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The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, May 8, 2024

A regular meeting of the Works Committee was held on Wednesday, May 8, 2024 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered for this meeting.

1. Roll Call

Present: Councillor Marimpietri, Vice-Chair
Councillor Cook*
Councillor Crawford
Councillor Mulcahy
Councillor Yamada*
Regional Chair Henry
***denotes Councillors participating electronically**

Absent: Councillor Barton, Chair
Councillor Nicholson

Also

Present: Councillor Pickles*
Councillor Schummer*
Councillor Woo*
*** all visiting Councillors participated electronically**

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
B. Bridgeman*, Commissioner of Planning & Economic Development
S. Ciani, Committee Clerk, Corporate Services – Legislative Services
S. Dessureault, Committee Clerk, Corporate Services – Legislative Services
C. Dunkley, Director, Corporate Infrastructure and Strategic Business Services, Works Department
K. Dykman*, Supervisor, Waste Services
A. Evans, Director, Waste Management Services
B. Holmes*, General Manager, Transit
M. Hubble, Director, Environmental Services
J. Hunt, Regional Solicitor/Director of Legal Services, Corporate Services – Legal Services
R. Inacio, Systems Support Specialist, Corporate Services – IT
R. Jagannathan, Commissioner of Works
L. Saha, Manager, Waste Services
N. Taylor*, Commissioner of Finance

P. Veiga, Manager, Waste Management Operations
D. Waechter, Acting Director, Transportation and Field Services
V. Walker, Committee Clerk, Corporate Services – Legislative Services
N. Williams, Project Manager, Waste Services
*** denotes staff participating electronically**

In the absence of Chair Barton, Vice-Chair Marimpietri assumed the Chair.

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Adoption of Minutes

Moved by Regional Chair Henry, Seconded by Councillor Mulcahy,
(36) That the minutes of the regular Works Committee meeting held on
Wednesday, April 3, 2024, be adopted.
CARRIED

Moved by Councillor Crawford, Seconded by Councillor Mulcahy,
(37) That the minutes of the Closed Works Committee meeting held on
Wednesday, April 3, 2024, be adopted.
CARRIED

4. Statutory Public Meetings

There were no statutory public meetings.

5. Presentations

- 5.1 Matthew Adams, Ph. D., Director of the Centre for Urban Environments and Associate Professor, University of Toronto, Geography, Geomatics and Environment Department, re: Durham York Energy Centre - Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts (2024-WR-5) [Item 7.2 A)]
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Matthew Adams, Ph. D., Associate Professor, University of Toronto, Geography, Geomatics and Environment Department provided a PowerPoint presentation regarding Report #2024-WR-5: Durham York Energy Centre - Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts.

Highlights from the presentation included:

- Introduction
- Objective
- Approach
- Pollutants Examined

- Analysis Approaches
- Discrete Monitoring
 - Hypothesis
 - Results
 - Dioxins and Furans Interpretation
- Dioxins and Furans Comparisons
- Discrete Monitoring Polycyclic Aromatic Hydrocarbons (PAH) Interpretation
- Discrete Monitoring PAH Interpretation (BaP) [Benzo(a)pyrene]
- Discrete Monitoring Total Suspended Particulate (TSP) Interpretation
- Metals General Comparison
- Ambient Air Monitoring Analysis with Continuous Emissions Monitoring (NO_x & SO₂) [Nitrous Oxides & Sulphur Dioxide]
 - NO_x & SO₂ Results
 - NO_x General Comparison
- Ambient Monitoring (PM_{2.5}) [Particulate Matter]
 - PM_{2.5} Results
- National Pollutant Release Inventory (NPRI) Emissions (Durham and York)
- Conclusion

M. Adams concluded through his analysis, that none of the pollutants analyzed indicated any notable contribution from the Durham York Energy Centre (DYEC) to ambient air pollution concentrations.

M. Adams responded to questions from the Committee regarding the discrete monitoring results and whether St. Mary's Cement's emissions were considered during the analysis; how surrounding construction, movement of soil, and transportation would contribute to overall emissions and the quality of ambient air; and how and by whom he was retained to complete the analysis of the ambient air and emissions monitoring to identify local airshed impacts.

6. Delegations

6.1 Linda Gasser, Whitby Resident, re: the Durham York Energy Centre (DYEC) Throughput Increase Proposed by Durham and York Regions

Linda Gasser, Whitby resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding the Durham York Energy Centre's (DYEC) throughput increase proposed by the Regional Municipality of Durham and the Regional Municipality of York.

Highlights from the delegation included:

- Agenda Item 7.1 a) Minister of the Environment's (MECP) April 22nd Letter to Durham and York Staff re: Proposed Throughput Increase to 160,000 Tonnes per Year (TPY)
 - Should require a staff report to determine if it is in the best interest of Durham to pursue increase
- Require Update of 2019 Financial Assumptions in Report #2019-COW-3, Page 13/41
- Request to Council to Increase in 2019. Last Public Consultation December 2019. You Owe Durham Residents an Update.

Moved by Councillor Mulcahy, Seconded by Councillor Crawford,
(38) That the rules of procedure be suspended in order to extend L. Gasser's delegation by 2-minutes to finish her delegation.

CARRIED ON A 2/3rds VOTE

- COW/Council Should Review Impacts of Increase Including Additional Air Pollution Loading and Increased Greenhouse Gases (GHGs)
- Recommend an Update Report to COW/Council on Costs and Potential Impacts of Capacity Increase

L. Gasser requested that Regional Council direct staff to post the Environmental Compliance Assessment (ECA) application(s) to the ERO and that staff commit to posting all ECA study data to the DYEC project website promptly.

6.2 Linda Gasser, Whitby Resident, re: Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts (2024-WR-5) [Item 7.2 A]

Linda Gasser, Whitby resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding Report #2024-WR-5: Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts.

Highlights from the delegation included:

- 2024-WR-5 incl. Dr. Adams' July 17, 2023 "Analysis"
 - Who commissioned the July 2023 analysis?
 - How much did it cost and who paid?
- Short Notice: Requires Detailed Review of Hypotheses, Methodology, & Data
- DYEC Monitoring – Note the Limitations
 - If moving forward with capacity increase will Durham improve/upgrade monitoring?
- Ambient Air Monitoring

- Most Pollutants are Stack Tested Less Than 0.5% of Operating Time through Pre-Arranged Stack Tests Conducted under Optimal Operating Conditions, or are not Monitored at all
- Ministry of the Environment: Outdated Air Standards

Moved by Councillor Mulcahy, Seconded by Regional Chair Henry,

(39) That the rules of procedure be suspended in order to extend L. Gasser's delegation by 2-minutes to finish her delegation.

CARRIED ON A 2/3rds VOTE

- 2024-WR-5, Attach.1, pg. 20: "Overall, it is Concluded that the DYEC's Air Emissions Monitoring Plan Effectively Controls Emissions so that it does not Significantly Contribute to Air Pollution in the Local Air Shed"
 - Monitoring plans do not control emissions

L. Gasser requested that Report #2024-WR-5: Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts, Professor Adam's report, and L. Gasser and W. Bracken's delegations, be referred back to staff for a review of the concerns raised with respect to the hypotheses, study methodology and conclusions noted within the report.

6.3 Wendy Bracken, Clarington Resident, re: the Proposal to Increase Throughput at the Durham York Energy Centre (DYEC)

Wendy Bracken, Clarington resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding the proposal to increase throughput at the Durham York Energy Centre (DYEC).

Highlights from the delegation included:

- 2022 Region Responses did not Resolve Key Issues. Reminder of Key Issues Raised Back Then
- The "Eyebrow Raising" AQIA Conclusion
 - Table 1: Data Sources for 140,000 TPA and 160,000 TPA Scenarios
- Excerpts From Host Community Agreement: Time to Act is Now for BACT, Better Monitoring & Reporting
- DYEC Monitoring not Keeping up with Other Jurisdictions
- European Directive now Mandates that Emissions to Air from Waste Incineration Shall also be Monitored During Other Than Normal Operation Conditions (OTNOC)

Moved by Councillor Mulcahy, Seconded by Councillor Crawford,

(40) That the rules of procedure be suspended in order to extend W. Bracken's delegation by 2-minutes to finish her delegation.

CARRIED ON A 2/3rds VOTE

- High Time to Include Biomonitoring (Chicken Eggs, Flora) as Done in other Countries

6.4 Wendy Bracken, Clarington Resident, re: AMESA Monitoring/Reporting at the Durham York Energy (DYEC)

Wendy Bracken, Clarington resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding AMESA monitoring and reporting of Dioxins and Furans at the Durham York Energy Centre (DYEC).

Highlights from the delegation included:

- Stack Test Results Cannot Accurately Represent Annual Emissions
- Much Higher Emissions Risk During Other Than Normal Conditions (OTNOC) – Startups, Shutdowns, Malfunctions
- Hidden Emissions: A Story from the Netherlands (Case Study)
- ToxicoWatch Study of Paris Incinerator: French Government Warns Millions not to eat Backyard Chicken Eggs
- More Issues at the DYEC with Dioxins/Furans

Moved by Councillor Crawford, Seconded by Councillor Mulcahy,
(41) That the rules of procedure be suspended in order to extend W. Bracken's delegation by 2-minutes to finish her delegation.
CARRIED ON A 2/3rds VOTE

- Many Hours and Months of Dioxin/Furan AMESA Data Invalidated/Omitted/Missing from 2020 to 2023
- Screenshot May 2, 2024: 2023 Q2 is Last Report Posted on the DYEC website
- The Public has a Right to This Data – The Region Needs to be Transparent

W. Bracken requested that regional staff release the 2015-2019 AMESA data; that there be an independent scientific review of AMESA protocol and AMESA reporting; and that AMESA reports be posted in a timely manner.

6.5 Wendy Bracken, Clarington Resident, re: Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts (2024-WR-5) [Item 7.2 A]

Wendy Bracken, Whitby resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding Report #2024-WR-5: Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts.

Highlights from the delegation included:

- Executive Summary, Page 5
- Report: Research or Established Science
- Executive Summary Concluding Statement is Nonsensical and Unsupportable
- Definition of Impact Misleads, Highly Inappropriate: Methodology Fundamentally Flawed
- Report Contains Errors
 - More Errors

Moved by Councillor Mulcahy, Seconded by Regional Chair Henry,
(42) That the rules of procedure be suspended in order to extend W. Bracken's delegation by 2-minutes to finish her delegation.
CARRIED ON A 2/3rds VOTE

- Flawed Methodology
- Regional Comparisons Misleading
- Unsupportable Statement. Misleading Statement (Attachment #2, Page 5)

W. Bracken requested that Report #2024-WR-5: Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts be referred back to staff for further information and investigation.

7. Waste

7.1 Correspondence

- A) Correspondence received from the Ministry of the Environment, Conservation and Parks (MECP), dated April 22, 2024, re: Durham York Energy Centre (DYEC) Elevation Requests

Moved by Councillor Mulcahy, Seconded by Regional Chair Henry,
(43) That the correspondence received from the Ministry of the Environment, Conservation and Parks (MECP), dated April 22, 2024, regarding the Durham York Energy Centre (DYEC) Elevation Requests be received for information.

CARRIED

7.2 Reports

- A) Durham York Energy Centre – Analysis of Ambient Air and Emissions Monitoring to Identify Local Airshed Impacts (2024-WR-5)

Report #2024-WR-5 from R. Jagannathan, Commissioner of Works, was received.

Staff responded to a question from the Committee regarding whether staff can look into the company called Synergy Conversion that offers an environmentally friendly and cost saving alternative to traditional waste management.

In response to a question from the Committee regarding whether staff could provide additional, updated information with respect to the concerns noted on Page 7 of L. Gasser's PowerPoint delegation [Refer to Item 6.2 A)], R. Jagannathan advised that staff could provide a Council information report that would address the additional information requested through the noted delegation.

R. Jagannathan advised the next steps are to submit an Environmental Compliance Application (ECA).

Moved by Councillor Mulcahy, Seconded by Councillor Crawford,
(44) That we recommend to Council:

That Report #2024-WR-5 of the Commissioner of Works be received for information.

CARRIED

- B) Sole Source Agreement with Circular Materials for Collection, Haulage, Processing and Marketing of Blue Box Recyclables Collected at the Regional Municipality of Durham Waste Management Facilities (2024-WR-6)
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Report #2024-WR-6 from R. Jagannathan, Commissioner of Works, was received.

Moved by Councillor Mulcahy, Seconded by Regional Chair Henry,
(45) That we recommend to Council:

- A) That staff award a sole source agreement to Circular Materials for the collection and management of blue box recyclables at Regional Municipality of Durham Waste Management Facilities from July 1, 2024, to December 31, 2025, with three optional one-year extension periods. The estimated revenue to the Regional Municipality of Durham for 2024 is \$212,820 (or \$425,280 annually), totalling \$1.9 million over the contract term, including optional extensions; and
- B) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.

CARRIED

8. Works

8.1 Correspondence

- A) Correspondence received from the City of Pickering, dated April 29, 2024, re: Request for Traffic Signals at Brock Road and Palmer's Sawmill Road in the City of Pickering
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Moved by Regional Chair Henry, Seconded by Councillor Mulcahy,
(46) That the correspondence received from the City of Pickering, dated April 29, 2024, regarding the request for traffic signals at Brock Road and Palmer's Sawmill Road in the City of Pickering be referred to staff for a response.

CARRIED

- B) Certificate of Proclamation, dated May 1, 2024, re: National Public Works Week (May 19-25, 2024)
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Moved by Regional Chair Henry, Seconded by Councillor Mulcahy,
(47) That the Certificate of Proclamation, dated May 1, 2024, regarding National Public Works Week (May 19-25, 2024) be received for information.

CARRIED

8.2 Reports

- A) Tender Award and Additional Financing for Regional Municipality of Durham Contract #D2023-55 for the Blackstock Well #7 Upgrades in the Township of Scugog (Blackstock) (2024-W-15)
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Report #2024-W-15 from R. Jagannathan, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Crawford,
(48) That we recommend to Council:

- A) That the lowest compliant bid of W.A. Stephenson Mechanical Contractors Limited, in the amount of \$1,591,150, be awarded for Regional Municipality of Durham Contract #D2023-55 for the Blackstock Well #7 Upgrades in the Township of Scugog (Blackstock) for a total project cost of \$3,350,000;
- B) That the previously approved project budget of \$2,750,000 for Regional Municipality of Durham Contract #D2023-55 be increased by \$600,000 to a revised total project budget of \$3,350,000; and
- C) That the additional financing of \$600,000 be provided from the following sources:

Previously Approved Financing

Water Supply Capital Budget

Blackstock Well #7 Upgrades, Project ID# D1838	
Water Asset Management Reserve Fund	\$100,000
User Revenue	<u>2,650,000</u>

Total Previously Approved Financing 2,750,000

Additional Financing

Item #123: Watermain on Bickle Drive and Roselawn Avenue, Oshawa (Sun Valley) (Project ID# O2305)	
User Revenue	<u>600,000</u>

Total Additional Financing 600,000

Total Revised Project Financing **\$3,350,000**
CARRIED

- B) Update on the New Provincial Housing-Enabling Water Systems Fund, Approval to Negotiate Sole Source Agreements, and Approval of Unbudgeted Capital Work and Related Financing for the Structural Rehabilitation, Equipment Replacement, and System Redundancy Improvements that Supports Regional System Expansion at the Oshawa Water Supply Plant, City of Oshawa (2024-W-16)

Report #2024-W-16 from R. Jagannathan, Commissioner of Works, was received.

Moved by Councillor Mulcahy, Seconded by Councillor Crawford,
(49) That we recommend to Council:

- A) That Regional Council receive for information the details regarding the new Provincial Housing-Enabling Water Systems Fund;
- B) That staff be authorized to negotiate and award the following sole source agreements:
 - i) With Jacobs Consultancy Canada Inc. for the engineering services related to the rehabilitation of filters 1 to 4, replacement of Low Lift Pumping Station pump # 1 and all shut off and check valves in the station, replacement of the valve chamber, replacement of the Motor Control Centre (MCC), and installation of a standby blower at the Oshawa Water Supply Plant, at a cost not to exceed \$2,650,000*; and
 - ii) With B.J. Tworzyanski Ltd. for the engineering services related to Generator Control System upgrades at the Oshawa Water Supply Plant, at a cost not to exceed \$200,000*;
- C) That financing of \$2,850,000 for the engineering services at the Oshawa Water Supply Plant for the rehabilitation of filters 1 to 4, replacement of Low

Lift Pumping Station pump # 1 and all shut-off and check valves in the station, replacement of the valve chamber, replacement of the Motor Control Centre (MCC), installation of a standby blower, and the upgrades to the Generator Control System at the Oshawa Water Supply Plant, in the City of Oshawa, be provided as follows:

Previously Approved Financing

Water Supply Capital Budget – Oshawa Water Supply Plant Valve Chamber Upgrades Project ID#: D1923

User Revenue \$400,000

Water Supply Capital Budget – Oshawa Water Supply Plant Filter 1 to 4 and associated works Project ID# D2424

Asset Management Reserve Fund 1,000,000

Water Supply Capital Budget – installation of second blower Project ID# D2425

User Revenue 200,000

Total Approved Financing \$1,600,000

Additional Financing

2024 Water Supply Capital Budget:

Item # 123 Watermain on Bickle Drive and Roselawn Avenue, Oshawa, Project ID #: O2305

User Revenue \$1,100,000

2024 Water Supply Capital Budget:

Item # 87: Replacement of Watermain on Mary Street from Rossland Road to Robert Street, Oshawa Project ID#: O2202

User Revenue \$150,000

Total Additional Financing \$1,250,000

Total Revised Project Financing \$2,850,000

- D) That the Commissioner of Finance be authorized to execute any necessary related agreements.

(*) before applicable taxes
CARRIED

9. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

10. Confidential Matters

There were no confidential matters to be considered.

11. Other Business

There was no other business to be considered.

12. Date of Next Meeting

The next regularly scheduled Works Committee meeting will be held on Wednesday, June 5, 2024 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

13. Adjournment

Moved by Councillor Mulcahy, Seconded by Councillor Crawford,
(50) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:09 AM

Respectfully submitted,

T-D. Marimpietri, Vice-Chair

S. Ciani, Committee Clerk