

Consolidated Clause in Works Committee Report 9, which was considered by City Council on November 24, 2005.

**6a****Draft Terms of Reference for the Peer Review  
of the Biosolids and Residuals Master Plan  
Decision Making Model**

*City Council on November 24, 2005, referred this Clause to the Board of Health.*

*Council also considered additional material, which is noted at the end of this Clause.*

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*City Council on October 26, 27, 28 and 31, 2005, postponed consideration of this Clause to its special meeting on November 24, 2005.*

*Council also considered additional material, which is noted at the end of this Clause.*

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**The Works Committee submits the report (September 28, 2005) from the Acting General Manager, Toronto Water and the Medical Officer of Health without recommendation, in that a motion to defer and a motion to adopt the staff recommendations both lost on a tie vote; and that further, in accordance with the Municipal Act, discussions pertaining to the draft Terms of Reference be held in camera as the subject matter relates to the security of the property of the Municipality.**

Purpose:

To report back to the Works Committee and the Board of Health on the draft Terms of Reference to hire a facilitator for the peer review of the Biosolids and Residuals Master Plan.

Financial Implications and Impact Statement:

At its June 14, 15 and 16, 2005 meeting, City Council adopted Clause 11 of Report 6 without amendment, approving funds to cover the cost of work to undertake a peer review of the Biosolids and Residuals Master Plan decision making model.

### Recommendations:

It is recommended that:

- (1) authority be granted to the General Manager of Toronto Water, working together with the Medical Officer of Health, to issue a Request for Proposal (RFP) in accordance with the draft Terms of Reference, for the hiring of a facilitator and to engage the services of a panel of experts to undertake a peer review of the decision making model used in the Biosolids and Residuals Master Plan; and
- (2) this report be forwarded to the Board of Health for information.

### Background:

At its March 8, 2005 meeting, the Works Committee requested that staff undertake a peer review of the Biosolids and Residuals Master Plan (BRMP) methodology and weighting scale used to determine the recommended residuals and biosolids management options and strategies for the City's water and wastewater treatment plants.

The BRMP process was initiated in the fall of 2002 and is intended to prepare a long-term strategy for the management of wastewater treatment biosolids and water treatment residuals generated at all its facilities up to the year 2025. The BRMP is being undertaken in accordance with the Class Environmental Assessment process as defined in the Environmental Assessment Act.

The BRMP exercise included the preparation of a two-tier decision making process. The decision-making model was a weighting and ranking system that enabled a comparison of biosolids and residuals management options and alternative plant strategies, and identification of those that best met the study criteria. In developing the criteria and the associated weightings, members of the public, various stakeholders, an Advisory Committee and City staff were consulted. The method of using weighted criteria is also consistent with the guiding principles outlined in the Mediation Agreement for the Ashbridges Bay Treatment Plant Environmental Assessment.

A draft of the BRMP was released for a 30-day public comment period on September 16, 2004, and was subsequently extended by the Works Committee to await the results of three studies being undertaken by Toronto Public Health. The comment period is currently still open.

To determine how best to carry out the peer review of the BRMP, staff approached other municipalities, industry experts and scientific organizations that have undertaken peer review processes to establish the best methodology for this effort. It was determined that the most objective way to undertake a peer review process of this nature would be by forming an expert panel with selected qualified, independent panel members whose expertise match the specific needs of the project. Panel members would be chosen for their unbiased perspective and knowledge from multiple disciplines relevant to the content to be reviewed. These panel members would be chosen with the help of an independent facilitator, to be hired by the City through the RFP process.

At its May 26, 2005 meeting, the Works Committee approved the model to undertake the peer review proposed by staff and requested that staff develop a Terms of Reference for the hiring of a facilitator to work with staff to undertake a peer review of the Biosolids and Residuals Master Plan and that the Terms of Reference be presented to the Works Committee prior to its release.

City Council subsequently endorsed this recommendation at its meeting on June 14, 15 and 16, 2005. At its July 11, 2005 meeting, the Board of Health requested that this report be prepared jointly by Toronto Water and the Medical Officer of Health and that it be presented to both the Board of Health and the Works Committee.

Comments:

Recognizing the need for transparency and to ensure a level of unbiased independence in areas including administrative management of meetings, facilitation of panel selection and preparing written comments and reports; a City staff project team, with representation from Toronto Water, Toronto Public Health and Technical Services have prepared a draft RFP to hire a company to act as a facilitator whose role would be to manage, co-ordinate and facilitate the peer review process.

The Scope of Work for this Peer Review can be seen in the draft Terms of Reference attached as Appendix A to this staff report. In order to protect the security of the property of the City, this Appendix is to be treated as confidential and should not be disclosed.

Conclusions:

The purpose of the BRMP study is to prepare a sustainable, reliable, environmentally sound, cost-effective and diverse biosolids and residuals management strategy for the City of Toronto to the year 2025.

A peer review of the decision making model and methodology used to prepare the Master Plan will be undertaken. To have an unbiased, objective peer review, a panel with participant expertise from a wide variety of disciplines will be formed to undertake the review with the help of a facilitator, to be hired by the City through a RFP process.

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Confidential Attachment:

Appendix A - Peer Review of the Biosolids and Residuals Master Plan draft Terms of Reference

(A copy of the confidential Appendix A, referred to in the report, was forwarded to all Members of Council under separate cover with the agenda of the Works Committee for its meeting on October 11, 2005.)

**The Works Committee submits the communication (October 7, 2005) from Councillor Paula Fletcher, Ward 30, Toronto-Danforth.**

I am deeply concerned that the Biosolids and Residuals Master Plan (BRMP) focuses solely on agricultural uses to the exclusion of other non-agricultural options. Therefore, I am requesting that the Terms of Reference for the Peer Review of the BRMP be expanded to include an analysis of why this omission occurred and a solution for remedying the problem.

The following persons appeared before the Works Committee:

- Michael Rosenberg; and
- Karen Buck, and filed a submission.

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***City Council – October 26, 27, 28 and 31, 2005***

*Council also considered the following:*

- *Communication (October 25, 2005) from the Board of Health [Communication 16(a)]:*

**Recommendation:**

*The Board of Health recommended that since the joint report from the Acting General Manager of Toronto Water and the Medical Officer of Health addressed to the Works Committee and the Board of Health, was to be before the Board of Health as a deputation item for report back on the draft Terms of Reference to hire a facilitator for the peer review of the Biosolids and Residuals Master Plan, and the Board of Health has not had an opportunity to consider the joint report, that City Council be requested to defer this item in order to allow the Board of Health an opportunity to consider this matter at the Board of Health meeting on November 28, 2005.*

**Background:**

*The Board of Health on October 24, 2005, considered a report (September 28, 2005) from the Acting General Manager of Toronto Water and the Medical Officer of Health, reporting back to Works Committee and the Board of Health on the draft Terms of Reference to hire a facilitator for the peer review of the Biosolids and Residuals Master Plan.*

**Recommendations:**

*It is recommended that:*

- (1) *authority be granted to the General Manager of Toronto Water working together with the Medical Officer of Health, to issue a Request for Proposal (RFP) in accordance with the draft Terms of Reference, for the hiring of a facilitator and to engage the services of a panel of experts to undertake a peer review of the decision making model used in the Biosolids and Residuals Master Plan; and*

(2) *this report be forwarded to the Board of Health for information.*

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- *Confidential Appendix A to the report (September 28, 2005) from the Acting General Manager, Toronto Water and the Medical Officer of Health [Confidential Communication C.8(a)]. This Appendix remains confidential in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to the security of the property of the municipality.*

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***City Council – November 24, 2005***

*Council also considered the following:*

- *Confidential Appendix A to the report (September 28, 2005) from the Acting General Manager, Toronto Water and the Medical Officer of Health [Confidential Communication C.8(a)]. This Appendix remains confidential in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to the security of the property of the municipality.*