

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
<b>Key Recommendations</b>		<b>X</b>				<p>The MOE Conditions of Approval require the City to proceed with OWRA and detailed design studies for implementation of UV disinfection, and only consider other disinfection methods if these studies find UV not to be reasonable.</p> <p>The City has not provided presentations to the ICMC on all issues needed for a complete compliance report.</p> <p>The City has not yet done a comprehensive market study on the complete range of beneficial use options for biosolids.</p> <p>The Coxwell and Don Trunk EA, as well as the Coatsworth Cut EA, have not yet clearly committed that there will be a reduction of stormwater entering sanitary sewers and the treatment plant.</p> <p>The TTC's proposed use of part of the ABTP site is contrary to the primary purpose of the site being for sewage treatment.</p>	<ul style="list-style-type: none"> <li>● That, in order for the City to be compliant with the MOE Conditions of Approval, the MOE require Toronto Water to begin the OWRA studies and detailed design for UV disinfection, and ensure that the detailed design of the outfall include all necessary requirements for the UV disinfection such as filtering.</li>   <li>● That the City of Toronto a) amend the Disinfection EA Study to approve UV disinfection for secondary treated effluent; and b) have staff provide the Public Works and Infrastructure Committee with a study of issues such</li> </ul>	<ul style="list-style-type: none"> <li>▪ The study that led to the recommendation for approval of the UV disinfection system at the ABTP is 10 years old. The application process for a new OWRA approval for the outfall would not result in a comprehensive analysis of disinfection alternatives to ensure that the proposed system identified in the original EA is effective and cost efficient. The Ministry conditions state that the City may re-assess UV disinfection provided a Schedule B EA is undertaken in order to identify and evaluate alternatives to the proposed disinfection system.</li>   <li>▪ UV disinfection was investigated as one of several alternatives for the Ashbridges Bay TP. All alternatives were assessed based on a triple bottom line assessment model that</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<p>as filtering requirements needed for the UV disinfection of bypass effluent and a study of chlorine disinfection byproducts, so that the Public Works and Infrastructure Committee can decide whether to use UV for secondary bypass effluent.</p> <ul style="list-style-type: none"> <li>• That a chemical analysis of chlorination/dechlorination disinfection byproducts using secondary treated, secondary bypass and primary bypass effluent samples from the ABTP should be required before chlorine disinfection can remain in consideration.</li> </ul>	<p>included environmental, social and economic criteria. Using this evaluation process, chlorination / dechlorination was determined to be the preferred solution for effluent disinfection at the Ashbridges Bay TP. The final Class EA report contains information that documents the selection of the chlorination/dechlorination alternative as the preferred solution.</p> <ul style="list-style-type: none"> <li>▪ The Disinfection Class EA report documents the potential for disinfection byproducts (DBPs) resulting from the use of chlorine and the triple bottom line scoring model used does consider DBPs within the environmental criteria.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>● That the City of Toronto provide engineering staff from Toronto Water and provide appropriate staff to report to the ICMC on the backlog of reports missed during 2007, 2008 and 2009, including: Urban Planning Issues relating to plant capacity and the Coxwell trunk twinning, and Economic issues; and that there be sufficient number of ICMC and NLC meetings to cover all reporting and Steering Committee functions.</li>   <li>● That the City of Toronto through Toronto Water enhance non-food-crop markets for biosolids including consideration of uses such as horticulture, silviculture, remediation of degraded sites and abandoned mine sites, daily landfill cover, and the City's own use of biosolids for urban parks and forestry.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A Senior Engineer from Toronto Water and a Public Consultation staff person attend all regularly scheduled ICMC Steering Committee meetings to discuss implementation of the EA Approved Undertakings. Presentations are made annually by other Toronto Water staff on water efficiency, wet weather flow management and the Sewer Use By-law.</li>   <li>▪ The City undertook a Biosolids and Master Plan (BMP) that prepared a long term strategy to manage wastewater treatment biosolids in an environmentally sound and sustainable manner. The BMP process was undertaken as a Class Environmental Assessment that required the City to consider all viable management options. The</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>• That the City of Toronto, having terminated the incineration of biosolids on December 5, 2002, decommission the existing incinerators and amend the Certificate of Approval to remove sewage sludge incineration.</li> </ul>	<p>BMP prepared a technical assessment of all viable biosolids handling and end use alternatives currently available. Management options assessed included various advanced thermal technologies, land application, pelletization, composting and co-composting with solid waste and alkaline stabilization. In addition, the City has searched for degraded site options and has identified only limited potential at this time. In 2009, approximately half the ABTP biosolids went to Beneficial Use including 8,264 wet tonnes of biosolids that was sent to degraded sites</p> <ul style="list-style-type: none"> <li>▪ The ABTP C of A (AIR) has been amended by the MOE (July 9, 2010) to remove incineration. Without the C of A, the incineration is inoperable. Demolition and/or decommissioning will</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments	
							<ul style="list-style-type: none"> <li>● That incineration contingency be removed from the Nutrient Management Plan and replaced with beneficial uses as the contingency.</li> <li>● That the TTC find an alternative site outside of the ABTP for the proposed vehicle facility and that the TTC's proposal be brought to the Public Works and Infrastructure Committee for consideration.</li> <li>● That the WWFMMP and its implementation meet Provincial Water Quality Objectives and become fully compliant to the regulations under F-5 procedures, including F-5-5 and F-5-1.</li> <li>● That the Coatsworth Cut EA plan include opportunistic sewer separation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The ABTP Nutrient Strategy has been updated appropriately. Regulatory changes will impact this requirement.</li> <li>▪ The Mediation Agreement does not contain any commitments to the items requested by the ICMC.</li> <li>▪ The WWFMMP and its implementation will achieve significant improvements in water quality levels toward the achievement of PWQO to protect public health and ecosystems.</li> <li>▪ This issue was assessed in the Coatsworth Cut Class EA. Conveyance controls were recommended and are being implemented to bring</li> </ul>	<p>be undertaken as part of future capital works.</p> <ul style="list-style-type: none"> <li>▪ The ABTP Nutrient Strategy has been updated appropriately. Regulatory changes will impact this requirement.</li> <li>▪ The Mediation Agreement does not contain any commitments to the items requested by the ICMC.</li> <li>▪ The WWFMMP and its implementation will achieve significant improvements in water quality levels toward the achievement of PWQO to protect public health and ecosystems.</li> <li>▪ This issue was assessed in the Coatsworth Cut Class EA. Conveyance controls were recommended and are being implemented to bring</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								<p>all discharges from the sewer system into compliance with MOE procedure F-5-5.</p> <ul style="list-style-type: none"> <li>▪ This issue was raised again during the 30 review period to the MOE. After further review the Minister of the Environment confirmed that the Environmental Assessment was adequate and made a decision to allow the project to proceed in July 2008.</li> </ul>
<b>Overall Observations</b>			<span style="color: orange;">◆</span>			<ul style="list-style-type: none"> <li>• Toronto Water did not respond to the majority of the ICMC 2006 Report Recommendations and therefore did not move closer to compliance in a number of areas.</li> <li>• The City of Toronto is required to meet its commitments in the Mediation Agreement in addition to meeting the requirements of the Conditions of Approval.</li> </ul>	<ul style="list-style-type: none"> <li>• That an effective dispute settlement mechanism be implemented to resolve compliance and timeline disputes raised by the ICMC.</li> <li>• The City should meet all commitments made in the Mediation Agreement.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Toronto Water prepared a detailed response to each of the ICMC's recommendations in their 2007/2008 Report. This was presented to Committee and Council for their information in May 2009.</li> <li>▪ The City has been and continues to work towards fulfilling all its commitments under the Mediation Agreement.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
<b>Resolution 1: Guiding Principles</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant <span style="color: orange;">◆</span>	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
<b>1 – 10 Guiding Principles</b>			<span style="color: orange;">◆</span>				<ul style="list-style-type: none"> <li>● Each project in the WWFMP should be reviewed in terms of implementing the guiding principles of the Mediation Agreement.</li> <li>● The Biosolids program should be based on the guiding principles in Resolution 1 of the Mediation Agreement, avoid disposal and not be solely based on using financial benefits or penalties to determine the optimal approach.</li> <li>● The TTC should find an alternative</li> </ul>	<ul style="list-style-type: none"> <li>▪ The WWFMP and the projects resulting from the WWFMP take into consideration the commitments made by the City in the Mediation Agreement.</li> <li>▪ The City has put in place a diversified biosolids program to manage its biosolids generated at Ashbridges Bay Treatment Plant. This program includes land application, alkaline stabilization and pelletization. Landfill is used as the outlet of last resort when beneficial use options are not available.</li> <li>▪ <span style="color: red;">The Mediation Agreement</span></li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							site outside of the ABTP for the proposed vehicle facility.  • The TTC's proposal to use 18 acres of the ABTP site should be brought to the Public Works and Infrastructure Committee for consideration.  • The ABTP NLC requests a report on the status of the original deeded use of the ABTP site and how, when and if the deeded use has changed.	does not contain any commitments to the items requested by the ICMC.  ▪ The Mediation Agreement does not contain any commitments to the items requested by the ICMC.  ▪ The Mediation Agreement does not contain any commitments to the items requested by the ICMC.
<b>Resolution 2: Source Control Issues</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
<b>1.0 Sewer Use By-Law</b>	<b>Yes</b>							
1.5 Ongoing Enforcement of Sewer Use By-Law					<span style="color: blue;">▶</span>	• Toronto Water conducted an organizational review, recognizing the need for additional enforcement staff.  • Fines in the By-Law have been increased.  • By-Law offers compliance programs for	• That the City should not cap fines. There should be a minimum fine. Fines should reflect the gravity of the offence and reflect the cost of administration.	▪ Provincial regulation limits maximum fines for municipal By-laws and Toronto's Sewer Use By-law reflects this. A Justice of the Peace decides the actual fine amount. The Justice of the Peace takes into consideration previous

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.



## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
						<p>non-surcharge parameters.</p> <ul style="list-style-type: none"> <li>For surcharge companies that install treatment systems to reduce BOD/TSS loading, a compliance program with monetary concession is offered.</li> </ul>	<ul style="list-style-type: none"> <li>That the City continue public education ads.</li> <li>Toronto Water examine the potential of a Toronto Incentive Program to encourage on-site pre-treatment of industrial effluents beyond required levels. (Mediator's Report, Commitment 1.6, page 36).</li> <li>Toronto Water test the use of reverse osmosis toilets for use in hospitals to control drugs discharged to the lake.</li> </ul>	<p>conviction(s) at the time of sentencing.</p> <ul style="list-style-type: none"> <li>Toronto Water has produced a number of public education brochures and continues to run ad campaigns for public education.</li> <li>There is currently no such incentive program. The By-Law limits are already the lowest in Canada. For industries to install pretreatment systems to go beyond the By-Law limits is costly. The City's P2 program allows for the elimination/substitution of the subject pollutants.</li> <li>This is not a commitment made by the City in the Mediation Agreement.</li> </ul>
1.7 Peel Region Sewer Use By-Law enforcement level similar to Toronto					<span style="color: blue;">▶</span>	<ul style="list-style-type: none"> <li>The Toronto and Region of Peel Sewer Use By-laws and enforcement levels were reviewed and a comparative table was prepared.</li> </ul>	<ul style="list-style-type: none"> <li>That the City continue negotiations with the Region of Peel to ensure the same level of enforcement of equivalent requirements for discharges to the wastewater collection system</li> </ul>	<ul style="list-style-type: none"> <li>There is continuing dialogue between the City and the Region of Peel. Peel has drafted a revised Sewer Use By-law which includes</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							since it may affect watershed water quality within the City of Toronto.	provisions for P2 Planning. The revised by-law is still in draft form and is awaiting their Council approval.
1.8 Provincial/Federal regulation of consumer products containing toxic substances					<span style="color: blue;">▶</span>	<ul style="list-style-type: none"> <li>●Research is required to assess if consumer products contain any subject pollutants.</li> </ul>	<ul style="list-style-type: none"> <li>●That the City prohibit or appropriately regulate any consumer products that are undesirable in the sewage collection system, in the treatment system and/or in the receiving waters.</li> <li>●That all City incentive programs from here on use products that are not detrimental to the environment or to public health.</li> <li>●That the City not promote or distribute toxic products that cause harm in the environment. Two examples are city use of pesticides and fluoridation of water.</li> <li>●That the City advocate that Federal and Provincial governments develop a</li> </ul>	<ul style="list-style-type: none"> <li>▪ The power to regulate consumer products lies with the Ministry of the Environment under the Ontario Environmental Protection Act and Environment Canada under the Canadian Environmental Protection Act.</li> <li>▪ The City does not promote products that are detrimental to the public or the environment.</li> <li>▪ The City does has not promote or distribute products that are detrimental to the public or the environment.</li> <li>▪ Environment Canada looks to Toronto's Environmental</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							priority list of toxic substances that are prohibited.	Monitoring & Protection group (EM&P) as a leader in sewer use and contacts EM & P for advice, information or assistance – an excellent relationship exists with the Federal Government's Environment Canada and National Office of Pollution Prevention.
1.9 Provincial/Federal regulation of pesticide use on private property				<span style="color: green;">√</span>		<ul style="list-style-type: none"> <li>• Commendations to City and the Board of Health for rigorously promoting and enforcing the newly implemented City of Toronto pesticide by-law.</li> </ul>		
<b>1.11 Monitoring</b>					<span style="color: blue;">▶</span>		<ul style="list-style-type: none"> <li>• Ongoing monitoring and public input relating to potential impacts of the Sewer Use Bylaw on the ABTP is to be assumed by the ICMC.</li> <li>• The Manager, Environmental Monitoring and Protection, ensure that monitoring be carried out on the Western Beaches storage tunnel and the Eastern Beaches detention tanks to include the amount of CSO/stormwater solids and of water used to flush tank</li> </ul>	<ul style="list-style-type: none"> <li>▪ The ICMC is provided with a presentation on the Sewer Use By-law annually.</li> <li>▪ The Western Beaches Tunnel has not been fully commissioned as of yet. A sampling procedure has been prepared and will be put in place once fully commissioned to monitor the</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							solids that is being pumped through the sewers to the ABTP.	quality of flow to the treatment plants. The Eastern Beaches Detention Tank is not currently being monitored. A joint two year study done with the Ministry of the Environment (report published in 2004) determined that the tank was working properly and that no further testing was required at this time.
<b>2.0 Water Efficiency Plan</b>	<b>Yes</b>							
2.1 Develop, Adopt & implement Water Efficiency Plan					<span style="color: blue;">▶</span>			
2.2 - 2.5 Water Efficiency Plan assumptions/background					<span style="color: blue;">▶</span>			
2.6, 2.13, 2.14 Review and Update of WEP Goal		<span style="color: red;">X</span>				<ul style="list-style-type: none"> <li>• 2021 scenario not done.</li> <li>• The WEP goal is not as ambitious as any of the 4 scenarios in the mediation agreement.</li> </ul>	<ul style="list-style-type: none"> <li>• That Toronto Water prepare a report that includes a review of goals of the WEP annually and a comprehensive 5-year review should be carried out.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A 5 year review has been completed and a staff report is proposed to be presented to Council in the fall of 2010.</li> </ul>
2.7 Plant expansion					<span style="color: blue;">▶</span>	<ul style="list-style-type: none"> <li>• The Official Plan will exceed population</li> </ul>	<ul style="list-style-type: none"> <li>• That the City initiate the 5-year</li> </ul>	<ul style="list-style-type: none"> <li>▪ A 5 year review has been</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
avoided due to WEP measures						projections used to calculate that plant expansion will not be needed even if the WEP measures are implemented. ● The 2004, 5-year review has still not been initiated.	review.	completed and a staff report is proposed to be presented to Council in the fall of 2010.
2.8 Water Rate Study					<span style="color: blue;">▶</span>	● A water rate study has been initiated. Ongoing, partial compliance.	● That Toronto Water initiate a rate study that addresses the cost of processing any CSO and stormwater directed to the ABTP which is not reflected in water meter volume measurements, and that ICMC be part of any planned water rate consultations.	▪ The Mediation Agreement does not contain any commitments to the items requested by the ICMC.
2.9 Water Efficiency Plan contents					<span style="color: blue;">▶</span>			
2.10, 2.12 Water Efficiency Plan Review Committee		<span style="color: red;">X</span>				● None established	● That the City establish a Water Efficiency Plan Review Committee, whose mandate will include measurement of water outdoor usage.	▪ A review committee was utilized during the preparation of the Water Efficiency Plan. Water Efficiency Plan staff currently fulfill the mandates contained within the Water Efficiency Plan.
2.11 Water reduction scenario strategies					<span style="color: blue;">▶</span>	● Not all residences with a water meter have been captured.	● That the City become more aggressive in implementing the Water Meter Program by identifying important target sectors (i.e. pool owners).	▪ The City is being aggressive and has reduced the timeline for the implementation of the Water Metering Program from 8 to 6 years. It is

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>That the City undertake water efficiency plan projections to the year 2031</li> </ul>	<ul style="list-style-type: none"> <li>targeting all flat rate and high volume users first.</li> <li>The projection has been assessed in the 5 year review. A staff report is proposed to be presented to Council in the fall of 2010.</li> </ul>
<b>3.0 Wet Weather Flow Master Plan</b>	Yes							
<b>3.1 WWFMP to follow Guiding Principles</b>			◆					
<b>3.2 – 3.16</b>		X					<ul style="list-style-type: none"> <li>Toronto Water commit to reduce the number and severity of bypass events, with the goal of eventual elimination of bypass events</li> <li>Toronto Water report on the past and ongoing monitoring of the Eastern</li> </ul>	<ul style="list-style-type: none"> <li>The Don Trunk and Waterfront CSO Control Strategy will identify system upgrades to provide sufficient capacity within the Don Trunk and Waterfront Interceptor Sewer System to support future growth requirements and undertake a system optimization for the servicing of dry and wet weather flows in the ABTP service area.</li> <li>The Western Beaches Tunnel has not been fully</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<p>Beaches Detention Tanks and the Western Beaches Tank Tunnel to demonstrate yearly compliance (since their installation) to Ontario Procedure F-5-5 and F-5-1. Monitoring should include the amount of solids and flushwater from Western Beaches Tunnel going into the Mid Toronto Interceptor, regarding impacts on the ABTP as per 3.16 of the MA.</p> <ul style="list-style-type: none"> <li>● Toronto Water develop a plan that outlines how the analysis of stormwater flows included in the above commitments can be undertaken in the ongoing staged implementation of the Wet Weather Flow Management Master Plan.</li> <li>● Toronto Water use engineering features, such as stormwater management ponds, to stop untreated</li> </ul>	<ul style="list-style-type: none"> <li>▪ This is being assessed in the Don Trunk EA and the other WWFMP EA's.</li> <li>▪ Class EA's under the WWFMP will review this issue:</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<p>water from going into Lake Ontario.</p> <ul style="list-style-type: none"> <li>● Stormwater flows should be disinfected with UV before entering streams and creeks that go to Lake Ontario. This will not increase the load to the sewage treatment plants.</li> <li>● Toronto Water develop a long term plan under F-5-5 for the elimination of all bypass events at all wastewater treatment plants.</li> <li>● The full ICMC membership should be included as voting members in the WWFMP Implementation Advisory Committee when projects affecting ABTP are considered.</li> </ul>	<ul style="list-style-type: none"> <li>- Etobicoke Waterfront</li> <li>- Coatsworth Cut (completed)</li> <li>- Scarborough Waterfront CSOs</li> </ul> <ul style="list-style-type: none"> <li>▪ UV disinfection is not required for discharge into rivers as per what was identified in the WWFMP.</li> <li>▪ Bypass events will not be eliminated at the wastewater treatment plants. Toronto Water is working to improve the quality of secondary treatment bypass flows to achieve compliance with F-5-5.</li> <li>▪ The ICMC has a representative on the 15 member WWFMP Advisory Committee. It is this person's responsibility, as it</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.



## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								is for each member on the Committee, to convey information and voice the concerns/comments on behalf of the organization/group that they represent.
<b>Resolution 3: ABTP Capacity</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
1.0 Existing Approved Capacity at the ABTP	No					<ul style="list-style-type: none"> <li>No report was received on each capacity item listed in 1.1 to 1.10.</li> </ul>	<ul style="list-style-type: none"> <li>ICMC requests that there be a report on both solids and population projections.</li> </ul>	<ul style="list-style-type: none"> <li>There has been no change in the rated capacities in items 1.1 to 1.10. This section of the Mediation Agreement does not contain a commitment to an annual solids projection report.</li> </ul>
1.8 and 1.9 Solids loading to MTP			<span style="color: orange;">◆</span>			<ul style="list-style-type: none"> <li>The amounts of dry solids require some correction.</li> </ul>	<ul style="list-style-type: none"> <li>Report on an explanation for the 5000 dry tonnes reduction reported for 2006 compared to 2002.</li> </ul>	<ul style="list-style-type: none"> <li>Solids loading to the plant, as well as day to day process operations are expected to vary. Since several factors influence the annual dry tonnage of biosolids disposed, it is not</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
						<ul style="list-style-type: none"> <li>ICMC is concerned with Staff planning around 100% beneficial use of biosolids when the capacity limits represent an 85% increase in biosolids tonnage compared to the 50,000 dry tonnes that is the current tonnage being managed.</li> </ul>	<ul style="list-style-type: none"> <li>Reduce flows through implementation of WEP and WWFMMP and reduce solids loading.</li> </ul>	<p>uncommon to observe +/- 10% fluctuations from year to year. In addition, process and efficiency improvements in digestion and dewatering have decreased the total volume in wet tonnes that are hauled from ABTP</p> <ul style="list-style-type: none"> <li>This section accurately presents the solids loadings measured and forecasted at the time the Mediation Agreement was drafted. It does not require updating. Current projections for solids loading are provided by the Biosolids Master Plan.</li> </ul>
2.0 No Expansion of MTP Capacity in this EA Approval					<span style="color: blue;">▶</span>	<ul style="list-style-type: none"> <li>The City's new Official Plan population scenario will exceed projections that were used to determine that plant expansion would not be needed. The numbers being used by Toronto Water do not reflect the effects of the Official Plan.</li> </ul>	<ul style="list-style-type: none"> <li>That the City of Toronto review its Official Plan and current development for its effect on population increases and plant capacity.</li> </ul>	<ul style="list-style-type: none"> <li>Annual updates are provided to the ICMC based on current official plan population projections and their impact on treatment plant flows. These projections continue to indicate no need for expansion prior to 2011. The City is not currently seeking</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								approval for liquid or solids treatment capacity expansion at the Ashbridges Bay Treatment Plant.
<b>Resolution 4: Plant Optimization and Economic Issues</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
1.0 Plant Optimization	No		<span style="color: orange;">◆</span>				<ul style="list-style-type: none"> <li>● ICMC requests an annual optimization report of the existing plant.</li>   <li>● Toronto Water report on the relationship between biosolids odours and stabilization of the sludges by anaerobic digestion and/or dewatering by centrifuge and/or pumping through the forcemain to the truck loading facility; and report on the feasibility of using a mechanical Roman screw for moving biosolids to the truck loading facility.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Items 1.1.1 to 1.1.4 of the Mediation Agreement dealt with specific optimization projects which have been completed by the City and have been previously reported to the ICMC.</li>   <li>▪ The Mediation Agreement does not contain any commitment to the items requested here by the ICMC.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS








Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">✓</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>● Toronto Water report on any reduction of pathogen count due to the increase in digestion time to 15 days, and any further plans to increase digestion time.</li> <li>● Toronto Water report on digester optimization and digestion time results from other public and private operators.</li> </ul>	<ul style="list-style-type: none"> <li>▪ All E.coli numbers tested for biosolids can be found in the Ashbridges Bay Treatment Plant annual reports that are placed in the City's Urban Affairs library for the public to review. E.coli numbers remain below regulatory requirements.</li> <li>▪ The Mediation Agreement does not contain any commitment to the items requested here by the ICMC.</li> </ul>
2.0 Economic Issues	<b>No</b>						<ul style="list-style-type: none"> <li>● Toronto Water report on any funds used to maintain any of the existing incinerators listed as contingency in the Nutrient Management Plan.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Mediation Agreement does not contain any commitment to the items requested here by the ICMC.</li> </ul>
3.0 Energy Optimization (Section 3.1)					<span style="color: blue;">▶</span>		<ul style="list-style-type: none"> <li>● Toronto Water report on why the new boilers were unable to burn digester gas.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Mediation Agreement does not contain any commitment to the items requested here by the ICMC.</li> </ul>
<b>Resolution 5: Biosolids Utilization Issues</b>								

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant 	Partially Compliant 	Compliant 	Ongoing Process 	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
2.0 Termination of Incineration								
2.4 Certificate of Approval and Decommissioning						<ul style="list-style-type: none"> <li>We are expecting the Certificate of Approval to be amended in 2010 to exclude incineration.</li> </ul>	<ul style="list-style-type: none"> <li>The ICMC recommends that a schedule be presented to the ICMC on the City's progress in decommissioning the incinerators at the ABTP.</li> </ul>	<ul style="list-style-type: none"> <li>The ABTP C of A (AIR) has been amended by the MOE (July 9, 2010) to remove incineration.</li> </ul>
3.0 Long term Market Study for Beneficial Uses of MTP Biosolids						<ul style="list-style-type: none"> <li>A full Marketing Study has not been carried out and has therefore not been included in the Biosolids Master Plan.</li> <li>The original City RFP process has been unsuccessful in securing adequate private sector proponents (and contracts) to accomplish 100% beneficial use.</li> <li>The Biosolids Master Plan now includes 100% Beneficial Use of biosolids.</li> </ul>	<ul style="list-style-type: none"> <li>That the comprehensive Market Study for agricultural and non-agricultural lands be completed</li> <li>The ICMC recommends that the City assess the requirements and undertake a search for a biosolids storage facility.</li> </ul>	<ul style="list-style-type: none"> <li>A Market Study for the beneficial use of biosolids was completed for both agricultural and non-agricultural options through the Biosolids and Master Plan (BMP). The market study for both agricultural and non-agricultural use options was provided to the BMP Advisory Committee for their review and comment during the BMP process and made available on the City's project website for the public to review.</li> <li>With the implementation of a more diversified biosolids management program during</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>• The ICMC recommends that the City evaluate the market for the use of biosolids as mine reclamation, landfill cover, and other non-agricultural land applications.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City undertook a Biosolids and Master Plan (BMP) that prepared a long term strategy to manage wastewater treatment biosolids and water treatment plant residuals in an environmentally sound and sustainable manner. The BMP process was undertaken as a Class Environmental Assessment that required the City to consider all viable management options. The BMP prepared a technical assessment of all viable biosolids and residuals handling and end use alternatives currently available. Management options assessed include</li> </ul> <p style="margin-left: 20px;">the summer of 2006, the City has a larger number of outlets to choose from to manage its biosolids and therefore the need for a storage facility is no longer a priority.</p>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>• The City should evaluate improvements to the digestion process including longer digestion time and alternative digestion processes in the interests of stabilization, energy production and odour reduction.</li> <li>• Toronto Water continue to improve the quality of the ABTP biosolids through its programs at wastewater treatment plants that process and provide biosolids to and at the ABTP.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City has implemented major digester refurbishment as well as a long term cleanout program and continuous mixing in the digesters to improve the digestion process.</li> <li>▪ Enhancements to digestion are considered in the Biosolids Master Plan and the City directly participates in third party research done</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<ul style="list-style-type: none"> <li>• The City should proceed with co-generation for utilizing methane from the digestion of biosolids.</li> </ul>	<p>by the Water Environment Research Foundation (WERF). In addition, Toronto Water actively enforces its Sewer Use By-law which works to improve biosolids quality.</p> <ul style="list-style-type: none"> <li>▪ City is negotiating an agreement with Toronto Hydro (TH) that will allow TH to construct and operate a cogeneration facility utilizing ABTP digester gas to produce as much as 10 MW of power.</li> </ul>
4.0 Request for Proposals: Interim Contingency Options			<span style="color: orange;">◆</span>			<ul style="list-style-type: none"> <li>• The ICMC is concerned about the present interim/contingency biosolids disposal options.</li> </ul>	<ul style="list-style-type: none"> <li>• The ICMC recommends that the City explore further contingency applications of biosolids.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Toronto Water is in constant discussion with a number of service providers with the objective of adding beneficial use options. As well, the Biosolids Master Plan prepares a short, interim and long term management plan for the biosolids generated at ABTP and identifies a contingency management</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.



## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">✓</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								option should the primary management option(s) fail.
5.0 Biosolids Master Plan	Yes			<span style="color: green;">✓</span>		<ul style="list-style-type: none"> <li>• The BMP process used a decision making model which did not properly assess the alternatives and the advisory committee process did not respond to public input.</li> </ul>	<ul style="list-style-type: none"> <li>• For future Master Plan and EA processes:                             <ul style="list-style-type: none"> <li>• The public consultation needs to be improved; the process for hiring consultants for Master Plans and EAs must require the consultants to show that they will modify their reports in response to public input.</li> </ul> </li> <li>• The decision-making model should reflect strategic and management level analysis of strategies and options; a weighted matrix model should not be used because it does not compare the best variations of each option and does not reflect large negative impacts in the scoring system.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The rigor behind the process to hire consultants is extensive and must meet the requirements of the City's purchasing policies. The process of collecting, analyzing and reporting on public input is well established and is conducted in accordance with regulatory requirements.</li> <li>▪ The weighted matrix model is an established and well accepted method of evaluating options in an EA. The method is supported by the findings of the Peer Review Panel conducted under the BMP process.</li> </ul>
<b>Resolution 6: Tertiary Treatment</b>								

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant ✓	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
<b>Tertiary Treatment</b>	<b>No</b>	<b>X</b>				<ul style="list-style-type: none"> <li>• Tertiary Treatment for the bypass does not need stand alone approval</li> <li>• If the MOE determines that Tertiary Treatment is needed beyond disinfecting the secondary bypasses, then approval under the ABTP Environmental Assessment can proceed at that time.</li> </ul>	<ul style="list-style-type: none"> <li>• That the City of Toronto set aside space for a future Tertiary Treatment facility</li> <li>• That the City of Toronto begin a preliminary study for the design of a Tertiary Treatment facility to treat the final effluent and settled primary effluent.</li> <li>• That a report be made to ICMC on the status of implementing Tertiary Treatment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Mediation Agreement explicitly states that the City does not intend to implement tertiary treatment except, if necessary, to meet Ministry of the Environment (MOE) requirements. There are no provincial or federal requirements for tertiary treatment at this time. The City tracks and is aware of long term plans by both the federal and provincial governments through the CCME.</li> </ul>
<b>Resolution 7: Ultraviolet Disinfection</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.  
**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.  
**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
Disinfection of effluent during bypass will be accomplished using UV disinfection		X				<ul style="list-style-type: none"> <li>The Disinfection Study was inadequate because it did not consider design options to facilitate implementation of UV treatment (especially for treatment of bypass effluent) such as filtration, and therefore the study is not useful in making a decision between UV and chlorine treatment.</li> </ul>	<ul style="list-style-type: none"> <li>Toronto Water do a study of the options for treating bypass effluent using UV, including filtration, further reductions in stormwater flows, and the physical design of the UV exposure system.</li> <li>The ICMC requests a presentation from Trojan on what other large sewage plants in Canada and the USA have been installing for UV disinfection of sewage plant bypass effluents.</li> <li>A chemical analysis of chlorination/dechlorination disinfection byproducts using secondary treated,</li> </ul>	<ul style="list-style-type: none"> <li>The Disinfection Study looked at all options. The ABTP Class EA process used a multi-criteria analysis decision-making process based on a 'triple bottom line' of environmental, social and economic indices, which is explained in great detail in the project documentation. As is commonly the practice, each of the three indices was given equal weighting in the overall decision-making process, leading to a balanced, sustainable solution to the problem statement.</li> <li>The information necessary to assess the UV option was collected as part of the Disinfection Class EA. Presentations by individual equipment suppliers are not appropriate.</li> <li>The Disinfection Class EA report documents the potential for disinfection</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<p>secondary bypass and primary bypass effluent samples from the ABTP should be required before chlorine disinfection can remain in consideration.</p> <ul style="list-style-type: none"> <li>● That the City of Toronto provide the ICMC with last year's report on the influent and effluent quality and the Biosolids removal related to the operations of the Western Beaches Tunnel. This report should also include discussion of the impacts of ultra violet disinfection to the effluent.</li> <li>● The City of Toronto to compare Western Beaches Tunnel results to determine if the bypass from Ashbridges Bay Plant can be treated with Ultraviolet disinfection.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Mediation Agreement does not contain any commitment to the items requested here by the ICMC.</li> <li>▪ The ability of UV to disinfect bypass flows was investigated in the original UV Pilot and determined to be problematic. With respect to the Western Beaches Tunnel, the Mediation Agreement does not contain any commitment to the items requested here by the ICMC.</li> </ul>
UV Implementation Plan schedules	<b>No</b>	<span style="color: red;">X</span>				<ul style="list-style-type: none"> <li>● The MOE Conditions of Approval state that the OWRA and detailed design</li> </ul>	<ul style="list-style-type: none"> <li>● Toronto Water provides an updated timeline for OWRA and detailed design</li> </ul>	<ul style="list-style-type: none"> <li>▪ A work plan was presented to the ICMC in writing by the</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
						<p>studies should proceed for UV disinfection only unless UV is found to not be feasible.</p> <ul style="list-style-type: none"> <li>• The Ultraviolet Implementation Plan and Schedule “A” and “B” are both out of compliance.</li> <li>• Overall, four Schedules are outdated. They have not been updated to reflect new schedules.</li> </ul>	<p>studies and implementation for UV disinfection at the ABTP.</p> <ul style="list-style-type: none"> <li>• The ICMC be the Steering Committee for the OWRA and design studies for the UV disinfection system.</li> </ul>	<p>City in a letter on June 18, 2008 followed by a verbal discussion of the work plan at their July 8, 2008 meeting. Further discussion around work plan and timeline has also been provided in the City’s Annual Compliance Report to the MOE.</p> <ul style="list-style-type: none"> <li>▪ ICMC is the Steering Committee. The City organizes ICMC meetings that are dedicated to the implementation of the Approved EA Undertakings. In 2008, the ICMC participated in the review of the terms of reference for the Disinfection Study prior to its release and an elected representative from the ICMC reviewed and helped evaluate proposals for the Disinfection Study in order to select the successful proponent. In 2009, dedicated presentation and updates were presented to ICMC for the express</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								purposes of obtaining feedback.
<b>Resolution 8: Near Shore Water Quality and Outfall</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
1.0 Near Shore Water Quality Degradation	<b>No</b>		<span style="color: orange;">◆</span>				<ul style="list-style-type: none"> <li>● The City create a strategy and implement a plan to reduce the ammonia going into the Lake. The City should commit to a strategy on managing ammonia and chlorinated compounds under CEPA and develop a plan to come into compliance with CEPA. Pharmaceuticals and PBDE's are a current concern with regard to effluent water quality.</li> <li>● The City arrange for an in-house education program to educate staff about provincial legislation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Mediation Agreement contains no commitment to this recommendation.</li> <li>▪ Toronto Water does track and monitor ammonia and chlorine levels in the plant effluent and tracks regulatory and technical developments related to these issues. In particular, the disinfection recommendations to dechlorinate are specifically related to the CEPA requirements to reduce chlorine residual to less than 0.02mg/l.</li> <li>▪ The Mediation Agreement contains no commitment to this recommendation.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								Toronto Water staff are well aware of provincial legislation. In fact, certain positions in Toronto Water specialize in and are dedicated to regulatory compliance.
1.2		X				<ul style="list-style-type: none"> <li>Although the City is now embarking on the Coatsworth Cut EA through the Wet Weather Flow Master Plan, there is no program and no compliance.</li> </ul>	<ul style="list-style-type: none"> <li>Toronto Water report to the Works Committee and the NLC and ICMC regarding the long term water quality monitoring program in Coatsworth Cut and the near shore in the vicinity of the ABTP and the results on a half-yearly basis.</li> </ul>	<ul style="list-style-type: none"> <li>Data obtained from the monitoring program in Coatsworth Cut is presented to the ABTP NLC and ICMC on a yearly basis.</li> </ul>
1.2.1 Cooperation with Toronto and Region Conservation Authority								
- bullet 1				√				
- bullet 2		X				<ul style="list-style-type: none"> <li>Coatsworth Cut Joint Force, if it existed, did not include public stakeholders. There was no provision for public stakeholders to participate on the Steering Committee for the Coatsworth Cut EA.</li> </ul>		
1.2.2				√		<ul style="list-style-type: none"> <li>Data from the summer of 2005 has been collected and reported to the ABTP NLC.</li> </ul>		

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
1.2.3 CSO and Stormwater Outlets in Coatsworth Cut					<span style="color: blue;">▶</span>	<ul style="list-style-type: none"> <li>The decisions made in the plan were based mainly on reducing the quantity of combined sewer overflow water in the outflows, rather than reducing the amount of solids in the outflows. This incorrectly led to the conclusion that opportunistic sewer separation would not be needed.</li> </ul>	<ul style="list-style-type: none"> <li>The Coatsworth Cut EA Plan should include opportunistic sewer separation.</li> </ul>	<ul style="list-style-type: none"> <li>This issue was assessed in the Coatsworth Cut Class EA. Conveyance controls were recommended and are being implemented to bring all discharges from the sewer system into compliance with MOE procedure F-5-5.</li> <li>This issue was raised again during the 30 review period to the MOE. After further review the Minister of the Environment confirmed that the Environmental Assessment was adequate and made a decision to allow the project to proceed in July 2008.</li> </ul>
2.0 Proposed Outfall Pipe	<b>No</b>				<span style="color: blue;">▶</span>	<ul style="list-style-type: none"> <li>The City to date has not undertaken any new planning or design processes for the implementation of the Outfall Pipe. The Outfall Studies submitted to support the EA were completed in 1986. The data is now 20 years old.</li> </ul>	<ul style="list-style-type: none"> <li>The design of the outfall should include replacing any out of-date studies, and include severe wet weather climate-change-related scenarios.</li> <li>The ICMC be the Steering Committee for the design studies for the outfall</li> </ul>	<ul style="list-style-type: none"> <li>This will be addressed during the design phase of the outfall.</li> <li>In 2008, the ICMC has participated in the review of</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.



## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">✘</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">✓</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							pipe.	the terms of reference for the Disinfection EA prior to its release and an elected representative from the ICMC reviewed and helped evaluate proposals for the Disinfection EA in order to select the successful proponent. The ICMC will also be consulted when work commences for the outfall. ICMC continues to function as the Steering Committee as defined in the Mediation Agreement.
<b>Resolution 9: Good Neighbour Issues</b>								
Resolution and Commitments	Presentation Received	Non-Compliant	Partially Compliant	Compliant	Ongoing Process	Key Comments	Recommendations	City of Toronto Comments
1.0 Neighbourhood Liaison Committee	<b>Ongoing liaison</b>			<span style="color: green;">✓</span>			<ul style="list-style-type: none"> <li>● The City ensure sufficient number of NLC meetings to enable the NLC to address community concerns, planning and implementation issues.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City feels that quarterly NLC meetings more than meet the need to address all community concerns that may arise.</li> </ul>
2.0 Noise				<span style="color: green;">✓</span>				

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ♦	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
3.0 Odour and air emissions			♦					
3.1.3 Odour complaints procedures			♦			<ul style="list-style-type: none"> <li>There are noticeable odours in the community.</li> </ul>	<ul style="list-style-type: none"> <li>Monthly reporting to NLC and ICMC on all odour complaints received by the plant and what is done to respond to them.</li> <li>Signs outside the plant should inform people that the phone number can also be used to report an odour complaint, in addition to an insert in the Beaches Metro News and other publications.</li> </ul>	<ul style="list-style-type: none"> <li>The Mediation Agreement does not contain a commitment for monthly reporting of odour complaints to the NLC or ICMC.</li> <li>The contact information for the plant including where and how to make an odour complaint is routinely communicated through the plant newsletter.</li> </ul>
3.1.2 and 3.1.3 Odour complaint protocol			♦			<ul style="list-style-type: none"> <li>There remains no mechanism for the community to log complaints or for something to be done to address the odour issue.</li> </ul>	<ul style="list-style-type: none"> <li>A more complete odour complaint protocol be created, specifically a community-based odour verification process is needed.</li> </ul>	<ul style="list-style-type: none"> <li>The new protocol has been implemented and presented to the ABTP NLC.</li> </ul>
3.1.4 Odour Assessment				√		<ul style="list-style-type: none"> <li>The study was completed. Biofilters may still need to be implemented.</li> </ul>		
3.1.6 NLC participation in consultant selection				√		<ul style="list-style-type: none"> <li>The Zorix Odour Characterization Study has been completed. The final odour controls have not yet been implemented.</li> </ul>		
4.0 Health Study			♦			<ul style="list-style-type: none"> <li>The Health Study was completed after the draft Biosolids and Residuals Master Plan.</li> </ul>		

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
4.1 Need for comprehensive epidemiological study			◆					
4.2 Community Health Study				√				
4.2.1 - 4.2.6 Community Health Study				√				
4.2.7 Reintroduction of Incineration as an option				√		<ul style="list-style-type: none"> <li>Incineration is currently not being considered.</li> </ul>		
6.0 Site Plan and Visual Aesthetics			◆					
6.1.1 Landscape Architecture Site Plan				√		<ul style="list-style-type: none"> <li>The Plan will be developed with input from the broad community and from the NLC.</li> </ul>		
6.1.2 Landscape Architecture Site Plan			◆			<ul style="list-style-type: none"> <li>Finalization of the Plan and a contract to implement the site plan in the near vicinity of the plant (south of Lakeshore Boulevard) has not been brought to tender.</li> <li>The site plans for the park area north of the Lakeshore are moving towards implementation separately.</li> </ul>		
6.1.3-6.1.7 Landscape Architecture Site Plan		X				<ul style="list-style-type: none"> <li>The NLC has not received the schedule for implementation of the entire site.</li> </ul>	<ul style="list-style-type: none"> <li>That the Toronto Water prepare a timeline for the completion and implementation of a Landscaping Plan for the entire site.</li> </ul>	<ul style="list-style-type: none"> <li>The NLC received a presentation in 2009 on the implementation of Phase 1 Landscape Plan.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">✓</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
<b>Resolution 10: Implementation, Review and Compliance Monitoring Issues</b>								
Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">t</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant	Ongoing Process <span style="color: blue;">▶</span>	Key Comments	Recommendations	City of Toronto Comments
1.0 EA Implementation Plan					<span style="color: blue;">▶</span>		<ul style="list-style-type: none"> <li>That Toronto Staff prepare a report for the ICMC reaffirming compliance and setting new timelines.</li> </ul>	<ul style="list-style-type: none"> <li>The Annual Compliance Report to the MOE outlines the City's compliance to the Mediation agreement and the City's timelines related to the implementation of the EA Approved Undertaking.</li> </ul>
1.1.1 EA document amendments			<span style="color: orange;">◆</span>			<ul style="list-style-type: none"> <li>The EA was amended by the MA, but was later amended in November 2002 contrary to the MA.</li> <li>No 5 Year Review Process has been initiated to provide feedback regarding the process of the implementation of the Mediator's Agreement.</li> </ul>		<ul style="list-style-type: none"> <li>The City acted in compliance with the terms of the Mediation Agreement</li> </ul>
1.1.2 Annual Population Projection reporting to ICMC	<b>No</b>	<span style="color: red;">X</span>				<ul style="list-style-type: none"> <li>ICMC did not receive complete annual reports from the City of Toronto regarding the population projections.</li> </ul>		<ul style="list-style-type: none"> <li>Toronto Water has no new information regarding population projects. New Facility Forecasts will be developed in 2011 that will utilize the latest population projections.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
4.2.1(1.1.3) Distribution of Mediation Agreement to relevant departments		X				<ul style="list-style-type: none"> <li>ICMC is not aware of any section of the new Official Plan that incorporates or is informed by the Mediation Agreement.</li> </ul>		
1.1.4 Mediation Agreement Implementation		X				<ul style="list-style-type: none"> <li>The Disinfection Study does not follow the MA or the MOE Conditions of Approval.</li> <li>The comprehensive Biosolids Marketing Study has not been carried out.</li> </ul>	<ul style="list-style-type: none"> <li>That the comprehensive Biosolids Marketing Study be completed and incorporated into the Biosolids Master Plan.</li> </ul>	<ul style="list-style-type: none"> <li>A Market Study for the beneficial use of biosolids was completed for both agricultural and non-agricultural options through the Biosolids Master Plan (BMP). The market study for both agricultural and non-agricultural use options was provided to the BRMP Advisory Committee for their review and comment during the BRMP process and made available on the City's project website for the public to review.</li> </ul>
1.1.5. Official Plan and Zoning By-law amendments to exclude incineration		X					<ul style="list-style-type: none"> <li>The City should amend the Official Plan and Zoning Bylaws to exclude incineration.</li> </ul>	<ul style="list-style-type: none"> <li>The Mediation Agreement contains no commitment to this recommendation.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
1.1.6,1.1.7 Distribution of Mediation Agreement to relevant decision makers		X						
1.1.8 Master Schedule of Dates		X					<ul style="list-style-type: none"> <li>● Toronto Water provide a new Master Schedule for implementation of the EA.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A work plan was presented to the ICMC in writing by the City in a letter on June 18, 2008 followed by a verbal discussion of the work plan at their July 8, 2008 meeting. Further discussion around work plan and timeline has also been provided in the City's Annual Compliance Report to the MOE.</li> </ul>
2 Planning Horizon and Five Year Review Process		X						
2.1-2.2 Planning Horizon		X				<ul style="list-style-type: none"> <li>● The information required has not been provided and has not been consolidated into a schedule.</li> </ul>	<ul style="list-style-type: none"> <li>● That the ABTP Mediation Agreement continue beyond 2011, in order to implement the 'preferred alternative' as agreed in the Mediation Agreement.</li> <li>● The planning horizon will need to be 20 years (as stated in C 2.1) to cover implementation of the EA.</li> </ul>	<ul style="list-style-type: none"> <li>▪ With the EA approval in hand, the City is moving towards implementing the Approved Undertakings and does not see the need to continue the Mediation Agreement past 2011 or extend the planning horizon.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant X	Partially Compliant ◆	Compliant √	Ongoing Process ▶	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
2.3-2.5 Five Year Review Process, plant expansion		X				<ul style="list-style-type: none"> <li>No Five Year Review was undertaken.</li> </ul>	<ul style="list-style-type: none"> <li>That the Public Works and Infrastructure Committee initiate the missing 5 Year Review, as outlined in Section 2.3.</li> </ul>	<ul style="list-style-type: none"> <li>In 1999, when the 5 year review was recommended, information regarding future flows to the plant and the production of biosolids were unknown. Since then, the completion of the WWFMP, the implementation of the WEF and the update of the BRMP have provided the City with a better understanding of future flow and solid loadings coming to the ABTP, indicating a plant expansion will not be needed. Not completing the 5 year review does not hinder the implementation of the Approved Undertaking, of which none of the projects approved are tied to the expansion of the plant. Should a future facility forecast indicate that the ABTP needs to be expanded in the future, a new EA process will be undertaken at that time.</li> </ul>
2.6-2.7 EA amendments,		X				<ul style="list-style-type: none"> <li>The November 2002 City letter to the</li> </ul>		

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">✓</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
dispute Resolution						MOE was not supported by the ICMC, NLC and MA Signatories, nor were they consulted.		
3.0 ABTP EA Approval ICMC								
3.1-3.3 ICMC			<span style="color: orange;">◆</span>				<ul style="list-style-type: none"> <li>● The City should ensure that appropriate staff attend ICMC meetings to address implementation and planning issues.</li> <li>● Toronto Water report to the ICMC on all the Resolutions of the Mediator's Report in the each reporting year and the ICMC set a schedule to do so.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A Senior Engineer from Toronto Water and a Public Consultation staff person attend each ICMC Steering Committee meeting to discuss EA Approved Undertaking implementation progress. Presentations were delivered in 2009 on biosolids management, water efficiency, wet weather flow management and the Sewer Use By-law. In addition, the City has hired an additional outside facilitator to support the public consultation and facilitation components of the implementation of the Approved EA Undertaking.</li> <li>▪ Toronto Water establishes at the beginning of each year a schedule of presentations to be delivered to ICMC.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.



## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
							<p>Missing Reports include, e.g., Population and Planning, Economic Issues, Coxwell and Don Trunk sewer, Western Beaches Tunnel Ultraviolet project under Wet Weather Flow Master Plan.</p> <ul style="list-style-type: none"> <li>● The ICMC be the Steering Committee for the EA Implementation.</li> <li>● The Steering Committee process be improved so that the ICMC can effectively function as the Steering Committee for Disinfection studies and implementation and the City and its consultants will follow the direction of the Mediation Agreement.</li> <li>● The ICMC be provided with a budget for its work including preparation of reports to the City.</li> </ul>	<ul style="list-style-type: none"> <li>▪ ICMC is the Steering Committee as per the terms of the Mediation Agreement.</li> <li>▪ The City organizes ICMC meetings that are dedicated to the implementation of the Approved EA Undertakings. In 2008, the ICMC participated in the review of the terms of reference for the Disinfection Study prior to its release and an elected representative from the ICMC reviewed and helped evaluate proposals for the</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.

**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.

**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
								<p>Disinfection Study in order to select the successful proponent. Consultation and input continued in 2009 in accordance with the terms of the Mediation Agreement.</p> <ul style="list-style-type: none"> <li>▪ The annual ICMC report is prepared with the help of City resources and public consultation staff that look after the printing and distribution of the report. Costs are paid by Toronto Water.</li> </ul>
3.4-3.5 Annual Compliance Reporting by the City					<span style="color: blue;">▶</span>		<ul style="list-style-type: none"> <li>● That the City provide ICMC with annual reports dated after 1999, as outlined in Section 3.5.3</li> </ul>	<ul style="list-style-type: none"> <li>▪ Section 3.4 – 3.5 deals exclusively with annual reports to the MOE on compliance with the EA Approval. Now that EA Approval has been obtained, the City prepares Annual Compliance Reports to the MOE outlining progress made in implementing the EA Approved Undertaking for the previous year.</li> </ul>

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.  
**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.  
**Non-Compliant** refers to resolutions that the City has not yet addressed.

## 2009 COMPLIANCE STATUS TABLE, KEY COMMENTS AND RECOMMENDATIONS

Resolution and Commitments	Presentation Received	Non-Compliant <span style="color: red;">X</span>	Partially Compliant <span style="color: orange;">◆</span>	Compliant <span style="color: green;">√</span>	Ongoing Process <span style="color: blue;">▶</span>	ICMC Key Comments	ICMC Recommendations	City of Toronto Comments
<b>Resolution 11: Role of the Private Sector</b>								
No activity at this time.								

**Partially Compliant** refers to resolutions where some items are outstanding and the City has not yet committed to take any action.  
**Ongoing Process** refers to resolutions where items may become compliant once a process is complete. These items will require continuous improvement and compliance, and will be monitored by the ICMC.  
**Non-Compliant** refers to resolutions that the City has not yet addressed.