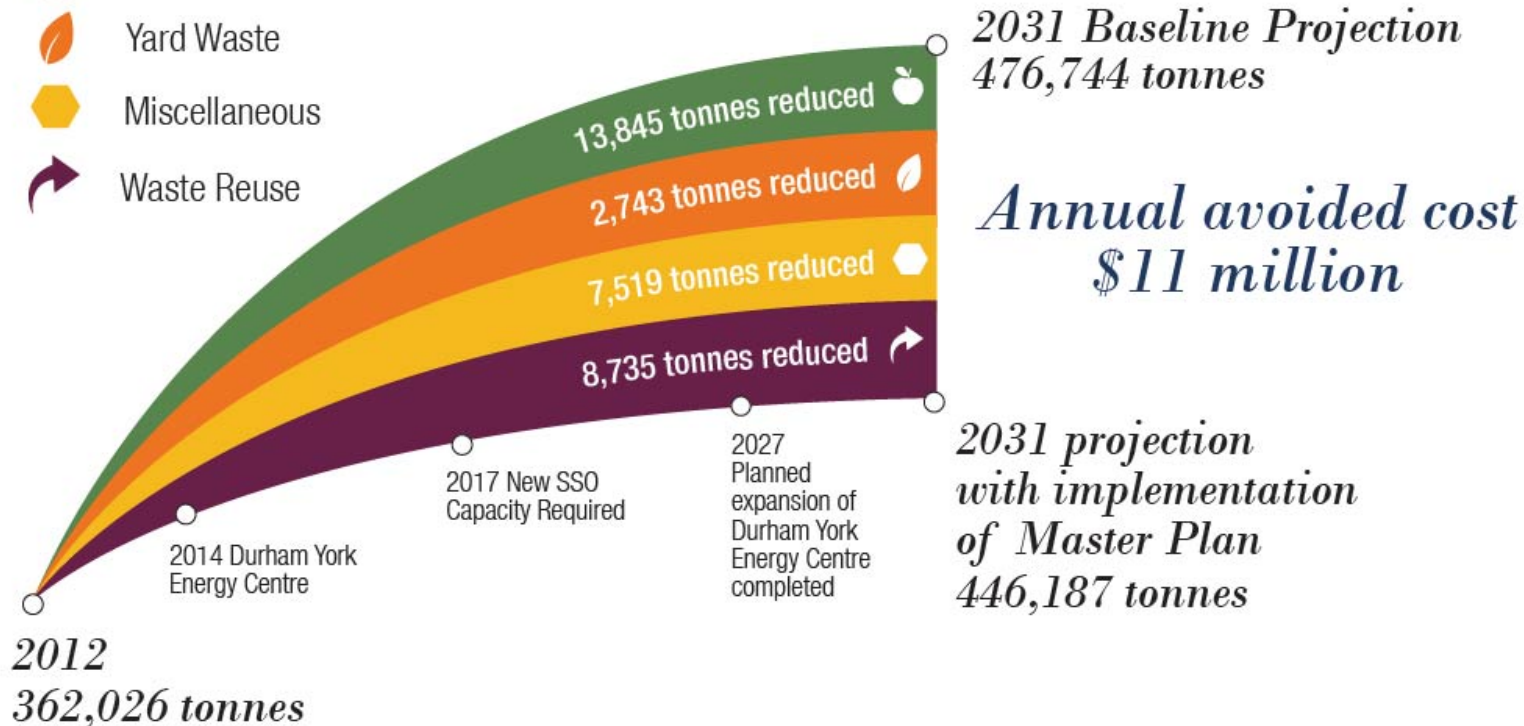
**SM4RT LIVING**  
REDUCE • REUSE • RECYCLE • RECOVER

*Projected overall impact of first five years of implementation*

# *Annual reduction achieved by 2031*

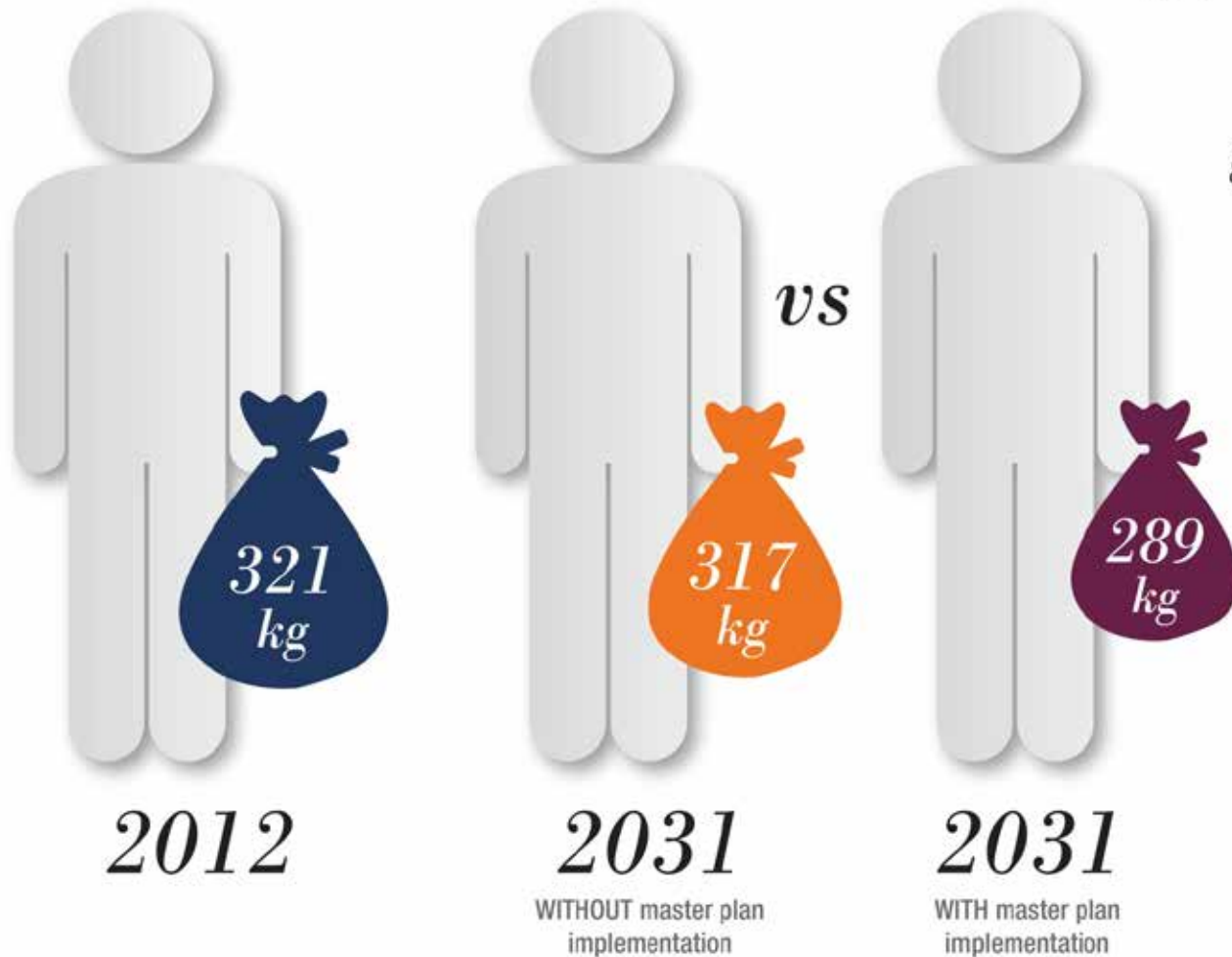
*reductions by tonne:*

-  SSO
-  Yard Waste
-  Miscellaneous
-  Waste Reuse



*Opportunity to recalibrate Master Plan based on results realized*

# Waste generation per capita reduced in longer term



*Decreased  
waste*

*generation per person*

*Reduction of  
28 kg per  
person in 2031*

Conservative targets  
with continuous  
improvement  
built into pilots

# First five years of implementation reduces cost per household over long term



*Avoided cost  
per household*

*Estimated avoided costs  
of approximately \$22  
per household in 2031*

Decrease in waste generation  
by approximately 9% and an  
increase of just over 1%  
in diversion out to 2031

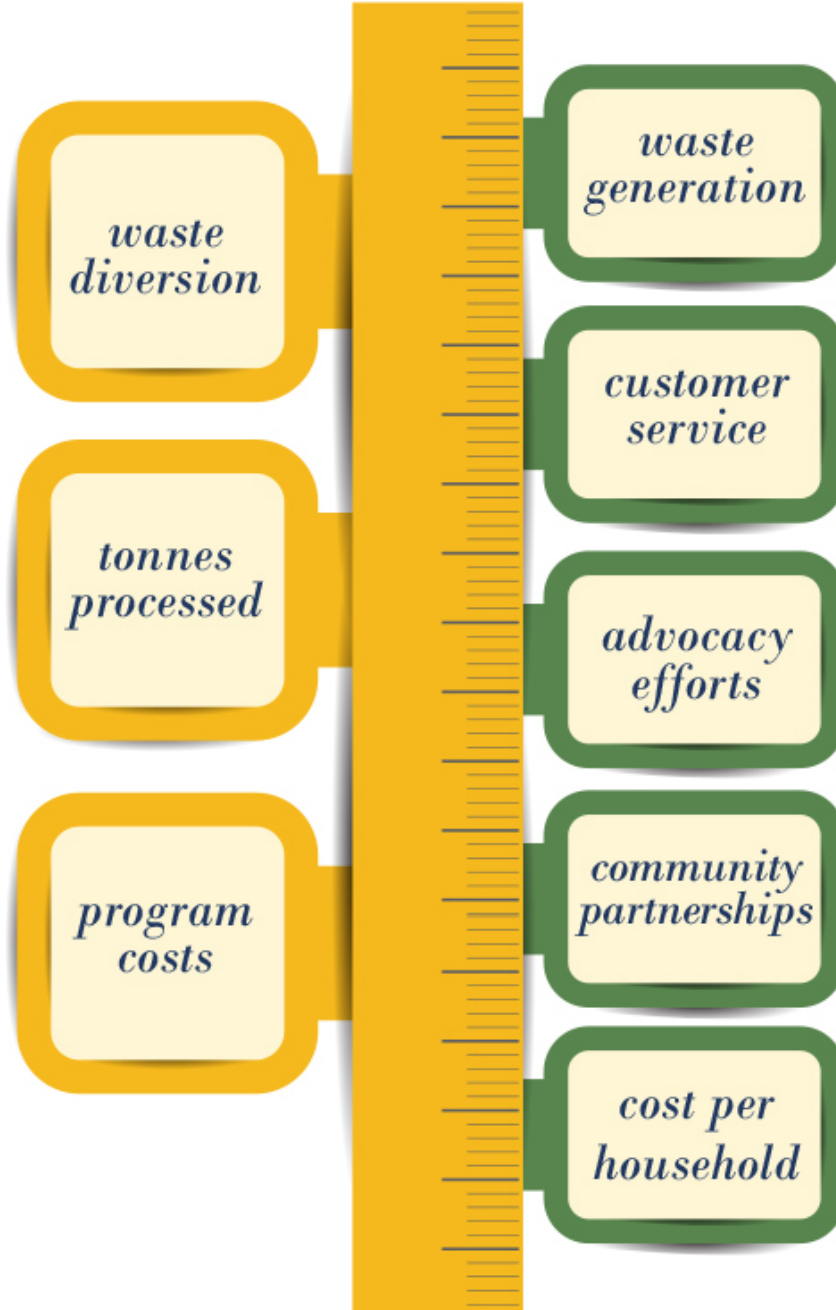
\* Based on systems costs as of July 2013

*Monitoring actual achievements along the way*

# Setting new measures of success



*Going beyond waste diversion to better measure program success and value to community*



*waste diversion*

*waste generation*

*tonnes processed*

*customer service*

*advocacy efforts*

*program costs*

*community partnerships*

*cost per household*



# 2014 Priority Initiatives

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- § Food Waste Campaign development
- § Composting pilots
- § Binicator update to promote reuse
- § Research feasibility of Alternative Financing
- § Development standards and incentives
- § Planning for future processing capacity
- § Advocacy on Extended Producer Responsibility and sustainable packaging
- § Pilot best practices for waste management in Regional facilities

---

**Thank you**  
**Any questions?**

# **Meeting #10 Correspondence**

**Advisory Committee Annual Report**

---

**From:** [Linda Gasser](#)  
**To:** [Melodee Smart](#); "[Susan Cumming](#)"; [Ian.Parrott@Ontario.ca](mailto:Ian.Parrott@Ontario.ca)  
**Cc:** "[Denis Kelly](#)"; [Clerks](#); [dave.fumerton@ontario.ca](mailto:dave.fumerton@ontario.ca); "[Thomas, Sandra \(ENE\)](#)"; [Cliff Curtis](#); [Mirka Januszkiewicz](#); [Kerry Meydam](#); [Wendy Bracken](#); [Doug Anderson](#); [rfritzsche@richmondhill.ca](mailto:rfritzsche@richmondhill.ca); "[Sisson, Perry](#)"; "[Ian Roger](#)"; "[Dan Pisani](#)"; "[Brian Anthony](#)"; "[Rob Fortier](#)"; "[Seth Dittman](#)"; "[Mike Saulnier](#)"; "[Ilmar Simanovskis](#)"; [lauren.schipper@york.ca](mailto:lauren.schipper@york.ca); "[Mike Rabeau](#)"; "[George Flint](#)"; "[Derek Bakshi](#)"; "[Dave Meredith](#)"; "[Chris Darling \(CLOCA\)](#)"; "[Claudia Marsales](#)"; "[Brian Jones](#)"; "[Paul Whitehouse](#)"; "[Rob Flindall](#)"; "[Dhaval Pandya](#)"; "[Christopher Kalimootoo](#)"; "[Joe La Marca](#)"; "[Daniel Kostopoulos](#)"; "[Luis Carvalho](#)"; "[Ben Kester](#)"; "[Peter Loukes](#)"; "[Faye Langmaid](#)"; "[Thomas Gettinby](#)"; "[Suzanne Beale](#)"  
**Subject:** Correction EFWAC - Input on Scheduling of Follow-up Discussion on July 31, 2013, Project Team Memo  
**Date:** April 2, 2014 12:10:42 PM  
**Importance:** High

---

Sue and Melodee:

I copy Ian Parrott with my email reply as I wish to correct the record. The follow up item from the last meeting as described below is NOT consistent with what I had raised around the EFW AC Terms of Reference discussions and specifically asked for at the Oct. 2<sup>nd</sup> meeting.

Prior to the October 2<sup>nd</sup> meeting before that agenda was developed I had asked for the ToR discussion to be added to the Oct. 2<sup>nd</sup> agenda to discuss among other matters the Project Team July 31, 2013 memo response to some of the issues raised at the previous meeting.

Recall that Durham staff arbitrarily decided NOT to include the ToR discussion item at the Oct. 2<sup>nd</sup> meeting. Therefore, I asked on Oct. 2<sup>nd</sup> that discussion of the ToR be added as an agenda item for discussion to the next meeting where matters would be discussed by the Committee members themselves – the next meeting is April 17th. In fact I clearly stated that this had to be a discussion between EFW AC members and not devolve into a series of emails between individual EFW AC members and the Project Team.

Ms. Cummings can make suggestions about documenting concerns but that was NOT decided by the committee – she took it upon her self to make that comment.

I repeat my request that an agenda item called Review of the EFW AC Terms of Reference be added to the April 17<sup>th</sup> meeting agenda for discussion. Durham staff have already thrown up enough road blocks.

Linda Gasser

-----

Minutes extract –page 2

Ms. Gasser noted that a process had not been identified to formally address EFWAC concerns regarding the Project Team's memo and ensure that this exercise would not be just a circular argument. Ms. Gasser questioned the process for next steps as previously she had been advised to have the discussion at the table and was not able to successfully do at this meeting with regard to memo follow up.

Mr. David Crome suggested that this item be included on an agenda, if not at tonight's

meeting, then at the next meeting to provide an opportunity for additional discussion on the comment/response summary provided by the Project Team.

The Facilitator confirmed that if time allowed at the end of this meeting, concerns could be documented, however, if it was not possible, then members are to document their concerns for submission to the Facilitator and Project Team, and inclusion on a future agenda.

---

**From:** Melodee Smart [mailto:Melodee.Smart@Durham.ca]

**Sent:** Wednesday, April 02, 2014 11:47 AM

**To:** Melodee Smart

**Cc:** Susan Cumming; Clerks; Denis Kelly

**Subject:** EFWAC - Input on Scheduling of Follow-up Discussion on July 31, 2013, Project Team Memo

*Good morning:*

*I forward the following message on behalf of Sue Cumming, EFWAC Facilitator:*

*Dear EFWAC Members:*

*RE: Request for input on scheduling of follow-up discussion on July 31, 2013, Project Team Memorandum*

*At the October 2, 2013 (Meeting #9), a member of EFWAC had asked that a follow-up discussion on the July 31, 2013, Project Team Memorandum be placed on a future EFWAC meeting agenda. As an action item arising from the October 2, 2013 Meeting, EFWAC members were asked to submit any documented questions/concerns with regard to the July 31st Memo. To date, no comments have been received. Please forward any comments or concerns to my attention in order to determine if a follow-up discussion should be placed on the agenda for the April 17th meeting. Your response by April 7, 2014 would be most appreciated. A further copy of the July 31<sup>st</sup> (refer to item 1) memorandum, minutes from Meeting #9 (refer to item 2) and Meeting #8 (refer to item 3) are appended.*

*Thank you,*

*Sue Cumming, MCIP RPP*

*Facilitator*

*Cumming+Company*

*[cumming1@total.net](mailto:cumming1@total.net)*

**From:** [Linda Gasser](#)  
**To:** [Melodee Smart](#); ["Susan Cumming"](#); [Ian.Parrott@Ontario.ca](#); [Cliff Curtis](#); [Kevin.French@ontario.ca](#); ["Perkins, Pat"](#); [Drumm, Joe](#); [Don Mitchell](#); [coel@whitby.ca](#); ["Mayor Steve Parish"](#); ["Colleen Jordan"](#); ["Shaun Collier"](#); ["Mayor Terry Clayton"](#); ["Debbie Bath"](#); ["Mayor Adrian Foster"](#); ["Mary Novak"](#); ["Willie Woo"](#); ["Mayor John Henry"](#); ["Nancy Diamond"](#); ["Tito-Dante Marimpietri"](#); ["John Aker"](#); ["Amy England"](#); ["Bob Chapman"](#); ["John Neal"](#); ["Nester Pidwerbecki"](#); ["Mayor Dave Ryan"](#); ["Bill McLean"](#); ["Peter Rodrigues"](#); ["Jennifer O'Connell"](#); ["Mayor Chuck Mercier"](#); ["Bobbie Drew"](#); ["Mayor Gerri Lynn O'Connor"](#); ["Jack Ballinger"](#)  
**Cc:** ["Denis Kelly"](#); [Clerks](#); [Roger Anderson](#); [dave.fumerton@ontario.ca](#); ["Thomas, Sandra \(ENE\)"](#); [Cliff Curtis](#); [Mirka Januszkiewicz](#); [Kerry Meydam](#); [Wendy Bracken](#); [Doug Anderson](#); [rfritzsche@richmondhill.ca](#); ["Sisson, Perry"](#); ["Ian Roger"](#); ["Dan Pisani"](#); ["Brian Anthony"](#); ["Rob Fortier"](#); ["Seth Dittman"](#); ["Mike Saulnier"](#); ["Ilmar Simanovskis"](#); [lauren.schipper@york.ca](#); ["Mike Rabeau"](#); ["George Flint"](#); ["Derek Bakshi"](#); ["Dave Meredith"](#); ["Chris Darling \(CLOCA\)"](#); ["Claudia Marsales"](#); ["Brian Jones"](#); ["Paul Whitehouse"](#); ["Rob Flindall"](#); ["Dhaval Pandya"](#); ["Joe La Marca"](#); ["Daniel Kostopoulos"](#); ["Luis Carvalho"](#); ["Ben Kester"](#); ["Peter Loukes"](#); ["Faye Langmaid"](#); ["Thomas Gettinby"](#); ["Suzanne Beale"](#)  
**Subject:** Impediments to EFW AC responding to Durham council direction re 2014-MoH-02 and to continue review terms of reference  
**Date:** April 9, 2014 12:16:48 PM  
**Attachments:** [DEAC April 10, 2014 agenda.pdf](#)

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All:

I draw your attention to two recent memos to the EFW AC – both pasted in below.

Further to the email below re Report 2014- MoH-02, the manner in which Durham Project Team staff propose to solicit EFW Advisory Committee comment so as to respond to council direction regarding the regional mobile air monitoring report is CONTRARY to council direction and inconsistent with how this will be responded to by another Durham Committee –the Durham Environmental Advisory Committee as an example.. Regional council directed that the matter be forwarded to several committees, including EFW AC, for their comments.

As per the April 2, 2014 email below, Durham staff request that individual EFW AC members respond directly to Commissioners Curtis and Kyle rather than having the EFW AC develop comments and respond as a committee. See the attached April 10, 2014 DEAC agenda –where the matter is clearly shown as an agenda item on the DEAC agenda. Was a request for soliciting comments from individual DEAC members sent asking them to respond directly to Curtis and Kyle?

As per Durham Region council's direction and request for comment, this should be an agenda item for the April 17<sup>th</sup> EFW AC meeting, where EFW AC would have a discussion to what determine comments the EFW AC would choose to develop as a committee.

Durham staff have taken similar steps to limit discussion on the EFW AC Terms of Reference though it was agreed at the last meeting and documented in the minutes that the Terms of Reference item would be included as an item for discussion at the next meeting. (see that email exchange pasted in below).

Though the EFW AC members agreed the discussion should happen at the next meeting (April 17, 2014), instead, staff want individual members to submit comments to staff to respond to a staff memo. It was stated clearly at the last meeting – after staff REFUSED to include discussion of the EFW AC ToR as an agenda item at the October 2, 2013 meeting though the request to have that agenda item included was submitted in good time, so as to deal with the July 31, 2013 staff

written response.

Until there is a discussion on the Terms of Reference by the committee as to how the EFW AC would operate – this includes everything from simple things like how often the committee meets to what items should be included on agendas for discussion, this committee will not be able to achieve the mandate as described in EA condition 8.

Over the last 3 plus years, Durham Project Team staff have taken many steps to constrain EFW AC activities. Commissioner Curtis went so far as to say at recent council and Works meetings that the EFW AC had fulfilled its mandate-then he quickly added “to date” –an opinion he is entitled to but this has not been determined by the EFW AC itself nor is his opinion consistent with what has been set out in Condition 8 of EA approval.

It’s quite apparent that Durham project team staff would like to kill the EFW AC and Durham staff appear to experience enormous difficulties responding to questions from the public members who actually review the incinerator related material released by the project team.

**To Durham Region councillors** - please recall that you are responsible for fulfilling EA conditions. Recall also that the public members on the EFW AC have raised many concerns from before the initial meeting of the EFW AC which Commissioner Curtis closed to the public through to the present date and described staff attempts to constrain the ability of the EFW AC to even meet and develop an agenda. By limiting the number of meetings, staff attempt to limit the number and types of concerns raised. By controlling the agenda staff actively prevent certain concerns from being raised at all.

It should give councillors pause that Durham staff have devoted so much effort to undermine the ability of the EFW AC to meet and attempt to provide advice to them and MoE on the MANY documents and plans released by staff, most of which documents have not been reviewed by Durham councillors or other committees, not even the EFW WMAC.

**To MoE staff copied with this email:** What about MoE’s responsibility to provide some determination as to whether or not EA conditions are being met/implemented appropriately by the proponents. The many concerns raised since the inception of the EFW AC should be a big clue that there are major concerns that have been expressed repeatedly by the public members on the EFW AC.

Since Durham staff prevented the EFW AC from developing their own Terms of Reference and because staff arbitrarily appointed a facilitator to run the meetings, it should be the job of the EFW AC facilitator to develop the agenda in consultation with the project team AND with the EFW AC members.

**I formally request that items below be included on the April 17<sup>th</sup> EFW AC agenda:**

EFW AC Terms of Reference Review (as agreed upon at Oct. 2, 2013 meeting)

Setting an EFW AC meeting schedule (see Durham Council direction dated February 12, 2014

D-Y submission of 2013 Compliance Monitoring Report (dated Oct. 31. 2013)

Review of Ambient Air Baseline monitoring report (provided to EFW AC in document package dated Dec. 16.2013)

Review and comments to Durham Regional Mobile Monitoring Report 2014-MoH-02 – as per council direction March 5.14

Mandated public consultation meeting prior to receipt of waste –description of proposed date, format, content etc.

Explanation of incinerator Commissioning activities including Acceptance testing

Recall our last meeting was October 2<sup>nd</sup>, 2013 and I had requested a meeting starting last January to discuss the many outstanding issues. Recall that Mr. Curtis opined that as he saw it there would be only two meetings in 2014 – in April and in November. If another meeting is needed after April 17<sup>th</sup> but before November to discuss these items and additional matters, then the EFW AC should have that option and consider this when developing their meeting agenda as per council direction of Feb. 12, 2014.

Thank you for your attention.

Linda Gasser  
Zero Waste 4 Zero Burning

---

**From:** Melodee Smart [mailto:Melodee.Smart@Durham.ca]  
**Sent:** Wednesday, April 02, 2014 11:10 AM  
**To:** Melodee Smart  
**Cc:** Susan Cumming; Clerks; Denis Kelly  
**Subject:** Durham Council Directive of March 5, 2014 to EFWAC RE Health & Social Services Committee Report 2014-MOH-02

*Good morning:*

*I forward the following message on behalf of Sue Cumming, EFWAC Facilitator:*

The Regional Municipality of Durham Council, at the March 5, 2014, meeting, adopted



the recommendation whereby the Energy from Waste Advisory Committee (EFWAC) be provided Health and Social Services Committee Report 2014-MOH-02 for comment (recommendation correspondence to EFWAC and report attached).

Please submit your comments with respect to the "Regional Mobile Air Quality Monitoring Program" Report (2014-MOH-02) to both Dr. Robert Kyle, Commissioner and Medical Officer of Health, and Mr. Cliff Curtis, Commissioner of Works.

Please note, the attachments to this email are only being sent electronically, however, should you require a hard copy of these documents, please advise by return email with a copy to Melodee Smart, and one will be sent via standard mail to you.

Thank you,

Sue Cumming, MCIP RPP  
Facilitator  
Cumming+Company  
[cumming1@total.net](mailto:cumming1@total.net)  
866 611-3715

-----  
**From:** Linda Gasser [<mailto:gasserlinda@gmail.com>]

**Sent:** April 2, 2014 12:11 PM

**To:** Melodee Smart; 'Susan Cumming'; [Ian.Parrott@Ontario.ca](mailto:Ian.Parrott@Ontario.ca)

**Cc:** 'Denis Kelly'; Clerks; [dave.fumerton@ontario.ca](mailto:dave.fumerton@ontario.ca); 'Thomas, Sandra (ENE)'; Cliff Curtis; Mirka Januszkiewicz; Kerry Meydam; Wendy Bracken; Doug Anderson; [fritzsche@richmondhill.ca](mailto:fritzsche@richmondhill.ca); 'Sisson, Perry'; 'Ian Roger'; 'Dan Pisani'; 'Brian Anthony'; 'Rob Fortier'; 'Seth Dittman'; 'Mike Saulnier'; 'Ilmar Simanovskis'; [lauren.schipper@york.ca](mailto:lauren.schipper@york.ca); 'Mike Rabeau'; 'George Flint'; 'Derek Bakshi'; 'Dave Meredith'; 'Chris Darling (CLOCA)'; 'Claudia Marsales'; 'Brian Jones'; 'Paul Whitehouse'; 'Rob Flindall'; 'Dhaval Pandya'; 'Christopher Kalimootoo'; 'Joe La Marca'; 'Daniel Kostopoulos'; 'Luis Carvalho'; 'Ben Kester'; 'Peter Loukes'; 'Faye Langmaid'; 'Thomas Gettinby'; 'Suzanne Beale'

**Subject:** Correction EFWAC - Input on Scheduling of Follow-up Discussion on July 31, 2013, Project Team Memo

**Importance:** High

Sue and Melodee:

I copy Ian Parrott with my email reply as I wish to correct the record. The follow up item from the last meeting as described below is NOT consistent with what I had raised around the EFW AC Terms of Referne discussions and specifically asked for at the Oct. 2<sup>nd</sup> meeting.

Prior to the October 2<sup>nd</sup> meeting before that agenda was developed I had asked for the ToR discussion to be added to the Oct. 2<sup>nd</sup> agenda to discuss among other matters the Project Team July 31, 2013 memo response to some of the issues raised at the previous meeting.

Recall that Durham staff arbitrarily decided NOT to include the ToR discussion item at the Oct. 2<sup>nd</sup> meeting. Therefore, I asked on Oct. 2<sup>nd</sup> that discussion of the ToR be added as an agenda item for discussion to the next meeting where matters would be discussed by the Committee members themselves – the next meeting is April 17th. **In fact I clearly stated that this had to be a discussion between EFW AC members and not devolve into a series of emails between individual EFW AC members and the Project Team.**

Ms. Cummings can make suggestions about documenting concerns but that was NOT decided by the committee – she took it upon her self to make that comment.

I repeat my request that an agenda item called Review of the EFW AC Terms of Reference be added to the April 17<sup>th</sup> meeting agenda for discussion. Durham staff have already thrown up enough road blocks.

Linda Gasser

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Ms. Gasser noted that a process had not been identified to formally address EFWAC concerns regarding the Project Team's memo and ensure that this exercise would not be just a circular argument. Ms. Gasser questioned the process for next steps as previously she had been advised to have the discussion at the table and was not able to successfully to do at this meeting with regard to memo follow up.

**Mr. David Crome suggested that this item be included on an agenda, if not at tonight's meeting, then at the next meeting to provide an opportunity for additional discussion on the comment/response summary provided by the Project Team.**

The Facilitator confirmed that if time allowed at the end of this meeting, concerns could be documented, however, if it was not possible, then members are to document their concerns for submission to the Facilitator and Project Team, and inclusion on a future agenda.

**From:** Melodee Smart [<mailto:Melodee.Smart@Durham.ca>]

**Sent:** Wednesday, April 02, 2014 11:47 AM

**To:** Melodee Smart

**Cc:** Susan Cumming; Clerks; Denis Kelly

**Subject:** EFWAC - Input on Scheduling of Follow-up Discussion on July 31, 2013, Project Team Memo

*Good morning:*

*I forward the following message on behalf of Sue Cumming, EFWAC Facilitator:*

*Dear EFWAC Members:*

*RE: Request for input on scheduling of follow-up discussion on July 31, 2013, Project Team Memorandum*

*At the October 2, 2013 (Meeting #9), a member of EFWAC had asked that a follow-up discussion on the July 31, 2013, Project Team Memorandum be placed on a future EFWAC meeting agenda. As an action item arising from the October 2, 2013 Meeting, EFWAC members were asked to submit any documented questions/concerns with regard to the July 31st Memo. To date, no comments have been received. Please forward any comments or concerns to my attention in order to determine if a follow-up discussion should be placed on the agenda for the April 17th meeting. Your response by April 7, 2014 would be most appreciated. A further copy of the July 31<sup>st</sup> (refer to item 1) memorandum, minutes from Meeting #9 (refer to item 2) and Meeting #8 (refer to item 3) are appended.*

*Thank you,*

*Sue Cumming, MCIP RPP*

*Facilitator*

*Cumming+Company*

*[cumming1@total.net](mailto:cumming1@total.net)*

*866 611-3715*