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The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, October 2, 2024

A regular meeting of the Works Committee was held on Wednesday, October 2, 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 Barton, Chair
Councillor Marimpietri, Vice-Chair
Councillor Cook*
Councillor Crawford
Councillor Mulcahy*
Councillor Nicholson*
Councillor Yamada attended the meeting at 9:32 AM
Regional Chair Henry
***denotes Councillors participating electronically**

Absent: None

Also

Present: Councillor McDougall
Councillor Neal*
Councillor Schummer*
Councillor Wotten*
***denotes visiting Councillors participating electronically**

Staff

Present: E. Baxter-Trahair*, Chief Administrative Officer
S. Ciani, Committee Clerk, Corporate Services – Legislative Services
S. Dessureault, Committee Clerk, Corporate Services – Legislative Services
C. Dunkley, Director of Corporate Infrastructure and Strategic Business Services, Works Department
P. Gee, Manager, Transportation Infrastructure
M. Hubble, Director of 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
V. Walker, Committee Clerk, Corporate Services – Legislative Services
N. Williams, Project Manager, Waste Services

*** denotes staff participating electronically**

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,
(61) That the minutes of the regular Works Committee meeting held on
Wednesday, June 5, 2024, be adopted.

CARRIED

Chair Barton congratulated Tyler Jackson for placing 8th, and Jack Stiensky for placing 18th at the 2024 Association of Ontario Road Supervisors (AORS) Provincial Safety Truck Roadeo held on September 24-25, 2024. Chair Barton advised that there were over 500 participants across the province. Chair Barton further announced that Waste Reduction Week will take place October 21-27, 2024, and that October 2024 has been declared Circular Economy Month to show our continued commitment to transitioning to a circular economy and to waste reduction in our community.

4. Statutory Public Meetings

There were no statutory public meetings.

5. Presentations

There were no presentations heard.

6. Delegations

6.1 Peter Barber, Scugog Resident, re: Water Supply Issues in Blackstock

Peter Barber, Scugog Resident, appeared before the Committee, and expressed concerns regarding water supply issues in Blackstock.

P. Barber stated that the water system in Blackstock is crumbling and that there have been numerous watermain breaks, and as a result, staff have had to turn the water pressure down to 1 pound above the minimum provincial scale. P. Barber further stated that because the well on Highway 57 was decommissioned, everything now comes from the North end. P. Barber added that according to the Regional website, the reservoir holds roughly 34,700 litres (8,000 gallons) and with the three recent fires in town, the fire department ran out of water in 4 minutes.

P. Barber further stated that the average pumping truck pumps approximately 1500 – 2000 gallons per minute and Scugog Fire Chief Bernie stated that the fire hydrants are only meant for small fires, which is concerning.

Staff advised that they would provide an update to P. Barber along with Mayor Wotten and Councillor McDougall regarding the maintenance and status of the water system in Blackstock

6.2 Wendy Bracken, Clarington Resident, re: Information Report #2024-INFO-55: Durham York Energy Centre 2024 Compliance Source Test Update [Item 7.1 A)]

Wendy Bracken, Clarington Resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding Information Report #2024-INFO-55: Durham York Energy Centre (DYEC) 2024 Compliance Source Test Update.

Highlights from the delegation included:

- Pay Careful Attention to Statements Made in Reports and Qualifiers in Them Such as “During the Stack Test Period”
- Durham Report INFO-55 Makes No Mention of Any Problems but Stack Testing Issues are Identified in STANTEC Oversight Report dated August 15, 2024, for the DIOXIN/FURAN Test
- Critical to Understand
- DYEC Emits Thousands of Pollutants but Just a Handful (Below) are Monitored at Stack Continuously
- Most Pollutants (Including the Most Toxic) are Stack Tested Less Than 1/2% of Annual Operating Time Through Pre-Arranged Stack Tests Conducted Under Optimate Operating Conditions or are Not Monitored at All
- Boiler 1 Temp Below ECA Performance Requirement 6. (2), Boiler 2 Steam Production Below Criteria
- ECA Section 6 Performance Requirements
- More Revelations in CIP Reports Add to Previous Evidence of Dioxin Issues/Problems
- Long-Awaited Revamp of Industrial Emissions Directive Improves Dioxin Monitoring in Incinerators (Zero Waste Europe)
- Serious Concerns with Durham’s Reporting, INFO-55 Not Transparent for Public, Politicians, Committees
- Conclusion: Monitoring Must be Improved

6.3 Wendy Bracken, Clarington Resident, re: Memorandum dated September 13, 2024, from Ramesh Jagannathan, Commissioner of Works, re: Durham York Energy Centre Quarterly (Q1 - 2024) Long-Term Sampling System Report [Item 7.1 B)]

Wendy Bracken, Clarington Resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding the memorandum dated September 13, 2024, from Ramesh Jagannathan, Commissioner of Works regarding the Durham York Energy Centre (DYEC) Quarterly (Q1 - 2024) Long-Term Sampling System Report.

Highlights from the delegation included:

- Durham York Energy Centre Long-Term Sampling System Quarterly (Q1) Report January 2024-May 2024
- Table 1: AMESA Cartridge Replacement Schedule
- 7.1 Investigation
- More Issues at the DYEC with Dioxins/Furans: Long-Term (Monthly) Sampling of Dioxins/Furans Reporting is Very Incomplete, and it is Neither Traceable nor Transparent
- Many Hours and Months of Dioxin/Furan AMESA Data Have Already Been Invalidated/Omitted/Missing From 2020 to 2023
- DYEC has had Major Dioxin and Furan Emissions Exceedances
- ToxicoWatch Study of Paris Incinerator; French Government Warns Millions Not to Eat Backyard Chicken Eggs
- Long-Awaited Revamp of Industrial Emissions Directive Improves Dioxin Monitoring in Incinerators (Zero Waste Europe)
- More Concerns: DYEC 2023 Soil Testing Report Shows 2023 Dioxin Concentrations More than Double 2013 Pre-DYEC Levels

W. Bracken responded to questions from the Committee.

Staff responded to questions from the Committee regarding what would be involved in increasing the sampling system testing to more than 2 per year; and who oversees the monitoring and collection of the AMESA data.

Staff advised that that all reports are sent to the Ministry of the Environment, Conservation and Parks (MECP) and that there have been no concerns with the results. Staff rely on internal and external expertise and are confident that the MECP is accountable as a regulatory body, and that waste management through the DYEC facility is better than the alternative which is landfills.

In response to a question from the Committee regarding the concern from the delegate that there more reports available to the public at one time that are no longer being posted now, R. Jagannathan advised that he will review with staff.

6.4 Linda Gasser, Durham Resident, re: Information Report #2024-INFO-55: Durham York Energy Centre 2024 Compliance Source Test Update [Item 7.1 A]

Linda Gasser, Durham Resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding Information

Report #2024-INFO-55: Durham York Energy Centre 2024 Compliance Source Test Update.

Highlights from the delegation included:

- Staff Report INFO-55 – Not the Whole Picture When It Comes to Dioxins & Furans
- Staff “Interpretations” of Stack Testing Results are Inappropriate
- Fall 2023 Source Test Issues for Dioxins & Furans Report 2024-INFO-17 (March 22, 24 CIP)
- Attachments to 2024-INFO-17 Indicate There Were Issues with D & F Source Test
- Ortech Summary Pg. 1. Shows Two Successive Compliance Tests (Fall 2023 & Spring 2024)
- ECA Requires 1 Compliance Source Test Annually. Durham Does 2nd “Voluntary” Test Usually Spring
- DYEC Website – Complete Stack Test Info & All Consultants’ Reports Must be Posted Incl. MECP Correspondence

6.5 Linda Gasser, Durham Resident, re: Memorandum dated September 13, 2024, from Ramesh Jagannathan, Commissioner of Works, re: Durham York Energy Centre Quarterly (Q1 - 2024) Long-Term Sampling System Report [Item 7.1 B]

Linda Gasser, Durham Resident, appeared before the Committee, and with the aid of a PowerPoint presentation, expressed concerns regarding the memorandum dated September 13, 2024, from Ramesh Jagannathan, Commissioner of Works regarding the Durham York Energy Centre Quarterly (Q1 - 2024) Long-Term Sampling System Report.

Highlights from the delegation included:

- Durham Staff Acknowledged Long-Term Sampling for Dioxins & Furans Would Be Conducted & Included in 2008 EFW Business Case
- Durham Engaged Consultant to Assist with AMESA From Fall 2015, Still Around in 2017
- I Have Appealed Durham’s Denial of my June 2024 FOI Request for AMESA data Between 2015-18. Awaiting IPPC Response
- Note Sentence re “Possession of the Records”. Two 2018 Works Plans Do Contain AMESA Monthly Summaries from June 2017 to August 2018
- 2024 Q1 AMESA Memo, Page 3, States Clearly Where AMESA Records Held
- No Evidence of Independent Third-Party Consultant Oversight re: AMESA Monitoring
- Successive Works Committees & Councils Have Not Provided Sufficient DYEC Oversight

7. Waste

7.1 Correspondence

A) Information Report #2024-INFO-55: Durham York Energy Centre 2024
Compliance Source Test Update

Moved by Councillor Cook, Seconded by Councillor Crawford,
(62) That Information Report #2024-INFO-55: Durham York Energy Centre 2024
Compliance Source Test Update of the Commissioner of Works be received
for information.

CARRIED

B) Memorandum dated September 13, 2024, from Ramesh Jagannathan,
Commissioner of Works, re: Durham York Energy Centre Quarterly (Q1 - 2024)
Long-Term Sampling System Report

Moved by Councillor Cook, Seconded by Councillor Crawford,
(63) That the memorandum dated September 13, 2024, received from Ramesh
Jagannathan, Commissioner of Works regarding the Durham York Energy
Centre Quarterly (Q1 - 2024) Long-Term Sampling System Report be
received for information.

CARRIED

7.2 Reports

There were no waste reports considered.

8. Works

8.1 Correspondence

8.2 Reports

A) Lease Renewal with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. for
Space Located at 419 King Street West, Suite 180, in the City of Oshawa, for Use
by the Health Department (2024-W-22)

Report #2024-W-22 from R. Jagannathan, Commissioner of Works, was received.

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

A) That the Lease Agreement with Ivanhoe Cambridge II Inc. and 7503067
Canada Inc. (collectively, the "Landlord") for premises located at 419 King
Street West, Suite 180, in the City of Oshawa, containing approximately
2,539 square feet be renewed with the following terms and conditions:

- i) The renewal term is for a period of five (5) years commencing November 1, 2024, and ending on October 31, 2029;
 - ii) The annual rent for years 1 through 4 of the lease term will be \$36,815.50*, payable in equal monthly instalments of \$3,067.96*, based on a rate of \$14.50* per square foot per annum and \$37,450.25* per annum in year 5, payable in equal monthly instalments of \$3,120.85*, based on a rate of \$14.75* per square foot per annum;
 - iii) Additional rent for the term is estimated at \$27,573.54* per annum based on a rate of \$10.86* per square foot payable in equal monthly instalments of \$2,297.80* to cover operating costs for the premises, including common area maintenance, utilities, taxes and janitorial services. The amount per square foot for additional rent is to be adjusted annually based on actual costs;
 - iv) The Region will have the option to renew the Lease for one additional term of five (5) years under the same terms and conditions, with rent to be negotiated at the time of renewal;
 - v) The Landlord will be responsible for the maintenance, repairs and replacement of the systems, facilities, and equipment necessary to operate the building, the parking lot, and other common areas; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease renewal.
(* exclusive of 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, November 6, 2024 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

13. Adjournment

Moved by Councillor Marimpietri, Seconded by Councillor Yamada,
(65) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:22 AM

Respectfully submitted,

D. Barton, Chair

S. Ciani, Committee Clerk