

January 19, 2010

Clarington Council
Municipal Administrative Centre
40 Temperance Street
Bowmanville, ON L1C 3A6

Dear Mayor Abernethy and Members of Council,

I am writing to express my concern about recent developments with the Durham Energy from Waste EA and the overall EA process to date.

There have been numerous valid concerns raised by residents as well as government reviewers during the process, so many in fact that the Project Team/Region's Consultants have now requested (on December 14) and been granted a THIRD extension and postponement of the MOE's formal review period for the Amended Durham/York Residual Waste Study EA submitted November 27, 2009.

The Ministry of Environment, through Agatha Garcia-Wright, Director of the Environmental Assessment and Approvals Branch, has granted another extension until February 19 this time, for yet another addendum to the EFW EA.

Remember that the EA documentation approved on June 24 by Durham Regional Council was not yet complete, but the vote was rushed to have it approved before summer recess. A somewhat changed version of the EA was submitted to the Province on July 31. The most recent version, submitted on November 27 and now with more revisions taking place in December and including revisions to the appendices, which the consultants had said were not and would not be changed is VERY different from the version voted on by Regional Council on June 24. Now there will be more changes made to correct deficiencies in the previous versions.

Revisions to the documentation have been made piecemeal and all stakeholders (including residents who have been a part of this process) have NOT received notification of all revisions to date. I don't know whether Councillors have received notification or not. We have to search to find changes rather than receiving proper notification.

Residents are concerned that human health and the environment could be seriously impacted due to the deficiencies in the studies as well as the lack of opportunity by residents to respond formally to all the amendments and addendums prior to release of the Ministry Review document in a meaningful way due to the disorganized and incomplete way the entire EA is progressing.

Remember that the peer reviewers retained by Clarington had found numerous major problems with the EA studies, some of which have never been resolved. Clarington Council dismissed the peer reviewers prior to release of the final EA, and long prior to the next steps in the EA process, (the Provincial Review). It was also long before all the changes to the EA documents since being submitted to the Province. This is all part of the process, and Clarington and its residents are at a disadvantage because of the early dismissal of our peer reviewers, prior to completion of the EA.

I would suggest and request that Clarington Council reconsider that early dismissal and consider re-hiring the independent experts to review the final documentation, prior to the Minister making a decision on this EA. I would also suggest that Clarington Council should reconsider support of the incineration project until such time as a proper EA is completed, with full documentation and local studies. We need increased monitoring of emissions, rather than the reduced monitoring finally approved by Regional Council. Secondary sorting of materials destined for incineration should also be included since simply relying on all residents to remove anything hazardous while accepting garbage bags that will not be scrutinized does not protect residents from increased toxic emissions and hazards to our health.

Residents will continue to review amended studies and conclusions as we find them, but we are at a disadvantage without the expert peer reviewers who were dismissed prematurely by Council. Please also remember that early in this process, Regional Chair Anderson had promised the host community, whichever one was chosen, as much funding as necessary for that municipality to conduct its own studies and hire peer reviewers so they (we) would be comfortable with those results. That offer was subsequently withdrawn and a cap of \$500,000.00 was instituted. Other promises by the Region were also changed, reduced or withdrawn during the course of the last couple of years, including the level of monitoring that would be done. Does anyone know what is included in the Host Community Agreement as it stands today? We're not even allowed to know what that agreement contains, and that certainly affects us all. **Will Clarington and Regional Councillors see the final version of the HCA before it is signed?**

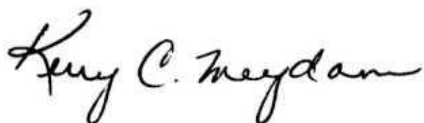
I ask that Council reconsider their acceptance of the changes made to the EA, the process, the promises made and subsequently broken, and the early dismissal of the peer reviewers, all of which have a negative effect on Clarington and the trust of Clarington residents.

I realize concessions were made because Clarington needs employment lands to be serviced by Durham Region. But that is the responsibility of the Region, and Clarington should not have to put its residents at risk and take short-cuts in the process in order to get that servicing done. Are these tradeoffs that we really want to make?

That to date, Councillors both at Durham Region and locally Clarington Council, appear to be unconcerned with the problems with this EA is very disturbing to many residents who have been following and commenting on the EA throughout the process. It was rushed through Council approvals and now is being delayed due to deficiencies that residents tried to point out prior to the June 24 approval by Regional Council. Once again we are attempting to point out deficiencies in the studies and in the process and are hoping that Councils at both levels will listen this time.

I look forward to your response.

Respectfully,

A handwritten signature in black ink, reading "Kerry C. Meydam". The signature is written in a cursive, flowing style.

Kerry Meydam

Cc: Durham Regional Council