



April 15, 2013

Dolly Goyette, Director, Central Region
Ministry of the Environment
Place Nouveau
5775 Yonge Street, Floor 8
North York, ON M2M 4J1

Dear Ms. Goyette:

**RE: Durham/York Energy from Waste Project
Third Party Independent Audit Report (#2)
Environmental Assessment Condition of Approval Number 16.5
MOE File No.: EA-08-02**

In accordance with Condition 16.5 of the Notice of Approval to Proceed with the Undertaking, The Regional Municipality of Durham and The Regional Municipality of York (Regions) have received the second independent audit report of the construction phase of the Energy from Waste facility (see attached).

Mr. Steven Rose, M.Sc., P.Eng., P.Geo., of MALROZ Environmental Scientists and Engineers, conducted the second on-site construction phase audit on April 5, 2013, in accordance with the submitted audit plan. In Section 6 of the audit report (Summary and Recommendations), Mr. Rose states: "In the opinion of the auditors, the project team was working well to obtain and maintain compliance with all approvals and authorizations of the Environmental Assessment and Certificate of Approval for construction of this facility."

During the course of the audit, several minor issues were identified that required corrective measures. The corrective actions have been, or will be completed as follows:

- A section of the Site Specific Environmental Health and Safety Plan had undergone a recent revision on March 27 and although the documentation was found in the relevant binder, it was not secured and should have replaced the superseded section.
 - Following the audit, staff replaced the superseded section and secured in the relevant binder.
- Exposed soils with little to no protective cover were present on site.
 - Site construction staff advised that stockpiled soils as a result of site grading will be removed off-site once municipal weight limits are removed from roads in May.

- The protective fencing and silt curtain around a tree (Norway Spruce) which had been identified in a tree preservation plan, was degraded.
 - On April 6, 2013 steps were implemented by the contractor to eliminate the potential encroachment of construction activities and the surrounding area was dressed and the perimeter silt fence secured. Pictures were taken and provided to the auditor via email on April 9, 2013.
- It was recommended that staff replace a waste bin sign near the site entrance that was in poor condition for easy identification and ensure that contractor staff adheres to signage posted for compressed gases and storage of flammable liquids.
 - Site personnel advised that they would reinforce the proper material storage requirements in future safety meetings and replace the poor signage.

A copy of the audit report will be retained at the site and posted on the project website (www.durhamyorkwaste.ca). The audit report will also be submitted to the Energy from Waste Advisory Committee for information and comment as appropriate.

If you require any further information, please contact Mr. Gioseph Anello, Manager of Waste Planning and Technical Services, at 905.668.4113 ext. 3445.

Sincerely,

Mirka Januszkiewicz, P.Eng.
Director, Waste Management

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LW/ms

- c. I. Parrott, Director (Acting), Environmental Approvals Branch, Ministry of the Environment
T. Gebrezghi, Manager (Acting), Approval Services, Ministry of the Environment
D. Fumerton, District Manager, Ministry of the Environment
S. Thomas, District Supervisor, Ministry of the Environment
S. Elford, Senior Project Officer, Ministry of the Environment
G. Battarino, Project Officer, Ministry of the Environment
Energy from Waste Advisory Committee (EFWAC)
D. Kelly, Regional Clerk, The Regional Municipality of York
D. Bowen, Regional Clerk, The Regional Municipality of Durham

Encl.