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of the Environment  
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Ministère  
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en matière de changement climatique  
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May 17, 2016

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

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

Dear Ms. Januszkiewicz and Ms. McDowell,

**RE: Durham York Energy Centre (DYEC)  
Requested change to Surface Water Monitoring Program**

In your letter dated April 29, 2016, the Regional Municipalities of Durham and York (Regions) requested that the requirement in the DYEC Groundwater and Surface Water Monitoring Plan to place continuous surface water monitoring equipment (sondes) in Tooley Creek be suspended until Hwy 401/Courtice Road interchange construction is completed.

Ministry staff have confirmed with the Ministry of Transportation that the section of Tooley Creek where the sondes are placed each spring will be significantly disturbed (re-aligned) and access will be restricted for at least 3 years during the interchange construction. The construction will prevent the placement of the sondes and affect the reliability of any surface water monitoring in the creek downstream of the construction.

The ministry's review of surface water monitoring results, to date, indicates that the DYEC is not having an adverse effect on Tooley Creek. The remaining monitoring, inspection and spill contingency and emergency response requirements for the facility will continue to ensure that the potential for any off-site impact to surface water is controlled.

In accordance with Condition 20.5 of the Notice to Proceed with the Undertaking and Condition 7(14) of the Environmental Compliance Approval, I am granting your request to suspend the placement of the sondes in Tooley Creek until such time as the interchange construction activities are completed.

Sincerely,

A handwritten signature in black ink, appearing to read "Dolly Goyette".

Dolly Goyette  
Director, Central Region  
Ministry of the Environment and Climate Change

- c. Ross Lashbrook, Manager, Technical Support Section, Central Region MOECC  
Celeste Dugas, Manager, York Durham District Office  
Sandra Thomas, Issues Project Coordinator, York Durham District Office