

The Regional Municipalities of Durham and York

**MINUTES
of the
JOINT WASTE MANAGEMENT GROUP (JWVG)
for the
DURHAM/YORK RESIDUAL WASTE STUDY**

TUESDAY, MAY 13, 2008

A meeting of the Joint Waste Management Group for the Durham/York Residual Waste Study was held on Tuesday, May 13, 2008 in the Seminar Room, York Region Administrative Centre, Newmarket, Ontario, beginning at 1:00 p.m.

Present: Councillor S. Crawford, Town of Ajax, Durham Region
Councillor M. Ferri, City of Vaughan, York Region, Co-Chair
Councillor J. Heath, Town of Markham, York Region
Councillor R. Johnson, City of Pickering, Durham Region (arrived at 1:38 p.m.)
Councillor C. Trim, Municipality of Clarington, Durham Region, Co-Chair
Councillor D. Wheeler, Town of Georgina, York Region
M. Evans, Resident, Township of Brock
I. Gray, Resident, Town of Newmarket, Newmarket Environmental Advisory Committee
B. Mersey, Resident, Town of Markham, Markham Conservation Committee
S. Perrella, Resident, City of Vaughan, Vaughan CARES

Alternates

Present: Regional Chair R. Anderson, Durham Region (arrived at 2:04 p.m.)
Councillor N. Pidwerbecki, City of Oshawa, Durham Region
Councillor V. Spatafora, Town of Richmond Hill, York Region

Absent: Councillor G. Emm, Town of Whitby, Durham Region, with regrets
Councillor G. Landon, Town of Markham, York Region, with regrets
L. Burt, Resident, Township of Scugog, DEAC Representative
J. McGinnis, Resident, City of Pickering, Durham Conservation Centre

Staff

Present: G. Borchuk, Program Manager, Durham Region
G. Cubitt, Chief Administrative Officer, Durham Region
C. Curtis, Commissioner of Works, Durham Region
M. Januszkiewicz, Director of Waste Management Services, Durham Region
B. Kodama, Sr. Budget Advisor, Finance, York Region
S. Love, Legal Counsel, York Region
E. Mahonney, Commissioner, Environmental Services, York Region
E. Mastrangelo, Administrative Assistant, Durham Region

J. McKay, Consultant, Jacques Whitford
J. Paquette, Communications Officer, Durham Region
D. Payne, Consultant, Jacques Whitford
A. Scott, Program Manager, Waste Disposal and Quality Assurance, York
Region
J. Szwarcz, Senior Planner, Municipality of Clarington
K. Price, Committee Secretary

Regional Councillor M. Ferri, York Region, chaired the meeting.

1. APPROVAL OF AGENDA

MOVED by Councillor Spatafora,
"THAT the agenda, as presented, be approved."
CARRIED

2. ADOPTION OF MINUTES

MOVED by Councillor Wheeler,
"THAT the minutes of the Tuesday, April 15, 2008 Joint Waste
Management Group meeting be adopted."
CARRIED

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

5. PRESENTATION OF AN UPDATE TO THE RESPONSE TO DURHAM REGIONAL
COUNCIL DIRECTIVE ON EFW FACILITY AIR EMISSIONS AND CONTROL
SYSTEMS

David Payne, Jacques Whitford, provided a presentation responding to Durham Region Council's direction at its meeting held on May 7, 2008, relating to the Energy from Waste (EFW) Facility Air Emission Criteria. Mr. Payne noted that staff was seeking approval from the JWMG of the revised proposed operating limits contained in Table 2 to the Memorandum accompanying this presentation. (Item 8b Memorandum from M. Birett, Acting Director, Solid Waste Management &

Administration, York Region and M. Januszkiewicz, Director, Waste Management Services, Durham Region, May 13, 2008.)

Mr. Payne stated that a report was presented to the Durham Region Joint Works and Health and Social Services Committee on May 7, 2008 attaching a Table with Proposed Emission Limits (Item 8a, Report 2008-WR-17, May 7, 2008, Table 1). Following the Committee meeting, Regional Council directed the report be referred back to the Joint Waste Management Group (JWMG) in order to review the Hydrogen Chloride (HCl) limit, the lead limit and consistency with Canadian Council of Ministers of the Environment (CCME) guidelines and monitoring of dioxins/furans with particular reference to continuous sampling using a regenerative cartridge system.

Mr. Payne presented a revised table of EFW Proposed Operational Limits (Table 2, Item 8b) which now contains lower limits than the Ontario Guideline A-7 for all contaminants and equal to or lower than EU 2000/76/EC for all contaminants. The HCl limit was reduced from 20 to 9 mg/Rm³ equal to EU 2000/76/EC standards and the lead limit was reduced from 70 to 50 ug/Rm³, consistent with the Canadian Council of Ministers of the Environment (CCME) Operating and Emission Guidelines for Municipal Solid Waste Incinerators (June 1989).

Mr. Payne also stated that a letter will be sent to the Ministry of the Environment to support the following: the incorporation of emission limits that are more rigorous than Guideline A-7; that the design of the facility be based on Maximum Achievable Control Technology (MACT) for the emission standards; the incorporation of continuous sampling of dioxins and furans using a regenerative cartridge system; and the implementation of regular testing of the sampling cartridges to provide for ongoing emission data results.

Mr. Payne responded to questions from the Committee members regarding the following issues:

- This presentation responds to the issues raised in reports from Durham Region to date.
- An internet search has shown that the CCME publication entitled Operating and Emission Guidelines for Municipal Solid Waste Incinerators from which the lead limit was obtained has not been updated since June 1989, although newer CCME publications have been issued with respect to other contaminants such as dioxins and furans and mercury.
- The numbers contained in Table 2 meet or exceed the Isle of Man EFW Facility, which is one of the best facilities in the world.
- Whether monitoring will be done on a continuous basis through the stack and on soil samples within the plume line of the stack.
- EPA Studies are being developed over the next year, including background data which is being collected and will be used as a comparator once the facility is operating to determine any changes to the soil.

- Data of this type will be requested from the Isle of Man and other facilities which will provide parameters for the EFW to ensure we provide the best possible facility.
- Generic plume studies have been done and site specific studies will be done which look at receptors such as plant life, as part of the site specific health assessment.
- The RFP will require vendors to guarantee that the limits set out in Table 2 will be met and that they will be subject to penalties if they are not met.
- It is proposed that the limits set out in Table 2 will be written into the certificate of approval and will be enforceable through new regulations by the MOE.
- The EU air quality directive relating to particulate matter is to be confirmed in relation to the EFW.
- The Public will have continuous access to the emissions data monitoring in real time, in various forums, such as on-line, by website, at regional offices and on a screen outside the plant.
- The continuous sampling system for dioxins and furans chosen by the vendor does not have to be a regenerative cartridge system, but must be of the most recent state-of-the-art technology.
- Instructions will be provided to the vendors in the RFP on how to comply with new emissions standards that may be released after the facility is built.
- Vendors will be required to describe how they will deal with the various contaminants and operating parameters relating thereto will be prescribed.
- Contingency measures will be required to be in place in the event of a monitor failure.
- The five vendors selected are qualified to design equipment that will meet all the parameters set out in Table 2.

The JWMG requested that a more detailed response relating to these comments be provided in a future report to the JWMG.

MOVED by Councillor Crawford

"THAT subject to Ministry of Environment acceptance of the Energy from Waste Emission Limits; and

Subject to the approval of the business plan, by Durham Region Council and York Region Council:

1. The Joint Waste Management Group adopt the revised Proposed Operating Limits for Hydrogen Chloride and Lead as indicated in Table 2 of the May 13, 2008 Memorandum (Item 8b), for inclusion in the Request for Proposal to be sent to selected vendors;

2. The Joint Waste Management Group requires that the proposed Energy from Waste facility have continuous sampling of dioxins and furans using a state-of-the-art monitoring system (i.e. a regenerative cartridge system) with regular testing for ongoing emissions data results;
3. The Joint Waste Management Group requires that current time air emission data be available to the public in various forums, including electronically; and
4. The comments made by the Committee members be received and referred to staff and the consultants for consideration and a response to the Committee at a future meeting.

CARRIED

6. DELEGATIONS

There were no delegations.

7. CORRESPONDENCE

The following correspondence regarding the Durham/York Energy from Waste Facility was presented:

- a. Patti Barrie, Municipal Clerk, Clarington – April 8, 2008
- b. David Berger – April 13, 2008
- c. Nigel Moses – April 14, 2008
- d. Kristin Robinson – April 17, 2008
- e. Jose Baltazar – April 18, 2008
- f. Kristin Robinson – April 18, 2008
- g. Kristin D. McKinnon-Rutherford – April 19, 2008
- h. Wendy Bracken – April 20, 2008
- i. Gabriel Gomori – April 22, 2008
- j. Ivan Bateman – April 30, 2008
- k. Wendy Bracken – May 1, 2008
- l. Patti Barrie, Municipal Clerk, Clarington – May 1, 2008
- m. Christine Jackson – May 2, 2008
- n. Lori Allin (2 emails) – May 4, 2008
- o. Julia Potocnik – May 4, 2008
- p. Sharon Thompson – May 5, 2008
- q. Brian Thompson – May 5, 2008
- r. Will Duggan – May 5, 2008
- s. Gloria Duggan – May 5, 2008

- t. Kristin D. McKinnon-Rutherford – May 6, 2008
- u. Doris Dumais, Ministry of the Environment – April 25, 2008
- v. P.M. Madill, Regional Clerk, Durham Region – May 7, 2008

MOVED by Councillor Johnson,
"THAT Correspondence Items a. to v. inclusive be received for
information."

CARRIED

8. REPORTS

- a) Report 2008-WR-17 from the Commissioner of Works, Durham Region, dated May 7, 2008, regarding "Energy from Waste Emissions and Monitoring" was referred back to the Joint Waste Management Group (JWMG) by Durham Council at its meeting held on May 7, 2008.

(This Report was referred to by Mr. Payne in his presentation to the JWMG, Item 5.)

MOVED by Councillor Johnson,
"THAT the report be received for information."

CARRIED

- b) Memorandum from Mike Birett, Acting Director, Solid Waste Management & Administration, York Region, and Mirka Januszkiewicz, Director, Waste Management Services, Durham Region, dated May 13, 2008, regarding "Response to Durham Regional Council Direction on Energy from Waste Facility Air Emission Control System Updated".

(Mr. Payne noted that the footnote on Table 2 had an error in that "ug = micrograms" not "milligrams". The JWMG adopted a Motion regarding the recommendation contained in this Memorandum, following the Presentation made by Mr. Payne. (Item 5))

MOVED by Councillor Pidwerbecki,
"THAT the Memorandum be received for information."

CARRIED

- c) Memorandum from Mike Birett, Acting Director, Solid Waste Management & Administration, York Region, and Mirka Januszkiewicz, Director, Waste

Management Services, Durham Region, dated May 13, 2008 regarding a "Request for Alternate Citizen Members of the Joint Waste Management Group," recommending that:

"Due to the relative infrequency of JWVG citizen member absence and the difficulty in keeping 'Alternates' aware, available and informed on the EFW project, it is not recommended that they be permitted. The committee attendance/participation by all voting and non-voting members to date has been excellent and there has never been an occasion where there were not enough members for a quorum."

MOVED by Councillor Spatafora,
"THAT the report be received for information."
CARRIED

10. ADJOURNMENT

MOVED by Councillor Crawford,
"THAT the meeting be adjourned."
CARRIED

The meeting adjourned at 2:16 p.m.

K. Price, Committee Secretary

M. Ferri, Chair
Joint Waste Management Group