



Addendum to the Works Committee Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, May 5, 2021

9:30 AM

Note: Additional agenda items are shown in bold

1. Roll Call
2. Declarations of Interest
3. Adoption of Minutes
 - A) Works Committee meeting – April 7, 2021

4. Statutory Public Meetings

There are no statutory public meetings

5. Delegations

- New**
- A) **Wendy Bracken, Durham Resident, re: Information Report #2021-INFO-35: Durham York Energy Centre Source Test Update [Item 7.1 A]**

6. Presentations

There are no presentations

7. Waste

7.1 Correspondence

- A) Information Report #2021-INFO-35: Durham York Energy Centre Source Test Update

Pulled from the March 26, 2021 Council Information Package
by Councillor Joe Neal

Recommendation: Receive for Information

New

- B) **Correspondence from Linda Gasser, Durham Resident, dated May 4, 2021, re: Information Report #2021-INFO-35: Durham York Energy Centre Source Test Update [Item 7.1 A)]**

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Recommendation: Refer to Consideration of Item 7.1 A) Information Report #2021-INFO-35: Durham York Energy Centre Source Test Update

7.2 Reports

- A) Update on the Request to Extend Contract C002275 with Miller Waste Systems for the Collection of Recyclables from Multi-Dwelling Units within the Cities of Pickering and Oshawa and the Towns of Ajax and Whitby (2021-WR-6)
- B) Material Recovery Facility Options (2021-WR-7)

8. Works

8.1 Correspondence

8.2 Reports

- A) Approval to Release a Regional Easement (2021-W-18)
- B) Telecommunications First License Amending and Renewal Agreements with Bell Mobility Inc. Antennas located at 2173 Concession Road 9, Hampton, in the Municipality of Clarington (2021-W-19)
- C) Approval to Award a Sole Source Agreement to Continue the Provision of Bioxide and Associated Chemical Dosing System to Reduce Odour and Corrosion in the Trunk Sanitary Sewer located in Lord Elgin Park, in the Town of Ajax (2021-W-20)

9. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

10. Confidential Matters

There are no confidential matters to be considered

11. Other Business

12. Date of Next Meeting

Wednesday, June 2, 2021 at 9:30 AM

13. Adjournment

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May 4, 2021.

Durham Region Works Committee
Regional Municipality of Durham
605 Rossland Rd. East, Whitby

Re: Report 2021 INFO 35 -March 26, 2021 DYEC Source Test Update (Nov.2020)

Chair and Works Committee Members:

I list below a number of concerns and questions that councillors should ask of staff – DURING YOUR MEETING - so that the public can hear these responses.

The stack test reported on conducted November 9-12th, 2020. Why did it take more than four months for Durham staff to provide this report? When will a more final report be provided by staff, including the final version of Air Zone comments?

This incinerator is Council's responsibility -Durham IS the majority owner. ALL Works members should be aware of all testing and monitoring results done at the DYEC, this especially since many of you have also voted to increase throughput and to start the Terms of Reference for a physical expansion of the incinerator.

Why was Report INFO 35 shunted off to a CIP, when such reports should be regularly reviewed by Works Committee as well as by Council? A Clarington Councillor had to pull this report from the CIP to get it on a Works agenda five weeks later.

Please keep in mind that Stack Test results are merely a snap shot of incinerator performance for specific parameters on those testing dates. No one should assume what emissions are between testing dates, unless there is Continuous Emissions Monitoring (CEMS) for contaminants, of which Durham has very few. In fact, in 2013 the majority of Durham Councillors voted AGAINST continuous monitoring of Particulate Matter and continuous sampling of Mercury. (See attached Screenshot of Oct. 9 2013 council vote at end of letter- includes several current Works Committee Members)

Your staff continue to offer comments about the incinerator that they have been cautioned against providing by their former consultant.

Durham staff write in INFO 35 Section 5.1 :

*5.1 "Attachment #4 presents the results of testing completed for the last three years. The data presented indicates that the DYEC has demonstrated it can safely and effectively operate within the ECA Schedule "C" limits. **This consistent performance** demonstrates the controls and monitoring in place provide a level of safety and protection to human health and the environment."*

The foregoing paragraph is misleading for a number of reasons. First, Durham historic test data presented is selective.

Staff failed to include data for 2015 and 2016 stack tests, which would have shown that the incinerator did NOT pass the stack tests for dioxins – a toxic and persistent organic pollutant that has been a concern from the earliest discussions around your incinerator.

Recall that the Sept. -October 2015 stack test during Acceptance Testing exceeded the dioxins limit for BOTH boilers and in May 2016 Unit 1 had a massive dioxins exceedance of almost fourteen times the limit.

So if staff want to provide an accurate representation of stack test performance, need to include ALL the years, not just the years where the incinerator managed to pass.

Durham's former consultant John Chandler, wrote the following on page 4 of his **memo to Mr. Anello dated Nov.22-December 1, 2016**: *"Preliminary Results of Fall Regulatory Tests"*

*"The author has reviewed the preliminary results of the test series. The numbers are well below the required levels of the Approval. **It is my opinion there should be no attempt to interpret the data either as it relates to between tests on either unit, or between the units.** It needs to be stated that Environment Canada have stated that the level of quantification, 32 pg TEQ/Rm3 represents the lowest level that can reasonably be reported with conventional sampling and analytical methods. Moreover, the ASME ReMAP study has suggested that there is considerable statistical variation in sample results at this level. I await the AMESA data."*

Second, the only ongoing dioxins measurement is the AMESA sampling over 28 day periods. Recall Durham staff have blocked the release of AMESA data for years 2015-2019 that was requested via FOI.

Only at the end of March 2021 did they provide a summary of 2020 sampling data. As it happens, AMESA data for Unit 1 for October -prior to the stack test - was invalidated – with no explanation as to criteria or who made that decision. You should request details and an explanation. See AMESA 2020 sampling results from 2020 ECA Annual Report below.

Keep in mind that your staff have handed over AMESA data to Covanta – who has a vested interest. Who on Works thinks that was a good idea? Who on Works is going to do something about ensuring that Durham staff have control over data monitoring Covanta's operations and review it regularly and post it after every monthly results/analysis is returned?

As well, the HDR March 16, 2021 memo, Attachment 3 Summary (agenda pages 30-31) points out that Unit 1 dioxins stack test result, though under the limit, was higher than some past results. HDR wrote the following:

*As shown in Table 1 and in Figure 2, the Dioxin/Furan results for Unit 1 were still well below the ECA limit for this parameter **but much higher** than recorded during previous voluntary source tests and Compliance Tests. **Covanta has not provided a specific explanation for this occurrence. HDR did not observe anything out of the ordinary during testing of Unit 1 beyond the steam load upset that caused the test to be paused temporarily during the test run #2. However, HDR's review of the carbon injection rate data received after the testing was***

completed showed the minute-by-minute data to be erratic. Powder activated carbon is injected into the flue gas in both boilers to help reduce Dioxin/Furan emissions and these fluctuations in injection rate may have contributed to the higher results. *The Dioxin/Furan emission results in Unit 2 were consistent with past results, and no significant fluctuations in carbon feed rate were observed during our review of the operating data.*

Please keep in mind that HDR checked on this after a dioxins stack test result that was higher than in the past. Nothing was noticed during the testing itself.

UNLESS staff, Council and the public see the monthly AMESA sampling results, all you can say is that on those Stack Testing days, your incinerator did or did not pass for dioxins.

This also illustrates why AMESA **monthly sampling data** should be posted on DYEC monitoring pages on an ongoing basis, so that results could be reviewed, issues identified and addressed early, proactively and not just in response to stack testing which takes place every six months. Nor should we have to wait until March 2022 to see 2021 data.

Works Committee should also ask that, since staff finally managed to report 2020 AMESA monthly results at the end of March 2021, when could we expect that data for years 2015-2019, along with the underlying data? That would give everyone a much better idea around long term dioxins performance of your incinerator.

Furthermore, your staff go on to compare the Durham incinerator to European reference documents i.e. BREF. Keep in mind that Durham does NOT have continuous monitoring for Mercury. Though Durham conducts sampling for dioxins, until very recently, Durham staff did not report the AMESA data. So any comparisons to BREF go to demonstrate where DYEC monitoring could be improved. Nor does DYEC have CEMS for PM. The recent ECA approval for St. Marys in Bowmanville, to burn garbage aka ALCFs – required CEMS for Particulate Matter (PM).

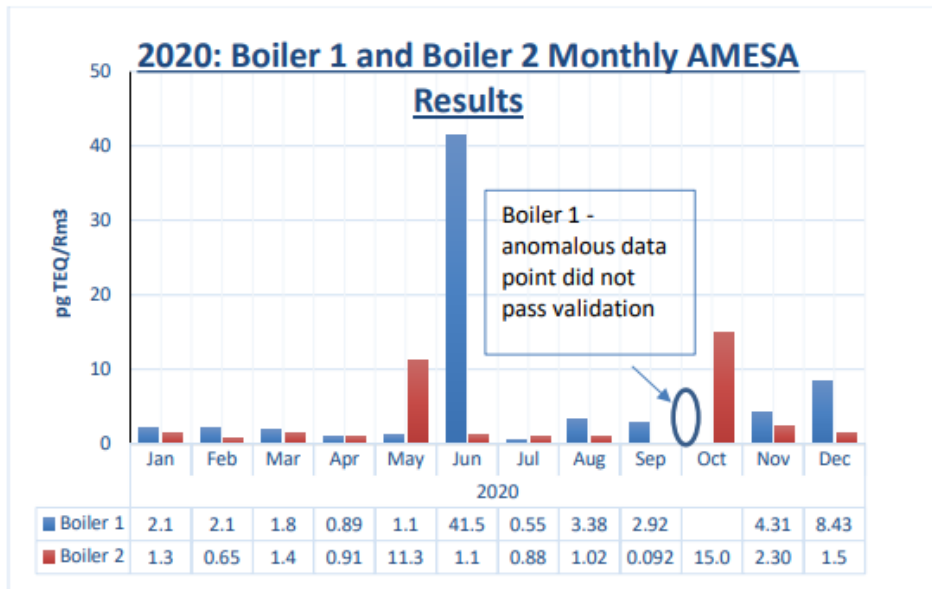
Since Works members and some councillors are forever talking about the “best of the best” monitoring, this time around, you should DIRECT your staff to make sure that CEMS for PM and Mercury is included. CEMS for PM and Mercury WILL again be a request when your two incinerator expansion reports come forward.

Thank you for your attention.

Linda Gasser
Whitby

Cc: Clarington Council

Twelve (12) month rolling averages will be presented in future annual reports to better identify and evaluate trends in facility performance.



MOVED by Councillor Woo, SECONDED by Councillor Diamond, (333) "THAT the foregoing main motion (331) of Councillors Mitchell and Coe to adopt the recommendations contained in Item 2 of the Eighth Report of the Joint Committees be amended by adding a new Part d) to read as follows and by re-lettering the existing Part d) to e):

- 'd) To undertake continuous sampling of mercury and continuous emission monitoring of all total particulate matter at the incinerator stack'."

MOTION DEFEATED
ON THE FOLLOWING RECORDED VOTE:

	<u>YES</u>	<u>NO</u>
COUNCILLORS	Diamond	Aker
	Drumm	Ballinger
	Jordan	Bath
<u>Members Absent</u>	Neal	Chapman
England	Parish	Clayton
Henry	Rodrigues	Coe
O'Connell	Woo	Collier
O'Connor		Drew
Ryan		Foster
		Marimpietri
		McLean
		Mercier
		Mitchell
		Novak
		Perkins
		Pidwerbecki

MOVED by Councillor Diamond, SECONDED by Councillor Collier, (334) "THAT the foregoing main motion (331) of Councillors Mitchell and Coe to adopt the recommendations contained in Item 2 of the Eighth Report of the Joint Committees be referred to staff to prepare a follow-up report to Tri-Committee to:

- i) Respond to concerns regarding apparently contradictory information received in the staff report dated October 8, 2013, regarding its "State of Technologies for Continuous Particulate Matter Emission Monitoring Devices" with particular reference to issues raised at the meeting of October 9, 2013; and further
- ii) THAT additional options that incorporate Council's long-standing commitments to public safety be presented to Tri-Committee."

MOTION DEFEATED ON THE FOLLOWING RECORDED VOTE:

	COUNCILLORS	<u>YES</u>	<u>NO</u>
		Collier	Aker
		Diamond	Ballinger
		Jordan	Bath
		Neal	Chapman
		Parish	Clayton
		Rodrigues	Coe
		Woo	Drew
			Drumm
			Foster
			Marimpietri
			McLean
			Mercier
			Mitchell
			Novak
			Perkins
			Pidwerbecki
<u>Members Absent</u>			
England			
Henry			
O'Connell			
O'Connor			
Ryan			

The main motion (331) of Councillors Mitchell and Coe to adopt the recommendations contained in Item 2 of the Eighth Report of the Joint Committees, as amended, was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

	COUNCILLORS	<u>YES</u>	<u>NO</u>
		Aker	Collier
		Ballinger	Diamond
		Bath	Drumm
		Chapman	Jordan
		Clayton	Neal
		Coe	Parish
		Drew	Rodrigues
		Foster	Woo
		Marimpietri	
		McLean	
		Mercier	
		Mitchell	
		Novak	
		Perkins	
		Pidwerbecki	
<u>Members Absent</u>			
England			
Henry			
O'Connell			
O'Connor			
Ryan			