

Appendix C

Draft Health Protection Air Quality By-law for the Town of Oakville

Summary of Comments Received During the Consultation Period

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Appendix A: Materials from the Public Information Meetings

- Agendas
- Presentations
- List of Frequently Asked Questions

Appendix B: Copies of Letters About the By-law

1.0 Overview of the Consultation Period

On Monday, December 22, 2009, Council directed staff to consult on a draft Health Protection Air Quality By-law.

Public consultation was organized for the first three weeks of January with two public meetings and an email address set up specifically to receive comments on the proposed Health Protection Air Quality By-law. Notices regarding consultation were provided to a list of businesses that were expected to be potentially impacted, the Oakville Chamber of Commerce, the Canadian Manufacturers & Exporters association, the Economic Development Department Newsletter, and the public through media releases and several advertisements in the local papers.

Public Information Meeting #1 was held at Town Hall on Tuesday, January 19, 2010 from 1:30 to 4:00 p.m. Seventy-three (73) attendees participated in the meeting.

Public Information Meeting #2 was held at Town Hall on Thursday, January 21, 2010 from 7:00 to 9:30 p.m. Eighty-three (83) attendees participated in the meeting and thirteen (13) comment cards were received.

These consultation sessions were held to provide the business community and general public information on the by-law, background on the existing air quality and fine particulate levels and related health impacts, and opportunity for questions, comments and input.

Copies of the materials distributed at the meetings are included in Appendix A:

- Agenda
- Presentations
- List of Frequently Asked Questions

A special **email address** was created for this consultation period: healthprotection@oakville.ca. As of January 25, 2010, 210 emails were received about the by-law. Unattributed written comments have been incorporated into this summary and a compilation of eight (8) letters to the town is included in Appendix B.

2.0 Overall Summary of Comments Received Throughout the Consultation Period

General Comments

A close look at the overall summary of comments (in Section 3.0) indicated that about 75% of commenters or participants were in support of the approval of a by-law and approximately 25% have significant reservations about, or distinct opposition to, a Health Protection Air Quality By-law. During the consultation period on the draft by-law, the comments received from the three sources (two public information meetings and through email) were extremely varied.

The general sentiment at the first Public Information Meeting (focused on businesses) was that the by-law was unnecessary, created uncertainty for business and would reduce Oakville's economic competitiveness. Questions and comments at the first meeting focused on the details of the by-law, the need for clear direction, guidance and a level playing field for businesses.

The overwhelming sense at the second Public Information Meeting was much more supportive of the Town's proposed by-law. Questions and comments at the meeting focused mainly on the public health-based rationale and the enforcement and implementation of the by-law.

Comments and letters received via email fell into three general categories: (1) The majority of the emails were extremely supportive of the town's proposed by-law (mainly for health-related reasons); (2) Local businesses voicing concerns about the by-law; and (3) Questions about the by-law and/or the validity of information sources.

Town staff has carefully reviewed the results of the discussions at the two public information meetings and comments received in writing through email and comment cards to compile a number of key themes that emerged through the public consultation process. These themes have been organized according to the following categories:

- Comments about the potential effects of the by-law in Oakville
- Comments about the content of the by-law

Comments About the Potential Effects of the By-law

Comments about the potential effects of the by-law have been separated into comments in *support* of the by-law and those that expressed *concern* about the potential ramifications of the by-law on the Town of Oakville.

The majority of the written responses that the town received during the consultation period were positive and supportive of the public health based approach. Some of the positive themes about the by-law include:

- **Addresses long-standing health concerns:** The majority of the comments received via email expressed that the proposed by-law would address the community's long-standing health concerns. For example: "I understand the interests of industry in this area, but I firmly believe that the health and safety of the Citizens of Oakville comes first. If we are to be the most livable city in Canada, then I hope that Oakville continues its fight to keep our air as clean as it can be. This By-Law is a responsible step in the right direction." Many residents wrote to the town about health concerns of family members that they attributed, in part to poor air quality. For example: "One family member in our house already suffers from asthma. Even mild respiratory illnesses take their toll, so please act to protect our family from the consequences of poor air quality."
- **Protects our airshed:** Many of the comments received by email mentioned the Clarkson Airshed Study as a reference point to illustrate that Oakville's airshed is "stressed to its maximum and any attempt to remedy this situation is beneficial."
- **Increases accountability:** Some residents felt that the by-law and its proposed reporting mechanisms will help to "make businesses accountable for pollution" because information will be publicly available.
- **Shows leadership:** Many residents congratulated the town on taking a leadership role in articulating the gap in fine PM legislation and taking action on behalf of the community.
- **Stops TransCanada:** The intent of the by-law is not related to any one corporation or facility in Oakville. However, a number of the comments and questions related to TransCanada's proposed gas fired power plant in Oakville. Many residents felt that this by-law was a step towards stopping TransCanada from locating in Oakville.
- **Spurs innovation:** One resident felt that the by-law was an opportunity for longer-term innovation: "Local businesses may be hurt in the short term, but if they embrace the challenge of controlling FPM, they may develop strategies and technologies which they can market to other companies as the importance of this issue spreads."

Some of the comments that expressed *concern* over the potential effects of the by-law on the Town of Oakville included:

- **Creates uncertainty:** Many business owners felt that the by-law, as written, creates deep uncertainty. The comment was made that there was no “back end” to the proposed by-law and consequently, business owners could not assess the potential impact of the by-law on their businesses. Participants and commenters stressed the need for transparency in the by-law and protocols for the mitigation plan. They also wanted some mechanism or standards to ensure consistency in the peer reviews.
- **Questionable value:** Many commenters wanted the Town to weigh the benefits of having such a by-law relative to the time and cost of implementing same. They felt that businesses are only one part of the problem and if they are required to reduce emissions, the resulting benefit would be minimal in the overall context of health protection. They cited vehicle emissions as the major problem; “given that the industries are not the major producer of fine particulate matter in this region, we are not convinced that this by-law will achieve the desired effect of significantly reducing the level of fine particulate matter”. Some businesses also felt that there would be a significant number of smaller companies affected by the by-law such as body shops and paint shops; one company estimated that 80-200 companies would be affected based on the exiting criteria.

Other respondents felt that the major issue affecting air quality in Oakville was transboundary air pollution; and since the by-law only addresses the fraction that local industry contributes, they found it ineffective.

- **Onerous regulations:** There was a sense that the by-law was an example of an onerous regulation, especially for small businesses. The uncertainty related to the lower threshold for emissions created uncertainty among many small business owners. One suggestion was to target businesses with major emissions, such as factories and power plants, not small ones such as shops and offices.
- **Rushed process:** Many comments were made about the speed of the public consultation. There was a sense that process was being driven to derail the power plant project. Some business owners felt as though they were being caught in a process that was being rushed for this purpose. Others asked that the town wait for a response from the province about their intent to regulate fine particulate matters before proceeding with the by-law.
- **Creates an un-level playing field and erodes the tax base:** Some participants felt that if Oakville was to pass the by-law, it would encourage companies to locate in other communities that do not have such regulations. There is a risk for Oakville to gain a reputation as not “business friendly.” The potential loss of

businesses (those that move away from, or do not locate in, Oakville) could erode the tax base.

- **Creates stigma:** Some participants felt as though the reporting requirements in the by-law have the potential to stigmatize businesses. One comment included “The proposed posting of all facilities subject to this by-law on a website, whether or not the facility is a source of major emission, can lead to misunderstanding with the public at large. The listing of facilities subject to this bylaw on a website (even if the company is not a source of major emission) will lead to stigmatization. This can result in the creation of an unfair competitive disadvantage for such companies...”
- **Burdens town:** There was a sense that this by-law could be a burden on the tax payer based on the town’s cost to administer it. Participants were curious to know if the economic development impact of the by-law had been assessed. Does the town have the enforcement capability to effectively monitor this by-law? Or the review capacity to address all of the applications?
- **No overall net benefit to community:** Some commenters did not see any net benefit to the community associated with this by-law. One argument was that if businesses leave the community, there will be fewer employment opportunities which will lead to residents working outside of the community. This could increase commuting which could result in more cars on the road, thus worsening air quality.

Comments About the Content of the By-law

A great number of specific comments related to the content of the proposed by-law were collected during the consultation period. These have been categorized below:

- **Guidelines and additional information:** To address many of the concerns about uncertainty related to the by-law, some participants would like to see more guidelines, definitions and information, especially related to the following topics:
 - Expectations for implementation for business owners.
 - Further details on what constitutes “reporting”. Is there a lower threshold for emitters? How will the lower threshold be measured?
 - Further details about exceptions. Participants noted that the by-law did not mention potential exemptions such as mobile facilities or one-time spills.
 - Ownership: The by-law refers to the "person owning or operating" the facility; there were questions about how this related to corporations.
 - Definition of VOC: The threshold in the by-law was seen to deviate greatly from the provincial threshold and further discussion was requested about how to “establish emission regulation that is attainable and does not add financial and administrative burden to small companies.”

- Measurements: Clarity was requested about the difference in measuring emissions from facilities in kg/yr but quantifying health effects related to ambient air concentrations in ug/m³.
 - Uncertainty about rationale for regulatory thresholds: Some respondents requested more information about why Oakville has chosen the major emitters regulatory thresholds for PM10, PM2.5, VOCs, NO2, SO2. Some suggested using NPRI thresholds to define major emitters, rather than the Town-proposed thresholds.
 - Ambient Impact: Some participants perceived this component of the by-law to be unfair as they believed that air quality factors outside of their control could be considered in the test of their own facilities (e.g., car emissions on the QEW impacting the air quality of a company adjacent to the QEW). Participants asked for clarification to show that the ambient impact would be used for relative comparison rather than as a direct measure.
- **Fees:** The \$25,000 fee proposed in the by-law was of great concern to many of those involved in the consultation process. Small companies were very concerned about the upfront fees and requested that fees could be scaled based on size of company and/or number of emission criteria. There was a lack of awareness that companies would also incur costs to hire their own consultants in addition to the peer review costs. One respondent wrote that “the fee structure is out of line with reality.” Many respondents asked that the fee structure be completely reviewed including describing how they are assessed and including a wording modification: “up to \$25,000”.
 - **Other costs:** Many small businesses felt that in addition to the town’s fees, they would have to incur financial costs to conduct upfront testing to ascertain whether they qualify as a reporter, major emitter, or neither. Since measuring fine PM is not currently required, many are not collecting this information. Therefore, it may be extremely expensive for a business to prove they are not a major emitter, especially if they are on the borderline of the standards.
 - **Peer Review Process:** There were concerns raised about the proposed peer review process; some of the questions included:
 - What are the credentials of these reviewers going to be?
 - What if there are no experts available? Is time a concern?
 - How will the town deal with potential conflicts of interest and/or competitors?
 - How will the town gauge the competency of the peer reviewer?
 - Is this a staff/political appointment?
 - How will the town address potential bias? Proprietary information?

Respondents noted that the by-law does not include an appeals process for the applicant to appeal the choice of reviewer and/or the results of the peer review.

Some respondents suggested having a roster of pre-selected consultants that businesses could select from available on the town's website.

- **Confidentiality:** Some commenters felt that the proposal to post information such as the complete application, the peer review reports and comments from the applicants on the Town website could have major implications for the applicant. There was a sense that the postings, as proposed, would include confidential information.
- **Phased-In Approach:** Commenters were generally supportive of the phased-in approach presented at the two public information meetings. However, some would like to see a longer phase-in period (2 years) for established businesses.

Commenters suggested that with the lack of guidelines in the proposed by-law (and the degree of uncertainty that it creates) the Town utilize the NPRI levels during a transition period until such time as detailed guidelines are established. This would reduce the cost and uncertainty during the transition period.

One respondent suggested “some consideration or leniency (or grandfathering for a reasonable time) given to established businesses who have been in Oakville a number of years versus new businesses who will be major polluters.”

- **Enforcement and Penalties:** At the second public meeting there was considerable time spent on the issue of enforcement and the “teeth” of the by-law. Some felt as though the by-law was not stringent enough and could not prevent large industry from locating in Oakville. The general sentiment at that meeting was that fines have to be high enough to deter emitters from exceeding limits. There were concerns raised about whether or not the town has the capacity to enforce the by-law.

Some participants suggested sequential incremental penalty for continued offenders so as not to make the existing fines a “cost of doing business in Oakville”.

- **Decision-Making:** Participants were quite concerned about what they saw as a subjective evaluation by Council in determining “public interest.” How does the by-law define “public interest”? A lack of a definition creates more uncertainty for companies and can lead to the politicization of the approval process. Another concern that was raised was the potential liability for the Town in cases where a company fails to meet the threshold test for emissions but is given a green light by Council which has for some reason deemed the continued operation of the company to be in the public interest.
- **Appeals:** Concerns were expressed about the lack of a clear appeals process for decisions made by Council. Some commenters were concerned about the

potential costs of hiring a lawyer to go to court to make an appeal. Many respondents suggested that an appeals process be established.

- **Basis for the by-law:** Some commenters felt that the proposed by-law is highly punitive, and not incentive based. Some would like to see the town put forward incentives for companies to stay (or move to) in Oakville such as tax credits for improving environmental performance. Others felt that the by-law is based on non-sufficient and outdated data.

3.0 Detailed Comments Received Throughout the Consultation Period

3.1 Public Information Meeting #1 – Business Focus

Comments, questions and concerns about the draft Health Protection Air Quality By-law were received during two portions of the first Public Information Meeting: an open question and answer period and facilitated group discussions.

3.1.1 Public Information Meeting #1: General Question and Answer Period

After the presentations about fine particulate matter, what the town is doing to protect public health and the details of the by-law, the group participated in a moderated question and answer session. A summary of the session is included below.

Items in italics are questions or comments raised by participants. Responses were provided by one or more of the town's panellists:

- Ms. Cindy Toth – Director, Environmental Policy, Town of Oakville
- Mr. Doug Carr – Town Solicitor, Town of Oakville
- Dr. David Pengelly - Health impacts of air pollution
- Mr. Rod Northey, Folgers, Rubinoff LLP Barristers & Solicitors - Environmental law
- Dr. Franco DiGiovanni, Airzone One - Air quality modelling

- *Has the town communicated with the Ministry of the Environment (MOE) about why provincial regulations are not in place?*
 - No specific discussions have taken place but the town posted has submitted an application to the Environmental Commissioner of Ontario for a review of fine PM regulation in early January. There is a requirement for the province to respond by early March.

- *Have there been, or will there be, independent environmental studies conducted? The MOE only identified only five major emitters in Oakville.*
 - The Town is using the Clarkson Airshed Study for its data and would like to build on it by requiring emission data to be received directly by the Town. There have been over 30 studies health studies conducted on the impact of fine PM. Air quality modeling has been done by Halton Region that is expected to be released in the next few months that will provide an updated baseline modelling assessment for the region.

- *Does the Town know if there are any major emitters in Oakville? If so, how many?*

- Through information on the National Pollutant Release Inventory (NPRI) it is estimated that 20-30 exist in Oakville.
- *Certain operations are exempt from section 9 of the Environmental Protection Act. Will these operations still be included in the by-law? One example of such an exemption is portable mobile units.*
 - We are proposing a phased-in approach to the by-law. One of the reasons for this is to deal with public policy on ministry exemptions; not all exemptions may be valid for fine PM. As a transition, exemptions from s.9 EPA approvals will be used in the modified/new by-law.
- *Why has the proposed by-law departed from the NPRI (National Pollutant and Release Inventory) threshold numbers for VOC, SO₂, NO₂?*
 - The NPRI and provincial regulations only take into account that particular pollutant and not the fact that these are precursor pollutants for fine PM. That means that when combined with other pollutants in the air they create health risks related to fine PM. Therefore, the thresholds needed to be lowered to take this into account. Comments were received to recommend raising the emission thresholds to NPRI levels; in addition, town staff considered initial implementation issues of the by-law and have proposed to raise the thresholds to NPRI limits.
- *What modeling is the town aware of that would address precursor pollutants (photoreactions)?*
 - There are various models out there that model photoreactions – for example the US EPA CMAQ model, CAMx and CALPUFF models. The Town is also in the process of considering screening tools for assessment.
- *Would the air quality monitoring and assessment take into account individual businesses or a grouping of businesses? If my business is surrounded by major emitters, but my individual PM concentration has gone down will you modeling be able to take this into account?*
 - The proposed by-law requires us to look at independent facility emissions, not cumulative effects.
- *Have you taken into account Environment Canada's regulations for low vapour pressure volatile organic compounds (VOCs) which uses the California Air Resource Board (CARB) definition of VOC?*
 - This specific information will be considered when the protocols are developed.
- *The draft by-law states that the Town shall post all industrial information on website; wouldn't this stigmatize certain companies?*
 - This type of reporting is fairly standard and is fairly standard practice; for example, NPRI already has this information on their website and so does

the City of Toronto with their new reporting by-law. Disclosure is very important.

- *Isn't some of this information confidential?*
 - There is no intention to publish all information about companies, just that from major emitters. The intent is to get the emission information into the hands of the public.
- *How was the maximum fine of \$25,000 determined?*
 - The fee was set to off-set peer review costs and administrative costs to the town. The town would like the by-law to be cost-neutral. After the fees are calculated, unused funds would be returned to the emitter. The town is open to recommendations and your comments are needed.
- *Clarkson Airshed Study data show that vehicular traffic is a major contributor to fine PM, what is the Town doing about this?*
 - The town has undertaken many initiatives to reduce traffic congestion and single occupancy vehicle use and promote commuting with our Active Transportation Master Plan, Smart Commute program, transit service upgrades etc. The Town is doing their part and industry needs to do theirs.
- *How can a proposed business move forward without being crippled by costs associated with this by-law?*
 - The town would encourage consultation about the requirements of the by-law. We would ask that you come and speak to staff about the specifics of your case. More information would be needed on your proposed business, for example, what substances will be used, what emissions can be expected?

3.1.2 Public Information Meeting: Small Group Discussions

After the open question and answer period participants were asked to self-select a small group for facilitated discussion based on their interests. A **detailed summary** of the small group discussions are included starting on page 11. At the end of the meeting, each small group was asked to share some key discussion points with the larger group. During the **report-back session**, the following ideas were shared:

Proposed Facility:

- There seemed to be uncertainty around the process and details of the by-law.
- The group felt that going forward there should be changes to the thresholds.
- The group was interested to know how this by-law related to the provincial process. If there is a gap, what happens if the province fills the gap by acting with a new regulation?

- For a cottage industry starting up in Oakville, the by-law may be of assistance in identifying who is relevant to deal with emissions if the town wishes to take on that role through early consultation.

Existing Facility – Major Emitter:

- The fees need to be re-examined: the town should look at scaling fees in relation to the size in the company or size of emissions
- There should be an option of the company selecting its own pay reviewer rather than paying for the town's peer reviewer.
- The thresholds should be changed: the present thresholds which do not replicate the NPRI thresholds result in more emitters; should elevate thresholds to make them like NPRI, even as a transitional matter.
- The group questioned why the by-law does not apply to vehicular traffic and why the town is not looking into this sector.
- The group questioned whether the process was worth the outcome it will achieve?
- There was a sense that the transition period is too short; it should be two years.

Existing Facility – Non-Major Emitters

- Reporting is a burden on all businesses and imposes up front costs or overall costs that will be high on individual businesses.
- Regulatory certainty needed: the by-law leaves too much uncertain, and results in a totally politicized process.
- Uncertainty could drive businesses out of town and make it less attractive to new businesses.
- A one year transition period also creates uncertainty: is uncertain who will be brought into the by-law after the one year transition. The group also had concerns over the ambiguity around lower threshold for emissions in the by-law; it was unclear who would need to report and whether they themselves could ascertain this without outside consulting expertise.
- The group wondered why the rush for the by-law? There was a sense that it was a very short consultation period.
- There was also uncertainty about the peer review selection process; the group felt it had the potential to be arbitrary, biased and create conflicts of interest. The group was concerned that there was no appeal process mentioned in the by-law. Overall it could burden tax payers, and unduly impose on small businesses.

Other Interested Parties:

- The group felt that the by-law would "drive business out of Oakville." They raised the issue of no level playing field, comparing Oakville with other municipalities that do not have such a by-law. The by-law could decrease Oakville's competitiveness.
- They felt as though the by-law was not really required.
- The group also wanted more information about the basis for, and justification of, the by-law: why is it going forward now?

Group	Proposed Facility	Existing Facility – Major Emitter	Existing Facility – Non-Major Emitter	Other Interested Parties
<p>(A) Impacts to Business What is your sense of how the proposed Health Protection Air Quality By-law will affect: A1. Your business? A2. Other businesses in Oakville? A3. Businesses planning on locating in Oakville?</p> <p>Discuss the potential benefits and challenges.</p>	<ul style="list-style-type: none"> Uncertainty about emissions thresholds: There were questions raised about emissions, uncertainties about assumptions and when and why the thresholds vary. Uncertainty about fine PM emissions: One participant was concerned about the potential to send fine PM into the natural environment through the creation of a new business. If a Certificate of Approval (C of A) is needed then fees would apply and if the C of A is needed for air emissions then the by-law would affect your business. Alignment: There was a question about whether or not our by-law practice is aligned with the process for obtaining a C of A? Efficiency: The group expressed that the approval process needs to be efficient without duplicating efforts Changes in operations: Clarity was requested over a case in which major emitters have approval then change operations - would they require a new approval? 	<ul style="list-style-type: none"> Value: The group wanted the Town to weigh the benefits of having such a by-law relative to the time and cost of implementing same. They felt that businesses are only one part of the problem and if they are required to reduce emissions, the resulting benefit would be minimal in the overall context of health protection. They cited vehicle emissions as the major problem. They also felt that there would be a significant number of smaller companies affected by the by-law such as body shops and paint shops; one company estimated that 80-200 companies would be affected based on the existing criteria. Uncertainty: The comment was made that there was no substantive explanation of the implementation of the proposed by-law and consequently, they could not assess the impact of the by-law on their businesses. The stressed the need for transparency in the by-law and protocols for the mitigation plan. They also wanted some mechanism or standards to ensure consistency in the peer reviews. Subjective Evaluation: The group was quite concerned by what they saw as a subjective evaluation by Council in determining "public interest" – this creates more uncertainty for companies. They also said that this creates a liability for the Town in cases where a company fails to meet the threshold test for emissions but is given a green light by Council which has for some reason deemed the continued operation of the company to be in the public interest. Ambient Impact: The group perceived this component of the by-law to be unfair as they saw air quality factors outside of their control being considered in the test of their own facilities (eg – car emissions on the QEW impacting the air quality of a company adjacent to the QEW). Clarification is required to show that the ambient impact is to be used for relative comparison rather than a direct measure. Transition: The group suggested that with the lack of guidelines in the proposed by-law (and the degree of uncertainty that it creates) the Town utilize the NPRI levels during a transition period until such time as detailed guidelines are established. This would reduce the cost and uncertainty during the transition period. Fees: Small companies very concerned about the upfront fees and wanted the fees to be scaled based on size of company and/or number of emission criteria (i.e. if they fall only one of four tests, their costs should be one quarter of those who fail on four criteria). There was a lack of awareness that companies would also incur costs to hire their own 	<ul style="list-style-type: none"> Onerous reporting requirements for small business: The by-law is just another layer of regulation – United States has EPA but here we have federal, provincial and now local for air quality. The reporting requirement is too widespread and onerous; need clarification as to who is caught by the reporting requirement and what is reporting is required. Ambiguous definitions: How do you define the threshold? Who makes decision on whether you'll need to measure or not if you don't have an existing Certificate of Approval (C of A) or don't fall under existing regulations? What about those industries that are on the threshold of being a "major emitter"? Financial costs to upfront testing: There is a huge upfront cost to have testing done to determine whether the by-law would apply to certain businesses. Many are not currently measuring if not required. Some use emission factors based on practices and are only estimates (e.g. BTU of furnaces as proxies – know approximate outputs so used as emissions info – not actual measurements). May be extremely expensive for a business to prove they are not a major emitter, especially if they are on the borderline of the standards. Alternatives for small/medium businesses: Are there "surrogate" processes (e.g. proxies) for estimating emissions instead of small/medium businesses having to go through actual emissions testing? Idea is to keep costs reasonable. Does not need to be at the level of assessment a C of A would require. Further details on what constitutes "reporting" are needed. By-law does not provide clarity about decision-making: Businesses need certainty. There is no minimum standard for a "yes or no" in the by-law. This politicizes the process – up to Council to decide if they "like" your business. Rod Northey responded to this by saying it's difficult to say certain industries/businesses are always good or always bad – context dependent plus needs to be weighed against other benefits to public. By-law has political undertones: The background work for approvals purports to be science and evidence based but the decision-making is wholly political. There is no appeals process built in. To challenge a finding, there was a sense you'd need to hire an environmental lawyer (expensive). The federal and provincial government could say you're okay, but the town could say you're emissions aren't acceptable. No way to challenge this on case by case basis. Undue burden on small business: Small emitters could encompass a lot of businesses in Oakville. 	<ul style="list-style-type: none"> Need to establish criteria: Including guidelines and expectations for implementation. This was the predominant comment from the group. Costly: Costs of implementation are very high Onerous: Excessive regulation (vs. other municipalities). With the passage of this by-law, businesses are being regulated by all levels of government Reduces competitiveness: Creates unlevel playing field within greater GTA area (i.e., border municipalities not regulated). Businesses will relocate to a municipality that does not impose such excessive regulations. Fear the denial of an application will deter businesses from entering Oakville (David Pengelly addressed this issue for the group. He indicated one principle behind the by-law is to come talk to us) Questions about information and timeframes: <ul style="list-style-type: none"> By-law is based on non-sufficient and outdated data How will the Town of Oakville manage the applications and issuance of approvals (with major emitters estimated at 25-30)? Consultants would not have ability to meet time requirements imposed for review. Posting of information on web should be cautioned <ul style="list-style-type: none"> perhaps review the type of information collected concern businesses will be targeted Sense of unequal application of the by-law: Businesses near the QEW will be penalized by this by-law (David Pengelly addressed this question for the group. He indicated that business proximity to a highway will not affect the amount of emitters as the test is conducted from the emission source) No overall benefits: Group felt there are no benefits of this by-law to businesses

Question	Proposed Facility	Existing Facility – Major Emitter	Existing Facility – Non-Major Emitter	Other Interested Parties
<p>(B) Impacts the Community B1. What is your sense of how the proposed Health Protection Air Quality By-law will affect the community-at-large? Discuss the potential benefits and challenges.</p>	<p>Health benefits: A question was raised about how the health benefits were defined? Is this looking at Oakville only?</p>	<p>consultants in addition to the peer review costs. Some companies were supportive of having the Town provide a list of certified consultants and allow them the choice of using their own or picking from the list. If they chose the list, it would negate the peer review and related cost.</p>	<p>Many do not have a C of A and will add additional burden on small businesses. If we already basically know who the major emitters are, should just eliminate small businesses from the by-law at this point. They have negligible impact. For example, someone who runs a shop once a week and has already spent a few thousand dollars for a C of A now needs to hire a consultant for use of painting facility once a month.</p> <ul style="list-style-type: none"> Industry is not the main contributor to poor air quality: This by-law is not targeting the real problem (vehicles and migrating sources of pollution) and thus will not achieve what it seeks to achieve. MOE has already stated that traffic is the major problem. Transboundary pollution also contributes to poor air quality. There was a sense that 80% of the problem actually comes from out of town. There are so few major emitters and they're already pretty proactive so what are you hoping to get from by-law? The health issue with 80 people dying a year will still exist (referring to the minimal impact the by-law will make in regards how much it will clean up non-major emitters). Need to really look at cars and traffic and the creation of roads. The focus on small business is such a small portion that the benefit just isn't there. Won't achieve objectives. Based on information from Clarkson study – even if you got rid of the 11 biggest polluters in this airshed, it would make no impact on the air quality. This by-law is like using a sledgehammer to kill a fly. Too much for too little impact. The by-law will drive businesses out of Oakville: The uncertainty of the process and outcomes may drive some businesses away and may act as a disincentive for others to locate in Oakville. One participant reported that he had established another business in Hamilton (rather than Oakville) because they encourage business. Another reported that they had a US client looking to locate somewhere in Ontario. If they were considering Oakville, they certainly wouldn't any longer with this by-law on the table. 	<ul style="list-style-type: none"> Feel only a small number of people in the community are aware of emitters Feel by-law won't have impact on the community By-law inadvertently suggests business has significant impact on air quality By-law does not address vehicular issues which is largest contributor Socio-economic issues are not considered (family income is a larger driver or negative impacts on public health).

Question	Proposed Facility	Existing Facility – Major Emitter	Existing Facility – Non-Major Emitter	Other Interested Parties
<p>(C) Other Comments</p> <p>C1. Are there other appropriate mechanisms for Oakville to protect residents' health from the effects of fine particulate matter?</p> <p>C2. Are there any other comments or considerations you'd like to bring to the town's attention about health and air quality?</p>	<ul style="list-style-type: none"> Support: A member of the group was supportive of the by-law even if it overturns his business plan Closures: More guidelines are needed that explain the provision in the by-law that states that all changes would go through mitigation measures. A question was asked about whether or not these measures can not be met would the Town look to close down the business? Provincial jurisdiction: A question was asked about what would happen if the Province enacted PM regulations? Would the Town by-law become inactive? The sense was that this is what happened with smoking and pesticides, so it is likely that would happen if the province begins to regulate fine PM. 	<ul style="list-style-type: none"> Mobile work – One company asked that there be clarification in the by-law regarding mobile operations as to how the by-law might apply. Process – Comments were made about the lack of information in the by-law and the feeling that this process was being driven to derail the power plant project. They felt that they were being caught in a process that was being rushed for this purpose. 	<ul style="list-style-type: none"> Discomfort with peer review process: There were a number of questions about the concept of the peer review on the studies: <ul style="list-style-type: none"> What are the credentials of these reviewers going to be? Is this a staff/political appointment? How will the town address potential bias? Proprietary information? Suggest having a roster of pre-selected consultants that businesses could select from. The by-law is punitive, not incentive based: No incentive for companies to stay in Oakville or work with the by-law. No tax credits, etc for improving environmental performance. Hamilton offers incentives to business. The timeframes seem very rushed: Why is the town rushing through this process? If you submitted to the Ministry of the Environment, why not wait for their response (in March) before proceeding? Some felt that the reason this is being pushed through is that it's an election year. Is this by-law meant to prevent a power plant in this community? Economic impact to the Town of administration: There was a sense that this by-law will be a burden on the tax payer based on the cost to administer it. Has the economic development impact been assessed? There will be more people on the roads (re: commuting) if businesses leave? Suggested modifications: If the by-law was to be passed, there was support for: <ul style="list-style-type: none"> The modification of fees "up to \$25,000". Need to clarify how fees assessed. Establishing a lower threshold/limit for small emitters. Establishing a roster of peer reviewers. 	<ul style="list-style-type: none"> Due to short timeframe in drafting by-law – did the town get it right? What is the link between modeling and the outcome and further, what does it mean? What if there is a disagreement between the applicant and peer review (Rod Northey addressed this question for the group. He indicated Council would make the final decision. Group reaction: fear this will be too political) Structure for peer review not discussed Models are scientific but do not have criteria Appears only justification for the by-law is the health of the public (80 premature deaths identified) however: <ul style="list-style-type: none"> there is no definition of premature death demographics are not considered pre-existing health conditions are not identified Where people visit/work (other communities) is not indicated Slide 8 – not statistically relevant, data is from 2004 There is no legislation in Mississauga or adjacent municipalities (as noted in impact on businesses) Clarkson Airshed study not completely representative of Oakville Key to the group: stakeholder process was too short

3.2 Public Information Meeting #2

Comments, questions and concerns about the draft Health Protection Air Quality By-law were received during an open question and answer period during the latter portion of the second Public Information Meeting on Thursday, January 21, 2010. Eighty-three (83) attendees signed in at the meeting and thirteen (13) written comments cards were received after the meeting.

3.2.1 Public Information Meeting #2: General Question and Answer Period

After the presentations about fine particulate matter, what the town is doing to protect public health and the details of the by-law, the audience participated in a moderated question and answer session. A summary of the session is included below.

Items in italics are questions or comments raised by participants. Responses were provided by one or more of the town's panellists:

- Ms. Cindy Toth – Director, Environmental Policy, Town of Oakville
- Mr. Doug Carr – Town Solicitor, Town of Oakville
- Dr. David Pengelly - Health impacts of air pollution
- Mr. Rod Northey, Folgers, Rubinoff LLP Barristers & Solicitors - Environmental law
- Dr. Franco DiGiovanni, Airzone One - Air quality modelling

- *You talked about appearance vs. reality regarding other legislation in your slides. Is this going to be the case for the by-law as well? Is there really going to be “teeth” to this by-law? Will it be challenged at the Ontario Municipal Board and watered down or eliminated? Will this lead to more costs to defend?*
 - Yes, the by-law is fully intended to protect human health. Some businesses in Oakville feel the by-law has too much power. It is well documented that there are no safe levels of fine particulate matter (FPM). Therefore, this by-law is meant to help residents understand the impacts of major emitters and the opportunity for residents to comment on this when there are applications to Council.

- *It looks like businesses will be self reporting. What tools does the town have to evaluate the reality of what these businesses are reporting? How are you planning to verify?*
 - The town is currently developing guideline to help address this.

- *Why are the standards proposed in Oakville double that of the United States? Are we being stringent enough? (NOTE: There was some confusion about ambient air quality levels (e.g. Canada Wide Standards) and levels that Oakville was proposing as emissions standards. It appeared that the question was related to the CWS of 30 ug with the EPA standard of 15 ug – nothing to do with the Oakville by-law.)*

- I think that what you're referring to isn't applicable to this by-law. These are federal standards comparing it to the United States standards. CWS does not apply to all provinces nor does it have any regulations attached to it. This shows this by-law is needed. In fact, when the CWS was being decided, the health scientists wanted it set at 15 rather than the 30 that was eventually decided upon.
- I believe that you're talking about ambient air quality; Oakville's by-law is related to the health impacts of emissions. The by-law acknowledges that there is no known safe level for FPM (ambient). There are no federal or provincial standards for FPM; perhaps this is because they haven't been able to agree on what a standard should be (an acceptable "safe" level). The CWS does not regulate FPM.
- *If the emitter is big enough, what powers does the town have to enforce the by-law? Can we shut them down or change how their business is run?*
 - The by-law has a section on Offences that will give Council the ability to do what it feels necessary.
- *What level of FPM will the (power) plant produce and will the new by-law allow us to stop the building of the power plant?*
 - TransCanada announced today that they will be releasing a draft environmental review report next week which will give estimates of those figures. We don't have access to that information yet so we can't say yes or no at this point. This by-law addresses the health impacts associated with proposed major emitters like this.
- *With regards to slide 25, why are the precursors site specific and PM2.5/PM10 not? Why can't FPM be site specific? If FPM is the concern, why are the other pollutants listed here?*
 - The thresholds are set to catch the "big fish" out there, not the small ones. Some facilities emit FPM directly, other compounds (precursor pollutants), when released in the air, mix in the atmosphere like a soup and these can form particulate matter. By addressing the precursors as well, we should catch all the emissions that lead to FPM. Some facilities emit FPM, others emit precursors that eventually lead to FPM; some emit both
- *Can provincial privilege be used to set this by-law aside? Will a litigation process follow?*
 - Based on the Municipal Act, the province can't stop the by-law in its tracks but the province can set its own legislation that replaces it. For example with the pesticide by-law, the province came in to pass province wide legislation which overtook municipal legislation. It would be difficult for the province to eliminate the by-law without coming in with another standard. They can't continue to do nothing and cancel the by-law.
 - This by-law can go to litigation, depending on how others feel about it. We hope they don't but it is possible.

- *How many major emitters are there in Oakville?*
 - We don't know exactly how many emitters are in Oakville. This is why the reporting part of the by-law is important to assist in determining this information. Our estimate is that there are 30-40 major emitters.

- *I appreciate your concern for our health and I applaud the fact that you are trying to catch major emitters but it doesn't address new emitters under 300 kg (threshold). Unless you stop new emitters from coming in, you won't change the ambient air quality. Does the by-law give Council the authority to approve or decline any new emitters?*
 - Upon passage, the by-law will apply to new emitters with a transition for some existing emitters. They will need to comply with the major emitter standards. The town's proposed by-law looks at annual emissions and then tries to figure out how this impacts ambient air quality and how this in turn impacts health. This information is not available anywhere yet. This is a new philosophy of looking at this and we are looking at major emitters. And yes – the by-law gives Council the authority to approve or decline any new emitters. In addition, it will cause existing emitters to reduce their emissions substantially. Overall therefore, we expect a net overall reduction in PM2.5 impacts within the Town.

- *Can you use the standards in the by-law as real numbers to truly monitor emissions? Does the town plan on monitoring or measuring what the load is now? Does the town have a baseline? What is the latest independent data we have and when will it be made available to the public?*
 - Yes, we have baseline data on the existing situation through the Clarkson Airshed Study (2004 data). Through this, we understand the ambient air quality in this airshed is around 10 ug/m³ in summer and 8ug/m³ in the winter.
 - Halton Region has recently set up a portable air monitoring station and the Health Department conducts health and air quality modeling. This will provide some of the data needed to conduct assessments. There is a Deer Run Park monitor on (west of Winston Churchill Blvd) also set up as a permanent air quality monitoring station.
 - We do have some recent data for 2009 (expected from the Region) and we would consider the Region's information independent. Quality control analysis is still being completed on the data. If this is not done, we can't be sure it's accurate. This process could take a while. This timeline is fairly standard for data. We can't use data without these controls.

- *Where is the use of alternative energy? I was just in Germany and there are many examples. They have so much more. What is the town doing in this area?*
 - The town has many alternative energy initiatives in place. For example, there is a methane gas capture operation in place at the landfill on Bronte Road. This is a partnership between the Region and Oakville Hydro. We

are installing geothermal at the new transit facility we are building. There was a meeting held today [January 21] to showcase the new rooftop solar panels at Oakville Hydro and there is also the Halton Residential Solar Project which assists residents to install solar at their homes. And we're doing more and more in this area.

- *Why are the regulatory thresholds for emissions in Toronto more stringent (Slide 25)? Has their by-law been passed yet?*
 - Yes, the City of Toronto has passed their by-law. The reason theirs is more stringent is that it is primarily a reporting by-law. They want to capture smaller sources of FPM and other pollutants and it is more of a data gathering exercise at this time. The intent of our by-law is based on human health. We want to capture those emitters having a significant impact on human health.
- *What monitoring is going to be in place for major emitters?*
 - Part of the requirements of the by-law will involve ongoing monitoring for major emitters which is identified in slide 21.
- *We (at C4CA) have grave concerns about the legislative gap in regulating FPM and we applaud the town in addressing this. We support the by-law whole heartedly. We would also like to note that there is a difference between a typical business in Oakville and a power plant. I read the article in the Oakville Beaver (Jan 21 edition) about the outcomes of the public information meeting with businesses. Can someone comment on this? It sounds like businesses were very negative about the by-law. This is not consistent with the feedback I've received from residents.*
 - (Answered by Mayor Rob Burton) My answer is part political and part from a journalist perspective because I have background in both. I read the story several times and would say this is a very accurate representation. We had a meeting for businesses on Tuesday and provided the same information to them as you're hearing here tonight. The article captured the tone and feeling of the meeting. The reporting was excellent and very accurate and I would like to congratulate the reporter on the story – he did a good job of pointing out that there are others who see the by-law as more than just an inconvenience and there is certainly not a unanimous opinion on the by-law. Certain businesses have expressed their concerns.
- *How does the 80 premature deaths per year compare to neighbouring municipalities such as Hamilton and Mississauga? How did you get this number?*
 - The issue is the concentration of air pollution. Regardless of where you are, if there is an increased level of pollutants, there will be higher mortality. Lower levels of pollutants result in lower mortality. The figure of 80 is derived from Oakville's population (of 170,000). It is positively known that there is no safe level of FPM. The Clarkson Airshed Study has a table of mortality comparisons in different areas. Hamilton does have slightly

higher concentrations of pollutants, but even then it depends where you are in Hamilton.

- *How will the Town know if emissions from a certain facility change over time? The emissions of a gas plant depend on the quality of the gas coming through the pipeline. This quality might change over time.*
 - It goes back to the ongoing monitoring required in the by-law. Corporations will be asked to monitor and report on any changes in emissions.
- *Comment: I would like to commend the town for this by-law. We feel victimized by the province. I am concerned that many emitters have the power and funding to lobby the government to have the teeth taken out of the by-law or delay it. I want to make sure that we show that there is a lot of support for this by-law and the number of people that are out here tonight.*
- *I'm trying to understand this: there are 80 deaths per year based on an ambient level of 10ug/m³. The by-law is using 300kg per year as an emissions threshold. If there is a new emitter that comes in at 299 or 300kg per year, how does this impact the ambient levels of FPM? What is the connection? Does this address cumulative impacts?*
 - In a sense, this is comparing apples to oranges. The direct connection between emissions thresholds and ambient levels requires a facility-specific assessment; this facility-specific assessment is a requirement of major emitters and tells us the relation between the emission and the ambient level for each specific facility. What comes out of the stack is not what you breathe. Air out of the stack mixes with other chemicals in the atmosphere to cause more pollutants. Health impacts come from FPM in the atmosphere. The reporting component of the by-law requires a health impact assessment.
 - As shown in slide 29, no major emitters will be unregulated forever. There is a phase in period of up to 2 years at which time everyone will be caught in the by-law. How do we move from zero to some degree of regulation? If an emitter comes in at 299 kg of FPM, they will be covered under this by-law within a few years. Town Council has not yet seen the phase in, so this is still proposed. If you have concerns over this timeline, you're encouraged to put this on your comment card.
- *In your attempt to save lives, I'm trying to understand the difference between 299kg and 300kg. How many more deaths does this mean? What is the translation between direct emissions to ambient air quality?*
 - Premature deaths can't be determined in isolation. Precursor emissions also play a role. These substances combine in the atmosphere so it is very difficult to equate. We equate deaths to ambient levels and it is not linked directly to stack emissions, although the town will require major emitters to make this link on a facility-by-facility basis. The by-law will help start getting these links made. The town is proposing a more complex way of

- looking at FPM. Part of the answers (linking deaths to direct emission levels) will come out of the data gathered from the by-law as part of the reporting process.
- Why are we bothering with emissions that are so small (e.g. non major emitters)? We know the big ones likely have an impact. The small ones, we don't know. That's why we're including them.
- *I'd like to commend the Mayor and Council and would like to see this by-law move forward. What happens if a company starts out below the threshold but emissions increase over time?*
 - Section 8 of the by-law outlines the philosophy of the fines and what constitutes an offense. Essentially, if there are repeat offences, the fines will increase accordingly. [The by-law catches these occurrences by requiring that changes that cause increases in emissions be permitted, or require an amendment to an existing permit.]
 - *Comment: I don't want to see industries simply looking at this as the cost of doing business and incorporating it into their operating expenses. I want to see these fines increase exponentially for repeat offenders.*
 - *I'd like to thank Council and the Mayor for this by-law. My concern is with new polluters over the 300k g threshold. How will you stop them from setting up in Oakville? There are no absolute numbers for refusing a company, just reporting thresholds.*
 - At this point, we're looking for balance. What is the middle ground that allows a business to locate here but still protect human health? It should not be an all or nothing situation. This by-law will give Council the tools to deal with this. Whether the answer is "yes" or "no" to a proposed business will lead to unhappy parties. Referring to Part 5 of the by-law, a key aspect of this issue is found in Section 11. Do we need to amend this? If you think so, please provide your comments. Emissions for various industries and companies are not predictable enough to have specifics like this.
 - Another way of saying this is that the bylaw will only allow new emitters coming in if they are essentially "ultra-clean." New emitters that are not "ultra-clean" will not be allowed. In addition, it will cause existing emitters to reduce their emissions substantially. Overall therefore, we expect a net overall reduction in PM2.5 impacts within the town.
 - *Comment: I'd like to stress that I think there should be a maximum standard, even if this would be difficult.*
 - *Do we have data from other existing power plants before we let TransCanada in?*
 - The by-law is applicable to all emitters, not just power plants. TransCanada will be giving us their information next week. This doesn't relate to the by-law so we won't be answering that question.

- *If you don't know how many major emitters there are, how do you propose to find them?*
 - It is a requirement of the proposed by-law that anyone with a Certificate of Approval (C of A) provides initial reporting. Lists of C of A holders are available.

- *Then why don't you have that number? Do you really think businesses will be honest and willingly identify themselves as an emitter?*
 - The province doesn't ask about FPM so we don't know for sure. The C of A gives an indication that a business has an emission of an airborne contaminant.
 - The C of A will be a screen for some businesses. There are existing reporting requirements of the NPRI that may also be used to catch others: however, we acknowledge that there may be businesses that are avoiding these as well. While there is the potential of serious non-compliance, I don't really see that happening. These NPRI and C of A should catch most emitters. Most businesses strive to be good corporate citizens as well. Why we are unsure of the actual numbers is that we don't have measurements of the levels of precursor pollutants for these companies (they're measured at the higher levels of the NPRI).

- *The province is already against the Clarkson Airshed Study. How do you determine which studies are correct? How will you fight the power plant?*
 - The Town has retained air quality experts to help it evaluate all relevant studies.
 - I can't comment on the second part of your question as this by-law is not about one specific facility or emitter.

- *You use deaths per year as an indicator of potential health effects. What other health impacts would you like to see considered? It would be interesting to see. You show a linear relationship between the level of FPM and morbidity. Is this actually a linear relationship? (e.g. direct relationship - #deaths vs. levels of ambient FPM)*
 - Yes, there is data available on other illness costs. We used the Illness Cost of Air Pollution (ICAP version 3) to determine these numbers so we do have the information. Under the Conditions Section, the wording of the draft by-law gives the town the option to pick other outcomes to assess health impacts. The US EPA just came out with a summary document of approximately 2200 pages. Part of it specifically addresses the relationship between FPM and morbidity and found that it was a direct linear relationship.

3.2.2 Public Information Meeting #2: Comment Cards

Comments received after the second Public Information Meeting have been transcribed, in an unattributed fashion, and are included below. Overall, thirteen (13) comment cards were received.

Contents of Comment Card Received After Public Meeting #2	
1.	The TransCanada proposed plant needs to be stopped. Provincial government has let us down. I applaud the town for the by-law. Please don't "water" it down. If anything give it more teeth. If polluters exceed limits consistently fees/fines have to be high enough to deter polluters from exceeding limits.
2.	Title: do you really mean to <u>control the health effects</u> of FPM? Reword? Major emitters: does 500 PM10 include 300 PM 2.5 or can the total be 800? Since PM10 or lower is dangerous, is there any attempt to reduce the amount? ie. pollution levels to municipal taxes? Well done, Council.
3.	Great by-law <u>but</u> it is important to make sure that this bylaw does not allow new major emitters. It shouldn't just monitor existing emitters. The Part V of the by-law must act to improve air. It is known that idling vehicles causes significant PM2.5 emissions. What would be done if a facility had a large number of diesel trucks idling on their premises for several hours a day in cold weather (eg. Ford)?
4.	Right on! Finally someone is taking charge!
5.	The annual average of fine PM in Oakville is 10micrograms/m ³ . How does this measurement relate with 300 kg/year of PM 2.5 that will be the regulatory threshold? I know it was a apples/oranges scenario but I think that some numerical examples of apples/apples and oranges/oranges are required for town councilors. I am pleased that the Town has taken the initiative to pass a bylaw on air quality for better health protection – clean air and water are top on my list to make Oakville the most livable town. Can the town encourage the use of Ford lands for solar panels – Ford gets rid of the property and green energy is produced. A new provincial initiative was outlined today with a large infusion of cash by South Korea in wind/solar/methane energy. Oakville Hydro should be a partner.
6.	Bravo for engaging such excellent panelists with the right expertise /experience. I moved to Oakville over 21 years ago from Quebec and I love this town. My only main concern about Oakville has always been and remains air quality. I am proud of current council to take such important steps to address this main problem. Make penalties for offences meaningful for the offender or proposed offender (based on their proposed plant) and not just the cost of doing business. Congratulations for the leadership shown by the Town on this important matter!!
7.	Your Q&A refers to "long standing concerns about Oakville's air quality.." I am unaware of any material concerns being raised prior to knowledge of TransCanada's proposed power plant. What evidence is there of long standing concerns predating TransCanada's projects.
8.	Your Q&A refers to "several provinces" regulating PM. Is ON one of these provinces? Why is Oakville proposing this by-law when arguable other provincial and federal organizations with more resources are not? Jacques Whitford reports would indicate no particular issues regarding PM in Oakville or as a result of new businesses being proposed in Oakville. What studies/analysis does the Town have that regulates the materials presented by these experts (JW)? Is the imposition of the by-law expected to have a material effect on PM in Oakville? Where is the analysis to support the City's views? If there is an airshed issue in Oakville, related to PM/ air issues are coming from other jurisdictions outside of Oakville? How will a by-law in Oakville have any impact on anything other that existing businesses in Oakville? If made law, what are the tax implications to Oakville residents resulting from the loss of existing/new businesses? Is there provincial analysis to support the implications to new and existing business is of the proposal by-law? If the City believes the true value of the by-law is to be a leader, and have this type of thing done provincially/ nationally, why isn't the City lobbying for provincial/national change versus a by-law that is only restrictive in Oakville?

Contents of Comment Card Received After Public Meeting #2	
	<p>Should Oakville be successful in pushing a power project a significant distance away from Oakville, has the city considered the incremental PM and GHG emissions attributed to generation being a long distance from the load (in the GTA) resulting from the incremental losses (electrical) and additional generation needed to overcome those losses?</p> <p>We should not confuse attendance at the information session with support for the proposed by-law. It appears that there is a very limited relationship between site emissions and ambient emissions. I would therefore conclude that there is no guarantee that this by-law will improve air quality but there is a guarantee the by-law will be very restrictive to new and existing business in Oakville. I have some serious concerns as to the by-laws "real" benefit or value.</p>
9.	<p>The presentation and intent of this by-law was exceptional. It should be a major step in halting the proposed TransCanada – Ford power plant which is poised to waste a phenomenal amount of energy to provide a quantity of electricity that is not needed in Oakville and is intended only to make money for TransCanada investors.</p> <p>Even major emitters that do exist should applaud the intent of this by-law. New emitters should not be allowed to construct here.</p>
10.	<p>Slide 25 on major emitters regulatory thresholds for PM10, PM2.5, VOCs, NO2, SO2. Need clarification: volatile substances – by-law #s lower than national standards. Still not clear on why by-law for Oakville # s for PM2.5 and PM10 are not lowered! I.e. Toronto's PM 2.5 is at 30! Not sure how PM is different from precursors. Apples and oranges, please clarify.</p>
11.	<p>There should be some consideration or leniency (or grandfathering for a reasonable time) given to established businesses who have been in Oakville a number of years versus new businesses who will be major polluters.</p>
12.	<p>Need a sequential incremental penalty for continued offenders. The by-law should have teeth to stop major polluters from setting up shop in Oakville.</p> <p>Does the so called Green Energy Act have the ability to circumvent this by-law – if no, can anything be done in advance to stop this?</p> <p>Compensation – high emitters should be held accountable to compensate the existing residents say of 2-3 km from the plant do to loss of property value and annual additional compensation ie. power plant 15-20%. This should be part of an amendment to the by-law.</p> <p>Health – I would like more clearer statement of health statement which is easier to be understood by the people at large.</p> <p>Emission – A provision should be in the by-law for the purpose of a plant to provide the quality level of the fuel to be used. So the Town will not be in the position to alter the standards on to a later date.</p> <p>Please provide me with a copy of the air quality study.</p>
13.	<p>Comment #1: The by-law should target businesses with major emission, such as factories and power plants, not small ones such as shops and offices.</p> <p>Comment #2: The comparison of regulatory thresholds (kg/year) for major emitters seems to be tighter for Town of Oakville (if not clarify please). The by-law should ALSO specify tight thresholds for VOCs, NOx and SO2. NOX is one of the major contributors to air pollution from factories & power plants.</p>

3.3 Comments Received Via Email and Written Form

Comments received via email about the Health Protection Air Quality By-law have been transcribed, in an unattributed fashion, and are included below. Overall, as of January 25, 2010, 210 emails were received about the by-law.

In addition, signed letters addressed to the town have been compiled in Appendix B. In total, eight (8) written letters were received from:

- Rochester Midland Limited
- Allcolour Paint Limited
- Canadian Manufacturers & Exports
- GWN Chemical Consulting Inc.
- First Canadian Title
- Oakville Chamber of Commerce
- Dufferin Construction Company
- Goodrich Landing Gear Division, Goodrich Aerospace Canada Ltd.

Ref #	Date	Email
1.	Jan 20	<p>I am in receipt of a presentation that the City of Oakville delivered in a meeting on January 19, 2010. I am an Oakville resident on Parkglen Avenue, and have been an Oakville resident for many years.</p> <p>My questions relate to the implications of the proposed bylaw and the study (s) upon which you are basing your findings and the bylaw.</p> <ol style="list-style-type: none"> 1. What are the implications to existing business in Oakville of the proposed bylaw, and what are the incremental costs they incur to comply, if they in fact can comply? 2. What are the implications to new businesses proposing to come to Oakville of the new bylaw and are they able to mitigate or will this bylaw simply result in them not coming to Oakville? 3. Your study seems to be quite categoric about increases in particulate directly attributable to deaths - - are you taking liberties with the actual report or does it make that statement? If the report makes that statement (attributing future deaths directly to particulate versus other possible causes), how can the author be so categoric as to the causes of deaths yet to happen? What is the date of the report you are using and what major events may have changed the reports findings since it was issued? 4. To what extent does the report opine on the source of the particulate actually being in Oakville, or being carried to Oakville from other jurisdictions? If it contemplates particulate coming from other jurisdictions does the report opine as to where that particulate is coming from and why it is being produced? If particulate is coming from elsewhere, to what extent will this bylaw have a tangible effect on the particulate issues in Oakville? 5. How is the study you are using impacted by proximity to the QEW or other major highways? 6. How does this bylaw compare to other similar bylaws in other municipalities in Ontario? Canada? 7. If we are going beyond other regulations already in place (Ambient Air Quality Criteria, C of A regulations), why are we doing this? What is the reason the other agencies dealt with this matter the way they did? <p>I would appreciate a response as soon as practicable.</p> <p>Thank you.</p>
2.	Jan. 22	<p>hello Ms. Toth,</p> <p>First of all, let me say that I applaud the efforts of the town to implement this by-law. I attended the townhall meeting last night about the proposed by-law and I have a couple of questions:</p> <ol style="list-style-type: none"> 1. why are the regulatory threshold levels proposed by Oakville so much higher than those outlined in the City of Toronto by-law? 2. is this by-law designed to deter the power plant from coming to Oakville or is it a means to monitor the emissions that will come from the plant?
3.	Jan. 22	<p>To all those at the city of Oakville contributing to the proposed by-law to regulate fine PM:</p> <p>I applaud city officials for taking action on this! It is about time someone stood up and did something! Shame on our provincial and federal governments for crafting such poor regulations on air quality control.</p> <p>Residents of Oakville, especially in SE are exhausted. It feels like we need to fight one battle after another (schooling/Power plants/overall air quality). This isn't what we signed up for when we moved to this beautiful neighborhood. And...it's not healthy! Stress, both physical and emotional is NOT Healthy! How do you think our residents feel raising young children in a neighborhood that has its air quality "TAXED"? There's always this underlying feeling of guilt that maybe we should just give up and leave! But nobody wants to leave, because, for one, this is a</p>

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		<p>beautiful area, and two, we believe there is hope that our governing officials might actually be listening and want to support us and make this community a better and healthier place to raise our families. Your recent actions tell me you are listening, and I am thankful for that. Please do not back down on this fight. It conjures images of David and Goliath (Goliath being industry as well as provincial/federal governments). I honestly don't care about industries concerns. I understand their pressures...however health comes first and foremost. We are WAY too driven by the almighty \$.</p> <p>Thank-you for standing up!</p>
4.	Jan. 22	<p>I fully support the Town of Oakville's position on the particulate Bylaw. The only businesses that won't support this are the ones that have no morals to the community. Their names should be published. I hope council will pass this bylaw and make businesses accountable. Keep up the good work. Oakville has a fantastic government and Staff.</p>
5.	Jan. 22	<p>I have put together a few comments regarding the proposed air emissions by-law for the Oakville Chamber of Commerce. At their request, I have forwarded a copy to this email address. As mentioned in the letter, I have restricted my comments to a few of the many issues. There are still many other problems with the proposal, that would require more substantial resources and time to fully review.</p> <p>If you have any questions, please do not hesitate to contact me.</p>
6.	Jan. 22	<p>To whom it may concern: I just wanted to let you know that I fully support town council's attempt to enact a by-law regulating emissions of Fine Particulate Matter. The Air Shed we live in is stressed to its maximum and any attempt to remedy this situation is beneficial. Thanks for your hard work in protecting our town</p>
7.	Jan. 22	<p>Cindy: Interesting session last night. Most of the questions I had in mind were either answered in the excellent presentations or asked by others. Couple of items, however, that you might want to flag for future sessions, including when the staff report and recommendation goes to Council:</p> <ul style="list-style-type: none"> • what will be the cost of implementing and administering the bylaw. • also, you know that the Town has, I believe, two (2) bylaw officers. The stretched resources became acutely apparent with regard to the Tree Bylaw and the Town's ability to monitor and enforce permits (or penalize infractions). This raises the question - voiced last night - as to whether or not the new bylaw will have teeth. • one might be correct in thinking that with a given incident, a "major" emitter will seek to appeal the bylaw. In theory, the province supersedes municipalities when it comes to environmental regulations. I would have thought that an such appeal would go to the OMB, but when chatting briefly with Rod, he indicate no, it would go to court. Fine, but this should perhaps be communicated and clarified as you go along. <p>Small world - Franco and I go back many a year but I had not seen him for some time.</p>
8.	Jan. 22	<p>PLEASE pass this by-law!!!!!! Our family supports this by-law 100%.</p>
9.	Jan. 22	<p>We are residents of Oakville - We are in favour of the Town of Oakville passing the proposed By-Law regarding FPM and wish to register our support of this initiative taken by the Town of Oakville. We fully agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>

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10.	Jan. 22	I am a resident of the Joshua Creek area and I am writing to express my support for the passing of the proposed By-Law regarding FPM. It is critical that the Town of Oakville enact legislation that protects the health of its residents who are its tax base. I have three children, all born in Oakville, all of whom have been diagnosed with Asthma prior to their 2nd birthdays. I understand the interests of industry in this area, but I firmly believe that the health and safety of the Citizens of Oakville comes first. If we are to be the most livable city in Canada, then I hope that Oakville continues its fight to keep our air as clean as it can be. This By-Law is a responsible step in the right direction.
11.	Jan. 22	I am aware that Oakville is considering a by-law regarding emissions of FPM. As a resident of Oakville concerned about the proposed power plant in our area, I strongly support the Town of Oakville passing the proposed By-Law regarding FPM - it is critical that the health of our citizens be protected by these types of warranted and responsible actions.
12.	Jan. 22	To Whom it may concern, I am deeply concerned about dangerous levels of Fine Particulate Matter in the Oakville area and the serious health consequences they cause. As a resident of Oakville, I am in favour of the Town of Oakville passing the proposed by-law which will limit FPM as well as other additional air pollutants.
13.	Jan. 22	We are in favor of the Town of Oakville passing the proposed By-Law regarding FPM. It is important that the health of citizens be protected by these types of warranted and responsible actions.
14.	Jan. 22	To whom it may concern, Please add my support to the Town's efforts to regulate the quality of air in this Town. A bylaw to measure and regulate hazardous fine particulate matter is a good thing for this community. Any existing industry should be made to comply. If they haven't been working towards this on their own, they never will. Issues regarding the environment have been on people's radar for some years now. No new industry should be allowed to locate here if they are not prepared to be a good corporate citizen. It is the right thing to do. It is not enough to sit back and let things continue to exist as they are. We need to work towards making our environment better. Way to go Oakville for setting this kind of precedent!
15.	Jan. 22	Dear Sir/Madam: My family and I are VERY concerned about this power plant! Nowhere else in North America has a mix of a power plant and established residential/schools been contemplated. This is NUTS!! This may benefit big business but no one else. The existing natural airflow in Oakville is bad enough and should not be burdened with 4 additional huge smolestacks. Stop this madness!!
16.	Jan. 22	Good Morning,

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		We wish to be on record that we support The Town of Oakville passing the proposed By-Law regarding Fine Particulate Matter (FPM). We are homeowners in the area directly affected by the proposed power generation project, which we strenuously oppose, on the Ford Motor property. Health issues of citizens must be protected by this warranted and responsible action.
17.	Jan. 22	As a citizen of Oakville for more than 20 years, I am very concerned over the proposed new Gas Power Plant and very concerned about the Health issues surrounding the emission of Fine Particulate (FPM) from this plant. I am fully supportive and in favor of the Town of Oakville passing the proposed By-Law regarding FPM and agree that it is very important that the health of citizens be protected by these types of warranted and responsible actions.
18.	Jan. 22	We are a family of 4 living in Oakville for the past 14 years and have always appreciated the town's efforts to protect and preserve it's beautiful greenspaces and overall community. We are very much in favor of the proposed By-Law regarding FPM. Our neighbours and we agree that these types of by-laws are necessary to protect the health of the community. Thank you for advancing this on behalf of all of us,
19.	Jan. 22	I would like to add our voices to the growing group of concerned Oakville citizens to say that we are in full and complete favour of the Town of Oakville passing the proposed By-Law regarding emission levels of FPM. We are also in total agreement with countless others in saying it is essential that the health of citizens be protected by these types of warranted and responsible actions. We are very concerned residents.
20.	Jan. 22	I fully support the Town of Oakville passing the proposed By-Law regarding FPM as it is important for the health of the citizens of Oakville. Passing the by-law is a warranted and responsible action.
21.	Jan. 22	We are in full support of the Town's by-law to control and limit FPM. We agree with the importance of this by-law to protect the residents health. We find the opposition (as reported in the "Beaver") to this by-law by the Okville business community to be totally unwarranted, shortsighted and shameful.
22.	Jan. 22	As a mother of two young children who lives no more than 400m from the proposed plant site, and as a runner, I am greatly concerned about adding any additional FPM into our air in the overtaxed Clarkson air shed. I am fully in support of any and all measures, including the proposed Oakville by-law.
23.	Jan. 22	I am in favour of the Town of Oakville in passing the proposed by-law regarding FPM for the welfare of our health now and in the future.
24.	Jan. 22	As a 20 year resident of Oakville I would like to voice my support for the proposed by-law to control Fine Particulate Matter. It is something which is absolute necessary to prevent a compounding of serious health issues in an area where pollution is prominent.
25.	Jan. 22	I attended the meeting last night that outlined the bylaw on fine pm. This is an excellent initiative by the town to protect our health in an airshed that is obviously overtaxed with pollutants. Congratulations on this initiative it shows great leadership.
26.	Jan. 22	Dear sir or madam

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		This note is to indicate that I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM.
27.	Jan. 22	I'm writing to voice my support for the proposed bylaw to limit fine particulate matter (FPM) in our air. In the absence of regulations from the Ontario or federal government, it's good to see the Town of Oakville taking action. I sincerely hope this bylaw passes council and inspires a movement across the country that will force the federal government to take responsibility for this serious health issue. Local businesses may be hurt in the short term, but if they embrace the challenge of controlling FPM, they may develop strategies and technologies which they can market to other companies as the importance of this issue spreads.
28.	Jan. 22	To Whom it may Concern Please note, as residence of Oakville, our family is very concerned about the potential of additional air pollution in Oakville, and we fully support the proposed new By-Law concerning fine particulate matter being proposed to protect our health.
29.	Jan. 22	Please note I fully support the By-Law regarding Fine Particulate Matter. I am asthmatic and a runner in Oakville and we need to ensure our community does not continue to deteriorate with its air quality.
30.	Jan. 22	Dear sirs/madam, I would like to thank you very much for taking the initiative to put into place a bylaw to protect the health of Oakville residents. I support the bylaw, but I have the following concerns which remained unanswered even after attending the meeting last night. 1) The bylaw looks to get control over monitoring and reporting. But this does not stop a new polluter (such as the power plant) from setting up and operating thus significantly worsening the already grave air quality situation. So I do not understand how this bylaw gives us any real protection. 2) I think it will be very difficult to have this law enacted as long as you are not able to make a direct link between the level of FPM in the air and the additional amount (kilograms) that would be added by a new polluter since you cannot relate them to the death rates. 3) Mortality rate of 80 persons per year is quite shocking - however it ignores the morbidity among residents suffering form various forms of disease resulting from FPM. A quick visit to any one of the local schools will show you a "wall" of medications held at the principals' offices - puffers, epipens etc. There should be additional disclosure around the true number of people that are currently affected by air pollution and the projected increased rate of morbidity. This would pose an even more shocking picture of the reality of area residents. I would like to see the bylaw give the town the ability to stop a project that will add to the existing PM levels, since you noted last night that there is no "safe" level. The town should be able to control which, if any, new emitters set up shop in Oakville. Once again, thank you for being the first municipality to have the vision to move forward with this initiative. I do truly hope that this bylaw gives Oakville the power it needs to control it's air quality and gives the citizens the level of protection that we deserve.
31.	Jan. 22	I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions....Latin "Non sibi sed posteris" meaning - not for today but for those of tomorrow.
32.	Jan. 22	To whom it may concern, I am absolutely in favor of the Town of Oakville passing the proposed By-Law regarding FPM.

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		I know that we can count on the town to behave responsibly and protect our health first and foremost.
33.	Jan. 22	I am in support of the proposed by-law. I believe fpm is a much greater danger to our health than has been recognised, and have written to our district health office with back up data.
34.	Jan. 22	I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
35.	Jan. 22	We are in favor of the Town of Oakville passing the proposed By-Law regarding FPM and we agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
36.	Jan. 22	To whom it may concern: This email is in favour for the Town of Oakville to pass the proposed By-Law regarding FPM and that I am in agreement for the importance of the by-law that the health of the citizens of Oakville be protected by these types of warranted and responsible actions.
37.	Jan. 22	To whom it may be concerned, I am strongly in favour of the Town of Oakville passing the proposed By-Law regarding FPM. I feel it is important that my family's health be protected by passing the by-law.
38.	Jan. 22	To Whom it May Concern, I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
39.	Jan. 22	I am in favor of the Town of Oakville passing the proposed By-Law regarding Fine Particulate Matter and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
40.	Jan. 22	Pls help keep our kids safe. My son has asthma and our already lousy airshed is not helping. Please pass the by law.
41.	Jan. 22	I am a resident of Oakville, and have worked in Mississauga (Port Credit) for the past sixteen years. Over this period I have noticed a significant deterioration in the quality of air. Family at home, and co-workers in Mississauga of all ages, seem to have more long term coughing, become ill more easily and often complain about an odour outside. When we came to Oakville, children using inhalers was a noteworthy event, now it is common place. Meanwhile, no one has done anything about it. If we can't breathe, everything else we do in life becomes irrelevant.
		I urge the Town of Oakville to quickly put some strong, enforceable, health controls in place to reverse this trend. And please engage Mississauga as well. The foul air doesn't stop at Southdown Road.
42.	Jan.	Hi there—I was at the public meeting last night on the new health protection by-law, and I found it helped greatly to clarify some issues for me. I

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	22	<p>commend the Town and its consultants for pursuing this issue and taking the lead where the Province fears to tread. PLEASE stand firm in your resistance to polluters. Who needs them? New, non-polluting knowledge industries will flock to our Town once their owners and staff find out that they can raise their families in a clean environment.</p> <p>Something I found curious in slide 9 of your presentation last night: you state that the annual mean for PM2.5 in Oakville is 10 ug/m3 (the current WHO limit, BTW). Where was this measured and who measured it? If it is MOE 2007 data, the monitor was nowhere near SE Oakville and Clarkson? Was this the mean of several monitors? The CAS recorded 24hr levels of 30 ug/m3 in SE Oakville-Clarkson. How does this amount jibe with your data?</p> <p>My specific thoughts on the by-law are below:</p> <p>pg. 2, "major emission". I still find it odd that the emissions are measured in kg/yr but the health effects are related to ambient air concentrations measured in ug/m3. This is very confusing to the public and even some of us with a science background. I understand that you are collecting the data, but it might help to clarify on paper where you got those levels of 300 and 500 kg/yr for PM. (ie. Federal way of identifying large polluters of components of PM2.5). It would be even better if you could find data from other jurisdictions where measurements have been ongoing to relate kg/yr to ug/m3 in ambient air.</p> <p>pg.3, section 4(1): Why "estimated" quantity of pollutants? Shouldn't they have to actually measure it? Or are you talking about the intrinsic uncertainty of scientifically coming up with an exact quantity?</p> <p>pg. 3, section 4(3): Shouldn't the Town also post how much guck (ie. specific amount) each of the polluters is putting into the airshed, as they did for the CAS II?</p> <p>pg. 5, section 5(d): The "together with" is crucial here—cumulative is key. I wonder if we shouldn't also be capturing the small polluters for that reason: if they all contribute 299 kg/yr, they are collectively putting a ton of guck into our air.</p> <p>pg. 5, section 6 (1): Is the Town requiring all industries within Oakville to pay to get their pollutants measured and supply the data to the Town? Is this measuring to be done by an independent 3rd party?</p> <p>pg. 8, section 10 (1c): I wonder if the Health Dept. should be involved earlier? This only gives them 30 days to comment? Maybe they could derail the whole thing earlier if involved at the start, ie. at the same time as peer review of a complete application starts?</p> <p>pg. 10, section 14 (2): \$100K is peanuts for large industries, who might view it as the cost of doing business? Maybe it should say "a fine of up to \$1M for a first offence, and up to \$100K a day for each day thereafter....?"</p> <p>pg. 10, section 15 (b): Does this mean that polluters have 6 mos to tell the Town of their pollution levels, and a year to get mitigating measures in place?</p> <p>One thing I don't seem to see is some kind of obligation by the Town? by the Province? some independent 3rd party? to carry out routine monitoring of air quality in all parts of Oakville to make sure that overall ambient levels of pollutants are decreasing rather than increasing. This info should be published every year so we have baselines and can track progress. Or is the Town putting this on the polluters? (but then wouldn't the data on ambient/cumulative pollutants be restricted to a certain area of the Town, depending on where the polluter wants to build the plant?)</p>

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		Thanks for the opportunity to comment on this. Do let me, and other members of the public, know if you need us to come out and support the Town against the polluters.
43.	Jan. 22	To Whom it may concern, Speaking as an Oakville resident, tax-payer, and parent, I would like to stress my support for a By-Law that would regulate and monitor the quality of the air we breathe, with a specific focus on the most toxic chemicals that are readily respired into our lungs and therefore lead to health problems. Our overshed air quality is already an egregious risk to health. And our health is our life. With a conscience that reflects Provincial initiatives to make Ontario a leader in greener, renewable energy sources, please continue to take bold steps to preserve the health of our planet and its people.
44.	Jan. 22	To whom it may concern, I just wanted to state that I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM, it is important that the health of citizens be protected by these types of warranted and responsible actions. This should be passed as soon as possible to be in place well before transcanada can start the rude undertaking of developing the largest Gas PowerPlant in the middle of a community!
45.	Jan. 22	We support the town's proposed bylaw to control the emissions of FPM within town boundaries.
46.	Jan. 22	Dear Sir/Madam I'm writing this email to demonstrate that me and my family as the citizen of Oakville are concerned about the Health issues surrounding the emission of Fine Particulate Matter. We are in favour of the Town of Oakville passing the proposed By-Law regarding FPM and that we agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
47.	Jan. 22	We are in favor of the Town of Oakville passing the proposed By-Law regarding FPM and we agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
48.	Jan. 22	Town of Oakville: I am in total agreement with regard to the Town of Oakville passing a proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
49.	Jan. 22	To Whom It May Concern, As a resident of Oakville for 22 years my family and I fully endorse the Town of Oakville's proposed By-law regarding FPM, Fine Particulate Matter. It is extremely important that the health of the citizens of Oakville are protected.
50.	Jan. 22	To: The Town Of Oakville I support the Oakville By-Law regarding the emissions of Fine Particulate Matter and would like the By-law passed to ensure that the health of the residents of Oakville is not unfairly subjected to harmful pollution.

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51.	Jan. 22	Dear Oakville Health Protection, We are thrilled that finally we have people banding together and trying hard to stem the severe pollution in the Oakville/Clarkson area. The proposed FPM bylaw is a great initiative. Don't worry about the people in the local businesses saying they disagree with the bylaw. They are only saying what their employers are paying them to say. We've all done that type of talk at some point or another. Just take them aside and ask them where they live and what they want for their family. You will get a totally different story. Don't be deterred. Keep going. Best of luck
52.	Jan. 22	I am writing in support of the Town of Oakville passing a proposed by-law regarding fine particulate matter emissions. These emissions are known to cause a number of health problems and I am pleased to see the Town taking this action to control them. We already live in an area of high pollution, and I believe it is important for the Town of Oakville to take steps to ensure the health of its citizens is protected from further toxic emissions.
53.	Jan. 22	I am writing today to emphasize that I strongly favour the Town of Oakville passing the proposed By-Law regarding FPM (fine particulate matter). Now more than ever, this measure is necessary to protect the health of all Oakville citizens. Passing this By-Law is highly warranted and demonstrates the Town's willingness to take responsible actions in protecting the best interests of the community at large. As an Oakville community member, and the parent of a child with asthma, I believe this By-Law is a critical first step in protecting the future of my family and community.
54.	Jan. 22	This email is to register our support for the by-law regulating FPM in our over-taxed airshed.
55.	Jan. 22	I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
56.	Jan. 22	To whom it may concern, I have reviewed the draft air quality by-law 2009-197 for the town of Oakville and while I am all for improving air quality in our town I understand that the majority (approx. 70%) of fine particulate (PM10 & 2.5) as well as oxide of nitrogen gases are due to vehicle traffic in or through our town. I believe industry falls in second place based on recent studies. If you are to add a power plant to Oakville that would cause further concern to our local air quality. The proposed solution to impose more stringent air quality criteria for businesses that follow the federal National Pollutant Release Inventory (NPRI) and provincial Ontario Regulation 127/01 reporting requirements does not seem to offer any solutions as the majority of our concern is vehicle traffic? You have also proposed a fee of \$25,000 for review of this report? I find this proposed regulation will drive business operations out of Oakville without solving the problems being created by vehicle traffic. If our air quality is as poor as what has been recorded why are we even entertaining the idea of a power plant in our community? I would certainly propose major modifications to this by-law and further investigation/liason with the Ontario Ministry of the Environment to see if something can be provincially legislated regarding fine particulate with the provincial air quality Regulations (4/19/05).

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		Thank you for your time regarding this manner.
57.	Jan. 22	<p>I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p> <p>Stop the power plant on the Ford property</p>
58.	Jan. 22	I am concerned about the health issues surrounding the emission of Fine Particulate Matter in the Town of Oakville and I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of its citizens be protected by these types of warranted and responsible actions.
59.	Jan. 22	<p>The proposed by-law could not have come at a worst time for the manufacturing industry. On top of the world wide economic downturn our business is subject to many other forces beyond our control. Here are a couple;</p> <ol style="list-style-type: none"> 1. Pressure from a trend by large companies that represent a good portion of our customer base to move manufacturing work off shore to low cost countries. 2. Pressure from the rising value of the Canadian dollar. <p>Disregarding these issues, there are numerous issues with the new by-law itself as discussed during the recent public consultation meeting with industry. Two of the major issues are as follows:</p> <ol style="list-style-type: none"> 1. The fees are exorbitant. As a potential major emitter, we estimate our costs to prepare and submit an application to be in the range of \$50-75 K. This represents a significant portion of yearly profits for an SME. Not to mention the costs associated with any remedial action required. 2. There are no guidelines provided in the by-law regarding the outcome for major emitters that are over the specified limits. The decision to allow a violator to continue to operate is based on a totally subjective decision made by town council. If the council decides that a violator will not be allowed to continue violating the by-law, there are no guidelines provided to allow for a remediation plan. <p>We currently comply with all federal, provincial and municipal regulations. We feel that this additional level of oversight can be classified as over-regulation. Being an SME our capital resources are not limitless and we need to plan the growth of our company very carefully to ensure we remain healthy. This is extremely difficult to do in today's world market economy and is only exacerbated when we are required to comply with what we deem to be severe over-regulation with an unclear outcome.</p> <p>We have been located in Oakville for the 50 years we have been in business. In recent years we are left with the impression that Oakville is becoming increasingly un-friendly toward industry. This certainly cannot bode well for the local economy. While air quality is important to Oakville residents, we feel confident that jobs are an even higher priority.</p> <p>While we appreciate and applaud council's efforts to ensure Oakville residents enjoy clean air, we feel that targeting local industry as the major source for Oakville's air quality problems is somewhat misguided. The effects of heavy industry in both neighbouring and distant locales in addition to the heavy traffic conditions of local highways will not be addressed by this by-law. We are left wondering if the costs of implementing and administering this by-law will have a significant positive impact on Oakville's air quality.</p>
60.	Jan. 22	<p>In considering sources of gaseous and particulate pollution in the Oakville air-shed, I would like to question whether the discussion concerning particulates, in particular, is sufficiently well informed.</p> <p>- Has the Town/Region/Province clearly identified the actual constituents in the air-born particulate levels?</p>

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		<ul style="list-style-type: none"> - At what locations, levels, (with wind velocities, direction, humidity, etc.) seasons and times have samples been acquired through vacuum-drawn filter-paper procedures? - If such samples have been obtained and quantified, has microscopic/chemical analysis been performed to clearly indicate the materials/processes involved? - In reference to the particulate counts and qualities currently available for discussion; precisely when, where and how were these samples obtained: Do they accurately portray the <i>current</i> situation in the area? <p>Such detail, if available, would perhaps sustain a more informed, and less fraught, level of discourse, leading to the most appropriate forms of action required.</p> <p>Reference to records in the Town's Bylaw Enforcement Office would provide much evidence of low-level particulate emissions around building sites. As another building season looms, more rigorous enforcement of existing bylaws could alleviate a major source of micro-particulate air pollution - a known precursor of silicosis and other respiratory concerns.</p>
61.	Jan. 22	I strongly support the Town of Oakville's passing the proposed By-law regarding emissions levels of FPM, which is a very serious threat to the health of our community. I applaud Town Staff for its efforts to protect citizens from the present and future, known and yet unknown, health risks that FPM pose to all residents, and in particular, to children and urge the passage of this most important by-law.
62.	Jan. 22	To whom it may concern; Please know that my family, living 300 m from the proposed power plant site is definitely in favor of the Town of Oakville passing the proposed By-Law regarding FPM. We agree it is important that the health of citizens be protected by these types of warranted and responsible actions. Thank you for your concerns,
63.	Jan. 22	Hello, I'm <u>totally in favour of limiting particulate emissions</u> to protect the health of Oakville residents. Thank-you for the great work that you are doing in this regard, Anne Stewart
64.	Jan. 22	I am writing as I am very concerned about our health here in Oakville. It is imperative that the By-law regarding FPM be passed.
65.	Jan. 22	As a mother of 3 small children, I fully support the by-law which will regulate fine particulate matter in the Town of Oakville. We are overtaxed by pollution as it stands we need to address this issue immediately and with vigour. I fully support this new by-law and appreciate all the hard work everyone is doing to support this initiative.
66.	Jan. 22	This is by no means a qualified report on the air we breath in Oakville, just a personal comment. Infact most of the reports I have read go way above my head, but, having said that this letter is explaining how we feel. We have lived in this house just over 16 years, and in the last part of this my husband and I both have breathing problems of some kind. My husband has an irritation that makes him want to swallow all the time. I have " post nasal drip " certainly not earth shattering, but very annoying. Upon talking to neighbors and apologizing for constantly dabbing my nose, they admitted to the same problem. Sleep is interrupted with blocked nasal passages, and my husband finds the same thing.

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		<p>Since this started I have now been advised I have heart trouble , and one of the side effects is breathing problems, irritated more by my blocked nose at night. We cannot have the window open at any time, Summer or Winter, it seems to make it worse. At the age of 75 we really don't want to sell our home and move - where would be go, away from our Doctor and Hospital. We feel that if further pollution is allowed in an area that is already famous for it's poor air quality, we are also pushing younger generation towards these same health problems. When other locations have offered to have the new generation station, far from residential areas , it seems so foolish to demand it be built here. Just incase you are wondering, this is my first and only letter concerning an issue that has caused so much worry for Oakville.</p>
67.	Jan. 22	<p>I am writing this email so you are aware that my family and I are in favor of the Town of Oakville passing the proposed By-Law regarding FPM. We agree that it is important the health of citizens be protected by these types of warranted and responsible actions and you can count on my full support.</p>
68.	Jan. 22	<p>I attended your Thursday night meeting along with several of my friends and neighbors and we all agreed that this bylaw is an innovative and important step toward saving our community and it's citizens.</p> <p>I further disagree with the writings of the Beaver reporter whose headline warned of a business pullout or avoidance of our area because of this new bylaw. Popcock! To the contrary, I think, this bylaw, like the now pesticide law will become the rule one day as Oakville and the rest of the planet continue to actively work to safeguard our citizens from the harm created by years of pollution abuse by large companies and corporations. Sure BIG businesses won't like abiding by new rules and paying to upgrade their facilities so they don't pollute, but in time they will all be forced into compliance of bylaws like this no matter where they choose to locate. The bylaw will become the law of ALL the land because it is the RIGHT THING TO DO TO SAVE OUR PEOPLE AND PLANET!</p> <p>In the end, I say "what is good for the community can also be good for business because more people will want to live and shop in Oakville because of the way the town is actively seeking to "clean-up" its airshed. What better selling tool to bring in more residents and therefore more businesses to serve them?</p> <p>Well Done Town of Oakville!</p>
69.	Jan. 22	<p>Hello - I just want to confirm my support for the bylaw on FPM. Congratulations to the town for taking this initiative to protect the health of my family.</p>
70.	Jan. 22	<p>Hello, I just wanted to show my strong support in favour of any By-Law that limits Particulate Matter emissions in Oakville and in the rest of the Country for that matter. I hope that the Town of Oakville will pass such a By-Law as soon as possible in order to save the health of it's residents.</p>
71.	Jan. 22	<p>This email to show my support in the Town of Oakville passing the proposed By Law regarding FPM...our citizens reserve the right to have their health protected by this new By Law.</p>
72.	Jan.	<p>To whom it may concern,</p>

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	22	I live in South East Oakville and my husband and I are very concerned about the effects that the proposed Power Plant may have on the air quality in our neighbourhood and especially on our two young children. We are in favor of the Town of Oakville passing the proposed By-Law regarding FPM and feel that it is important that the health of citizens be protected by taking action like this. Thank you for listening to and reacting to our concerns.
73.	Jan. 22	To whom it may concern; I'm in favor of the Town of Oakville passing the proposed By-Law regarding FPM and that I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
74.	Jan. 22	We have lived in South East Oakville for 20 years. The recent decision to build a 900 MW gas fired power plant in harm's way of Oakville residents is mind boggling. Every effort needs to be made to ensure projects of such magnitude are fully assessed by independent environmental entities prior to proceeding with the construction of the plants. We are in full support that a by-law be passed, regarding the regulation of fine particulate matter.
75.	Jan. 22	The purpose of this email is to voice my support for the new proposed Dust Bylaw. All industries should be held accountable as to what they release into our air. Thank You
76.	Jan. 22	We are in favour of the Town of Oakville passing the proposed By-Law regarding the emission levels of Fine Particulate Matter (FPM). We firmly agree it is important that the health of citizens be protected by the passing of warranted and responsible by-laws.
77.	Jan. 22	It is seriously depressing that I have to write to my government and tell them no thank-you, I do not wish myself or my children, to be poisoned. I mean really?
78.	Jan. 22	The speed, effort, along with statements made by Mayor, staff, plus for want of a better word, hired hands, to bring captioned By-law to an early positive resolution is certainly injudicious and lacks gravitas. Fine Particulate Matter (FPM - PM10, PM2.5), plus all and any emissions, anthropogenic or natural (where possible) that may threaten human health at all ages and in all conditions, from manufacturing or processing are rigorously monitored, checked and re-checked with power of enforcement and licensing to compel compliance within set parameters if they are produced in our Ontario airshed. Fines, or closure, are an additional tool, if when and where serious infringement of the regulations take place. This authority and power vested, as it should be, in the appropriate arm of the Ontario government. Beyond this, transboundary emission (FPM or other), which can be from anywhere worldwide* or from our neighbor to the south, becomes a matter of international discussion and agreement. It does not help when Town, staff, or hired hand comment descend in to trivial semantic debate when they declare that neither the provincial nor federal government regulate FPM. This appears to deny any control or measure on FPM within Ontario's (or Oakville's) airshed which is patently untrue: as the foregoing attest. Ontario, along with all other provinces and territories adhere to a primary standard (not a "regulation") maximum of 30 micrograms per m3 with the corresponding Primary Standard (not a regulation?) in the USA at 35 micrograms per m3 for PM2.5 and 150 micrograms per m3 for PM10. I will shortly have the Ontario (possibly Canadian) standard for PM10 and will forward it, if required, at a later date.

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		<p>None of Town's public, or hired hand utterances pay heed, or mention for public awareness, the tremendous research and activity worldwide, let alone in Ontario and Canada, on the possible health threats of FPM over the past many years that continues. The Canadian (Ontario) standard I mention above has been accepted, and acted upon since 2000. These utterances also descend in to worrisome mention of cardiovascular mortality, stroke mortality and respiratory function, to name a few, while referencing some 30 studies, without reference to peer-review (if any) or the named source of such studies: which I would like for further study. One hopes that a well educated Oakville population will not be seized by such nonsense and start to dig deeper, much deeper.</p> <p>Nothing has been said, that I am aware of, about the source of FPM. The Ontario government (MOE - Fine Particulate Matter 2.5 microns in diameter) have a pie chart showing known emission sources. Residential reads 34 per cent, which bears out research from Oslo I have read that calculates better than 50 per cent of household dust is FPM. Drive your auto, catch a bus, a train or fly by air, truck transport that delivers essential needs to stores, factories and manufacturing that also create employment and other opportunities on which the public rely, and you get another 24 per cent FPM. Smelters, Primary metals processing with pulp and paper, another 12 per cent and 3 per cent respectively, runs in to Other Industrial Processes and Miscellaneous at 21 per cent and 6 per cent respectively. I have no idea how many of the last four are represented in Oakville but would guess few, if any.</p> <p>Furthermore, in all of Town comment so far, there is a total lack of perspective. Fine Particulate Matter is now and has ever been ubiquitous, worldwide. From natural sources, wind, sand and dust storms, * volcanic eruptions, earthquakes, where even humankind in cave or hut dwellings, the shuffling of feet or animal hoofs in dirt: it is not difficult to imagine, and is illustrated by the current Ontario (2007) Air Pollutant Emissions for PM2.5 which show 86,684 tonnes from unpaved roads - 48,039 tonnes from paved roads. In recent years, due our relatively new found ability to measure ever small trace elements to molecular level everywhere, including the human body, FPM has gathered ever greater interest in its impact on animals (including homo sapiens), plants, trees and vegetation. FPM is less now than it was in our prime industrial age (smoke stack industries almost all gone), but still inescapable and occupies the finest minds worldwide (they do not exist in Oakville!), to arrive at a level that satisfies the whole edifice of our present society including employment, health, and a comfortable survival. Government institutions, science, and scientific development do not stand still in attempts to discover, curb or destroy (where possible), any substance or element known or discovered that poses a threat in any shape, form or size.</p> <p>Finally, the lack of perspective in Oakville's proposed seizure of the ability to control FPM emissions within Oakville in isolation has real present and future dangers. It attempts to usurp, and in a way, duplicate at Oakville taxpayer's expense, senior government control that already exist and is already paid for by taxpayer's: that represents past, present and on-going research, standards, and international cooperation. Skills, and judgement, that Oakville does not have. It throws another even more dangerous element of doubt in the minds of existing businesses and possibly more so in others that are considering Oakville as an ideal location for manufacturing and processing but will now have serious second thoughts. This By-law push, influenced by a few, may well be temporary until a battle is won. If this is the intent, it deliberately sows a nasty seed of uncertainty that will assuredly work against creating sensible future development and employment in a "LIVABLE" Oakville. Let this proposed By-law die a natural death, NOW! Please.</p> <p>*Using a laser ablation mass spectrometer system, scientist at the University of Toronto identified in 2003, wind-blown dust particles from the Sahara Desert in Toronto air. This equipment is not commercially available.</p>
79.	Jan. 22	<p>Dear Oakville City Councilors, Thank you for the great work that you are doing in trying to keep our town a healthy place to live! We are VERY concerned about the air quality and have no choice but to breath this air. We strongly urge and favor that the Town of Oakville pass the proposed By-law regarding FPM and we strongly agree it is important that the</p>

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		health of the citizens be protected by these types of warranted and responsible actions.
80.	Jan. 22	I am concerned about the Health issues surrounding the emission of fine Particulate Matter. This is to express my support in favour of the Town of Oakville Passing the proposed By -Law regarding FPM I agree it is important that the health of citizens be protected by these types of warranted and responsible actions
81.	Jan. 22	I attended the public the meeting last night. I like to advise you that I support your proposal for the Bylaw of emission control of Fine Particulate Matter.
82.	Jan. 22	Honourable Mayor and Respected Councillors of the Town of Oakville: Please be advised that we, (replacing name) of (replacing address), Oakville, ON, are very much in favour of the Town of Oakville passing the proposed By-Law regarding FPM and we agree that it is essential that the health of citizens be protected by these types of warranted and responsible actions.
83.	Jan. 22	Hello I am writing to you to state my support to the Town of Oakville passing the proposed By-Law regarding FPM. It is important that the health of citizens be protected by these types of warranted and responsible actions.
84.	Jan. 22	Dear Town Official, I want you to know that this is an important by-law that will help to improve Oakville's poor air quality. Please know that there is strong support in the Oakville community to move this forward and to protect the health of residents. I have a daughter with chronic lung disease that needs forward thinkers to ensure that she can live a healthy life, day-to-day. You have the support of the community. Please do what is right.
85.	Jan. 22	Dear Sir / Madam As a resident of Oakville, I wanted to give my strong support for the new Air Quality by-law. I go to great lengths to ensure that my family receive good medical care, get plenty exercise, and eat healthy foods. Unfortunately, there is little that I can do ensure that they breath good air. This by-law is a step in the right direction. The World Health Organisation has stated that there are no known safe levels of PM2.5, so I am very disappointed in the lack of federal and provincial activity in its area. It seems like they, in particular the federal government, always put economic growth above quality of life. Thank you very much for creating this by-law.
86.	Jan. 22	To Health Protection Oakville, We are deeply concerned over the plan to build a power plant in SW GTA (specifically Oakville) for several reasons. The single most important

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		<p>being the health and welfare of the people particularly the children who are already being admitted to hospitals in Halton with the leading cause being respiratory diseases.</p> <p>We have expressed our concerns to the Premier Dalton McGuinty and wish to advise you that we fully support and are in favour of the Town of Oakville passing the proposed By-Law regarding (FPM) Fine Particular Matter. It is important to protect the health of citizens by taking these types of warranted and responsible actions.</p>
87.	Jan. 22	I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and agree it is important that the health of citizens be protected by these types of warranted and responsible action
88.	Jan. 22	<p>To whom it may concern,</p> <p>We are writing to express our support for the Town of Oakville passing the proposed By-Law regarding FPM given importance that the health of citizens be protected by these types of warranted and responsible actions.</p>
89.	Jan. 22	<p>Dear Sirs</p> <p>I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions!</p>
90.	Jan. 22	we are in favor of the Town of Oakville passing the proposed by law regarding FPM and that i agree it is important that the health of citizens be protected by these types of warranted and responsible actions. thank you
91.	Jan. 22	<p>Dear Town of Oakville,</p> <p>I want to register my support for the work you've undertaken to control fine particulate matter emissions from polluters and its level in the ambient air. I took part in the public information session yesterday night on the new by-law at Town Hall and though it was well organized and informative. I am a member of C4CA and the Street Captain for Baldwin Drive and strong applaud the Town of Oakville for its initiative on this important issue.</p> <p>Thanks, take care,</p>
92.	Jan. 22	<p>Town of Oakville</p> <p>I attended the information meeting on Jan 19 and found it somewhat informative</p> <p>I had many question after leaving the meeting that were not addressed at that time</p> <p>I feel that the information provided did not cover many points that will have long term effects on Oakville</p> <p>This bylaw will clearly cause Oakville to lose many current any future industries that they hope to attract or is this Oakville intent</p> <p>Why have the limits been set at 1/10 the Federal and Provincial levels Surely our governmental bodies have reviewed the standard often and feel that they meet a acceptable level</p>

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		<p>Oakville sits to the north east of Hamilton The prevailing winds come from that general direction How is Oakville going to stop the air that is full of PM from blowing from their</p> <p>How is Oakville going to overcome the traffic that travels thru the area on the major highways that is 50%plus of PM</p> <p>I feel that the bylaw will need to have a great deal more information , discussion and thought put into it before Oakville can be sure that the bylaw will be good for all its people</p> <p>And I therefore believe that any passage of the bylaw at the next councils meeting will be premature</p>
93.	Jan. 22	<p>Dear Committee Members,</p> <p>As an interested citizen of Oakville and participant in the question period at Thursday evening's Town Hall meeting, I wish to offer my support to the initiative that Oakville is taking on this very important topic. I find it quite extraordinary that the environment is one of all governments' current "hot" topics and yet there is no Federal or Provincial by-law to regulate the emission of fine particulate matter.</p> <p>I thought you might be interested to know that I recently met one of my neighbours in the Ennisclare Park area of south-east Oakville. For many years she was involved with St. Vincent's Catholic School and retired ten years ago. A few weeks ago she was in the school visiting one of her former colleagues in her classroom. The teacher happened to open a cupboard in the room where puffers are kept for those children who may require their use. My friend told me that in her day, there were three puffers. Now there is a cupboard full of them!!! She was absolutely astounded at the number of children in the same neighbourhood who now need them. Surely this says something about our air quality.</p> <p>I commend all of you on your initiative and appreciate your resolve to assist in improving the air quality in this beautiful part of Oakville and Ontario.</p>
94.	Jan. 22	<p>I am in favor of the Town of Oakville passing the proposed by-law regarding FPM. It is important that the health of our citizens be protected.</p> <p>Please.</p>
95.	Jan. 22	<p>We want to support your proposed by-law regarding FPM. It is very important that the health of the citizens of Oakville and the world be protected.</p> <p>Concerned residents,</p>
96.	Jan. 22	<p>I am a resident of Oakville with 2 very young children, one of which has respiratory problems. I am very concerned about the power plant and the impact it will have on our health and the health of everyone who lives in this affected area. I am in favour of the by-law Oakville is trying to pass to limit the amount of FPM released into the air we breathe. We have got to protect people.</p>
97.	Jan. 22	<p>I find it particularly disgusting that citizens have to be legislated through Town of Oakville by-laws to cut down on polluting the environment while earning a living or turning a profit when this idea should have occurred to them without the requirement for a by-law.</p> <p>Animals will not poop in the area in which they eat, sleep and live. Humans should possess the comprehension to follow suit.</p> <p>Kudos to the Town of Oakville and the Mayor for instigating this important municipal legislation in an area that badly needs it for a healthy lifestyle now and in Oakville's future.</p> <p>My hope is this will be the first step in a domino effect that will encompass all municipalities in a continent wide battle for clean air.</p>

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98.	Jan. 22	<p>Stop the bad air now.</p> <p>I would like to say that I have been living in Oakville (Maplegrove and Lakeshore area) for 11 years now.....the pollution level in this town is absolutely unacceptable!!! It literally "stinks" in Oakville.....the smell is bad and overwhelming...and that odour is a daily affair for those of us who call Oakville , home.</p> <p>We are proud of our town for SOOO many reasons.....it is safe, clean in all other respects (except the air) and well kept. We are so blessed to be able to live in such a community of beauty....but the invisible ugliness of the unclean and unhealthy air is appalling!</p> <p>My husband wakes each morning coughing and coughing. He coughs ALL DAY LONG. We are now in the process of purchasing a new furnace for our home and I am doing everything possible to ensure I have devices like high media air filters to catch the fine particulate matter to my best ability.</p> <p>We are a family that is experiencing physical disabilities...BECAUSE OF THE POLLUTED AIR!!!</p> <p>Nose puffers and mouth puffers, air filters.....the list goes on.</p> <p>I'm fed up with the bad Oakville air!</p> <p>I'd like to say "Thank you" to all those committed to cleaning up the stinky air that already exists in Oakville and who desire to bring a safer level of air cleanliness back into our lovely community. We deserve NO LESS. We pay hefty taxes here as residents of Oakville...but this is a long overdue problem that I am SOOOOO glad the Oakville council is FINALLY ADDRESSING</p> <p>When we LEAVE Oakville for a weekend away or vacation....my husband hardly ever coughs at all.....so it's the Oakville air that's causing all his physical ailments.</p> <p>Plain and simple. IT'S THE AIR!!!!</p> <p>SO thanks once again for all your efforts.....I pray your efforts will give birth to cleaner air regulations and that you ensure you ENFORCE those regulationsotherwise the regulations are meaningless...and those who contravene these regulations will continue polluting the air WE BREATHE</p> <p>If any of you know of a reputable Indoor Air Quality Home Inspector.....please forward their name and phone numberthat's the next step for us once our new furnace is installed in a few weeks.</p> <p>take care</p> <p>In much appreciation</p> <p>Excellent move on the PM by law.</p>
99.	Jan. 23	

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		Another by law to prevent wet cooling towers within 20 m of a road?
100.	Jan. 23	<p>To Whom It May Concern:</p> <p>I am strongly in favour of the Town of Oakville enacting a FPM Bylaw. It is incumbent on Town Council to uphold the interests of its constituents and two of their most crucial interests are their physical health and their overall quality of life. Air quality in the region has already declined to a troubling level, the specifics of which were well-documented in the recent Clarkson Airshed study. Without additional regulation, Oakville residence face a very real and imminent risk of a further decline in air quality. As such, an FPM bylaw would be timely, relevant, and strongly supported by the citizens of Oakville.</p> <p>I urge Town Council to exercise the authority granted them by the citizens of Oakville to protect the community's health and quality of life by enacting an FPM bylaw.</p>
101.	Jan. 23	I am writing to express my support of Oakville town council's passing the proposed By-Law regarding FPM. I agree that it is important that the health of citizens be protected by these types of warranted and responsible actions.
102.	Jan. 23	As a resident of Oakville, I fully support the Town of Oakville in its bylaw efforts to control the emission of fine particulate matter. To build a power plant, emitting this toxic fine particulate matter, within 400 metres of homes, schools and businesses, is completely irresponsible and unconscionable.
103.	Jan. 23	<p>To whom it may be concerned,</p> <p>I am strongly in favour of the Town of Oakville passing the proposed By-Law regarding FPM.</p> <p>I feel it is important that my family's health be protected by passing the by-law.</p>
104.	Jan. 23	<p>To whom it may concern:</p> <p>I just wanted to let you know that I fully support town council's attempt to enact a by-law regulating emissions of Fine Particulate Matter.</p> <p>The Air Shed we live in is stressed to its maximum and any attempt to remedy this situation is beneficial.</p> <p>Thanks for your hard work in protecting our town</p>
105.	Jan. 23	<p>To Whom it may concern.....</p> <p>I was unable to attend the meeting last week regarding this matter, but I did want to have my voice heard in that I think the Town is doing us all a great service by implementing laws that will protect us against this clearly dangerous toxin.</p> <p>I have lived in Oakville for 20 years and truly do love being here. I want to continue to live here and enjoy it with future grandchildren and my own</p>

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		<p>children. We already have our concerns with the air quality that currently exists and trust that we can count on the Town to protect us against further deterioration and contamination of the air we breathe.</p> <p>Thank you for listening...</p>
106.	Jan. 23	<p>Good morning Oakville,</p> <p>I'm very much in favour of the Town of Oakville passing the proposed By-Law regarding FPM. I agree it is important that the health of citizens be protected by these types of warranted and responsible actions. Businesses will get used to having stricter laws and be happy with their contributions to a better world. Clean air means a high standard of living. We will all benefit from it and environmental improvements can actually also mean big business.</p> <p>This is very much part of Oakville's goal of being the most livable town in Canada, I think. If Oakville has a by law in this matter, others will follow. The province of Ontario will have to follow, eventually, and so it goes. The emissions from cars will automatically decrease, once we have smaller and low emission cars. So also with better lawnmower's etc. We might also have walking streets downtown Oakville, people bicycling more and take the public transit etc. There's lots of exciting improvements to think about and it doesn't mean, that you have no money, can't have fun anymore or go places. Really. When everybody pays, it's not noticeable and you can and will always save somewhere else in i.e. healthcare. Better air means more physical energy.</p> <p>I'm from Sweden and have seen a much quicker change to a better physical environment there. Many improvements are amazing, very exciting and very effective. It is a positive trend and big business. There's a lot to learn from northern Europe.</p>
107.	Jan. 23	<p>To whom it may concern;</p> <p>I am in favor of the Town of Oakville passing the proposed By-Law regarding fine Particulate Matter. I agree it is important that the health of citizens be protected by these types of warranted and responsible actions. I have six children and live close to the proposed site for the Power Plant and am very concerned about our air quality. Thankyou for your time</p>
108.	Jan. 23	<p>Dear Health protection in Oakville,</p> <p>I'm very much in favour of the Town of Oakville passing the proposed By-Law regarding FPM. I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>
109.	Jan. 23	<p>Please note that we are in favour of the Town of Oakville passing the proposed By-Law regarding FPM and we agree that it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>
110.	Jan. 23	<p>We are in support of Oakville passing a bylaw regarding FPM.</p>
111.	Jan. 23	<p>My family would like to voice our support to the town of Oakville for stepping in to put limits on PM 2.5 and PM 10 where the provincial and federal governments have not. I'm sure that this can be designed so that it targets the largest polluters without overtaxing businesses that are not</p>

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		significant polluters.
112.	Jan. 23	I am writing in favour of the Town of Oakville passing the proposed By-Law regarding the emission of Fine Particulate Matter. It is of utmost importance that the citizens of Oakville and surrounding areas be protected against any more air pollutants.
113.	Jan. 23	<p>Hello healthprotection@oakville.ca,</p> <p>We are very concerned about health issues surrounding the emission of Fine Particulate Matter (FPM) in Oakville. This issue needs to be taken very seriously.</p> <p>We moved from Toronto to Oakville nine years ago fully expecting the air to be cleaner here, but were very surprised to find it was not. The air quality in Oakville is frequently worse than in both Toronto and Hamilton.</p> <p>We are fully in favour of the Town of Oakville passing the proposed By-Law regarding FPM and we agree that it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>
114.	Jan. 23	I attended the meeting on Thursday evening. Rightly so, many are concerned about the air quality in Oakville surrounding the new emitter, the Power plant. After seeing the plant on the 401, I also have a concern with the light "pollution" that will be evident .
115.	Jan. 23	<p>We are in favor of the Town of Oakville passing the proposed By-Law regarding FPM.</p> <p>We agree that it is important the health of citizens be protected by these types of warranted and responsible actions.</p>
116.	Jan. 23	<p>Dear Madame/Sir,</p> <p>I am writing to express my support in favor of the Town of Oakville passing the proposed By-Law regarding FPM (fine particulate matter). This is important for the health of Oakville citizens - health which must be protected by these types of warranted and responsible actions.</p>
117.	Jan. 23	<p>To Whom it May Concern,</p> <p>I am in favour of the Town of Oakville passing the proposed By-law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>
118.	Jan. 23	<p>I am a taxpayer in Oakville, and I am writing to advise that I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM. I agree that it is important that the health of citizens be protected from power plants.</p> <p>I am against the power plant. Halt all development of the plant (s). The air is too dirty already.</p>
119.	Jan. 23	We are in favor of the Town of Oakville passing the proposed By-Law regarding FPM and we agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
120.	Jan. 23	Dear Sir/Madam,

Ref #	Date	Email
		<p>As an Oakville resident of 29 years, I am very concerned about the negative health effects resulting from the installation of the 900 MW gas-fired power plant in East Oakville.</p> <p>To protect the health of the citizens of Oakville, I am totally in favor of the Town of Oakville to pass the proposed By-Law regarding FPM.</p> <p>As an Oakville citizen, I expect that the Town of Oakville would take all the necessary steps to protect the health of its citizens because Oakville citizens could not rely on the Provincial government to do so.</p>
121.	Jan. 23	<p>Dear Sir/Madam,</p> <p>Being an Oakville resident, I understand the need of protection from the ill effects of the installation of the 900 MW gas-fired power plant in East Oakville.</p> <p>Therefore it is very important for me to stand by the Town of Oakville to pass the proposed By-Law regarding FPM.</p>
122.	Jan. 23	<p>To whom it may concern,</p> <p>I am in favour of the proposed By-Law regarding the emission of Fine Particulate Matter for the Oakville area.</p>
123.	Jan. 23	<p>To whom it may concern,</p> <p>I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>
124.	Jan. 24	<p>Dear Sir/ Madam I would like to lodge my complaint about the building of a power plant in Oakville. I am therefore in support of the Town of Oakville passing the proposed By-Law regarding FPM . It is important that the health of citizens is protected by these types of warranted and responsible actions.</p>
125.	Jan. 24	<p>I attended the public information meeting on January 21st concerning this proposed by-law.</p> <p>First I commend the Town of Oakville on this initiative, As someone who suffers from asthma, I feel there is a lot more that our provincial and federal governments could and should be doing to protect the health of residents in our town. I believe this legislation will have an impact throughout our province and hopefully across the country.</p> <p>My one major concern with this by-law relates to existing businesses, I trust that Council will find ways to address the issues raised at the January 19th meeting by local businesses who may already be good environmental citizens of our town. Perhaps a Task Force to fine tune the approval process could be put together with local business leaders? However I understand the need to act quickly here with regard to the by-law. Nevertheless we need to ensure the same criticisms cannot be leveled at our Town as many residents are leveling at provincial government concerning the speed with which the 'poor decision' has been made with the proposed Oakville Power Plant.</p>
126.	Jan. 24	<p>We are supporting the Town of Oakville in passing the proposed by-law regarding FPM and its implementation to protect and improve the health of its citizens.</p>
127.	Jan.	<p>I am absolutely in favour of the Town of Oakville passing the proposed By-Law regarding FPM.</p>

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	24	The people of Oakville should be able to expect that they will be properly protected from health issues by these types of warranted and responsible actions. It appears that no one at the Provincial level has any concerns whatsoever.
128.	Jan. 24	To whom it may concern, I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
129.	Jan. 24	We support implementation of the Health Protection Air Quality Bylaw. Air quality is a serious matter and warrants regulatory control.
130.	Jan. 24	Dear Councillors, Mayor, staff and retained consultants: You are to be commended on your leadership and vision of sustainable living conditions as proposed in the draft legislation (2009-197) concerning regulation of the emission of fine particulate matter ("FPM"). It is timely and prescient in light of the air quality information available. As we know, Oakville's air quality ranks an abysmal 49th out of 50 municipalities measured by the Conference Board of Canada; the air we breathe is unhealthy, and our air quality as it relates to our health is unsustainable in the long run (http://www.conferenceboard.ca/press/newsrelease/10-60.aspx). In addition to reading the draft legislation, I listened to the subject matter experts and fellow residents' questions and comments at the Town Hall meeting of Thursday, January 21, 2010, wherein I asked the question with respect to Provincial Privilege. I read the State of the Environment and Let's Go Green Together documents; surveyed a number of residents of Hillview Crescent; and, have corresponded with a number of other residents of Oakville to assess the level of interest in seeing such legislation passed. For the most part, informed constituents want to see this legislation passed, while uninformed residents are generally interested in breathing air unpolluted by FPM. With respect to the legislation itself, I am very concerned that apart from sections "5(3)a and 6(3)a" "major emission" contains no daily maximum emission threshold for anyone emitter. Whereas "1, major emission" defines an annual threshold; and, whereas the State of the Environment publication details the incidence of "Annual 24 Hour Exceedances of FPM" (~45 in 2004, ~67 in '05, ~40 in '06, ~44 in '07, ~39 in '08), but fails to detail the quantity of FPM exceedances - there being no safe level of FPM, let alone safe exceedances - it seems prudent to add a daily maximum FPM threshold. For example, "major emission" can be defined as follows: "major emission (a) ...more than 500 kilograms per year; ADD: and, more than 14 [which is 10x daily average annual rate] kilograms per day" and "(b) ... less than 2.5 microns in size, more than 300 kilograms per year; ADD and, more than 8 [which is 10x daily average annual rate] kilograms per day." Such a daily maximum threshold, which is 10 times the average annual daily rate needs to be vetted by your consultants as reasonable given an estimate of what they know of the current and proposed emitters. Defined in this manner, which is consistent with the contemplated legislation, the health of Oakville residents is more protected from daily exceedances. Without such a daily threshold measurement, and the requisite enforcement of a standard as proposed, the health of Oakville residents continues to be at significant risk. Therefore, please add such a provision to this legislation.
131.	Jan. 24	I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and that I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
132.	Jan.	We fully support the implementation of enact to study and limit PM in this jurisdiction.

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133.	Jan. 24	<p>To whom it may concern, I have lived in Oakville for over 38 years and I am proud and happy to support the Town of Oakville's proposed Bi-Law regarding FPM. I have noticed a big difference in the air quality over the years and understand that more emissions into our atmosphere is something that all of us should be not only be more aware of, but it is something that we should all be working towards removing, united as citizens of this wonderful community.</p> <p>I know I speak for many others who perhaps are not aware of or who are unfortunately unable to take the time to write to you regarding the tremendous negative health implications with future development in our community, but when speaking to friends and neighbours, I know that they would support this proposed Bi-Law, so I feel I am writing and speaking on behalf of many others.</p> <p>Many take for granted our amazing town and all that it offers, too busy or too complacent to speak out. But I cannot emphasize enough how proud and supportive I am of this council's decision to implement this Bi-Law. I thank you on behalf of my children who grew up in Oakville and my grandchildren who live close by, as well as on behalf of the future generations who will be enjoying this unique place long after I have gone. Thank you for listening and please continue along this vein of thinking and acting. We are behind you in this endeavor.....</p>
134.	Jan. 24	<p>Our family is in favor of the Town of Oakville passing the proposed By-Law regarding FPM. It is important that the health of citizens be protected by these types of warranted and responsible actions. Other communities would be wise to follow Oakville's decision and send a message to the provincial government that communities are prepared to step up and look after their health interests.</p> <p>The decision to locate the power plant in the midst of a populous and active community and in an area bounded by a major rail line and 2 major highways (that already produce pollutants and have damaged our air quality) is incomprehensible. In a democratic province we deserve to know why the location in Oakville was selected, and how the government came to its decision. The province ignored public input, and it ignored scientific evidence that locating a plant in this air shed would threaten existing communities.</p> <p>The health of citizens should be placed above all else. The provincial government has lost touch with its constituents and the democratic principles on which our society is based. Shame on them.</p> <p>Thank you for pursuing this important by-law.</p>
135.	Jan. 24	<p>Hello there,</p> <p>I am very happy indeed, that The Town of Oakville is taking our air quality seriously enough to bring in a by law to control emittance. However, I am confused as to why, if this is The Town's stance, it is even remotely possible that we are on the verge of getting a power plant in a highly populated area. I think that The Town realizes by now, the horror of it's citizens at this prospect. In my, very humble, opinion The Town is the watchdog for our community - in which case the looming disaster to our community should NEVER have got as far as it has. Will this bill be sufficient to stop the power plant being built? Would the allowed emissions be low enough to make a power plant unsustainable in our community? Therefore, making the Power Plant illegal in our community?</p> <p>I am aware that there are organisations within our community that are striving to prevent The Power Plant - and I thank them, most sincerely, for the valuable work that they are doing on behalf of our community, but I would like to know WHY the Town didn't shut this</p>

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		proposal down the moment it was placed on the table. I look forward to hearing from you.
136.	Jan. 24	I am in full agreement with the town's initiative for cleaner air
137.	Jan. 24	Dear Cindy Toth I attended the information meeting and listened carefully to your presentation. A lot of work went into the research to come up with the proposed By-law. I wrote to the politicians about my concern and have received a response from Greg Somes, from the Ministry of Environment.Four pages of information and fact sheets.If you have not seen the information he sends out I would be happy to send you a copy. You are on the right tract. Please keep up the good work
138.	Jan. 24	My wife and I support the Town of Oakville passing the proposed By-law regarding FPM. We believe that the health of the citizens be protected and should be protected by this types of action.
139.	Jan. 24	To Whom it May Concern: This is to let you know that we are in favour of the Town of Oakville passing the proposed By-Law regarding FPM and it is very important that the health of all the citizens concerned be protected by these types of responsible actions.
140.	Jan. 24	Just a brief note to say thank you to the Town of Oakville for all the hard work to put a workable and fair by-law in place regarding fine Particulate Matter to help improve the health of Oakville citizens. The air we breathe has been a family concern since we first moved here in 1980 and all citizens needs to be aware of things we can do individually and collectively. Thanks again for being a leader in this area. To hold such a poor 49th position out of 50 cities is something we need to improve for the health of all citizens in Oakville. Thanks again - the meeting on Thursday was very informative.
141.	Jan. 24	We are in favour of the Town of Oakville's By-law regarding FPM. It is very important that the health of Oakville's citizens be protected.
142.	Jan. 24	I just wanted to express my support for the Town of Oakville passing the proposed by-law regarding particulate matter pollution (FPM). I applaud the town for acting on this issue and addressing the health concerns of its citizens.
143.	Jan. 24	To Whom it May concern, I am writing to inform you that as a resident of Oakville, I am extremely concerned about the current and future air quality in my community. I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and that I agree that it is important to protect the health of the citizens by these warranted and responsible actions.
144.	Jan. 24	Regarding health issues surrounding the emission of Fine Particulate Matter I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM.

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		I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
145.	Jan. 24	<p>My husband and I are in favor of the Town of Oakville passing the proposed By-Law regarding FPM.</p> <p>We feel it is important that the health of citizens be protected by these types of warranted and responsible actions.</p> <p>Infectious disease specialist Mark Loeb led a research team to assess the effects of long-term exposure to nitrogen dioxide and sulfur dioxide, both found in motor vehicle emissions, and fine particulate matter, found in industrial air pollution, on the risk of hospitalization for pneumonia in older adults. Loeb, a physician, is a professor in the Department of Pathology and Molecular Medicine and the Department of Clinical Epidemiology and Biostatistics at the Michael G. DeGroote School of Medicine</p> <p>Here is a link to an article about this. http://dailynews.mcmaster.ca/story.cfm?id=6532</p>
146.	Jan. 24	<p>I was at the meeting Thursday night. I am very much in favor of having this by-law that can protect the health of Oakville's citizens re this fine particulate matter. Large emitters will try to lobby against the extra work but please, please for the sake of your people, do not water down the by-law so it has no teeth. We desperately need someone to protect our health. You can see by the huge turnout how much the citizens care and want this by-law passed.</p> <p>The Provincial Govt doesn't care about our health - Oakville citizens were just collateral damage in their recent decision to allow Transcanada to build it's power plant so close to homes and schools. They looked at economics only and a convenient location 2 kms from the grid to avoid an OEB hearing. Why should Oakville citizens' health be sold out for ease of their approval!!!!</p> <p>There are laws that protect people from injury and assault. Yet right now nothing protects us against a power plant that will kill approx 80 people a year and make thousands more sick from this fine particulate. It is ludicrous! Please help us, we are victims. We need our town elected officials to protect our health where others won't. Please pass this by-law.</p>
147.	Jan.24	<p>Appreciated Cindy. Wondered why I hadn't heard from David Pengelly as tried to contact him on this matter a few weeks ago. Your revelation, to my mind, puts him in the same frame as Northey. Typical of credentialled scientist or legal people working a pet cause that's at the extreme end of the environmental pendulum. Nevertheless, please, please (as soon as possible) let me have the references Pengelly quotes so that I, and others, may check them for accuracy, peer-review details - I, and others, have become wary of claimed peer-review when, on inspection, the peer-review comes from others who sing from the same hymn book. Let me add, "others", just as well, or better qualified than the two mentioned above, do assist me but have no wish to become mainstream. On my first direct or referred contact I do make very clear, no names, no pack-drill: they then open their hearts, minds and skills to assist me in most cases.</p>
148.	Jan. 24	<p>The Nanticoke generating station is the largest single source of greenhouse emissions and pollution anywhere in Canada, and the prevailing west wind blows the plume directly over Oakville. Turning off this coal-fired plant has been repeatedly put off, and will now not occur before 2014. Pollution measurements in Oakville are skewed by this existing source, as well as by QEW traffic emissions.</p> <p>Revamping the Hydro infrastructure for sustainable energy, with the Samsung deal and other wind and solar projects being backed up by gas or</p>

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		<p>nuclear is the only way to go. The Oakville gas facility will seldom have to meet demand over 40% of capacity and it will relieve us of the tremendous burden of Nanticoke pollution from coal.</p> <p>We need to do everything we can to turn off Nanticoke.</p>
149.	Jan, 25	<p>I am writing to you in support of the letter that CME has submitted. Oakville Stamping & Bending is strongly against such a bylaw being passed. As a manufacturer in Oakville for over 30 years, we are proud to be a part of this community and provide employment for local Oakville residents. Some have been in our employ since we began. Oakville's goal of improved air quality needs to be approached in a manner that is fair, sustainable for businesses, and involves stakeholders in it's development. This proposed bylaw does not do that and it would cause undo hardship for our company. We can only hope reason will prevail and you will listen to CME as the voice of manufacturing and our voice as a long standing corporate citizen of this fine Town.</p>
150.	Jan. 25	<p>To whom it may concern,</p> <p>As a resident of Oakville for 45 years, father of two children and an owner of property less than 2 km from the proposed power plant, I am writing to voice my support for the town of Oakville's proposed bylaw to limit the emission levels of fine particulate matter (FPM) in our local airshed.</p> <p>In addition to concerns for the health of my immediate family, as an educator and owner/director of a local independent school (attended by approximately 170 children and situated within walking distance to the proposed power plant site), I am appalled at the prospect of this proposed project.</p> <p>Any and all efforts by our mayor, politicians at all levels and concerned citizens are to be applauded. The actions to control FPM in the Clarkson airshed are entirely warranted. Indeed, this approach is the only responsible action to be taken in the face of such a reckless and nonsensical approach to selecting a site for a project which no informed local citizens support.</p> <p>On behalf of the lungs of nearly 200 young people I work with every day, I commend those individuals responsible for protecting our collective best interests. This proposed bylaw represents responsible and appropriate governance and stewardship.</p> <p>Thank you for your continued efforts to preserve and protect the health of citizens in Oakville and throughout the Clarkson airshed.</p>
151.	Jan. 25	<p>To Cindy Toth and All Town of Oakville Council Members</p> <p>I was one of the attendees at last Tuesday's afternoon information session concerning your proposed By-Law on Air Quality. We appreciate the consultation and efforts of hosting this session to keep us informed.</p> <p>Mancor has two major manufacturing facilities within the Town of Oakville and has been established here for about 40 years. I am writing this as additional suggestions and feed back for the "Major Emitters" group. The suggestions I am putting forth would allow financial focus on emissions reduction instead of on new reporting, monitoring and independent peer review through the fees that are being suggested.</p> <p>Current laws require facilities such as ours to have Certificate of Approval for Air as set out by the MOE, in addition to this we are required to report on the emissions you are most interested in via the NPRI. The focus of my suggestions would allow an existing Major Emitter an alternative to the proposed fees. We would rather invest our resources to fund improvements that would reduce emissions. I believe this would have the</p>

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		<p>advantage of reducing emissions at a faster pace, and this is the Town's GOAL.</p> <p>We hope the Town will create allowances for Major Existing Emitters that demonstrate good Environmental Stewardship with real pollution reduction plans.</p>
152.	Jan. 25	I am in full support of the efforts of Oakville to institute regulations to reduce/ regulate air quality in the area.
153.	Jan. 25	<p>Hi</p> <p>I support the Town of Oakville in their quest to institute a new By-Law regarding the emission levels of Fine Particulate Matter FPM.</p> <p>It is important to Oakville residents, and with the new hydro energy windmills we DO NOT NEED ANY "DIRTY" ENERGY PRODUCING POLLUTERS IN OAKVILLE!</p> <p>THANK YOU</p>
154.	Jan. 25	<p>Town of Oakville</p> <p>As a long time resident of Oakville I would like to declare my support of the proposed By-law regarding Fine Particulate Matter. Since the Province has failed to take <u>effective</u> action on this matter I believe it is important that measures be taken to protect residents.</p>
155.	Jan. 25	I attended the community open house on Thursday Jan. 21 and want to add my support for the proposed by-law. I realize that there are potential impacts for businesses currently in the Oakville area, so I also support your planned approach to phase-in the process. I would strongly urge you to enforce all parameters of the by-law for any new applicants to our area. As you stated on Thursday, the Clarkson airshed is already over the provincial average in terms of pollution...f
156.	Jan. 25	We are most concerned that the provincial government is intent on allowing the TransCanada Power Plant to go forward, knowing that PM 2.5 will be emitted and is already a cause for concern for the health of the residents in the path of these emissions. Already in Oakville there is something in the air that sticks to cars and windows and is hard to remove. Whether or not this emission is toxic is unknown to me, but I am concerned that I have made the grievous error of moving into an area where the air is not safe, and that the provincial government is intent on its agenda regardless of the end results.
157.	Jan. 25	<p>I understand that a proposed Health Protection Air Quality By-law is being considered to protect Oakville residents from the negative health effects of fine particulate matter (fine PM) by collecting information on fine PM emissions from facilities within Oakville and implementing regulatory controls for "major emitters" as defined in the by-law.</p> <p><i>Please be aware that I am in favour of the Town of Oakville passing the proposed By-Law and that I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</i></p> <p>I also agree with industry that transportation pollution is of great concern in Oakville and agree that those sources of pollution also need to be tackled. . . after this by-law has been implemented.</p>

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		Thank you for your work and for the work of the Mayor and Councillors on this important issue.
158.	Jan. 25	<p>I applauded the city for drafting up this Health Protection by-law. Given the pollution we encounter from Ford, Petro Canada, St. Lawrence Cement, the QEW and the railway, Oakville citizens face incredible pollution. We need a by-law that forces proper monitoring and enforcement of actions to reduce small particulate emissions to protect our health.</p> <p>I heard that the large companies are not happy because it will be inconvenient for them to report. What about the 80 people who will die each year from the new TransCanada plant and the thousands more whose health will be impaired. What about their children, spouses and parents who will be left behind after their death. I think they ALL will be MUCH MORE inconvenienced!!!!!! Please pass the by-law as is - do not succumb to the lobbying of the well-healed large emitters! Council, only you can protect and speak up for your constituents!</p>
159.	Jan. 25	I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and agree it is important that the health of citizens be protected by these types of warranted and responsible actions.
160.	Jan. 25	<p>To Whom It May Concern,</p> <p>Please find the following comments forwarded in response to the proposed Health Protection Air Quality By-law:</p> <ol style="list-style-type: none"> 1) As a current Oakville business, WellSpring is concerned with the health & wellbeing of our customers, employees and the community in which we operate. Based on 2008 NPRI calculated discharge we would fall below this proposed major emission threshold. To minimize effort and expense would the Town consider adoption of the NPRI calculation and reporting process? Companies already reporting could be held to compliance with the revised acceptance criteria but would avoid the layering of a second process. It may streamline the initiative for both the Town and the Business Partner. 2) Town appointed "Peer Reviewer" may be perceived as a conflict particularly if it were to be viewed as a competitor. Could the language in the by-law be revised to address a mutually agreed upon review by a technically qualified person? 3) Although it is understood that the Town may be frustrated by the MOE there are numerous, well-qualified experts available at both Provincial & Federal levels and is the Town missing out on access to those resources by the short timeline of this by-law? 4) There remains some concern over small businesses which may be alarmed by the \$25,000 fee and support the approach of a sliding fee based on concrete criteria. Last Tuesday the Mayor eloquently stated that the Town of Oakville is bigger than the 200 businesses that may be affected by this by-law. I would like to think that there is a way for the Town to see clean businesses as a good thing for the Town and would hope that business can be viewed as a very real benefit for Oakville. <p>As a business with many of our employees living and working in Oakville we were disappointed by the final decision related to the placement of the Power Plant. Thought has certainly been given to what kind of disaster recovery plan would need to be put into place if something untoward were to occur at that site. Beyond any impact there may be over time with air quality, as a privately held business any significant lost time event would be catastrophic for WellSpring.</p> <p>Thank-you for the opportunity to respond to the proposed by-law.</p>
161.	Jan.	I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be

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162.	25 Jan. 25	<p>protected by these types of warranted and responsible actions.</p> <p>Dear Cindy Toth:</p> <p>My name is (replacing name) and I am the Regional Environmental Manager for Dana Canada Corporation. I have worked in the environmental field for over ten years with this organization. We have two sites in Oakville. One plant is the head office of the Thermal Group (historically known as Long Manufacturing Division) and retains the advanced engineering group conducting research and development. The second plant is solely manufacturing for the automotive industry. The plants have management systems registered to TS16949, ISO 14001:2004 and our head office also has an OHSAS 18001:2007 registered safety management system. Each year, we establish new objectives and targets to continually improve our environmental, health and safety impact. We also participate in annual Earth Day celebrations including tree planting and outdoor clean up; wellness initiatives including "Footsteps for Trees", and Fire Prevention Week. Due to the annual goals and initiatives, we have been awarded supplier environmental recognition awards from our customers and pollution prevention awards from the government.</p> <p>I recently attended the Business Information Meeting on January 19 regarding the proposed Health Protection Air Quality By-law. As requested, I would like to provide the following comments and concerns regarding the proposed by-law.</p> <p><u>Improper Focus of By-Law</u></p> <p>The presentation (slide 8) states that 2/3 of fine particulate matter (FPM) comes from vehicular and residential sources. This is understandable as the town has a major highway intersecting through it. Unfortunately, the proposed by-law does not deal with these sources. If the purpose of the by-law is to protect human health, why is vehicular traffic not addressed in the by-law?</p> <p>The presentation (slide 10) also states that 12 micrograms per cubic meter (ug/m³) of FPM exists on average in the summer. Up to 50% is likely due to long-range transport from the US Midwest. If the proposed by-law is only focused on industry contributions made by facilities in Oakville (1/3) and the outcome of the by-law is an up to 10% reduction in FPM, then the by-law will only reduce the original 12 ug/m³ to 11.8 ug/m³. It appears that considerable effort is focused on a minor reduction of fine particulate matter.</p> <p><u>Rushed By-Law</u></p> <p>I complete local by-law reviews for each plant in Ontario. I was surprised at the suddenness of this proposed by-law. Both the Environmental Strategic Plan in Action titled "Let's Go Green Together" (2008) and the "State of the Environment" (2009) Oakville reports make no mention of this proposed by-law. The November review by a consultant, draft format completion in December, business / public review in January and the assumed Council review for February 2 have the appearance of bulldozing a by-law through without sufficient time for thoughtful consideration of the ramifications by all stakeholders and consultation. Is there another reason for the abrupt drive to implement this by-law?</p> <p><u>Lack of Expertise in Permitting</u></p> <p>I am also concerned that the drafters of the proposed by-law admitted at the meeting held on January 19th that they have not yet worked with the Ministry of the Environment ("MOE") experts in air permitting during this process. The MOE can share best practices and lessons learned when establishing, reviewing and implementing Certificates of Approval for air emissions. Its experts can offer suggestions on how to avoid delays in reviewing permits so that the Town can achieve its 90 day turnaround goal.</p>

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		<p>No guidance documents have been established to assist companies in developing reports and approval applications. Furthermore, it would appear that no consideration has been given to work with existing reporting mechanisms (i.e. NPRI) to avoid duplication of work.</p> <p><u>Uncertainty</u></p> <p>There is uncertainty as to the outcome of the approvals process. It is unknown if a facility completing the application will be approved by the Town. The drafters of the proposed by-law have stated that the decision on the application is made by Town Council and also can be influenced by the public. No specific requirements are outlined to assure applications can be approved.</p> <p>It is unknown if the Town will publish confidential information included in the application.</p> <p><u>Costly</u></p> <p>A facility may have to pay an expert to complete the monitoring, as they do not have the internal knowledge to model the health impacts required for the approval application. Once complete, the facility will have to pay \$25,000 for peer review of the expert's work. If the facility increases its emissions of FPM, the proposed by-law states that it will have to model, report and submit a new application with an additional \$25,000 fee. It is unknown what the Town determines an increase of emissions. Is it 1 kg, 10 kg, etc?</p> <p>The drafters of the proposed by-law also stated at the meeting that as peer reviewers gain experience through this process, the costs associated with the review might diminish. Therefore, it appears that companies who currently fulfill legal requirements for air permits will pay more than those companies who are unaware of the provincial air permitting regulations.</p> <p><u>Inconsistent Thresholds</u></p> <p>"Major Emitter" threshold limits for volatile organic compounds (VOCs) are significantly lower as compared to the federal and provincial regulations. The proposed limit is 1000 kg, which is an order of magnitude less than the 10,000 kg threshold for NPRI reporting. The City of Toronto has a reporting requirement of 100 kg but there is no approval process associated with the by-law. Are you aware of the number of companies that will meet this "major emitter" threshold? It will be significantly higher than the number of companies currently reporting to NPRI. This proposed by-law will also generate unfair advantage to competitors located outside Oakville who use more than 1000 kg of VOCs a year and do not have to pay for the monitoring, peer review and uncertainty of approvals and/or approval conditions.</p> <p>I appreciate the environmental, health and safety accomplishments achieved by the Town of Oakville as outlined in the Environmental Strategic Plan and State of the Environment Reports. I also recognize the goal of leading policy change. Our Division established a ban on pesticide use years before the Town and the province established their own regulation. However, the sudden, inconsistent, uncertain and costly proposal that has no focus on the leading source of fine particulate matter has raised significant concerns that I hope you and your Council will consider prior to implementing the by-law.</p> <p>I learned a great deal about your proposed by-law during the presentation. I hope you have been able to share the information with all</p>

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		businesses that were unable to attend. There is a definite need among business and Town Council to become better informed on this topic. Your seminar provided an excellent forum for us to ask questions and voice opinions. Thank you for taking my comments into consideration as you review the ramifications of the proposed by-law.
163.	Jan. 25	We support the Town of Oakville's implementation of a Fine Particulate Matter bylaw. As the parents of an asthmatic teen, and with one of us a MD specialist, we well know the adverse effects of poor air quality. This bylaw is essential. Thank you for your efforts on behalf of your residents,
164.	Jan. 25	As a resident of Oakville I support the proposed by-law to protect the air quality of our town. Since we have no alternative to breathing the air that surrounds us, it is important to do what we can to make that air safe. Do not water down the by-law. It is just a first step to clean up the air. At one time we added lead to gasoline and to paint, but health concerns have forced the providers to look for alternatives. Our industrialists are smart enough to develop ways to reduce fine particle emissions, given the right incentives. Among those incentives I would suggest establishing a base line and increasing or decreasing taxes as the emission levels go up or down. An increase in taxes is warranted to cover the health costs of rising PM2.5 levels.
165.	Jan. 25	We have attended the information seminar about the proposed new bylaw regarding Air Emissions. At this point we request 90 days to look into the matter in order to provide you with our complete response, if we are not initially exempted from the bylaw. Please note that it is our understanding that we are not currently a C of A permit holder and are not required to submit the "Emission Report" until next year. We request you advise us if that is not correct. In the mean time we will be consulting with environmental scientists to determine whether we are a major emitter and how the proposed bylaw will affect us.
166.	Jan. 25	To whom it may concern, I am writing to say that I am in favour of the by law regarding FPM and agree that the health of citizens be protected by these types of warranted and responsible actions. regards,
167.	Jan. 25	To whom it may concern: I am concerned about the Health issues surrounding the emission of Fine Particulate Matter (FPM) and am fully in support of the Town of Oakville passing the proposed By-Law regarding FPM. I also agree that it is important that the health of citizens of Oakville be protected by these types of warranted and responsible actions that the Town of Oakville has initiated.
168.	Jan. 25	To Whom it May concern, I am writing to inform you that as a resident of Oakville, I am extremely concerned about the current and future air quality in my community. I am in favour of the Town of Oakville passing the proposed By-Law regarding FPM and that I agree that it is important to protect the health of the

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		citizens by these warranted and responsible actions.
169.	Jan. 25	We are in favour of the Town of Oakville passing the proposed By-Law regarding FPM. We are concerned with the health and well-being of Oakville residents and feel that this proposed By-law is important for our protection.
170.	Jan. 25	<p>Hello,</p> <p>I would just like to state my support to the bylaw relating to the control of FPM proposed by the Town.</p> <p>I am pointing out below a few comments about the specific terms of the bylaw but also value the importance of processing this bylaw in the shortest period of time.</p> <p>I think it is important and imperative to finally take a strong stand to address one of the weakest point of Oakville, i.e. its air quality.</p> <p>I praise the Town for its leadership in dealing with this matter.</p> <p>Comments on the bylaw -</p> <ul style="list-style-type: none"> What is a facility-specific approval? I trust this includes, at the discretion of the Town, approval to build or operate.... 14(2) on penalty for offence. The amounts stated may appear very small for a large project (for example, bringing in \$200mln/yr in revenues). The financial penalty should be increased AND there should be additional remedies available in case of failure by the offender to abide by the terms of the bylaws or the terms set forth by the Town in its facility-specific approval (such as being able to force closure of the facilities). <p>I applaud the Town for taking steps to pass a bylaw regulating the particulate matter being spewed into our air. Someone somewhere has to start the process of regulating air quality for our health and that of our children. The provincial government and Mr. Smitherman, its past cabinet minister of Ontario's Ministry of Energy and Infrastructure, are a huge disappointment, having let Oakville and all Ontario residents down. You have my full support and make me proud to live in Oakville. If there is anything I can do to help the Town in its efforts to improve the quality of the air we breathe, please let me know.</p>
172.	Jan. 25	I just wanted to take a moment to thank you for a very informative evening on Thursday, January 21, 2010 and to commend the Town of Oakville for showing such great initiative. I am 100% in favour of this new By Law dealing with emission levels of FPM and support you wholeheartedly as I too agree the health of the citizens needs to be protected.
173.	Jan. 25	<p>Addendum to my last. Refers paragraphs (below) four, five and six. Dwelling (in house) emissions. Among other in house emissions we have Pet Dander 0.5-100 microns, Pollen and Spores from indoor plants at 5-100 microns and 6-100 microns respectively, Dust Mite Debris 0.5-50 microns, Household Dust 0.05-100 microns and Human Skin Flakes, which we shed continuously, 0.4-10 microns. Furthermore, we have the bald statement of 30 recent studies of the health effects associated with exposure to fine PM (this detail provided I believe by Dr. David Pengelly) which essentially tells us nothing: my father suffered early stroke mortality from work as an underground coal miner from silicosis. The measure of what he inhaled over a working life bears no comparison, within Oakville, of present day measure, and exposure to FPM. However, in house exposure to FPM in recent years has increased enormously (as partially outlined above) with lifestyle change to more, and growing, in house entertainment - TV, Computers and Computer Games - an exposure to "relatively" benign "fresh air" has declined substantially. Pengelly's 30 references may not give causation (where, when, how), so possibly travels a path that is essentially meaningless, without the reference to confounding factors: in home a good start!</p>

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174.	Jan. 25	We want to register our support for the Health Protection Air Quality Bylaw. We are very concerned about the proposed power plant that may be located at Royal Windsor Drive.
175.	Jan. 25	To Whom It May Concer, I am in favour of the Town of Oakville passing the proposed bylaw regarding FPM. The health of citizens needs to be protected in every way possible.
176.	Jan. 25	<p>I write this email as an individual resident of Oakville.</p> <p>I commend the town in proposing an air quality by-law. The public meeting disclosed the definitional thresholds of a major emitter but it did not disclose the parameters and requirements for reporting and town approval. My feedback is the by-law will not have a positive impact on Oakville's air quality unless approval requirements and decision-making process are quantified and made relevant. Please consider quantifying the level of current emissions and then establish a plan to maintain and hopefully reduce the level of emissions into Oakville's air over time.</p> <p>Given current air quality, future room for new business and new development emissions should be made by emission reductions by the town, its residents and its resident businesses.</p> <p>As an aside, public recognition for emission reducers could be offered as a way to help businesses build public goodwill with its customers.</p> <p>In the meeting, it should have been emphasized that Slide 25 is kg/yr (and not translatable into micrograms/cubic metre of ambient air) and that it only provided the definitional delineation amounts between a non-major and major emitter (and not emission maximums). This may have helped move the meeting's discussions along.</p> <p>I hope the by-law doesn't just become a paper-chasing reporting by-law and I look forward to further public meetings on the "teeth" of the by-law and not just the by-laws reporting thresholds.</p>
177.	Jan. 25	<p>Cindy and colleagues,</p> <p>Thanks very much for your presentations on Tuesday afternoon and Thursday evening at Oakville Town Hall to inform the community about the new Health Protection Air Quality By-Law regarding the emission levels of Fine Particulate Matter. I attended these meetings and felt that the information provided a clear rationale and purpose for the by law.</p> <p>Your presentation and my own reasearch clearly shows that the numerous peer-reviewed scientific studies carried out globally have established a concrete link between levels of PM2.5 in the ambient air that we breathe and adverse health effects, including impaired cardiovascular and respiratory function, aggravation of asthma, and premature death. These studies have concluded that there is NO SAFE LEVEL of PM2.5. Increased premature deaths due to air pollution have been documented in Oakville, and our Town continues to be among the most polluted in Ontario with respect to air quality.</p> <p>For these reasons I am in support of the Town of Oakville passing the proposed By-Law regarding find particulate matter and agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p>
178.	Jan. 25	I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM and I agree it is important that the health of citizens be protected by these types of warranted and responsible actions.

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179.	Jan. 25	I would like to put on record my concern regarding the introduction of more air born pollution in my home town of Oakville. Any action the by the town (including a new By-Law) to limit Fine Particulate Material has my full support.
180.	Jan. 25	<p>I am very concerned with the quality of the air we breathe in Oakville and in surrounding areas during work hours and after hours. I am very interested in maintaining and improving the air quality where we live and work.</p> <p>I do detect concerns at the workplace re: additional surveys and compliance requirements which make the carrying out of a business very difficult and contribute to increased operating costs.</p> <p>It is important to keep a reasonable degree of practicality, and it is equally important to maintain industrial areas safe for current and future generations. I have not read the Bylaw proposal, but I attended the Business Information meeting on January 19, 2010.</p> <p>Thank you.</p>
181.	Jan. 25	<p>Letter to the Editor: January 22, 2010</p> <p><u>RE: Business blasts emissions bylaw</u></p> <p>I attended Tuesday's session on the Town as an Oakville resident, business owner and Chamber of Commerce Member and have found your article quite misleading. I attended the meeting in response to the Chamber's invitation which was noted as "The Town's emissions bylaw could affect your business"</p> <p>I believe that 1,700 businesses that are all members of the Chamber of Commerce would have received the same invitation. As you noted, approximately 50 attended. This would tell me that a vast majority of businesses who are also members of the Chamber were not concerned enough to attend the discussion.</p> <p>Some of those 50 in attendance, like myself are very happy to support the Town's emissions bylaw as a step in the right direction to protecting human health from airborne fine particulate matter. There are currently no regulatory standards in place for fine PM emissions or ambient levels despite an over abundance of scientific and government studies that show there are valid and serious health effects from airborne fine PM. These studies indicate that with an annual concentration of 10 microgram/m3, there will be approximately 80 premature deaths each year IN OAKVILLE which can be attributed to PM2.5 pollution.</p> <p>We have one of the dirtiest/over taxed air sheds in the entire province of Ontario. Can we really afford to wait any longer for the Province or the Federal Government to regulate ? The USA has regulated such emissions since 1987. The Federal Government have recognized FPM as a toxin since 2000.</p> <p>You quoted one attendee as saying that "it's going to make industry think twice about coming to Oakville"</p>

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		<p>I would counter by saying that "it's going to make a lot of residents and business owners like myself reconsider staying in Oakville and also discourage many others from coming to Oakville, If WE don't do anything to improve the air quality of our community.</p> <p>What's good for the Community is generally good for Business.</p>
182.	Jan. 25	<p>Cindy; In my current and past roles I have overseen the organisation of many events. The dedication of staff and preparation that went into this event shone through - a very good job by all. Will the council meeting where this matter is being considered be a public meeting or in camera? If public, what is the date and time of the meeting, and what protocol is involved in attending? Again, thank you and kindly let staff know their work did not go unnoticed. Take care</p>
183.	Jan. 25	<p>Cindy; The session was well done - thank you all for a job well done.</p> <p>The information provided however did raise a number of questions regarding the bylaw which I believe I have captured in several comment cards I left at the front when I departed at 9 PM. My most fundamental concern, that was confirmed by your panel, is that the bylaw provides no certainty on improvements to air quality in Oakville but guarantees restrictions that will undeniably limit business and new entrants into Oakville, regardless of the value they bring. The issue for any business is the uncertainty raised regarding council approval.</p> <p>The information also raises the question about 70% of the emissions coming from vehicles and residences and yet nothing is done about that - the focus seems to be on 30% of the potential emitters, and is unclear why this approach is being taken.</p> <p>My hope is this will all be explored in some detail before the question is raised at council.</p> <p>Much thanks for a very well organised, implemented and moderated event, and my apologies for having to leave at 9 PM.</p>
184.	Jan. 25	<p>We feel that this by-law is being pushed through at a fast rate without realization of the tangible impacts on local business.</p> <p>The first step should be to review the NPRI, as it provides a very good first cut at the information you are attempting to collect and understand. Reviewing the NPRI data may very well assist in accomplishing your end goal of FPM reduction without added burden to local businesses who are already obliged to report. You can utilize that NPRI data and work in a collaborative effort with the local businesses to develop a comprehensive mitigation plan specific to each organization that may be affected.</p> <p>While multiple statements were made indicating that fees would potentially be fluctuating at this point in time, this is completely open ended and there is no way for us to understand the total financial implications that would be presented to us as an organization.</p> <p>Currently the known factors are a fee ranging upwards of \$25,000. In order to submit the package of information that has been required by the Town we have estimated that an additional \$150,000 would need to be spent in order to comply just with submitting the report. Potentially there would be on-going or significant ancillary costs directly related to the by-law. No one at the Town is able to provide any clarity as to what possible solutions for reduction of FPM may be and as a result it is very difficult to determine how significant the associated mitigating costs might be. If we are found to be a major emitter, what does that mean? How can we fully understand the total impacts on our business when we have no idea what decisions could potentially be imposed upon our organization through any resulting consultation</p>

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		<p>This by-law would have a negative impact our current and future investments at our Oakville operation which ultimately could result in job losses. This process as currently identified will add additional cost to any operation in Oakville without proof that this will accomplish the intent of this by-law. Particularly as NPRI data has not been considered as a potentially viable alternative to reporting.</p> <p>While the Town is stating that this by-law is not a preemptive strike against the power plant it would seem that the concerns surrounding that facility are at least a contributing factor. In summary we request that this by-law receive much more consideration by the town prior to final approval utilizing existing information (NPRI) and closer collaboration with affected companies.</p>
185.	Jan. 25	<p>It is obvious that the goals of improved health in the public and improved air quality are a worthy ones to which the Town of Oakville should aspire. Given that the air quality in Oakville is ranked 49 out of 50 it appears obvious that the Town of Oakville should do something to improve that air quality. However, the proposed approach seems to be quite arduous given the modest gains that can be expected.</p> <p>Scope of Affected Companies</p> <p>In the NPRI data reported for 2008, there are 35 reports from companies in Oakville. Roughly half of them had to report for particulate matter under the NPRI criteria. Since the proposed reporting levels in Oakville are lower for nitrogen oxides ("NOx"), sulphur dioxide ("SOx"), and volatile organic compounds ("VOC"s), the number of companies required to report to the Oakville By-Law will likely be higher. In Oakville in 2008, approximately 12 companies reported for VOCs. Based on my clients, if the criteria were changed to 1,000 kg of VOCs, the number of companies required to report for VOCs would be between 4 and 6 times the current number. If the ratio holds for the Town of Oakville, there would be between 48 and 72 companies reporting just for VOCs. Added to the 20 currently reporting for PM (with some overlap), the number of companies reporting may increase to a number in the order of 60 to 80.</p> <p>To emit 1,000 kg of VOCs in a year, assuming 250 working days a year requires an emission of only 4 kg/day. A busy auto body shop (2 paint booths or more) could easily be required to report. There are also likely many more industries that currently do not come close to reporting under the 10,000 kg criterion but will be required to report as emitting more than 1,000 kg. With these other companies reporting, the total number of reports would also increase.</p> <p>Return on Investment – Effect of the By-Law on Emissions</p> <p>According to the information provided in the presentation:</p> <p>Summer fine particulate levels are 12 µg/m³. Of that, ½ of the amount comes from the United States ("US"). Of the remaining, only 1/3 comes from industrial sources.</p> <p>These estimates indicate that the industrial contribution is 2 of 12 µg/m³. If an overall reduction from industrial sources of 25 % could be achieved (likely a very aggressive target), the final reduction on Oakville's air concentration would be 0.5 µg/m³ out of 12 µg/m³ or a reduction of 4.2 %.</p> <p>The above assessment is not provided to suggest that the Town of Oakville should not do what it can but to put the potential benefit in perspective. If the town can only affect a 4.2 % reduction with its measures, what level of reporting and permitting burden should be imposed on businesses in the Town of Oakville to achieve that modest reduction?</p> <p>Existing Mechanisms - Reporting</p>

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		<p>The federal government already requires that companies report under NPRI all of the parameters proposed by the Town of Oakville. The Town of Oakville proposes reducing the threshold for reporting on three parameters. The City of Toronto has recently implemented a By-Law to do exactly the same thing. Why not match the City of Toronto By-Law to implement the reporting portion of what the Town of Oakville wishes to accomplish?</p> <p>This suggestion would then result in a City of Toronto type By-Law that requests emission amounts of PM₁₀, PM_{2.5}, NO_x, SO_x and VOCs.</p> <p>Existing Mechanisms - Permitting</p> <p>Given the substantial amount of infrastructure that the Province of Ontario has in place for issuing Certificates of Approval ("CofA's), I think the Town of Oakville would be unwise to duplicate that infrastructure. The cost burden to both the Town of Oakville and the resident companies to create another permitting process could be substantial.</p> <p>Since the CofA approval process is already in place, why not require any company applying for a CofA to include PM₁₀ and PM_{2.5} as contaminants of concern in that application? Then require a copy of the Application be submitted to the Town of Oakville. This mechanism imposes minimal additional burden on the company (2 more parameters and a copy of an existing report). It also gives the Town of Oakville a basis upon which to develop a remediation plan if that route is to be explored.</p> <p>Modelling</p> <p>The proposed By-Law requires modelling using both ICAP Version 3.0 and a three dimensional air dispersion model with chemical reactions. These models are not currently in wide use in the consulting industry in Ontario and so the expertise required to produce the results is not currently available. The cost to develop that expertise will be an additional cost to the affected companies. The potential exists for that cost to be substantial.</p> <p>Permitting Approval</p> <p>According to the proposed By-Law, based on the outcome of the analysis, there appear to be three possibilities:</p> <ol style="list-style-type: none"> 1. The company demonstrates that they will not increase the base incidence rate by more than 0.2 % and so will be approved. 2. The company demonstrates that they will increase the base incidence rate by more than 0.2 % and so will <ol style="list-style-type: none"> a. Be approved if council believes that the permit to do so is in the public interest, or b. Be denied if council believes that the permit to do so is not in the public interest. <p>Several questions are raised by the above:</p> <ol style="list-style-type: none"> 1. If an existing company demonstrates an increase in the base incidence rate by more than 0.2 % how does the company know whether it will be approved based on public interest? My understanding is that the uncertainty in the answer to this question provides an unfavourable business climate. 2. If an existing company demonstrates an increase in the base incidence rate by more than 0.2 % and the operation is not in the public interest, what will the Town of Oakville do? Will the company be shut down? 3. Suppose a company demonstrates an increase in the base incidence rate by more than 0.2 % and the operation is found to be in the public interest so the Town of Oakville issues a permit. Subsequently, a resident suffers from any of the maladies described in the documents referenced in Section 3 of the "Environmental Bill of Rights Application to Require a New Air Pollution Act or Regulation (pdf, 2.7 MB)". Would not the resident then have grounds to sue the Town of Oakville for causing or exacerbating that resident's condition?

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		<p>Alternative By-Law Solution</p> <p>The following recommendations are provided for consideration:</p> <ol style="list-style-type: none"> 1. The Town of Oakville could create a By-Law that mimics the City of Toronto By-Law using the more stringent reporting criteria already outlined by the Town of Oakville. 2. Allow this By-Law to operate for a few years (3-4) so that the Town of Oakville has a reasonable basis of data upon which to make good decisions on how to proceed. 3. If warranted, implement a subsequent By-Law that requires companies to submit a copy of their CofA Applications to the City which shows the PM₁₀ and PM_{2.5} predicted Point of Impingement ("POI") concentration.
186.	Jan. 25	<p>Stop the Power Plant especially the selected location to residential area, schools and animal clinics large and small businesses, hospital and senior residents! Logic and an educated decision should be paramount protecting the residents of Oakville. !!!!!!!!!!!</p>
187.	Jan. 25	<p>To whom it may concern:</p> <p>I am writing to state my support of the proposed by-law to regulate the emission levels of 2.5 Fine Particulate Matter.</p> <p>As a new resident of Oakville eight years ago, I was plagued shortly upon arrival with several respiratory ailments. I was shocked to learn from my family physician that I had moved to one of the worse areas in Canada for asthma and respiratory ailments. I fully support any effort the Town makes to improve the protection of human health and reduce harmful emissions.</p>
188.	Jan. 25	<p>To the Mayor, Council, and Staff of the Town of Oakville.</p> <p>I am astounded at the lack of environmental standards in Ontario and I applaud you for taking the initiative to protect the quality of air that we breathe. On behalf of my family, I wanted to thank you for your leadership and convey our whole hearted support for the proposed Health Protection Air Quality By-Law.</p>
189.	Jan. 25	<p>Dear Memembrs of Oakville Town Council,</p> <p>I am in full support of Oakville Town Council's proposed bylaw attempting to mitigate and control the emission of fine particulate matter into our air.</p> <p>Thank you for your efforts!</p>
190.	Jan. 25	<p>I certainly thank the Town for this initiative in bringing forth this draft bylaw and for the opportunity to comment.</p> <p>Comments on the Draft Bylaw</p>

Ref #	Date	Email
		<p>1. Legal Authority</p> <p>The Town of Oakville bylaw relies for its legal authority on the Municipal Act 2001 powers to pass by-laws on “health, safety, and well-being” and to prohibit “public nuisances”.</p> <p>The links between ambient concentrations and health are becoming better known. However, the ability to link an ambient concentration to a particular Facility’s stack loadings will be more difficult as it become very dependant on modelling and sampling, and thus the bylaw is open to challenge by a facility that will claim its stack loadings cannot be proven to result in a particular increase in ambient concentrations with an attendant health impact.</p> <p>It should be noted that the Town has additional approval authority under the Planning Act, to approve or disapprove facilities based on adverse effects not just on the basis of health, safety or nuisance, but also very broad environmental damage, based on the definition of Adverse Effect (derived from the EPA) under the Provincial Policy Statement, 2005.</p> <p>This is actually broader language than that cited under the Municipal Act above:</p> <p><i>[Editor’s note: for ease of reading an image from the original has been removed and replaced with ink to the Provincial Policy Statement: http://www.mah.gov.on.ca/Page215.aspx]</i></p> <p>2. Threshold limits and rationale</p> <p>The Toronto bylaw shows more restrictive thresholds for facilities. Did the Town consult with Toronto Public Health to obtain information on their rationale for setting their thresholds? i.e. why did they select the annual mass loading values that they did. And why did the Town select thresholds much less restrictive. At the Public Meeting it was indicated that this was related to the fact that the Toronto bylaw has more of a reporting focus.</p> <p>3. Evaluation Method</p> <p>The intent appears to be to have the facility translate its pollutant loading into estimated contours of ambient concentrations around the facility. Has the Town considered how it will evaluate these estimates against background ambient levels, in terms of what will or will not be an allowable impact. What guidance is anticipated to be provided to a peer reviewer for example.</p>

Ref #	Date	Email
		<p data-bbox="240 1667 272 1745">[REDACTED]</p> <p data-bbox="602 1486 626 1745">4. Emissions Monitoring</p> <p data-bbox="834 279 915 1745">There are many different ways to measure emissions. Will there be stipulations as to what technical standards a facility will be expected to adhere to in collecting the emissions data? e.g. EPA Method 5 or some similar regulatory method, stack sampling vs. continuous monitoring, etc.</p> <p data-bbox="945 249 997 1745">Will the Emissions Monitoring requirements be any more stringent in terms of methodology than the original approval reporting requirements? i.e. not predicted estimates but actual measured data from the stack.</p> <p data-bbox="1026 302 1078 1745">Compliance monitoring should be based on something much better than engineering estimates, otherwise there will be no way to ensure compliance to conditions of approval.</p> <p data-bbox="1107 1373 1131 1745">5. PART VIII. Offences - Page 10:</p> <p data-bbox="1159 1667 1175 1745">[REDACTED]</p> <p data-bbox="1354 779 1378 1738">The above text on Page 10 refers to Section 11 and Section 13, which don't seem to exist.</p>

Ref #	Date	Email
		<p>Will it be an offence to fail to conduct PART VII- Emissions Monitoring? (The Offences section does not explicitly address issues under PART VII)</p> <p>If the post-approval emissions monitoring shows that the facility emitted more than the amount it was approved for, it will then be subject to the offence provision under part (D) above?</p> <p>Once again, I thank you for the opportunity to comment</p>
191.	Jan. 25	<p>I would like to applaud the Town of Oakville for providing the leadership lacking at both the Provincial and Federal Levels by proposing the Health Protection Air Quality By-Law to regulate the emissions of fine particulate matter. I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM. This is an important issue to me and my family.</p>
192.	Jan. 25	<p>To whom it may concern, My husband and I fully support the actions of the Town of Oakville regarding the FPM by-law. WE need to know that our politicians are there to protect us in these matters. Our health should come before any financial gains by government or corporations.</p>
193.	Jan. 25	<p>C4CA wanted to comment on the minor industry objections to the proposed by law which upon further dialogue they will conclude are largely unfounded.</p> <p>As Mayor Burton told us at a recent C4CA meeting, Oakville has one of the highest ratios of residential to business (80/20) in the province. And frankly a lot of business emit very little -- it's a handful or so that create most of it. (based on Clarkson Airshed Study)</p> <p>Quite frankly the monetary impact to Oakville of any business that leaves town because the emission standards are too high is a fraction of what the financial damage is going to be Oakville's property values, perceived desirability, and general goodwill if the plant goes ahead.</p> <p>Cleaner air standards is good policy for a town made up people not companies.</p> <p>We encourage you to pass the proposed by-law.</p>
194.	Jan. 25	<p>TO WHOM IT MAY CONCERN</p> <p>I strongly support any bylaw that would reduce fine particulate matter.</p> <p>Before I go out, I check the MNR telephone recording and do not go out if it is over 31. Some years ago I gardened for the whole of what I thought was a perfect spring day, only to find that the air quality had been extremely poor and my health has been affected and I have been restricted since then.</p> <p>Thank you for your concern</p>

Ref #	Date	Email
195.	Jan. 25	Hello, I would like to register my support for the Town of Oakville in it's attempt to establish a by-law to request regulation of fine particulate matter emissions. As a health care professional I believe this to be the correct path for the town to take since I see on a day to day basis the effects of pollutants on Oakville's residents. Thank You
196.	Jan. 25	Hello - I am fully in support of the new By-Law regarding the FPM and hope that The Town of Oakville will pass it.
197.	Jan. 25	To Whom It may Concern, I am 100 percent in favour of the Town of Oakville passing the proposed by-law regarding FPM. It is important to the health of citizens be protected by these types of warranted and responsible actions. Please step up and do the right thing. Whatever money is saved in energy production will likely be needed to pay for additional healthcare.
198.	Jan. 25	Sent again as original e-mail was incorrect. Begin forwarded message: I just received this email from my husband, and I also am in full support of the Town of Oakville passing a By-Law regarding FPM. Begin forwarded message: To whom it may concern: I am concerned about the Health issues surrounding the emission of Fine Particulate Matter (FPM) and am fully in support of the Town of Oakville passing the proposed By-Law regarding FPM. I also agree that it is important that the health of citizens of Oakville be protected by these types of warranted and responsible actions that the Town of Oakville has initiated.
199.	Jan. 25	Hi There: I am writing to you to advise you that I am in favor of the Town of Oakville passing the proposed By-Law regarding FPM. I agree it is important that the health of citizens be protected by these types of warranted and responsible actions. If the Oakville power plant is built, it is extremely important that the fine particulate matter is monitored to ensure the health and safety of the citizens of Oakville.
200.	Jan. 25	It is a sad day when we have to plead for clean air, but it's better to stand up and state what is obvious (that air quality needs to be monitored carefully and that fine particulate matter needs to be strictly minimized and controlled) than to not say nothing at all.

Ref #	Date	Email
		First and foremost, Oakville residents will not tolerate a power plant built in our community!
201.	Jan. 25	<p>Hello</p> <p>I am a resident of Oakville and have some concerns regarding the proposed power plant. The proposed location for a power plant is virtually in my backyard. It would be 1.25km from my home. I moved to Oakville almost 8 years ago for a reason and I would like to stay where my family and I call home. I love the area and I am afraid if this gets passed we will have to look for somewhere else to call home. I am aware that there is a need for a power plant, however the location of the plant makes no sense it is in very close proximity to many homes and schools. I am very concerned that we already live in a toxic environment and the government plans to allow a huge air polluter to come into our neighbourhood and compound this problem even further. I find it hard to believe that the government has not explored better alternatives for a power plant location. Who would benefit from this? Ford for selling their unused land and TransCanada Energy who will be guaranteed money for their investments. Isn't there a safer alternative? Who will monitor the concentration of pollutants and emissions if this goes through? If there is a natural gas shortage ...Will oil be burned? Who will suffer... of course the people of Oakville by paying higher taxes and worsen respiratory conditions. This power plant will only make problems worse. Please stop the power plant from coming into our neighbourhood.</p>
202.	Jan. 25	<p>I am writing in <u>support of the Town's proposed By-Law that will regulate the amounts of fine particulate matter in our already stressed airshed.</u></p> <p>As a nurse and former Public Health Nurse, I applaud actions like these, that are a perfect way to model <u>preventive</u> health care.</p> <p>One family member in our house already suffers from asthma. Even mild respiratory illnesses take their toll, so please act to protect our family from the consequences of poor air quality.</p> <p>Protect our lungs and bodies from well- documented yet invisible threats to our health, by passing this proposed By-law.</p>
203.	Jan. 25	<p>Our family is in favour of the Town of Oakville passing the proposed By-Law regarding FPM and we agree it is important that the health of citizens be protected by these types of warranted and responsible actions.</p> <p>I feel that the air quality and Green House Gas issues we have today are because of our forefathers but we are willing to give them the benefit of the doubt that they were not aware of the long term implications of the pollutants that were being emitted into the atmosphere.</p> <p>We however are fully aware and I for one will not be able to explain to my children and grand-children that we knew the implications but we were to selfish to do anything about it.</p>
204.	Jan. 25	<p>It is incredibly important to me and my young family to stop this power plant from being built in my backyard. We moved to Oakville from Toronto six years ago to start our family. We thought we were moving to a better community with more greenspace and less pollution. The emissions of Fine Particle Matter 1.59 km from my home is of great concern to my family. My four year old already suffers from asthma. The health issues that the FPA WILL cause to my family over the years is disturbing.</p> <p>Please fight this bad decision made by the provincial government.</p>
205.	Jan. 25	<p>I am writing this e-mail to express my support for the proposed by-law that would allow for standards and monitoring of Fine Particulate Matter (FPM) that will further impact the air quality for the citizens of Oakville. I am a mother of three children, and have lived in Oakville for over 10</p>

Ref #	Date	Email
		<p>years. My father was diagnosed with Pulmonary Fibrosis (PF), which is a progressive and ultimately fatal lung disease, as there is yet no cure for this devastating disease. There is also no one definitive cause, although in my father's case, it is believed to have been caused or at least strongly impacted by hazardous work environments to which he was exposed for over twenty years. This is the same disease that has struck many workers who helped in the rescue efforts following the attack on the Twin Towers on 9/11. There is also a familial strain of these disease that strikes many members and generations of families, and can be detected by genetic testing. Because there is yet no cure, other than lung transplantation, many families chose not to be given this life sentence (avg. 3 - 5 years). My family members do not know if we too could be affected by one day. My father's life was spared 8 months ago, as he successfully received a lung transplant that has given him a second chance at life, and as he sees it- the opportunity to see his grandchildren grow up.</p> <p>My concerns for both myself, but especially my three children, is that living in a town where the air quality may be compromised by the output of FPM from local industry, further raises our risk of serious health concerns, such as PF and other respiratory ailments. I am in full support of the steps that the Town of Oakville is taking to ensure that the safety and health of its residents is a priority. My concerns for the long-term health of my family weigh heavily on my mind if we are faced with a decision whether to continue to live in a community that places a higher priority on the business interests of local companies, rather than the health and safety of it's people. My family has been fortunate to make a life through all our community has to offer (neighborhood, school, sports and recreation program, church, etc.) in Oakville. I sincerely hope that we can continue to live in this town knowing that everything that can be done to protect our health and safety has been done, by requiring all businesses to be responsible to the people who support them.</p>
206.	Jan. 26	<p>Hello there,</p> <p>My name is (replacing name) and I am a resident in the Falgarnwood area of Oakville. I attended the by-law town meeting this past Thursday night and I wholeheartedly support the efforts to implement this by-law. I feel that this is crucial and necessary in protecting the health and well-being of the citizens of this area.</p>
207.	Jan. 26	<p>I am a homeowner at (replacing address) and I am concerned about further air pollution in our air shed.</p> <p>I am a retired critical care nurse and have seen what air pollution can cause severe health problems. In the past six to ten years I have seen an increase in pneumonia in my senior friends and noticed it has taken up to six weeks for their health to improve. We also know that asthma is increasing among our children. For the health of seniors and our children in homes near the Ford Motor Plant and other areas of Oakville, please continue to institute a new By-Law regarding the emission levels of Fine Particulate Matter FPM.</p>
208.	Jan. 26	<p>As a long time resident of Oakville, I am very concerned about the power plant that has been proposed for the Ford lands adjacent to residential areas. There are no compelling reasons why the province and town would expose our families to this additional noise and air pollution, when there are other locations available that would have less impact on a populated area.</p> <p>In light of this power plant construction, we are reconsidering our plans to move our offices to the Oakville area from Toronto. Allowing the plant to be located in a residential area (within 500 metres) will have a serious long term negative impact on Oakville's reputation as one of the best places in Canada to live and work.</p> <p>Please forward my concerns to the Councilors and Mayor.</p>
209.	Jan.	<p>Suncor Energy appreciates the opportunity to provide preliminary comments on the proposed Town of Oakville by-law.</p>

Ref #	Date	Email
	26	<p>To begin, we would like to provide some additional context around actions taken since the 2004 air shed study which have had positive impacts on Oakville air quality.</p> <p>Specific to Suncor Energy, the former Petro-Canada Oakville Refinery was closed in 2005, virtually eliminating that facility's SOx, NOx and particulate matter emissions and reducing volatile organic compound (VOC) emissions by over 75%. As a National Pollutants Release Inventory (NPRI) reporting facility, these emission reductions are a matter of public record through the NPRI data base.</p> <p>As an industry, we have also reduced sulphur levels in transportation fuels, to 30 parts per million (ppm) in gasoline and 15 ppm in diesel fuel. Aside from the direct reduction in vehicle tailpipe sulphur emissions, the fuel sulphur reductions enabled substantial reductions in vehicle tailpipe emissions of NOx, VOCs and particulate matter. Environment Canada or the Ontario Ministry of the Environment would be best positioned to quantify these impacts.</p> <p>These improvements would not have been captured in the 2004 air shed study, as the gasoline sulphur reductions were implemented in mid-2004, our refinery shut down in 2005 and diesel sulphur reductions began in mid-2006.</p> <p>In terms of specific comments on the proposed bylaw, Suncor Energy is concerned that the bylaw proposes reporting and offers some level of detail on an assessment/evaluation process but does not provide for any specific targets or "acceptable" levels of performance. Furthermore, the information included in the town's presentation material to accompany the by-law refers to a reporting system "very similar to National Pollutant Release Inventory (NPRI) reporting". This would appear to suggest a duplicate system of reporting requirements. We would suggest that if the town is to proceed, the by-law should accept NPRI reporting rather than creating a new system.</p> <p>NPRI reporting facilities are obligated under the Canadian Environmental Protection Act to accurately report emissions, these standards should be acceptable to the Town.</p> <p>Suncor would ask the Town to note that Federal regulations now require a full Regulatory Impact Analysis Statement (RIAS), offering a balanced view of the costs and benefits of proposed regulations. The proposed by-law does not have sufficient detail to permit a similar analysis, as there are no targets and there is no mention of cost of compliance.</p> <p>We look forward to continuing to be a part of the discussion with the Town of Oakville as you are considering this proposed by-law and would welcome the opportunity to meet with officials individually and to share any further information we have.</p>
210.	Jan. 26	<p>I am in favor of the Town of Oakville for the proposed by law regarding fine particulate matter. It is extremely important to protect the health of Oakville citizens. My child has asthma and this is of great concern to me in order to stay in Oakville.</p>

Draft Health Protection Air Quality By-law for the Town of Oakville

Appendix A: Materials from the Public Information Meetings

- Agenda for Public Information Meeting #1 (Business Focus)
- Agenda for Public Information Meeting #2
- Presentation for Public Information Meeting #1 (Business Focus)
- Presentation for Public Information Meeting #2
- List of Frequently Asked Questions

Draft Health Protection Air Quality By-law for the Town of Oakville

Public Information Meeting - Agenda

Date: Thursday, January 21, 2010

Time: 6:30–7 p.m. (Registration and sign-in)
7–9 p.m. (Public Information Meeting)

Location: Oakville and Trafalgar Rooms, Oakville Town Hall, 1225 Trafalgar Rd, Oakville, ON

Purpose of the Public Information Meeting

- To review ongoing health and air quality efforts in the Town of Oakville
- To discuss the need for a new by-law related to health and air quality
- To review the components of the draft Health Protection Air Quality By-law
- To discuss the perspectives of residents on the draft by-law

Proposed Agenda

7:00 p.m. **Welcome** – Ray Green, Chief Administrative Officer, Town of Oakville

Introduction of the Panellists

Review of Agenda – Amanda Kennedy, DPRA

7:10 p.m. **Presentation** – Cindy Toth, Director, Environmental Policy

- Health and air quality context in Oakville

7:20 p.m. **Presentation** – Rodney Northey, Fogler, Rubinoff LLP Barristers & Solicitors

- High-level overview of the draft Health Protection Air Quality By-law

7:50 p.m. **Moderated Question and Answer Period**

8:55 p.m. **Adjournment**

Draft Health Protection Air Quality By-law for the Town of Oakville
Business Information Meeting – Agenda

Date: Tuesday, January 19, 2010
Time: 1:00 – 1:30 p.m. (Registration and sign-in)
1:30 – 4:00 p.m. (Business Information Meeting)
Location: Committee Rooms 1 and 2, Oakville Town Hall, 1225 Trafalgar Rd, Oakville, ON

Purpose of the Business Information Meeting

- To review ongoing health and air quality efforts in the Town of Oakville
- To discuss the need for a new by-law related to health protection and air quality
- To review the components of a draft Health Protection Air Quality By-law
- To discuss the perspectives of the local business community on the draft by-law

Agenda

1:30 p.m. **Welcome** – Ray Green, Chief Administrative Officer, Town of Oakville

Introduction of the Panellists

Review of Agenda – Amanda Kennedy, DPRA

1:40 p.m. **Presentation** – Cindy Toth, Director, Environmental Policy

- Health and air quality context in Oakville

1:50 p.m. **Presentation** – Rodney Northey, Fogler, Rubinoff LLP Barristers & Solicitors

- High-level overview of the draft by-law

2:20 p.m. **Moderated Question and Answer Period**

2:40 p.m. **Facilitated Group Discussions**

- Breakout groups to discuss health, air quality and the draft by-law

3:25 p.m. **Report back to plenary**

- Report back from each of the groups
- Discussion of common themes

3:45 p.m. **Wrap-up**

- Summarize key messages
- Discussion of next steps

3:55 p.m. **Adjournment**

Town of Oakville - Health Protection Air Quality By-law

Business Information Meeting

January 19, 2010



Purpose of Meeting

- To review ongoing health and air quality efforts in the Town of Oakville
- To discuss the need for a new by-law focused specifically on protecting human health from airborne fine particulate matter
- To review the components of a draft Health Protection Air Quality By-law
- To consult with the local business community on the draft by-law

Agenda

- 1:40 p.m. **Presentation** – Cindy Toth
Health and air quality context in Oakville
- 1:50 p.m. **Presentation** – Rodney Northey
Overview of the draft by-law
- 2:20 p.m. **Moderated Question and Answer
Period**

Slide 3



Agenda

- 2:40 p.m. **Facilitated group discussions**
- 3:25 p.m. **Report back to plenary**
- 3:45 p.m. **Wrap-up**
- 3:55 p.m. **Adjournment**

Slide 4



Health and Air Quality Context for the By-law

Cindy Toth, Director, Environmental Policy

Rationale for Focusing on Fine PM

- Fine PM are airborne particles less than 2.5 micrometres in size
- Abundance of scientific and government studies showing serious, fatal health effects from airborne fine PM
- Regulatory gap; no regulatory standards for fine PM emissions or ambient levels
- Part of the Town's effort to reduce the overall airshed burden
- Highlights the public health implications of air emissions and air quality in Oakville

Overview

- Sources of fine PM
- Health effects of fine PM
- Actions underway

Slide 7



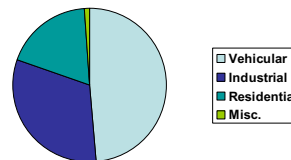
Sources of Fine PM

Sources of fine PM emissions:

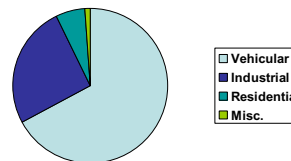
- Industrial
- Vehicular
- Residential
- Miscellaneous

(Source: Clarkson Airshed Study Part III, Air Quality Dispersion Modelling Source Contribution Assessment, July 2008)

Particulate Matter 2.5



Particulate Matter 10



Slide 8



Health Effects of Fine PM

- Considerable scientific evidence of serious health impacts
- Over 30 studies of health effects associated with exposure to fine PM published in the last 4 years
- Surveys of Oakville residents consistently raise air quality as a key priority

Slide 9



Fine PM in Oakville

- Annual average is: 10 micrograms per cubic metre
 - Roughly 12 in summer and 8 in winter
- During summer, especially during smog events, up to 50% is likely by long-range transport from the U.S. Midwest.
- Major local sources are vehicular traffic, industry and residential (heating). The predominant contributing sector depends on where the monitor is located.

(Source: Clarkson Airshed Study Part III, Air Quality Dispersion Modelling Source Contribution Assessment, July 2008)

Slide 10



Health Effects in Oakville

- Based on an annual concentration of 10 microgram/m³, there will be 80 premature deaths in Oakville attributable to PM_{2.5} pollution every year.
- There will be more of the other outcomes documented in health effects studies.
- For every microgram/m³ added, there will be 8 more deaths: for every microgram/m³ reduced, there will be 8 fewer deaths.

(Source: ICAP 3.0)

Slide 11



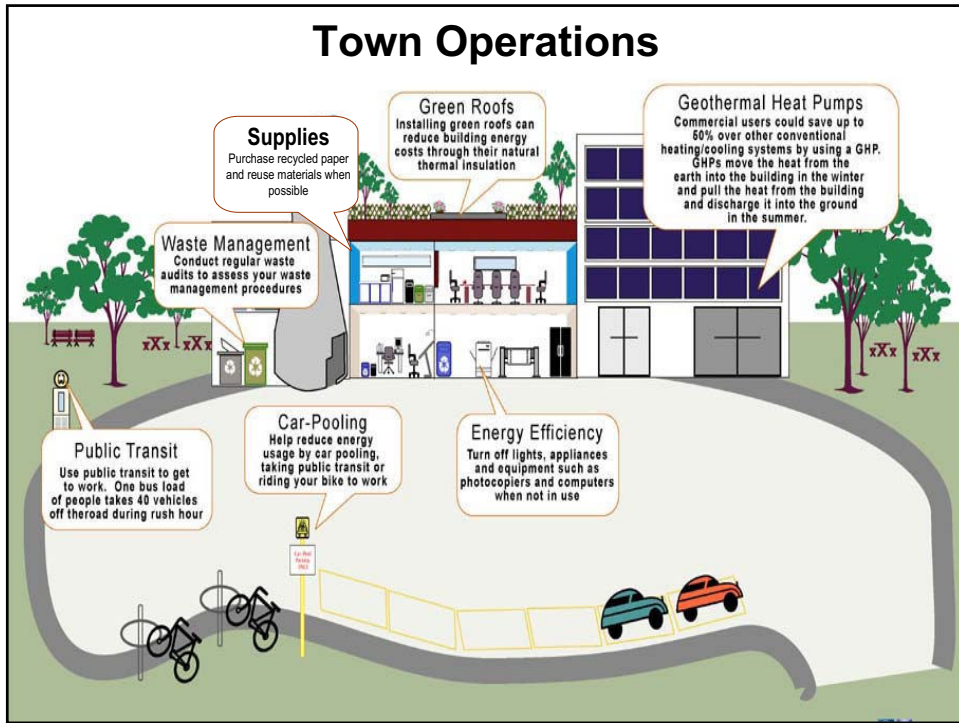
Actions

- Town operations
- Town master planning
- Residential stewardship

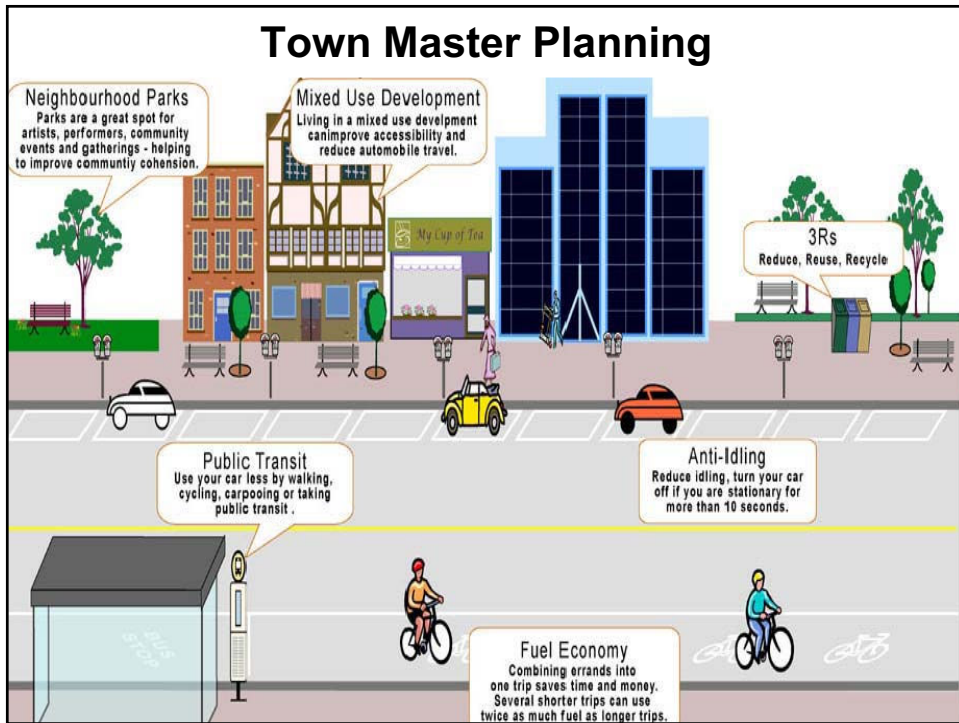
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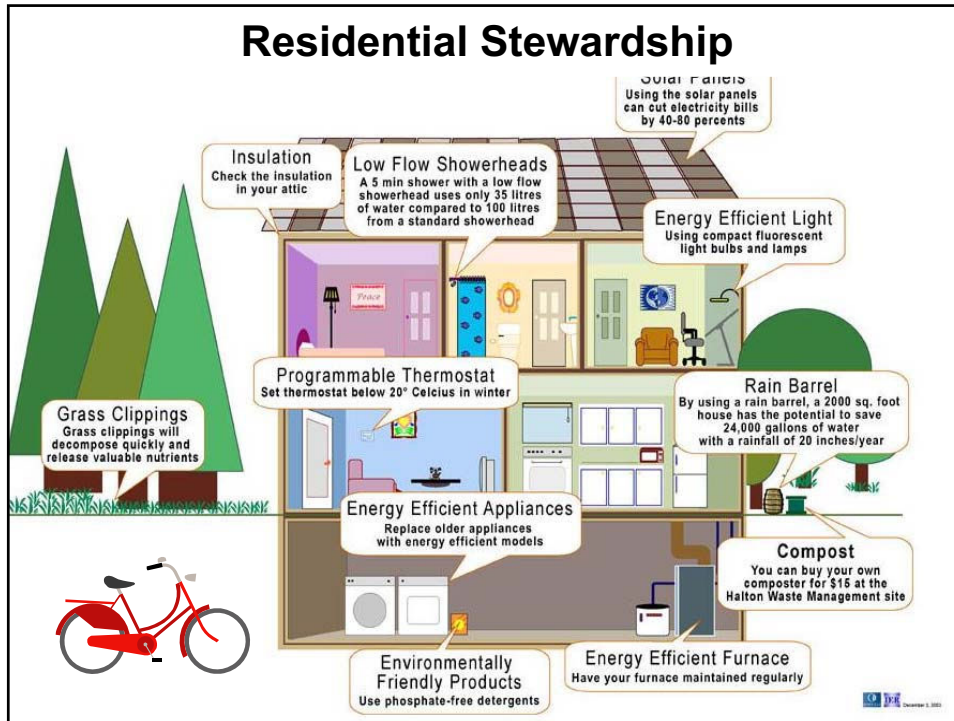


Town Operations



Town Master Planning





"To be the most livable town in Canada"

Overview of the Draft By-law

Rodney Northey
 Certified as a Specialist in Environmental Law
 Fogler, Rubinoff LLP Barristers & Solicitors

Slide 16

OAKVILLE

Overview

- Legal situation
- By-law authority and purpose
- Key topics:
 - Reporting obligations
 - Approval process
 - Phase-In timeframes
 - Fees

Slide 17



Legal Situation

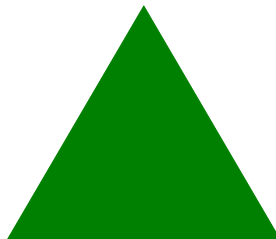
Air Quality Protection: **Appearance**

Ontario Environmental Protection Act (EPA)

Regulation 419/05

-Point of Impingement (POI) standards 300+ contaminants listed

Ontario EPA s.9
Certificates of
Approval (CofA)



Ambient Air Quality
Criteria

Slide 18



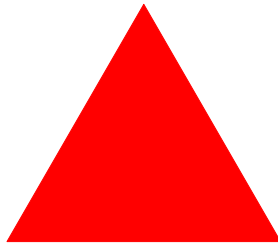
Legal Situation Air Quality Protection: **Reality**

NO REGULATION OF FINE PM

-EPA Reg.419/05: No POI standards for fine PM

Section 9 EPA CofAs

-broad discretion
-no practice of regulating
fine PM



Ambient Air Quality Criteria (AAQC)

-none for fine PM
-Canada-Wide Standard for
FPM is neither

Slide 19



Town By-law – Authority

Municipal Powers (*Municipal Act, 2001, as amended*)

- Power to pass by-laws re “health, safety, and well-being”
- Power to pass by-laws to prohibit/regulate “public nuisances” and to decide what constitutes a public nuisance
- Limits: cannot “conflict” with provincial law; cannot frustrate the purpose of provincial law

Slide 20



Town By-law – Purpose

- Protect human health from airborne fine PM
- Gather information on sources of emissions of fine PM
- Regulate major emitters of fine PM
- Deem any major emission of fine PM presenting unacceptable risks to human health as a “public nuisance”

Slide 21



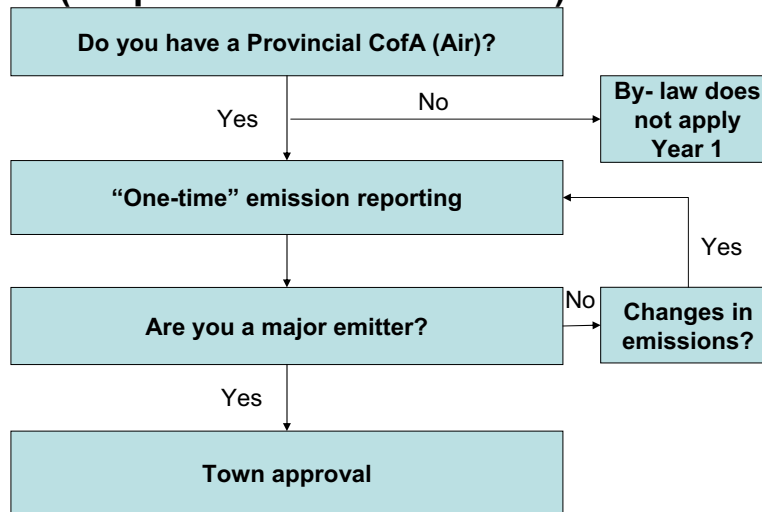
Structure

- Part I Purposes
- Part II Application
- Part III Reporting
- Part IV Requirements for town approval
- Part V Town decision-making process
- Part VI Fees
- Part VII Emissions monitoring
- Part VIII Offences
- Part IX Transitional matters
- Part X Severability

Slide 22



Application of the By-law (Proposed Transition Phase)



Slide 23



Reporting

- Set out in Part III of the By-law
- No fee
- When applicable, Part III will require a one-time submission of emission rates of fine PM and precursor pollutants
- Simple additional calculations for CofA holders
- Very similar for National Pollutant Release Inventory (NPRI) reporting
- After initial reporting, will only require submission of new information in future, only if you change your operations and emission rates

Slide 24



Major Emitters

“Major emission“ means an emission from a facility into the air of a health-risk air pollutant that exceeds at least one of the following thresholds:

- (a) for directly emitted particulate matter less than 10 microns in size, more than 500 kilograms per year;
- (b) for directly emitted particulate matter less than 2.5 microns in size, more than 300 kilograms per year;
- (c) for volatile organic compounds, more than 1,000 kilograms per year;
- (d) for nitrogen oxides (as NO₂ equivalent), more than 2,700 kilograms per year; or
- (e) for sulphur dioxide, more than 2,000 kilograms per year.

Slide 25



Major Emitters Comparison of Regulatory Thresholds (kg/yr)

Health Risk Air Pollutant	Town of Oakville By-law	City of Toronto By-law	Toxics Reduction Act (Ontario)	National Pollutant Release Inventory (Federal)
PM ₁₀	500	-	500	500
PM _{2.5}	300	30	300	300
VOCs	1000	100	10,000	10,000
NO _x	2700	200	20,000	20,000
SO ₂	2000	-	20,000	20,000

Slide 26



Major Emitters – Required Information

- Set out in Part IV
- When applicable, requires a major emitter to submit info to the town and seek approval of the emission
- Required information has five parts:
 - Project description
 - Evaluation
 - Mapping
 - Assessment
 - Appraisal

Slide 27



Major Emitters – Comparison of CofA information

Process Step	CofA's (Air)	Town of Oakville Assessment
1	ID all sources for all listed MOE contaminants (300+)	Identify sources of Health Risk Air Pollutants only
2	Estimate worst-case emissions over varying averaging times	Estimate worst-case emissions over 24-hour and annual time periods
3	Model Impacts: Use screening tools where possible	Model Impacts (including Background): Use screening tools where possible
4	Assess worst-case results against MOE standards	Compare average and worst-case results against public health effects
5	Must be in compliance to obtain CofA (Air)	If not in compliance – present reasonable mitigation plan

Slide 28



Major Emitter – Town Approval

- Town retains peer reviewer to ensure “complete application” and then assesses merits of completed application
- Town Council makes decision on application
 - Can say no if unacceptable health impacts
 - If no, Council decision also deems major emissions to be a “public nuisance”
 - Can say yes even if serious health impacts if public interest supports approval of the major emission
 - If yes, town can impose conditions of approval

Slide 29



By-law Phase-In Proposed

- Set out in Part IX
- Initially, applies to proposed “major emitters” only
- After 6 months, the **reporting** obligation will apply to all existing emitters who have a provincial s.9 EPA CofA
- After 1 year, the **approval** obligation will apply to all existing “major emitters” who also have an EPA CofA
- After not less than 1 year, the **reporting** obligation will apply to all existing emitters who do not have an EPA CofA
- After not less than 2 years, the **approval** obligation will apply to all existing major emitters who do not have an EPA CofA

Slide 30



By-law Fees

- Set out in Part V
- Applicable only for major emissions
- Fees cover anticipated costs to town of addressing approval process
- Major expense is the cost of retaining a qualified, independent peer reviewer
- Presently, by-law proposes a maximum \$25,000 fee
- Town considering other fee options
 - For example, a staged approach to fees

Slide 31



Ground Rules

- For the plenary sessions, we will use a moderator and a roving microphone
- One person speaking at a time
- Please introduce yourself before sharing a question or comment
- So that we can hear from as many participants as possible, please limit the length of comments and questions
- Listen with respect; learn from each other
- Limit the use of acronyms and jargon
- Any others to add?

Slide 32



Moderated Question and Answer Period

Slide 33

Facilitated Group Discussions

Slide 34

Group Discussions

- We will break out into four groups depending on your business type and/or interest:
 - Proposed facility
 - Existing facility – major emitter
 - Existing facility – non-major emitter
 - Other interested parties
- Introductions
 - Facilitator
 - Recorder
 - Participants

Slide 35



Group Discussions

- **(A) Impacts to Business**
 - What is your sense of how the proposed Health Protection Air Quality By-law will affect:
 - Your business?
 - Other businesses in Oakville?
 - Businesses planning on locating in Oakville?
 - Discuss the potential benefits and challenges.
- **(B) Impacts to the Community**
 - What is your sense of how the proposed Health Protection Air Quality By-law will affect the community-at-large? Discuss the potential benefits and challenges.
- **(C) Other Comments**
 - Are there other appropriate mechanisms for Oakville to protect residents' health from the effects of fine particulate matter?
 - Are there any other comments or considerations you'd like to bring to the town's attention about health and air quality?

Slide 36



Group Discussions

- 10–15 minutes per question
- Report back at 3:25 p.m.
- Don't forget to assign a presenter!

Slide 37



"To be the most livable town in Canada"

Report Back from Facilitated Group Discussions

Slide 38



**Questions and comments on the draft by-law are
welcome until Monday, January 25, 2010.**

Please email healthprotection@oakville.ca

Additional Contact Information:

Cindy Toth
Director, Environmental Policy
Town of Oakville
ctoth@oakville.ca
(905) 845-6601, ext. 3299
www.oakville.ca

Town of Oakville - Health Protection Air Quality By-law

Public Information Meeting

January 21, 2010



Purpose of Meeting

- To review ongoing health and air quality efforts in the Town of Oakville
- To discuss the need for a new by-law focused specifically on protecting human health from airborne fine particulate matter
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Overview of the draft by-law
- 7:50 p.m. **Moderated Question and Answer
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- 8:55 p.m. **Adjournment**

Slide 3



"To be the most livable town in Canada"

Health and Air Quality Context for the By-law

Cindy Toth, Director, Environmental Policy

Slide 4



Rationale for Focusing on Fine PM

- Fine PM are airborne particles less than 2.5 micrometres in size
- Abundance of scientific and government studies showing serious, fatal health effects from airborne fine PM
- Regulatory gap; no regulatory standards for fine PM emissions or ambient levels
- Part of the Town's effort to reduce the overall airshed burden
- Highlights the public health implications of air emissions and air quality in Oakville

Slide 5



Overview

- Sources of fine PM
- Health effects of fine PM
- Actions underway

Slide 6

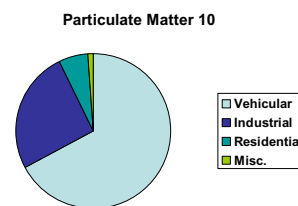
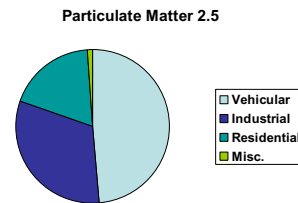


Sources of Fine PM

Sources of fine PM emissions:

- Industrial
- Vehicular
- Residential
- Miscellaneous

(Source: Clarkson Airshed Study Part III, Air Quality Dispersion Modelling Source Contribution Assessment, July 2008)



Slide 7



Health Effects of Fine PM

- Considerable scientific evidence of serious health impacts
- Over 30 studies of health effects associated with exposure to fine PM published in the last 4 years
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Slide 8



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- During summer, especially during smog events, up to 50% is likely by long-range transport from the U.S. Midwest.
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Slide 9



Health Effects in Oakville

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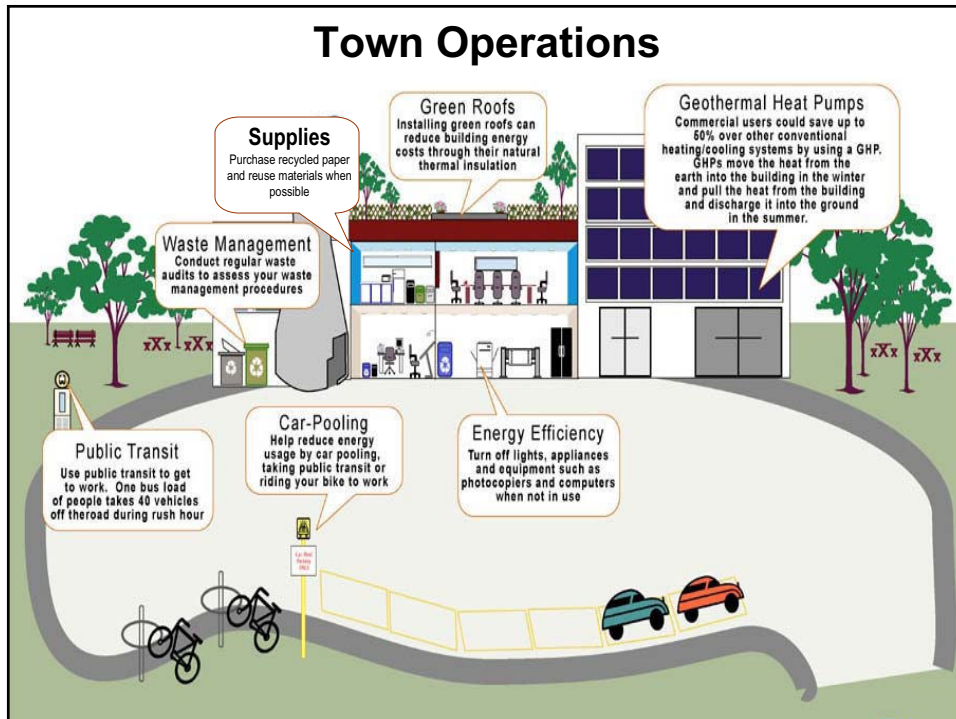
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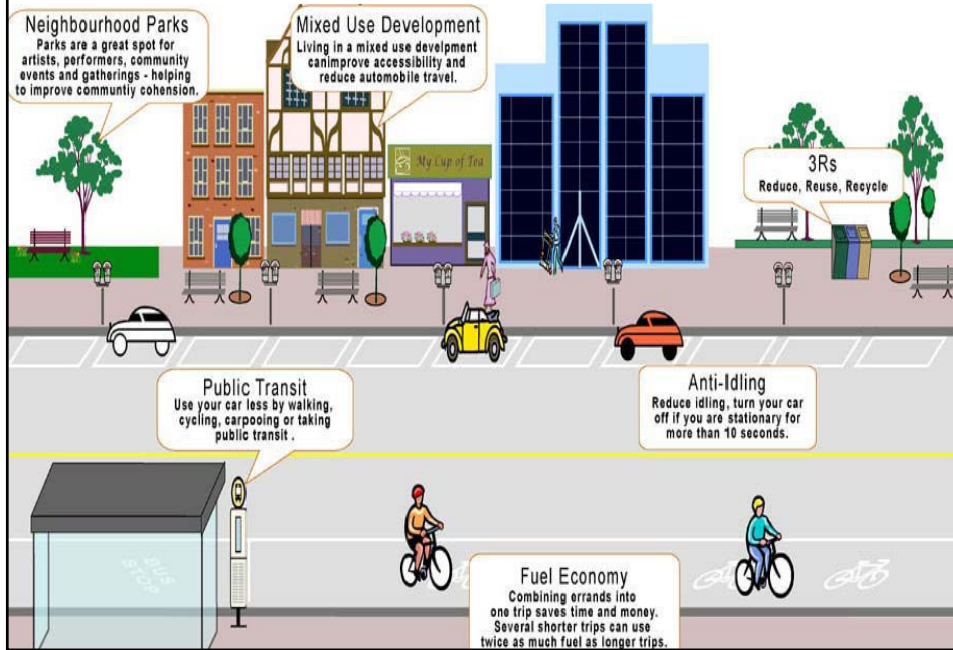
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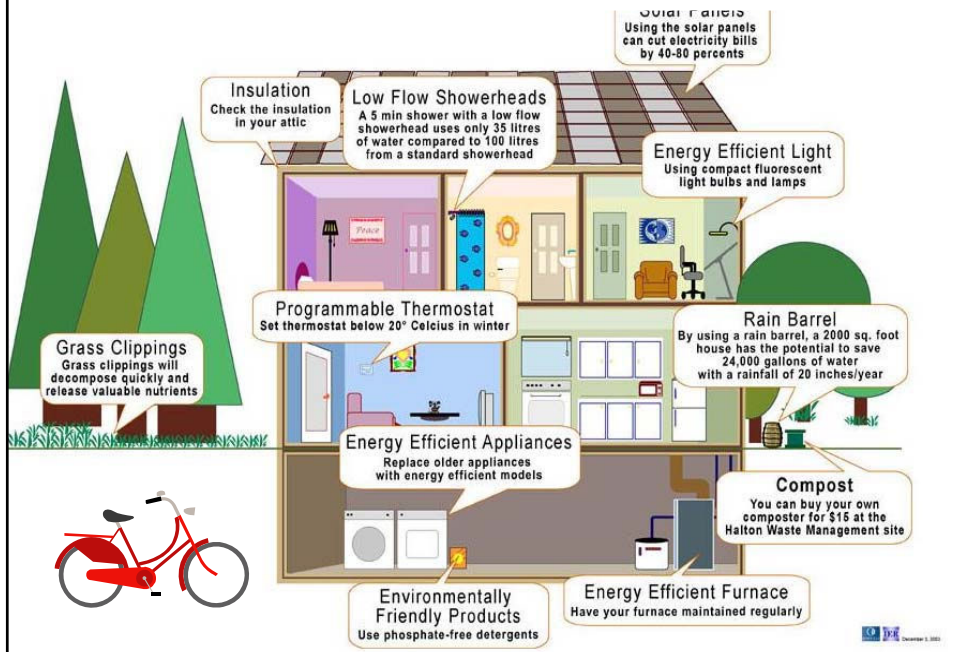
Slide 11



Town Master Planning



Residential Stewardship



Overview of the Draft By-law

Rodney Northey
Certified as a Specialist in Environmental Law
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Overview

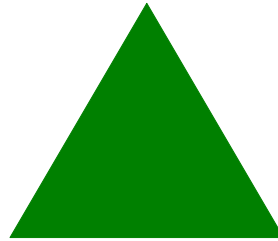
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Ambient Air Quality
Criteria

Slide 17



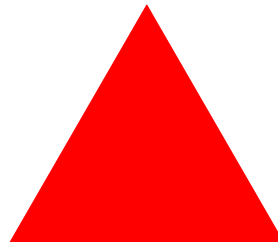
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Ambient Air Quality
Criteria (AAQC)
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Town By-law – Authority

Municipal Powers (*Municipal Act, 2001*, as amended)

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Slide 19



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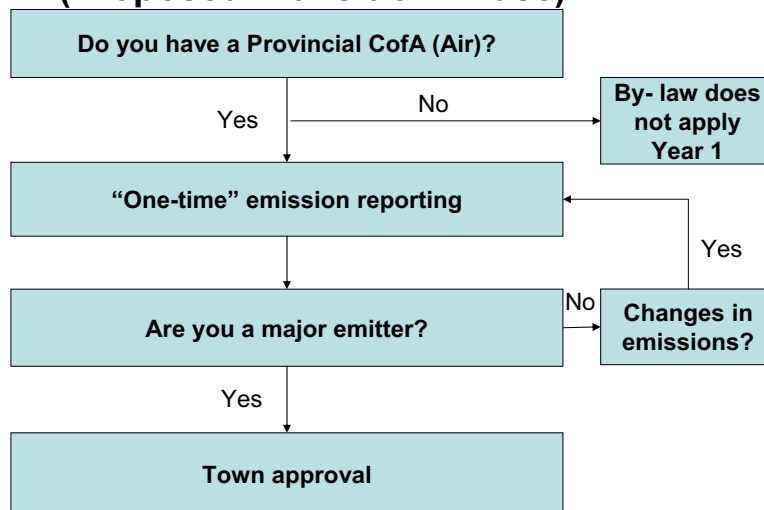
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Slide 21



Application of the By-law (Proposed Transition Phase)



Slide 22



Reporting

- Set out in Part III of the By-law
- No fee
- When applicable, Part III will require a one-time submission of emission rates of fine PM and precursor pollutants
- Simple additional calculations for CofA holders
- Very similar for National Pollutant Release Inventory (NPRI) reporting
- After initial reporting, will only require submission of new information in future, only if you change your operations and emission rates

Slide 23



Major Emitters

“Major emission“ means an emission from a facility into the air of a health-risk air pollutant that exceeds at least one of the following thresholds:

- (a) for directly emitted particulate matter less than 10 microns in size, more than 500 kilograms per year;
- (b) for directly emitted particulate matter less than 2.5 microns in size, more than 300 kilograms per year;
- (c) for volatile organic compounds, more than 1,000 kilograms per year;
- (d) for nitrogen oxides (as NO₂ equivalent), more than 2,700 kilograms per year; or
- (e) for sulphur dioxide, more than 2,000 kilograms per year.

Slide 24



Major Emitters Comparison of Regulatory Thresholds (kg/yr)

Health Risk Air Pollutant	Town of Oakville By-law	City of Toronto By-law	Toxics Reduction Act (Ontario)	National Pollutant Release Inventory (Federal)
PM ₁₀	500	-	500	500
PM _{2.5}	300	30	300	300
VOCs	1000	100	10,000	10,000
NO _x	2700	200	20,000	20,000
SO ₂	2000	-	20,000	20,000

Slide 25



Major Emitters – Required Information

- Set out in Part IV
- When applicable, requires a major emitter to submit info to the town and seek approval of the emission
- Required information has five parts:
 - Project description
 - Evaluation
 - Mapping
 - Assessment
 - Appraisal

Slide 26



Major Emitters – Comparison of CofA information

Process Step	CofA's (Air)	Town of Oakville Assessment
1	ID all sources for all listed MOE contaminants (300+)	Identify sources of Health Risk Air Pollutants only
2	Estimate worst-case emissions over varying averaging times	Estimate worst-case emissions over 24-hour and annual time periods
3	Model Impacts: Use screening tools where possible	Model Impacts (including Background): Use screening tools where possible
4	Assess worst-case results against MOE standards	Compare average and worst-case results against public health effects
5	Must be in compliance to obtain CofA (Air)	If not in compliance – present reasonable mitigation plan

Slide 27



Major Emitter – Town Approval

- Town retains peer reviewer to ensure “complete application” and then assesses merits of completed application
- Town Council makes decision on application
 - Can say no if unacceptable health impacts
 - If no, Council decision also deems major emissions to be a “public nuisance”
 - Can say yes even if serious health impacts if public interest supports approval of the major emission
 - If yes, town can impose conditions of approval

Slide 28



By-law Phase-In Proposed

- Set out in Part IX
- Initially, applies to proposed “major emitters” only
- After 6 months, the **reporting** obligation will apply to all existing emitters who have a provincial s.9 EPA CofA
- After 1 year, the **approval** obligation will apply to all existing “major emitters” who also have an EPA CofA
- After not less than 1 year, the **reporting** obligation will apply to all existing emitters who do not have an EPA CofA
- After not less than 2 years, the **approval** obligation will apply to all existing major emitters who do not have an EPA CofA

Slide 29



By-law Fees

- Set out in Part V
- Applicable only for major emissions
- Fees cover anticipated costs to town of addressing approval process
- Major expense is the cost of retaining a qualified, independent peer reviewer
- Presently, by-law proposes a maximum \$25,000 fee
- Town considering other fee options
 - For example, a staged approach to fees

Slide 30



Ground Rules

- We will use a moderator and a roving microphone
- One person speaking at a time
- Please introduce yourself before sharing a question or comment
- So that we can hear from as many participants as possible, please limit the length of comments and questions
- Listen with respect; learn from each other
- Limit the use of acronyms and jargon
- Any others to add?

Slide 31



"To be the most livable town in Canada"

Moderated Question and Answer Period

Slide 32



**Questions and comments on the draft by-law are
welcome until Monday, January 25, 2010.**

Please email healthprotection@oakville.ca

Additional Contact Information:

Cindy Toth
Director, Environmental Policy
Town of Oakville
ctoth@oakville.ca
(905) 845-6601, ext. 3299
www.oakville.ca

Q and A: The Town of Oakville's Proposed Health Protection and Air Quality By-law

Q: What is the purpose of the proposed by-law?

A: The community has expressed longstanding concerns about Oakville's air quality and its health impacts, and the town is committed to addressing these concerns.

The purpose of the proposed by-law is to protect the health of Oakville residents from the effects of fine particulate matter (fine PM) by collecting information on fine PM emissions from facilities within Oakville and implementing regulatory controls.

Q: What is fine PM?

A: Fine PM is airborne particulate matter small enough to enter the respiratory tract. Fine PM is included on the Canadian Environmental Protection Agency's list of toxic substances.

Q: Why does the by-law target fine PM?

A: Both the provincial and federal governments have researched the health effects of fine PM and prepared reports on the serious harm to human health it can cause, but neither have passed regulations that limit total concentrations of fine PM within an airshed, evaluate existing ambient conditions together with new emissions of fine PM, or assess the health impacts of those conditions.

We hope that other municipalities will follow our lead in addressing fine PM with municipal by-laws.

Q: What other jurisdictions regulate fine PM?

A: Through federal law, all American states regulate fine PM. While there's no federal standard in Canada, several provinces have implemented their own regulations.

Q: Does the town have the authority to impose this by-law? Isn't it provincial jurisdiction?

A: There is no existing provincial or federal regulation of fine PM to protect public health. The town has the authority to pass this by-law under the Ontario Municipal Act.

Q: Who would the by-law affect?

A: The by-law would affect existing and proposed facilities that emit fine PM or precursor pollutants (substances that could produce fine PM when combined with other substances in the air).

Q: How would the by-law regulate fine PM?

A: Under the by-law, proposed or existing facilities that produce a "major emission" of fine PM as defined in the by-law would be subject to an approval process involving assessment of health impacts from emissions, and implementation of regulatory controls where necessary.

Emissions would be monitored on an ongoing basis and information would be made available to the public on all emitters of fine PM in Oakville.

Q: What businesses would need to apply for a permit under the new by-law?

A: Though all businesses that possess or should possess a Provincial Certificate of Approval for air emissions are required to report on their emissions of fine PM and precursor pollutants, only businesses that produce major emissions of the above will be required to go through an application process to permit their

emissions. The town encourages businesses to consult with the town to determine whether their facility is a source of a major emission before submitting an application.

Q: What are some examples of industries that might emit fine PM?

A: Most industries emit some fine PM to some extent. Larger emitters include industries that consume major quantities of fossil fuels (gas combustion, utilities), dusty industries (aggregate, quarrying, asphalt, cement), emitters of solvent-like vapours (auto painting, printing, chemical producers, plastics, rubber manufacturing), and some food manufacturers.

Q: When will the by-law be brought back to Council?

A: The proposed Health Protection and Air-Quality By-law will go to Council on February 1, 2010.

Q: When would the by-law come into effect if it is passed?

A: The by-law would come into effect immediately for proposed facilities that are major emitters of fine PM or precursor air pollutants. Existing facilities that emit fine PM or precursor pollutants would have six months to report their emissions, and a year to submit an application to the town if they are a major emitter.

Q: What will the total cost be to a business required to apply under the by-law?

Facilities required to report their emissions of fine PM and precursor pollutants but are not major emitters will not pay any fees. Major emitters could pay up to \$25,000 plus additional fees for external consulting to conduct the required assessments — estimated at \$3,000 to over \$10,000 depending on the size of the major emitter's operations and complexity of emissions.

For more information on the town's proposed Health Protection and Air Quality By-law, please visit www.oakville.ca/healthprotectionairquality.htm.

Further questions or comments can be sent to healthprotection@oakville.ca.

Draft Health Protection Air Quality By-law for the Town of Oakville

Appendix B: Copies of Letters About the By-law

- Rochester Midland Limited
- Allcolour Paint Limited
- Canadian Manufacturers & Exports
- GWN Chemical Consulting Inc.
- First Canadian Title
- Oakville Chamber of Commerce
- Dufferin Construction Company
- Goodrich Landing Gear Division, Goodrich Aerospace Canada Ltd.



January 21, 2010

Ms. Cindy Toth
Director, Environmental Policy
Town of Oakville
Oakville, Ontario L6J 5A6

healthprotection@oakville.ca

Re: Town of Oakville- Health Protection Air Quality By-Law

Dear Ms. Toth,

I am writing on behalf of Rochester Midland Limited, a manufacturer and distributor of blended chemical products used by Commercial, Institutional and Industrial end users. Offices, laboratory, blending operations, packaging and warehousing are located at our Canadian headquarters in Oakville, Ontario. Currently there are 23 employees who work at this location, plus another 15 sales representatives (10 in Ontario), and approximately 28 Sanor Service representatives across Canada.

Rochester Midland Limited has been in business in Ontario for 107 years and has been in Oakville since 1989. We share in the common interest of helping to make Oakville a healthier place to live and work.

However, based on the "Sources of Fine PM" data, presented during the Business Information Meeting, it is our belief that any positive benefits derived by this proposed by-law would be negligible.

Slide 8 in the presentation indicates that approximately 50% of the Fine Particulate Matter is generated by vehicular sources. In addition, we would estimate that as much as 80-90% of the industrial-sourced Fine PM, is generated outside of the town limits, and as such, is also outside the purview of this by-law.

Accordingly, we are left with the conclusion that this legislative effort is being proposed in order to manage the Fine PM contributions of as small a fraction as ~6% of the total PM in the Oakville airshed.

It should be noted that we believe this bylaw will have a severe impact on existing and future business operations located/ planning to locate in Oakville.

1. The application and monitoring process appears to be financially onerous to small and medium businesses already overburdened with regulatory reporting and monitoring. They don't have Environmental Departments and as such must use expensive outside Engineering Consulting firms for facility/ operations changes.
2. Any potential industrial growth may be stifled by the task of reporting these changes – and getting approvals for these changes by both an Oakville and Ontario Certificate of Approval system. Any competitive edge provided by these changes may be lost due to the time needed to obtain approval. This discourages growth and expansion.
3. Because other municipalities do not have this requirement, the proposed bylaw will, effectively, encourage companies to locate elsewhere. Oakville will get a reputation as not being “Business Friendly ” or even “Business Helpful”. Because existing businesses leave and new business will not locate in town, the tax base will be eroded.
4. The proposed posting of all facilities subject to this by-law on a website, whether or not the facility is a source of major emission, can lead to misunderstanding with the public at large. The listing of facilities subject to this bylaw on a website (even if the company is not a source of major emission) will lead to stigmatization. This can result in the creation of an unfair competitive disadvantage for such companies. Companies outside Oakville will not be on a “List of Polluters” (i.e. “bad companies”) and would not suffer any consequences. While this comment was “ brushed off “ in the meeting, we do have a concern. Rochester Midland Limited has a product line with Ecologo certification. Customers, who are not prepared to wade through the myriad of regulatory nuance, and with the assistance of our competitors, will question how we can have “Environmentally Friendly” products and be “Polluters” at the same time.
5. The proposed posting of the complete application, the peer review reports and comments from the applicants on the Town website may include applicant Confidential Business Information. The release of this information could have major implications for the applicant.

Should the Town of Oakville proceed with this by-law; we wish to provide the following additional comments and suggestions:

1. With all the additional work, monitoring and paperwork this proposed bylaw will generate, does the Town of Oakville have the staffing and infrastructure to handle the Certificate of Approvals process. Will these C of A's be generated within the timelines proposed? What legal recourse do the applicants have if they are not issued within the timeframe? What are the legal ramifications of these delays to both the applicant and Town of Oakville? Will there be compensation to the applicant if business is lost to competitors due to issuance delays? How are the taxpayers going to be affected by legal challenges to this by-law?
2. With reference to the definition of a VOC, Environment Canada recognizes the existence of Low Vapour Pressure VOC's as per the proposed “Volatile Organic Compounds (VOC) Limits for Certain Products Regulations” Canada Gazette I dated

4/26/08. The definition of a Low Vapour Pressure VOC (LVP-VOC's) is based on California Air Resources Board (CARB 2006) definition. Is the Town of Oakville willing to accept the existence and the same definition of LVP-VOC's as outlined in this regulation?

3. With respect to the requirement of the use of a "Peer Reviewer" several issues should be addressed.
 - a. What happens if there is not an "expert " available? How long will additional time be spent locating an expert? Who pays for the search? Is there any compensation to the business if the expert cannot be located within the 90 days?
 - b. What happens if the only expert available is a competitor and/ or has close ties to a competitor?
 - c. What happens if the peer reviewer chosen by the Town is not competent?
 - d. There is no appeals process for the applicant to appeal the choice of reviewer and/ or the results of the peer review.
4. No appeals process is mentioned in the proposed bylaws. The C of A is either issued or it's not. We recommend that an appeals process be established.
5. The fee structure is out of line with reality. As written in the December 22, 2009 draft of the by-law, the cost will be \$25000. The fee will apply to both small and large facilities alike. Small and Medium business have to pay the same onerous fee as very large multinationals like Ford Canada. Certificate of Approvals for Ontario are based on actual improvements made on an individual basis. A small change means a small fee; larger means more. The paperwork costs are also reasonable- in the \$100's or multiples if the installation is large. We recommend that the fee structure be completely reviewed and be based on the actual work being proposed.
6. No mention of how the Town proposes to handle applicant Confidential Business Information is in the proposed bylaws. We recommend that this issue be addressed.
7. We strongly recommend that listing businesses subject to the by-law and listing of major emitters not be published on the Town website. This information is already available on the federal NPRI website. Why duplicate the process and increase the cost?
8. If you must publish a list of businesses subject to the by-laws and list the major emitters, we strongly recommend that only the major emitters be posted. By listing the companies subject to the by-law but who are not major emitters, you are stigmatizing these businesses. They are being placed on the same list as the major emitters.
9. We strongly recommend that, to avoid the possibility of Confidential Business Information being released, the complete application, the peer review reports and comments from the applicants not be placed on the Town website.
10. The presentation did not address unforeseen, (but hopefully one-time) occurrences such as emissions caused by spills. While every responsible company has

infrastructure and procedures in place to prevent (or reduce the effects of) such an event, the possibility exists that spills may occur. As a result of a one-time event, the company emissions may exceed the Regulatory Thresholds for that year. How will the Town of Oakville handle this scenario?

On behalf of Rochester Midland Limited, I would like to express our thanks to the Town of Oakville for providing Industry, Trade and other stakeholders the opportunity to provide our respective perspectives into the regulatory process.

Yours truly,

ROCHESTER MIDLAND LIMITED

George Newbery,
Operations Manager

A handwritten signature in black ink, appearing to read "Newbery", written in a cursive style.



Your *SERVICE* Coatings Company!

ALLCOLOUR PAINT LIMITED

ISO 9001:2000 REGISTERED

January 25, 2010

Cindy Toth, Director
Environmental Policy
Town of Oakville
1225 Trafalgar Road
Oakville, Ontario L6J 5A6

Re: By-Law #2009-197 (Proposed) –Air Emissions

Dear Ms. Toth,

We have attended the meeting at the Town offices on January 19, 2010 in regards to the proposed air emissions by-law. The Town had requested that any comments in regards to this matter be delivered to the Town by 4:00 p.m. January 25, 2010.

The proposed by-law was released for comments on December 22, 2009, however Allcolour Paint Limited only became aware of the proposed by-law just prior to Town hall meeting on Monday January 19, 2010. We received no direct announcement from the Town in regards to this meeting. The period allotted to review and comment on this by-law, which is less than one week, is not sufficient to review and have a sound evaluation of the impact of the by-law on our company. However, we feel that the magnitude of this by-law requires a response from us.

According to the presentation by the Town, the purpose of this proposed legislation is to improve the air quality in the Town of Oakville by specifically reducing the emissions of Fine Particulate Matter. It would appear from the wording of the by-law that the path the Town is choosing to accomplish this is to bring the “major emitters” in to a new proposed regulatory framework. However, we believe that the Town has not considered many factors both in specific regards to Allcolour Paint Limited and business in general.

Allcolour Paint Limited has recently completed a major project for modernizing systems and redesigning manufacturing processes to improve air quality and reduce emissions. Some of the initiatives Allcolour has undertaken include:

- Self contained tanks under nitrogen blanket are now used
- New storage tanks with minimal venting have replaced the previous underground tanks.
- A new ventilation system has been added
- We have installed material grinding equipment that is totally contained and fitted with condensers to capture our process solvent emissions



Our particulate matter emission always has been below the provincial threshold level and the VOC emission has been greatly reduced due to the improvements we have made in our facility. For example, in 2005 the VOC emission was 19 Mg and was reduced to 7.5 Mg in 2008. We expect that the VOC emission has been further reduced for 2009. We are always looking at ways to economically improve our emissions.

Despite the fact that millions of dollars has been spent to improve air quality and emissions have been considerably reduced to below the provincial level, it does not seem to be sufficient to the Town of Oakville and Allcolour Paint Limited will be considered as a major emitter according to the new by-law #2009-197. This will increase our costs as we now have another entity to report as well as having to pay the exorbitant registration fees and additional costs in respect to consultants.

In the meeting of January 19, 2010, the Town has stated that it used the Clarkson Airshed Study as a basis for preparing this proposed by-law. As per the Clarkson Airshed Study (CAS) Part III, the most significant contributor to contaminant concentrations is the Vehicular sector. This was true for PM₁₀, PM_{2.5} and NO_x emissions and accounted for about 50 to 70% of the total measured contaminant values. The industrial sector accounted for only 25 to 35% of the total measures values. The study also concludes that the source of up to 50% of the fine particulate matter in the study area likely comes from the long-range transport from the U.S. Midwest. These are all facts that the Town had presented in the meeting.

Given that the industries are not the major producer of fine particulate matter in this region, we are not convinced that this by-law will achieve the desired effect of significantly reducing the level of fine particulate matter. This by-law will increase the cost of doing business in Oakville without achieving the stated goal.

The by-law as presently written has no clear protocols and there is great uncertainty regarding the assessment, evaluation and approval process. What happens if a business is considered a major emitter and is unable to reduce the emissions? The transition period is very short for a new, untested and unpiloted endeavor.

We believe, that further discussions and consultation with the province is needed to establish emission regulation that is attainable and does not add financial and administrative burden to small companies. The Town's proposed 1 Mg VOC emission threshold deviates greatly from the established provincial threshold of 10 Mg emission. The new VOC threshold level creates a big challenge to the industry in a short period of time and there is no current study to support the selection of 1 Mg as the safe level for the VOC PM precursors. Further studies are needed to support the desired end results and justify the large investments on part of the companies.

We believe industries should implement an abatement program to reduce emission of targeted pollutants to improve air quality in the Oakville area. The focus should be to develop and maintain an industry self-monitoring program to reduce pollutant beyond provincial permitted thresholds. Such programs may be carried out through existing programs and data bases such as the NPRI.



We believe that further time and studies are required in order to obtain the necessary information to formulate a clear plan that will achieve the goal of improving air quality without putting unnecessary financial and administrative burdens on businesses.

Should you wish to discuss any of the above points further with us, please do not hesitate to contact us.

Sincerely,



Charles Chapman, CEO
Allcolour Paint Limited
1257 Speers Road
Oakville, Ontario L6L 2X5
(905) 827-4173



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www.cme-mec.ca

January 22, 2010

His Worship Mayor Rob Burton
Office of the Mayor
Town of Oakville
P.O. Box 310
1225 Trafalgar Road
Oakville, ON L6J 5A6

Tel: 905-338-4173
Fax: 905-815-2001
mayor@oakville.ca

Dear Mayor Burton:

Re: Proposed By-Law 2009-197

I am writing on behalf of the members of Canadian Manufacturers & Exports (CME) regarding Oakville By-Law 2009-197 concerning major emissions of fine particulates in Oakville. CME is Canada's largest trade and industry association. CME promotes the continuous improvement of Canadian manufacturing and exporting through engagement of government at all levels. Its mandate is to promote the competitiveness of Canadian manufacturers and enable the success of Canadian goods and services exporters in markets around the world.

CME's membership is drawn from all sectors of Canada's manufacturing and exporting community and from every province across the country. The association represents Canada's leading global enterprises and more than 85% of CME's members are small and medium-sized enterprises. Together, CME's membership accounts for an estimated 75% of total manufacturing production and 90% of Canada's exports.

We appreciate that you have extensive knowledge in the area of air pollution and health as well as great enthusiasm for protection of the environment. CME members are the same. Our CME Environmental Quality Committee consists of hundreds of environmental professionals (typically the senior most environmental engineer or scientist at the facility) and they are dedicated to ensuring environmental protection in the most effective and efficient manner possible.

While we encourage you and wish to assist you to find ways to improve air quality in your town, we do not believe that the proposed new by-law would be effective in improving air quality for citizens. At the same time, the new by-law would discourage large commercial and industrial development and growth in Oakville.



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New facilities are typically state of the art with all of the new pollution prevention technologies and processes already installed. This is the kind of industry that Oakville needs to attract so that people can live and work sustainably within the community. Existing industries and large commercial sites, including those that currently have approvals for their air emissions from the Ontario Ministry of Environment, would require a facility specific approval under the By-law and could be forced to re-locate due to an inability to meet the Town requirements or the uncertainty as to whether an approval would be obtained from the Town Council and conditions that the Council considers necessary and the potential cost to meet such conditions. These are also the kind of industries that Oakville wants to keep as they are a key component of the community.

As your research shows, emissions of particulates have many sources. Does Oakville intend to apply this by-law to all larger residential (condos) and large developments, including hospitals and shopping centres on a consistent basis? Similarly, new roads and transportation should also be required to comply with the by-law. In fact, impacts from these sources have been found to be more significant than industrial sources in the Clarkson Airshed as noted in the Clarkson Airshed Study, Part III, Air Quality Dispersion Modelling Source, July 2008. The vehicular sector accounted for 50-70% of the PM10, PM2.5 and NOx total measured contaminant values. Industry accounted for 25-35% of the total measured contaminant values. If this is not the intention of the Town of Oakville, then manufacturing would be unfairly targeted with questionable environmental benefit.

CME would also like to understand the assessment of the significance of the impacts that this by-law would have with respect to actual air quality and your assessment of the economic impacts associated with the by-law. Oakville is a relatively small airshed and to determine the impact of specific sources within Oakville would be difficult. According to the Clarkson Airshed Study, Part III, Air Quality Dispersion Modelling Source, July 2008, long-range or transboundary sources and sources outside the Clarkson Airshed study area accounted for 15-60% of the measured contaminant values. Transboundary sources (sources external to Oakville) should also be addressed. This would also be extremely difficult given that even the MOE does not yet have this information (in fact, MOE has devoted significant resources in preparing a study, due out in six months, looking at this very airshed). We believe it would be financially and scientifically irresponsible for the town to proceed further with this by-law until this MOE report is made public.

With respect to the 'public nuisance' provision under the Municipal Act, it is not the small increment that the local industry brings, but the cumulative effect of all sources (transboundary to Oakville) that should be considered and addressed.



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We are very concerned about any adverse impact under this By-law on an organization where the main regulating body (MOE) has determined that the organization is in compliance and should therefore not be considered a major contributor to the 'nuisance'. This approach is counterproductive to environmental improvement.

In summary, the impact on health of the proposed by-law is not measurable at these air pollution levels. Requiring businesses to use valuable resources to have air permits prepared specifically for Oakville, creating the uncertainty as to the requirements which might apply to such businesses, and then requiring such businesses to provide more resources (and a significant amount of resources) for Oakville staff to review them does not make sense at this time. In addition, we would not like to see a patchwork of air emissions requirements throughout Ontario should other municipalities follow suit. Please find attached Appendix A with further specific comments about the proposed by-law.

Yours very truly

Ian Howcroft
Vice President, Ontario Division

Cc:

Hon. Sandra Pupatello
Hon. Jim Bradley
Hon. John Gerretsen
Oakville Town Council



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Appendix A – Specific CME Comments on By-Law 2009-197

1. The "nuisance" impact is based on the *Illness Costs of Air Pollution* (ICAP) model 0.2% increase in base effects. This is very complex as ICAP is not a simple model and because we are dealing with "base" changes, it would mean a lot of issues related to establishing the base. There are not a lot of air monitors in Oakville itself, so this will mean either estimating and modelling numerous sources or estimating backgrounds. This is acceptable for "research" or even for Environmental Assessment level discussions at times, but certainly not something that works well as a "permit" target.
2. Oakville includes VOCs in their list of compounds (as well as a broad "other pollutants as requested"). ICAP does not group VOCs so we are not sure how Oakville intends to deal with this.
3. The by-law is specific in that it is the "person owning or operating" the facility. This legality is unclear to CME with respect to corporations.
4. It is of great concern to CME that Council has three actions in can take. If the emissions are not a nuisance (i.e. below the 0.2% change with ICAP)...Council "MAY" approve, but it will still add conditions (not discussed or indicated). So even if conditions are met for this "standard", council still can decide politically it does not like the project and not approve without an appeal mechanism. (Note that the fines under this bylaw are for operating without permit and other things so even if it is not considered a nuisance, but unapproved, a company could still be in violation).

If over the 0.2%, then Council "SHALL" either refuse the application (note in the case of an existing facility (or "person") would be immediately a "public nuisance" operating without Council approval, subject to up to \$100K fine and \$10K per day)...OR they can accept the application, if deemed to be in the public interest.

In effect, this bylaw opens up any new or existing operation in Oakville to full town council politics; even if the "standard" is met with no appeal mechanism

5. Oakville will only accept modelling with a model approved by the Town. At present MOE accepts AERMOD, but AERMOD does not do the transformation (secondary pollutants) as well as some other issues that Oakville raises. We believe it is likely that Oakville will be suggesting a much more complex and costly model, such as Calpuff. So modelling done for MOE permits, may not even be sufficient for Oakville. The \$25K 'fee', will become small in comparison to what might be required for Oakville permit modelling.

6. According to some preliminary research, the NOx number Oakville is proposing would mean that heaters/boilers over about 10 mmbtu/hour would be captured in this (approximately based on hours of operation per year). This is not a very large boiler for industry, and based on some US EPA statistics, about 20 to 25% of commercial boilers



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(malls, condos, large buildings) would be captured by this requirement as well. This is a great deal of work for a very small source.

Received
Jan. 18/2010

January 16, 2010

Cindy Toth
Director, Environmental Policy
Town of Oakville
P.O. Box 310, 1225 Trafalgar Road
Oakville, Ontario, L6J 5A6

Dear Ms. Toth:

RE: By law 2009-197 - Health and Air Quality Protection Initiative

This letter is in response to Council's request for public input on the proposed by law entitled "Health and Air Quality Protection Initiative". You will remember me from our previous discussions on air quality, and in particular, on the issue of particulate matter from urban open burning. I am unable to attend the meeting on January 19th (13:00 – 16:00). However, I would be happy to arrange for a discussion on this matter at another time of mutual convenience.

I have broken my comments into 3 specific points. I believe that the proposed by law should be modified. There are easier ways for the Town of Oakville to achieve more on this issue.

The Application Process

The by law proposes that all facilities must provide an annual report of their emissions (Item 4). In addition, if they cause a major emission, they need submit a \$25,000 application (Item 6). Proposed facilities are covered by Item 5 in the same fashion. In both cases, the facilities must estimate the impact on air quality using an appropriate dispersion modelling tool.

The Environmental Protection Act is the provincial legislation that governs releases to the environment. The Ministry of the Environment has staff that review applications for Certificates of Approval (Air and Noise). Their staff also provide guidance on how the modelling is to be performed, as well as guidance on what information is to be submitted as part of the application process. All of the pollutants covered by the Town by law are covered by provincial legislation, with all forms of particulate matter covered by regulation, not just fine particulate matter.

This by law envisions a separate application on the same subject matter for any potential large emitter. It would require the Town to have staff resources to support the application and review processes. It is important to realize how many facilities will be covered by this by law, as that will provide an indication of the amount of staff work required. Every facility that has a dust collector must file an annual report. In addition, they need to measure their particulate emissions in order to determine whether their emissions are "major" or not. Metal and wood working facilities are primarily affected. I note that Iroquois Ridge Secondary School also would need to perform this work.

A different approach would be to require that facilities supply a copy of the Application for a Certificate of Approval (Air and Noise) to the Town. This would cover all emitters, of all pollutants. It is easy for the facilities to comply with. It is also easy for the Town to administer – no building permit would be issued to a facility that has not submitted the requisite application copies. This achieves the same result of Part III – Reporting Notes 4, 5 and 6.

GWN Chemical Consulting, Inc.

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I note that the emission factor for NO_x is 1600 kg per million m³ natural gas. 2700 kg/a of NO_x results from space heating resulting from 1.7 million m³/a natural gas. This is less than the natural gas consumption for 500 homes. In addition, NO_x can be released from nitric acid, in the event of certain mishaps. Stainless steel metalworking shops use nitric acid, and would be "major emitters". 500 kg/a of particulate matter may well drag woodworking and welding and machine shops as well as automotive repair shops into the mix. All of these small businesses would be subject to the \$25,000 fee, which will not be easy for them to manage. Again, by using the existing CofA approach, these small companies would not be burdened by new regulations.

Most importantly, this approach leaves the responsibility for administration of the atmosphere with the Province. The environment is an area of provincial jurisdiction, and it is not evident that the proposed by law would be constitutional. In addition, the definition of Part 3 is problematic – the by law must apply to any person or entity that owns or operates a facility – this includes all levels of government.

Land-Use Planning

The by law envisions the use of a land-use planning tool - the ICAP model that estimates the illness costs of air pollution. A decrease in air quality, as would result from the incremental addition of air pollutants, would trigger an increase in negative health impacts. The by law would provide Council with the ability to prevent such new construction or facility modification.

This raises the important question of why stop there? A Land Use Planning Tool was developed in 1995 by MIACC (Major Industrial Accident Council of Canada). The tool is now distributed by the CSCHE (Canadian Society for Chemical Engineering). This takes the issue of land use out of a simple zoning approach, and forces municipalities to consider the nature of all risks that a facility could cause. Council then would decide whether a proposed land use is acceptable within the context of the current and proposed land usage.

A classic Oakville example involves day care centres within the Industrial Zone. Health care, senior citizen homes and child care facilities are considered "sensitive receptors". Such facilities are the least risk tolerant. However, day care centres are allowed to lease space within the Industrial Zone regardless of their neighbours. No one has reviewed the risk imposed by normal operations nor the risks associated with accidents.

The by law demonstrates that the Town will begin to use a risk based land-use planning approach, but only for major emitters of smog related air pollutants. There should be some discussion as to whether the Town is planning to move into a land use planning framework, or whether this will be a one off approach.

The Smog Issue

There is no doubt that smog (SO₂, NO_x, particulate matter) leads to negative health impacts. There are emissions of SO₂ and NO_x generated by natural gas heating as well as transportation fuels. The growth in the population base will lead to increased emissions from the Town, with a concomitant reduction in air quality. There is nothing that the Town can do about these emissions. In addition, a major contributor to fine particulate matter is road dust. Does this mean that new road design and construction falls under this by law? Do the salting and sanding operations fall under this by law as they are major contributors of fine particulate matter?

There are matters within the Town's control that will have an impact on air quality, and the primary one involves urban burning and fireplaces. The EPA ("A Summary of the Emissions Characterization and Noncancer Respiratory Effects of Wood Smoke", EPA-453/93-036) has issued a study that reports the emissions from wood burning devices. The emission rates are particulate matter (7-30 g/kg wood), NO_x (0.7 – 40 g/kg wood), and VOCs (20 – 52 g/kg wood).

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500 kg of particulate matter are generated from the burning of 20 tonnes of wood – which is an average of less than 200 g per Oakville person per annum. The NOx limit of 2700 kg/a results from each Oakville resident burning 2.7 kg/a.

The Town of Oakville participates in the Clean Air Partnership, which runs the GTA Smog Summit annually. This past year, the council has published a “Municipal Code of Practice for Indoor and Outdoor Fireplaces including Open Burning in Ontario”. This document summarizes the health effects of smog, and the impact of wood burning devices on local air quality.

The Town of Oakville has the information in hand to make a dramatic improvement in smog levels through applying the recommendations of the Clean Air Partnership. The steps include banning outdoor burning, and working to convert indoor fireplaces to modern clean burning types. The sources are at or near ground level. As a consequence, the pollutants do not disperse into the airshed, but remain local. When you walk through neighbourhoods in winter, you can walk through waves of wood smoke. If you live beside someone who heats with wood, you are subjected daily to higher levels of smoke.

The Town wishes to improve air, and it wishes to regulate particulate matter, VOCs SOx and NOx. It seems clear – the issue of reducing and controlling wood burning needs to be addressed.

Summary

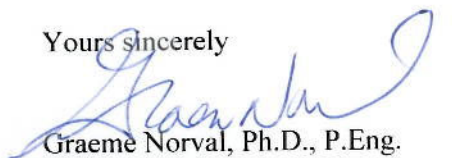
I appreciate the goal of the by law. I am worried about the impact of this by law on small businesses. The application fee is exceedingly high, and many small companies will be forced to apply, as they “MAY” cause a major emission. Remember, companies with less than 10 employees (20,000 hrs/a) do not need to report to NPRI, and so they are not in the habit of recording data and reporting. The term “may cause a major emission” is interpreted as being possible, not usual or probable. This by law will be quite imposing, and it will cause headaches for the small business owners.

I am bothered by the use of the ICAP model for air pollution, without taking a broader look at the entire subject of risk based land use planning. And I fail to understand why the town is targeting major emitters of smog producing chemicals and ignoring the obvious problem of wood burning, when emission from wood burning will continue to grow with Oakville. I suggest that council reflect on the by law, before passing it.

And, I strongly urge council to consider the hypocrisy associated with preventing a natural gas fired power station from being in Oakville due to the detrimental effect on air quality, while allowing everyone to burn wood in any device of their choosing, with no worry about the detrimental impacts on air quality.

I would be happy to discuss this with you in more detail.

Yours sincerely



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cc. R. Burton, Mayor

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2235 Sheridan Garden Drive, Oakville, Ontario L6J 7Y5

January 25, 2010

Ms Cindy Toth
Director, Environmental Policy
Town of Oakville
PO Box 310
1225 Trafalgar Road
Oakville, ON L6J 5A6

Dear Ms Toth:

I am responding on behalf of First Canadian Title to the Town of Oakville's Draft Health Protection Air Quality By-Law, released by the Town Council for public consultation.

To begin we are very supportive of initiatives to improve public health within the Clarkson Airshed. Our company is located in this airshed and many of our employees live in neighboring areas.

We have reviewed the draft by-law and are very concerned that the Town will require that we conduct the emissions test or perform detailed emissions calculations. We are at a loss to ascertain how our activity in the financial services sector contributes to the creation of air pollutants that have a detrimental effect on human health.

We have no smoke stacks nor do we utilize noxious substances in our everyday operations. We have undertaken considerable efforts to reduce our footprint, improve the local environment by planting trees on our property and local properties and provide stewardship to the adjacent conservation area, Wildflower Woods. The Conservation Authority recognized our activities in 2009 with the Corporate Business Award.

.../2

While we appreciate that the intent is to capture and control major emitters, we are clearly not in this category. The by-law needs to include minimum thresholds where local operations have nominal impacts and should be excluded. Otherwise this by-law will add unnecessary costs to the operation of companies in Oakville, particularly in a sector, which according to the recent Oakville Economic Development Strategy is a priority for local attraction and retention. This is a costly endeavour particularly when our competitors in other jurisdictions do not face similar costs; and the recovery from the recent economic downturn has not fully emerged.

As such I urge Council to focus on companies that currently must report their emissions under the National Pollutant Release Inventory (NPRI). Otherwise many local companies will have to undertake the very costly and unnecessary process identified in the by-law that will have an insignificant impact on the Oakville airshed.

I appreciate the opportunity to comment on this by-law. Should you have any further questions please do not hesitate to contact me at 905 287-3379.

Sincerely,


Wendy Rixella

Copy: John Sawyer, Oakville Chamber of Commerce.



**Submission from Oakville Chamber of Commerce
Regarding the Town of Oakville's
Draft Health Protection Air Quality By-Law**

Thank you for the opportunity to provide comments on the draft Health Protection Air Quality By-Law. First we greatly appreciate the business information meeting on January 19th arranged by the Town; it was informative for our members and business at large. As well we would like to thank Cindy Toth in particular for her assistance and availability to respond to questions about the by-law.

Who We Are:

A not-for-profit organization, the Oakville Chamber of Commerce was established in 1949. The Chamber's Membership has grown to over 1,100 businesses collectively representing over 33,000 employees. The Chamber is one of the largest associations of any kind in the Town of Oakville.

The Chamber is the voice of the Oakville business community. We provide member benefits which include advocacy, corporate benefits, networking opportunities, business development and educational forums. Our mission is to foster a healthy economic environment for Oakville.

In 2007 The Oakville Chamber was the recipient of the Chair's Award. This award is presented annually by the Ontario Chamber of Commerce to Chambers that develop outstanding new programs. The Oakville Chamber is an active member of both the Canadian and Ontario Chambers of Commerce.

Our Position:

The Oakville Chamber of Commerce agrees with proposals that are intended to improve the air quality and human health in Oakville. The Chamber fully supports the initiative of Town Council to seek provincial government regulation of fine particulate matter. To that end we will be writing the Minister of the Environment, the Honourable John Gerrettsen, and the Environmental Commissioner of Ontario, Gordon Miller, to state our support for provincial regulation of PM 2.5 and PM 10, and to encourage the province to adopt a firm deadline for introducing an action plan and deadline for implementation .

While we are supportive of the intent of the by-law and the actions undertaken by Council to encourage the province to regulate PM 2.5 and PM 10, we are not supportive of a municipal by-law to the same effect. Our lack of support for the proposed by-law should not be misconstrued as support for the proposed power plant by Council or any local residents. These are two very different things.

We appreciate the concerns over the proposed power plant. Our members are residents too and they reflect the greater Oakville population. However, we also understand that this by-law is another method the Town is undertaking to block the plant. As a result, many local businesses fear being vilified should they speak out against any aspect of this proposed by-law. The Chamber advocates on behalf of its members and we estimate that every facility in Oakville will be required to comply with this by-law as it currently stands.

Our immediate concern is that Council has gone fishing to catch a “big tuna” but it will end up catching hundreds of dolphins in the process. The By-law, if passed, will create a great deal of uncertainty, cost, and duplicated regulatory burdens for local businesses and may lead to unintended consequences that will ultimately not be in the best interests of our community from a fiscal and environmental standpoint. Oakville does not exist in a bubble and therefore, issues impacting air quality, can not be successfully regulated as such. This matter falls within the domain of the Province of Ontario and the Government of Canada.

The Chamber would like to explain why this by-law will have a very significant impact on local businesses and what it will mean for Oakville’s future. The issues for the Chamber are as follows:

1. Airshed /Ability to Achieve reduce PM2.5 and PM10
2. Number of Companies Affected
3. Uncertain and Subjective Process
4. Duplicative regulatory regimes and new reporting requirements
5. Excessive Cost
6. Short Review and Transition Time
7. Uncompetitive
8. Unintended Consequences
9. Outcomes
10. Recommendations

1. Airshed /Ability to Achieve a Reduction in PM 2.5 and PM 10

It is uncertain how these PM emissions can be captured and distinguished from the ambient air, particularly when the Town of Oakville is at the cross roads of multiple 400 system highways – QEW, 403, 401 and 407. A number of modeling softwares were discussed at the business information consultation but it was unclear whether there are acceptable widely used standards and protocols to assess these cumulative effects. As it is

currently drafted the proposed bylaw would require every company to produce a study of its ambient air quality. This would be an onerous burden to place on a small company.

According to the Clarkson Airshed Study that the Town has used as the basis for its policy decision, up to 50% of the fine particulate matter (PM) is coming from long – range transport, from as far away as the US Midwest when the PM peaks at 12 micrograms per cubic metre in the summer. As such only about 50% of the PM in the airshed is local to Ontario. Of the remaining 6 micrograms the majority is still from vehicular traffic with less than 2 of the 12 micrograms arising from industries within the Clarkson Airshed.

The Clarkson Airshed extends beyond Oakville and includes Mississauga. So in effect, industrial emissions from Oakville likely constitute **less than** 5-8% of the actual PM 2.5 and PM 10 emissions. As such very little of the PM can be attributable to facilities located in Oakville.

The CAS is based on measurements taken in 2004. There have been a number of significant changes to the local industrial landscape since then that time. Specifically the CAS refers to The Oakville Petro-Canada refinery, the Lakeview Generating Station and the Ford Truck Plant, all of which were closed after 2004. Further, Ford has invested over \$1 billion dollars in upgrades to its Oakville assembly plant.. We are concerned that the 2004 data does not truly reflect today's reality.

At the provincial level, although long overdue, various events and initiatives have now created a new imperative for a cumulative approach to setting air quality standards in Ontario. As a result of a recent court decision to deny a Certificate of Approval to LaFarge Cement, following a challenge by residents over concerns of cumulative impacts, the Environmental Commissioner of Ontario(ECO) commissioned a study of various policy approaches and scientific models for addressing cumulative effects of contaminants in airsheds. The findings were posted to the ECO website in December, 2009 and forwarded to the Ministry of Environment for further action.

In November 2009, the Ontario Ministry of Environment established a task force to develop an action plan for improving air quality in the Southwest Greater Toronto Area. On January 15th of this year, the membership of the Task Force was announced; included are local Oakville residents, well known advocates on matters of public health and air quality and representation from the Town of Oakville. The Chamber wholly supports these airshed wide approaches to addressing air quality. We encourage the Town to fully participate in this process and work towards the June deadline.

2. Number of Companies

In comments by municipal officials at the business information meeting, officials indicated that approximately 12 companies who are considered “major emitters” would subsequently be declared a “public nuisance.” However between 80-200 companies would be classified as “major emitters”. In addition, every facility in Oakville will be required to comply with the reporting requirement

With respect to the estimated number of “major emitters” who will be declared public nuisances by the Town, the proposed by-law severely reduces the regulatory reporting thresholds for VOCs, NO_x, and SO₂. Ontario Regulation 455/09 made under the *Ontario Toxic Reductions Act, 2009* and Environment Canada’s *National Pollutants Act* have similar standards of 10,000 VOCs kg/year; 20,000 NO_x kg/year; and, 20,000 SO₂ kg/year. The Town is proposing that the new emission reporting thresholds at a 10th of these federal and provincial regulatory thresholds to 1,000 VOCs; 2,700 NO_x and 2,000 SO₂ kg/year, respectively.

The rationale for this specific level as we understand are that these substances are precursors and can lead to a greater increase in PM in the air. However there is no rationale or supporting documentation to indicate for why a standard was chosen at one-tenth the provincial and federal thresholds, as opposed to one-half, one-third or one-quarter of the provincial and federal thresholds. No independent scientific research verifies the adoption of these standards.

We are unclear as to the Town’s regulatory authority regarding emissions of VOCs, NO_x, and SO₂ as the province and federal government already have established regulations regarding such emissions

With respect to the reporting requirement, every business in Oakville will be affected. The breadth of the application of the by-law on local business is extensive as the health-risk air pollutants identified in the by-law include the three most common emissions from virtually every source: NO_x, VOCs and PM. As such, an artisan’s wood working shop would fall under the by-law; any auto body shop engaged in painting cars would fall under it and local welding operations, such as an iron-working business would fall under it. While the majority of these firms may not exceed the targets to be major emitters, they would still be required to calculate and /or report their emissions, which would require them to hire an external consultant and meet the reporting requirements.

More alarming as there is no minimum threshold for SO₂ and NO_x, all buildings with emissions will be required to conduct and file a report. As Randall Goodwin, BSC, PGeo the Senior Environmental Scientist at Kodiak Environmental has described, “*Because the proposed by-law includes SO₂ and NO_x (without a minimum threshold) all buildings that have a heating system will be required to report the emissions from the furnace or boiler regardless of any other industrial emissions.*” As such, as the by-law stands every facility in Oakville will have to conduct the emissions test or perform detailed emissions calculations. As well, if any changes to their facility would require testing or calculations updates.

One local paint company has invested millions of dollars to upgrade its facility and reduce emissions. It is now one of the top three green paint facilities in the country. It generally operates slightly above one-tenth of the federal and provincial reporting thresholds. It will not achieve the proposed municipal emissions threshold. This company manufactures high quality industrial coatings that prevent early rusting on bridges, the interior & exterior of water towers, ships & a host of other manufactured metal products that both protect & beautify the world we live in. The proposed municipal emission

standards make it a “major emitter” and thus a “public nuisance” in Oakville when it is readily identified as a green champion in its sector. Will it now become a target for other municipalities for relocation?

A further concern is that these municipal thresholds will capture a number of business sectors as “major emitters.” For instance experts in attendance identified that a body shop with 4 bays would now be classified as a “major emitter” and subject to the internal costs of following this proposed by-law as well as the municipal fees. The net is too widely cast, minimum thresholds and harmonized emissions targets need to be set.

3. Uncertain and Subjective Process

The administrative and decision making process described in the by-law creates uncertainty; it is void of specific standards and scientific rationale to guide evaluation, and final authority to determine ‘peer review’ and ‘public interest’ rests with elected officials who may or may not have subject matter expertise. Uncertainty is antithetical to business investment decision-making - the greater the uncertainty, the less likely the business will be willing to invest.

Specifically there are numerous uncertainties in this by-law:

- What is the methodology and standards to assess emissions?
- What are the qualifications for the peer reviewer?
- What are the “public interest” criteria -the basis on which the council makes its decision?
- What is the mitigation process?
- What are the costs of mitigation?
- What are the conditions that the Town can put on an approval for a major emitter?
- What if the Town declares an existing company who is defined as a major emitter under the by-law a public nuisance? What happens to them?
- The ICAP and AERMOD models do not estimate particulate matter due to secondary formation of precursor pollutants (specifically VOCs). What models does the Town suggest facilities utilize?

Bylaw Section 2 c) clearly states that the purpose of the by-law is *“to encourage public participation in Council decision-making on major emissions of health-risk air pollutants.”* The by-law is a clear departure from science-based approaches to determining the risk to human health from emissions. It is allowing subjective perceptions about the impact of a facility to enter the decision making process. While previously a company could rely on the issuance of a Certificate of Approval by the Province for its air emissions, it may be refused approval by an elected local council based on constituency pressures and declared a “public nuisance.”

According to The Town of Oakville statistics, 66% of all emissions are created by a combination of residential and vehicular uses within the Town. As constructed, the current by-law could be interpreted to define a residential property as a ‘facility’. Does this mean that a group of residents can petition the Council to declare a neighbour “a public nuisance?”

There are many unanswered questions and omitted standards in this by-law that could have fundamental ramifications on a company's on a company's operations and/or plans to invest in our community

4. Duplicative regulatory regimes and new reporting requirements

Under the *Ontario Environmental Protection Act (OEPA)*, any new or modified source of air contaminants is required to obtain a Certificate of Approval (C of A) air permit prior to construction or operation. The permit application process, including the methodology to assess the air impacts of the proposed new source, is specified in Ontario Regulation 419/05 (O. Reg. 419/05).

Federally under the authority of the *Canadian Environmental Protection Act, 1999* (CEPA 1999), owners or operators of facilities that meet the criteria specified in the annual [Notice with respect to substances in the NPRI](#), published in the *Canada Gazette*, are required to report to Environment Canada by the annual June 1st reporting deadline. The Notice for December 5, 2009 lists 232 pollutants that companies have to report.

The Town is creating an additional regulatory burden and cost for companies who are already seeking approvals provincially and reporting nationally. It will also require that every facility in the municipality meet its reporting requirements. As with all business regulation for licensing and taxation, businesses want streamlined and reduced regulatory burdens in order to reduce their costs and keep their businesses competitive.

This By-law will also introduce new modelling and calculation requirements not previously required by either the Ontario or Federal governments. Most affected facilities are unfamiliar with the ICAP model and will need time to review its affects on their industry. A baseline needs to be established, Consultants need to be found that have a familiarity with this model (or something similar) and a determination needs to be conducted on the implications of the proposed By-law on their facility.

5. Excessive Cost

In addition to requiring many companies to duplicate federal and provincial processes, the prescribed process in the by-law requires that the company conduct its own assessment of PM 2.5, and PM 10. It appears that a company will be required to conduct an evaluation of the air concentrations across the airshed of fine particulate matter due to direct emissions, secondary formation from facility emitted precursor pollutants as well as using existing airshed levels. The introduction of this requirement will not only require the use of the ICAP model, which as stated previously, is not yet understood by the affected industries and their consultants, but a new model as well. AERMOD, currently used by many industries, as well as ICAP does not estimate levels of fine particulate matter from precursor pollutants. An appropriate, Town-approved model would need to be found to conduct these calculations. Therefore, another baseline model will need to be established for a third dispersion model such as Calpuff.

For many Oakville companies captured by the reporting requirements in absence of minimum thresholds and significantly lower federal and provincial thresholds, the by-law will compel them to do these assessments for the first time.

To meet the needs of the by-law each company will hire its own expert consultant to conduct the initial study. Then the Town is proposing that the company pay a fee of \$25,000 for the Town to hire a consultant of the Town's choosing who will peer review the company's results.

This is a significant cost to undertake for many companies, particularly in comparison to their competitors from other jurisdictions in the GTA. Many of the companies that will be affected by this by-law are small and medium sized enterprises. Oakville has a number of manufacturers that are 5-10 person operations who will find this severely onerous and costly.

Not only is the cost excessive for companies; it will be expensive for the Town to conduct assessments of its own buildings. Will the Town peer review the work of the initial consultant it hires to conduct assessments of its buildings? Surely a list of acceptable consultants who meet professional standards can be identified by the Town from which the Company can choose without a need for peer review. Qualified consultants can pay for the process to be approved and placed on this list of "approved consultants".

Furthermore on the issue of costs, what has the Town spent to date on this legal advice? What has the Town spent on the advice of the multiple experts on human physiology and air-pollutant modelling? What will we spend in the future on these costs? What will be spent on the legal fees to defend this by-law if it ends in legal dispute because of the uncertain and seemingly subjective processes? This will affect all taxpayers: business and residents.

6. Short Review and Transition Time

The Town has proposed this bylaw in December, held a briefing session on January 19th, asked for written commitments by January 25th with the intent to pass the by-law on February 1st. The timetable for a by-law that will have a fundamental impact on all Oakville businesses including and beyond our membership has been far too quick. It is premature and those affected by this proposal need more time to understand the full implications of this By-law on their operations.

Furthermore, the implementation time frame is too fast, which will result in confusion and uncertainty. The Town has indicated that it will take a year to develop its guidelines, how can businesses be required to provide a report in one-year when the guidelines are being developed concurrently?

7. Uncompetitive

Two of the key objectives of the recently passed Oakville Economic Development Strategy are to: 1) attract businesses from sectors of advanced manufacturing as well as 2) retain existing businesses. If this by-law passes, it will be difficult for the Town to meet these goals, particularly as neighboring jurisdictions do not have a similar by-law. This type of regulation should be mandated by the province, in a manner that would impact all jurisdictions on an equal basis.

As previously described, a local Oakville company with a provincial Certificate of Approval could be declared a “public nuisance”. Its competitor located in another jurisdiction could have a poorer emissions track record but not face a derogatory label by its local council. The Oakville company would be placed at a competitive disadvantage as a result of this label as its competitors could effectively reference and market against the Oakville company referencing the Town’s website, even though the converse was true, that the Oakville company’s emissions were less. Given this potential risk to its brand why would a company risk its name and reputation to operate in Oakville?

8. Unintended Consequences

The most worrying scenario will be that the by-law will result in the opposite of what it is intended to do. Will the cost, severity, uncertainty, duplication and subjectivity of the by-law result in the companies leaving Oakville and taking their jobs with them? Does this by-law make Oakville a likely recruiting location by other municipalities? Will a company just move across our municipal border, remove its contributions to Oakville’s tax base, and still impact the airshed?

Oakville already has 63% of its residents commuting to jobs outside of its borders. Will an unintended consequence be that companies move from Oakville, causing an increase in vehicular traffic and commuter emissions due to residents commuting to the same job that was previously located within the municipality as a result of the by-law? This is a scenario that we do not want to see happen.

9 Outcomes

What reduction in PM emissions does the Town project will result from implementing the proposed by-law? Is a copy of the cost benefit analysis available for review? The Clarkson Airshed Study clearly illustrates that very limited industrial emissions of PM 2.5 actually originate in Oakville. It is important that the Town define the expected outcome from the imposition of an air emission by-law (show projections with number of companies and target reduction that is evidence based)

10 Recommendations

1/ That Council not proceed with the proposed by-law. Pursue provincial regulation instead of a local by-law to effectively manage the human health impacts of air emissions, without unduly burdening the time and expense to local companies. Recognize the impact of emissions generated by other factors within the community as

well as the impact of emissions from other sources outside the community. A local by-law does nothing to address these contributing factors/sources. Provincial regulation will eliminate the cost and time for the Town (and subsequently the local taxpayer), in implementing such a by-law locally.

2/ Should Council remain intent on passing a local by-law to regulate emissions, it should delay such passage until reasonable time has been given to allow the province to respond to the Town's request for provincial regulation and/or to allow for proper consultation with the business community.

Conclusion

As much as we dislike finding ourselves in the midst of a divisive issue, we have a responsibility to our members and all business in Oakville to advocate on issues that will have a significant impact on our community. We appreciate that your goal is to catch your tuna with this timeframe, but as it stands, this by-law will kill a lot of dolphins in the process.

The by-law as it stands is not functional. It is too broad as it demands a report from every facility in Oakville. It is too costly in a two phase approach to emissions testing. It is too subjective permitting scientific issues to be swayed by pressure politics. It places Oakville businesses at a disadvantage to their competitors in other jurisdictions. And most importantly, there is a real possibility that it will have the opposite effect from intended and negatively impact the local community both from a fiscal and environmental standpoint.

We encourage Council to pursue provincial regulation. We also encourage council to step back and consider the long term impact of this by-law on its local businesses, the environment, and its own budget and property taxes.



January 25, 2010

Cindy Toth, Director, Environmental Policy
Town of Oakville
1225 Trafalgar Road
Oakville, Ontario
L6J 5A6

Town of Oakville – Proposed By-Law No. 2009-197

Dear Ms. Toth,

This is further to the meeting on January 19th at Oakville Town Hall for local industries to discuss the proposed By-law No. 2009-197 (“By-law”).

Dufferin Construction Company, a division of Holcim (Canada) Inc., operates the asphalt plant located at 731 Third Line in Oakville. The facility has a Certificate of Approval (Air) with the Ministry of Environment (MOE). Based on the facility emissions reported to the National Pollutant Release Inventory (NPRI), the facility would be classified as a major emitter under this proposed Town of Oakville (“Town”) By-law since the facility meets the emission thresholds for PM-10 and PM-2.5.

Dufferin recognizes the intent of the Town as being the prevention and reduction of adverse effects to its residents and public health due to fine particulate matter in the Town. However, Dufferin has significant concerns about the legality, appropriateness and effectiveness of this proposed by-law.

We do not believe that Oakville has the jurisdiction to pass this by-law under the *Municipal Act*. We believe this by-law would invariably conflict with the Certificate of Approval process under the Ontario *Environmental Protection Act*.

We also note that a review of the current scientific literature and available data would indicate that the major source of fine particulate emissions has been erroneously defined in the By-law as being industry-driven while data would suggest that industry is a minor source in Oakville, especially compared to residential wood-burning appliances. A summary of current scientific literature and data on this matter is attached to this letter in Appendix 1 – Technical Information. We recommend that, at the very least, Oakville postpone adopting this proposed bylaw until the ongoing study to assess air quality issues in The Southwest Greater Toronto Area, under the leadership of Dr. David Balsillie, release its report in mid-2010.

Should the Town of Oakville still decide to regulate industry, which we do not believe is warranted in light of the EPA regime, the bylaw should be modified as currently the emissions threshold to be regulated is the equivalent to the releases from only 7 average suburban residences. Major sources should be defined as sources of at least 20 tonnes of PM10 or PM2.5 per year, which would apply only to very large facilities where end of pipe controls may be available.



In addition to the comments above Dufferin Construction has prepared the following list of technical questions, comments and concerns regarding the proposed By-law:

- The by-law should provide that where approval conflicts with an approval under the EPA, the latter prevails.
- Dufferin suggests that the Town should screen and approve consulting firms specializing in air modelling that major emitters can use to complete their application, in lieu of requiring a Town peer review.
- Dufferin suggests that the content of the application should be similar to the current Emission Summary and Dispersion Modelling (ESDM) report guidelines used by the MOE, allowing facilities to use their existing ESDM report to complete the application.
- Will there be an opportunity for the public to comment on any application standards or template documents created by the Town?
- What is the list of the Town approved atmospheric dispersion models? To remain consistent with the MOE CofA (Air) process, Dufferin suggests the Town adopt the same approved advanced atmospheric dispersion models required by the MOE.
- Due to a lack of data to assess start-up, shut-down and malfunctioning (“SSM”) emissions, the MOE decided not to require facilities to assess their SSM emissions. Dufferin requests that the Town not require major emitters to assess their SSM emissions.
- How do facilities determine the ambient air quality as part of the evaluation process? Is the ambient air quality data taken from the Clarkson Airshed Study? If so, are there air quality monitoring stations in Oakville that represent different types of industrial land use (i.e. industry located next to 400 series highway, heavy industrial, medium/light industrial, etc) in order for a major emitter to obtain ambient data that is relevant to the location of their facility?
- Dufferin requests the following be exempt from this By-law:
 - any facility, operation or process that is exempt from s.9 of the Ontario Environmental Protection Act;
 - Any facility, operation or process that is exempt from the MOE’s CofA (Air) requirements (as listed in O. Reg. 524/98); and
 - Any type of source that is exempt from the National Pollutant Release Inventory (NPRI) requirements including mobile sources such as vehicles, road construction projects/equipment, etc.
- Will the By-Law reporting system be implemented through the One Window to National Environmental Reporting System (OWNERS) to reduce the amount of reporting duplication?
- The By-law and the presentation at the January 19th meeting states that the Town will assess each site on a case-by-case basis and that the standards imposed by the Town will be site specific. Since each major emitter will be reviewed on a case-by-case basis and the By-law does not list air standards that apply to major emitters, how will the Town ensure that the entire application and approval process is consistent and fair to all major emitters?



If you have any questions regarding the contents of this letter, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Scott Winger", with a long horizontal flourish extending to the right.

Scott Winger,
Dufferin Construction Company, a division of Holcim (Canada) Inc.

cc: Andrea Bourrie, Holcim (Canada) Inc.
Luc Robitaille, Holcim (Canada) Inc.

Attachment 1 – Technical Information

A review of data submitted to the NPRI suggests that only 7 sources of PM_{2.5} and 8 sources of PM₁₀ would meet the definition of a "major emission" and therefore would be subject to the proposed bylaw. Adding all the reported releases in Oakville together would amount to 8.58 tons of PM_{2.5} and 13.31 tons of PM₁₀. This volume, at first glance, may appear to be important, but when placed into the context of the Clarkson Airshed, represents a very small volume when compared to what we believe to be the most significant source of PM in Oakville, outside of transportation, namely residential wood combustion.

Industrial sources are already strictly regulated under O. Reg. 419 (and others) that control particulate emissions at each industrial facility's boundaries and that any additional requirements for industry in the proposed bylaw would be duplicative and almost certainly would not serve to improve air quality in any significant way.

Using data from the US EPA, but most significantly from Toronto, Montreal and Vancouver, the threshold to be defined as a "major emission" source is equivalent to the residential emissions from 7 to 8 average residences with wood burning appliances and that the total emission reported by industry in Oakville, a predominantly residential community, amount to the equivalent of 143 homes (average emissions per home of PM_{2.5} of 60 to 69 kg/yr).

The emission factors used in the calculation above come from the 2002 Discussion Document on Options to Reduce Emissions from Residential Wood Burning Appliances from the Woodheat Council (<http://www.woodheat.org/canadaregulation/optionspaper.htm>). The report indicates that according to Environment Canada data, residential wood combustion is:

- the fourth highest source of PM_{2.5} emissions in Canada (behind forest fires, dust from unpaved roads, and dust from paved roads);
- the seventh highest source of PM₁₀ emissions in Canada (behind dust from unpaved roads, tilling and wind erosion, forest fires, construction, dust from paved roads, and agriculture); and
- the sixth highest source of VOC emissions (behind forest fires, upstream oil and gas industry, light duty gasoline vehicles, general solvent use, and light duty gasoline trucks).

Except for upstream oil and gas and general solvent use for VOCs, no industrial sector ranks ahead of residential wood combustion.

Dr. Sheela V. Basrur Medical Officer of Health released in 2002 for the City of Toronto a study entitled Air Pollution from Wood-burning Fireplaces and Stoves (http://www.toronto.ca/health/hphe/pdf/techreport_fireplaces.pdf). The study indicates that residential wood burning accounts for 11 percent of the PM_{2.5} found in Ontario's air, 0.8 percent of the total particulate matter (PM), and 15 percent of volatile organic compounds (VOCs) (OMOE, 1999). Residential wood-burning emissions also contain carcinogenic compounds, including polycyclic aromatic hydrocarbons (PAH), benzene, formaldehyde and dioxins (NEIPTG, 2000; Larson and Koenig, 1994; ERMD, 2000). An estimated ninety-eight percent of the total PM emitted by residential wood combustion is in the respirable category, PM_{2.5} (OMOE, 1999). PM_{2.5} can be respired deep into the human lung. Finally, the study concludes by saying that British Columbia is currently the only Canadian province that requires

new residential wood-burning appliances to be CSA/EPA certified when they are sold. Older, existing wood stoves or products purchased outside of British Columbia are exempt.

The Clarkson Airshed Study determined that the contaminant Acrolein is problematic. A joint study conducted by the Communauté urbaine de Montréal, Environment Canada, and the Direction de la santé publique de Montréal-Centre, which assessed the impacts of wood-burning during the winter of 1998-99, determined that Acrolein concentrations are related to wood burning activities. The study compared levels of air pollutants in an area considered to be highly influenced by residential wood combustion (a suburban residential community on the outskirts of Montreal, quite similar to Oakville) to levels in downtown Montreal (not influenced by residential wood combustion). The study showed a link between residential wood combustion and increased levels of air pollutants in this community compared to downtown Montreal: The results showed:

- a 45% increase in polycyclic aromatic hydrocarbons (PAHs);
- up to a 200% increase in some VOCs, in particular Acrolein;
- from 40 to 100% increase in PM_{2.5}; and
- a 40% increase in some metals.

Similar findings have been reported in British Columbia in the Residential Wood Burning in British Columbia, British Columbia Ministry of Environment Environmental Protection Division Water, Air and Climate Change Branch and Wood Smoke Intake Fraction for Metro Vancouver, BC Lung Air Quality & Health Workshop - 03/28/08, Francis Ries, P. Eng. - UBC RMES PhD, Year 2

http://www.cher.ubc.ca/UBCBAQS/Presentations/BCLung2008/Ries_BC_%20Lung08.pdf (http://www.bcairquality.ca/reports/pdfs/woodstove_emissions_0706.pdf) where the report states that 90% of winter Particulate Matter are the result of wood smoke in Pacific Northwest Cities. It is important to note that 90 to 95% of all particulate matter from residential wood combustion falls within the PM_{2.5} fraction and nearly 90% is in the less than the 1 micron range, therefore highly respirable.

The overwhelming evidence from these and a large number of other scientific studies would indicate that the most effective way for the City of Oakville to protect the health of its citizens would be to focus on the most significant source of particulates (outside of transportation) and of Acrolein in the Town, namely by regulating through its bylaws, the use of residential wood combustion appliances and not by imposing duplicative requirements on local industry, evidently a minor source of particulate emissions in the Town.

Another relevant study for the Town of Oakville to refer to is a study that was completed by the US Department of Health and Human Services' Agency for Toxic Substances and Disease Registry Division of Toxicology and Environmental Medicine in the communities around Seattle in 2008. The area bears a striking resemblance to the SW GTA in its industrial and residential makeup. Excerpts from the study are included below in italics:

SUMMARY OF RESULTS OF THE DUWAMISH VALLEY REGIONAL MODELING AND
HEALTH RISK ASSESSMENT
SEATTLE, WASHINGTON
JULY 14, 2008

The results of the assessment indicated that stationary sources (e.g., factories, cement plants) make up only about 4% of the overall long-term health risk associated with air pollution in the region. Mobile sources (i.e., cars, trucks, buses, ships, planes, trains) and wood stove/fireplace emissions are thought to make up the bulk of air pollution health risk in the region. Diesel particulate, benzene and formaldehyde from car and truck emissions, and wood smoke were identified as being the toxic air pollutants that make up the bulk of risk.

While these pollutants were identified on a regional scale, the residential communities that border industrial areas expressed concerns that their neighborhoods may be situated in "hotspots," or areas of increased impact from pollutants. For example, of the six air toxics monitoring sites in King County, risks from the 17 pollutants were greatest at the Georgetown site (located in the Duwamish Valley). Given that there are residential communities in and around the Duwamish Valley, there may be "hotspots" located in residential areas where monitoring is not occurring or has not occurred.

Similar to cancer risk, non cancer hazards are highest near major roadways. Hazard indices decrease with distance from the center of highways, but exceed one up to a few hundred meters on either side of major highways. Acrolein is the primary contaminant associated with non- cancer hazards from road sources. The following four pollutants are the main contributors to non-cancer hazards from mobile sources in descending order. Acrolein, Formaldehyde, Diesel Engine Exhaust, Particulate Matter, Nitrogen Dioxide

Wood Stove Sources

Theoretical cancer risk

Estimated theoretical cancer risks attributable to wood stove sources in south Seattle are roughly in the 1×10^{-4} to 5×10^{-4} (1 to 5 excess cancers per 10,000 people exposed) range throughout most of the project area. Woodstoves and fireplaces contribute to theoretical cancer risk in south Seattle. This is based on evaluating individual compounds found in wood smoke, and considering that these chemicals can be inhaled and or deposited in soil where additional exposure can occur. The impact of wood smoke particulate matter (treated as a single chemical) on non-cancer hazards, however, was not quantified because OEHHA does not have a REL for particulate matter. For this reason, impacts of wood smoke particulate matter on acute or chronic non-cancer health effects was not evaluated in this project and represents a significant limitation. Wood smoke is a current concern for acute health effects especially when meteorological conditions do not allow smoke to be dispersed (temperature inversions). Wood stove / fireplace use in the winter season contributes to health risk. Although it is unclear how many woodstoves/fireplaces are used in south Seattle, wood smoke is clearly a pollutant of concern not only in south Seattle, but state- wide.

With regards to Acrolein, the same agency states that "You can reduce your family's exposure to Acrolein by reducing their exposure to tobacco smoke, smoke from burning wood products or cooking oils and grease, and exhaust from diesel or gasoline vehicles". As a matter of fact, Acrolein becomes the "smoking gun" pointing directly to residential wood combustion and vehicles as the main sources of PM2.5.

The Oregon Environment Council (<http://www.oeonline.org/our-work/kidshealth/toxics/air/acrolein>), offers a compelling list of Public policy solutions including to:

- Promote the use of cleaner or alternative fuels in motor vehicle engines;
- Encourage the retirement of old wood stoves and switching to cleaner-burning fuels, such as natural gas or wind-derived electricity;
- Create incentives to clean up off-road engines with pollution control equipment; and
- Encourage Oregonians to drive less.

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January 25, 2010

Subject: Town of Oakville – Proposed Air Quality By-Law

Dear Ms. Toth,

In response to the Town of Oakville's proposed Air Quality By-Law, Goodrich Landing Gear would like to share its concerns with the Town's Environmental Committee and provide some recommendations as to the implementation of the proposed legislation.

Let us first state that Goodrich is not summarily opposed to the establishment of any initiatives that will serve to improve the air quality of Oakville and the surrounding area. In fact, Goodrich is very much committed to the protection of the environment and to the continual prevention of pollution in all aspects of its business.

To that end, Goodrich believes that a more measured view to assessing, evaluating and implementing any environmental mitigation actions is a more prudent approach to this important issue. We commend the Town for engaging local industry in a consultation process with a view to identifying any concerns and challenges associated with the Town's ambitions to implement the proposed by-law.

To that end, we are presenting for your review a list of concerns that we have compiled relative to the by-law that has been proposed by the Town. We are also including a number of recommendations that we believe would facilitate the introduction of any such legislation and provide a greater opportunity for affected businesses to undertake the necessary changes to reduce emissions.

Some of these comments were cited during last week's consultation meeting, however, we have chosen to include them in our submission to reassert our support for such concerns and suggestions. Herewith please find our comments:

Concerns

- Implementation timeline is aggressive – there is inadequate time to conduct a thorough assessment, complete the evaluation with the Town and undertake mitigating actions to effect compliance with the By-Law.
- Application fee is onerous – doesn't account for the costs and consultant fees incurred by the applicant to assess and model their current environmental 'footprint'.
- The evaluation process seems somewhat arbitrary for those found to be non-compliant with the By-Law. How will the Town equitably evaluate the status of each major emitter and assess their standing relative to the 'public's interest'?
- The evaluation process could become extremely politicized. How will those companies identified as major emitters be evaluated fairly and consistently based on their relative size and 'importance' to the local economy?

- There is too much uncertainty regarding the evaluation costs as well as the investment that may be required to conform to the By-Law. How can a company effectively budget for these unknowns?
- The compliance measures are not well understood. Is absolute compliance a fundamental requirement? How much time will be allocated for the compliance process? How much environmental mitigation investment will be deemed adequate relative to compliance?
- It will be difficult to account for ambient environmental conditions – fluctuating emissions derived from vehicular traffic will dominate in certain locations and at certain times.
- Major sources of VOC's and Fine PM emissions are derived from vehicular traffic and other external sources outside of the Town's jurisdiction. Will these sources not continue to represent the major cause of airborne pollutants and undermine the relative effectiveness of any enhancements resulting from the proposed By-Law?
- Any investments made to reduce the emissions of local major-emitters will be marginal relative to the contributing effects of other external sources. Is this money well spent when the overall gains are likely to be relatively minor in relative terms?
- During these tough economic times, it is a financially daunting proposition to be forced to incur environmental assessment costs along with those costs associated with any environmental mitigation investments. With sales and margins shrinking, such potential extraneous expenditures will directly impact budgets and serve to undermine the competitiveness of some businesses relative to their competitors (who are likely not burdened with such requirements).
- Modeling requirements are not adequately defined. How does an applicant properly account for ambient conditions and external factors in their model?

Recommendations:

- Use the NPRI assessments to benchmark existing emitters instead of instituting another evaluation mechanism that uses a different set of criteria – use NPRI rankings to prompt existing emitters to focus their efforts (investments) on the implementation of those measures that will mitigate the environmental impact of their operations.
- In the interest of forgoing a protracted and costly evaluation, allocate such costs towards investments that are well suited to mitigating environmental impact rather than contributing to the incomes of those environmental consultants involved in the process.
- Application fee is onerous. The Town should look to institute a sliding scale fee depending upon the degree of non-compliance. If the applicant is compliant with one or two of the three indices being evaluated, the application fee should be scaled back to reflect the more limited evaluation that will ensue.
- If an applicant knowingly exceeds any of the prescribed thresholds, allocate the application fee towards the deployment of environmental mitigation measures in lieu of the costly evaluation process.
- In an effort to contain the application costs and facilitate the evaluation process, applicants could make use of the same consultants that the Town will use as part of the peer review. This approach could also avoid the potential for any protracted and costly disagreements between environmental consultants.



- In order to better understand the impact to those companies that are major-emitters, conduct a preliminary assessment of the current status of Oakville's industry (which companies are emitting and to what extent using NPRI reporting standards?). With this insight, then look to craft a by-law that will prompt emitters to take appropriate actions over a reasonable period of time but one that will not necessarily force them to undertake wholesale changes to their operations that could have serious business consequences.

We would welcome the opportunity to engage the Town in a more comprehensive discussion to review any of these suggestions in detail. Goodrich is committed to doing its part for the environment and is prepared to collaborate with the Town and its local partners to introduce those measures that will collectively address the issue of air quality and mitigate current practices to help reduce emissions.

We thank you for the opportunity to communicate our position and look forward to playing our role in addressing this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Whittier". The signature is written in a cursive, somewhat stylized font.

Tim Whittier
Director, Government Relations