



**Ashbridges Bay Treatment Plant (ABTP)
Neighbourhood Liaison Committee (Meeting #87)**

&

**ABTP Implementation and Compliance Monitoring Committee (ICMC)
(Meeting #66)**

Mennonite New Life Centre, 1774 Queen St. East
Wednesday, April 30, 2008
6:30 p.m. – 9:00 p.m.

Attendance:

Karen Buck	Citizens for a Safe Environment, NLC Co-Chair
David Done	Beaches Resident, Safe Sewage Committee
Bob Kortright	Toronto Field Naturalists, Resident
Jim Neff	Citizens for a Safe Environment
Michael Rosenberg	Economics of Technology Working Group
William Sheehan	
Karey Shinn	NLC Co-Chair
Dalton Shipway	Friends of the Lower Donlands, Task-Force to Bring Back the Don

City of Toronto:

Robert Davis	Public Consultation Unit
Shabbir Datto	ABTP Engineer, Toronto Water
Katie Rabinowicz	Public Consultation Unit

Jean-Yves Urbain	EarthTech
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Regrets:

Steven Whyte

NLC portion of the meeting

1. Welcome and Introductions

Karey Shinn brought the meeting to order at 6:34 p.m.

The agenda was approved as distributed.

2. Review and Approval of ABTP NLC Minutes

Meeting #86, March 20, 2008

Karen Buck noted the following corrections:

Page 3 - in the paragraph that says, “when she visited the plant every silo had hotspots on the walls”, it should indicate that the visitation was part of a larger tour of plants across the U.S. and Ontario. Each of those plants with silos had hotspots on their walls, indicating that their contents had heated up while in storage.

Page 5 – in the first large paragraph, “**Karen Buck** said the NLC is hoping for an equal split between soil amendment and landfill”, should be changed to indicate that the mediation agreement favoured 100% beneficial uses, meaning soil amendment on non-agricultural lands would take precedence over landfill.

Page 8 - “repell” should read, “repel”.

Page 9 - PWC should read PW & I Committee

David Done moved that the minutes be adopted as revised.
The revised minutes were passed.

3. Review of NLC Action Items & Motions

Meeting #80, Action Item #1

NLC to inform by letter the Works and Infrastructure Committee members of council and any other appropriate councillors that we have made a firm recommendation by motion that the pellets not be incinerated or raised to any temperature resulting in combustion.

Meeting #83, Action Item #4

Karey Shinn to send Motion #1 to Lou Di Geronimo, CC'ed to the Public Works & Infrastructure Committee (PW & I) members.

Meeting #83, Action Item #5

Karey Shinn to send Motion #2 to Lou Di Geronimo, PW & I and the Public Art for Public Spaces Committee.

Meeting #84, Action Item #3

Meeting #84, Motion #1 to be sent to Lou di Geronimo and CC'ed to the Public Works and Infrastructure Committee and the Department of Health.

Meeting #86, Action Item #3

Robert Davis to look into establishing a process for tracking motions.

The preceding action items remain ongoing while a process for tracking motions is being worked on. **Robert Davis** said he has asked Toronto Water to report back about these motions and is in discussion with them about establishing a general process for tracking motions.

Disposition: Ongoing.

Meeting #80, Action Item #5

NLC members to come to next NLC meeting prepared to pass on comments about Coatsworth Cut to Michael Rosenberg.

Michael Rosenberg said he is only invited to Lake Ontario Park meetings. Their next meeting is on May 6th.

Disposition: Ongoing.

Meeting #84, Action Item #2

Aliss Terpstra to send an amended Motion #1 to Nancy Martins for distribution to ABTPNLC chair and co-chair .

Karey Shinn said she believes this is completed but the motion needs to be brought back to the NLC.

Disposition: Ongoing.

Meeting #85, Action Item #1

Staff to provide a copy of the Fertilizer Act certification label for pellets.

Disposition: Completed.

Meeting #86, Action Item #1

Shabbir Dattoo to investigate the possibility of periodically keeping the NLC informed of Veolia's marketing plans and sales breakdown by sector (e.g. sod farming, blending etc) and providing a summary of tonnage coming out of the Pelletizer.

Shabbir Dattoo said that as part of Veolia's agreement with the City they are required to update their Pellet Marketing Plan on an annual basis (on completion of Secondary Testing), as described in Section 4.2a of Veolia's Marketing Agreement. The information that the NLC requires will be part of this Marketing Plan, and will be made available to the NLC (on receipt by the City)..

Disposition: Completed.

Meeting #86, Action Item #2

Shabbir Dattoo to confirm whether there is a nitrogen purging system in the pelletizer silo.

Shabbir Dattoo said the information he gave at the previous meeting was that there was only one silo, in fact there are two (1 for each dryer, each of which is sized for 3 days of pellet production and is cross-connected for redundancy purposes). Each silo has a nitrogen purging system built into it. The nitrogen purging system in the pelletizer facility is used intermittently (on demand) in certain areas of the process (e.g. startup/shutdown sequences), and is also used in case fire suppression is required.

Disposition: Completed.

Meeting #86, Action Item #4

Shabbir Dattoo to verify Veolia's product name.

The product name is Nutri-Pel, as per Veolia's Fertilizer Act label, which has previously been provided to the NLC

Disposition: Completed.

Meeting #86, Action Item #5

City Staff to provide the NLC contact information for the landscaping team.

Shabbir Dattoo said that he believes **Nancy Martins** is the NLC's contact person. **Karen Buck** said **Susan Barrett** can be contacted as well.

Disposition: Completed.

Meeting #86, Action Item #6

Shabbir Dattoo to find out total biosolids tonnage amounts for 2007.

Shabbir Dattoo said the total biosolids tonnage for ABTP for 2007 was 44,340 dry tonnes. **Karen Buck** asked if the total tonnage amounts set in the haulage contracts were flexible and **Shabbir Dattoo** said that there is some flexibility: the Pelletizer receives biosolids preferentially, and has an annual target of approximately 25,000

tonnes. There is then a minimum and maximum tonnage amount within each haulage contract; so as long as the City remains within these minimum and maximum values, there is no issue. If the City was to go above/below these limits, higher haulage fees would be incurred.

Disposition: Completed.

William Sheehan asked that the committee be provided with precise, written, definitions of the following: land application, soil amendment and degraded sites, as referred to in the minutes of Meeting #86 (page 9)

Action Item #1: **Shabbir Datto** to provide written definitions of land application, soil amendment and degraded sites

Meeting #86, Action Item #7

Shabbir Datto to get a response from Toronto Water as to what is happening to the Landscaping Plan south of Lakeshore.

Shabbir Datto said the Landscaping Plan south of Lakeshore is not in Toronto Water's current planning horizon. There are currently other more pressing capital priorities, including works resulting from the recent EA approval and expected mid to long term impacts from future CCME (Canadian Council of Ministers of the Environment) regulations

Disposition: Completed.

Michael Rosenberg asked if it is possible to find out what positions Toronto Water is taking with regard to Lake Ontario Parks, even if they are not themselves planning anything currently in this area. He said that at Lake Ontario Parks meetings, Toronto Water is often cited as setting various restrictions on work within the ABTP area.

Action Item #2: **Shabbir Datto** to provide Toronto Water's official position to Lake Ontario Parks and Toronto Waterfront on what can and cannot be done on the ABTP property south of Lakeshore.

4. Mini-updates

- **Pelletizer**

Shabbir Datto said the Pelletizer has failed to start secondary testing and has been shut down since the middle of April. It will likely remain down for another month or longer. They have experienced a number of mechanical problems and are currently assessing what they need to do to move forward, and have brought in specialist staff to look into this. All biosolids are currently being hauled off the site. **Karey Shinn** asked who is responsible for this and **Shabbir Datto** said his understanding was that the Marketing Agreement between the City and Veolia says that Veolia has to produce a certain quantity and quality of pellets annually but that this Agreement has not come into effect because Veolia is still in the construction phase, which is being administered under a separate construction contract.

Karen Buck asked what U.S. Filter is responsible for and if there is any retroactive contract failure provision. They were the original contractors who put the pelletizer in place. She said if there is no penalty for them then this shows negligence on the part of the City.

Michael Rosenberg asked if there was any financial penalty to Veolia for taking longer than expected to get the Pelletizer working and what the City's financial responsibility is. **Shabbir Datto** said this depends on the terms and conditions of the construction contract and that he assumes whoever is responsible will be looking into this, but at this point Veolia does not know what the problems are. **Michael Rosenberg** asked if Veolia should be forced to pay for these delays and the additional costs related to biosolids haulage and **Shabbir Datto** said he didn't know, it depends on the construction contract.

Action Item #3: **Shabbir Datto** to obtain what the consequences/penalties to Veolia would be, should they not be in a position to complete the Pelletizer construction contract (by not completing Secondary Testing); and to find out what U.S Filter's responsibilities would be in this regard.

William Sheehan asked if there are any reports about this and **Shabbir Datto** said that he assumes a report will likely be forthcoming following Veolia's investigation and assessment work..

Dalton Shipway asked where all the biosolids are going in the meantime and **Shabbir Datto** said it still remains the same as if the Pelletizer was running except that the quantity the City is dealing with is greater.

William Sheehan asked who the pellets are being marketed to and **Shabbir Datto** referred him to Veolia's Marketing Agreement, two copies of which have been provided to the NLC. Additional information is available in previous NLC Meeting Minutes and in Veolia's presentation to the NLC, which is available online.

Action Item #4: **Katie Rabinowicz** to send the URL for the minutes of the meeting where Veolia gave its presentation to the NLC to **William Sheehan**.

Karey Shinn said the NLC is disappointed and surprised that the Pelletizer is still not working after 6 years.

- **Odour Control Project**

Jean-Yves Urbain said bidding for the M & T buildings is to begin in the summer with construction starting in the fall. Bidding for the aeration tank starts in the fall with construction in January. They have applied to the Ministry of Environment for the relevant permit and are on hold until they receive that approval. **Karey Shinn** asked if there was anything the NLC could do to help and **Jean-Yves Urbain** said they have submitted all the necessary paperwork and have been applying pressure to the Ministry, so there is nothing more in this regard that can be done at this time.

- **Landscaping Plan**

Shabbir Datto said he received an update from **Roman Kaszcsij**. Over the next 2-3 months the landscaping team is going to be doing geotechnical and environmental soils drilling on the site, and based on those results, they will be finalizing their Risk Assessment, which in turn will figure into the final landscaping design. **Karey Shinn** noted that there might be money available to the NLC for remediating hazardous sites.

Dalton Shipway expressed his concern with the site specific risk assessment approach and said it is not good for the environment. Groundwater is being moved around and this movement of water at the seawall is getting into the lake. To simply put down test bore holes and then say there are no major problems is not desirable, it's a quick and dirty solution, not a sustainable plan. The alternative is to bio-remediate the toxic soil on the site, such as was done at the hydro-site at Carlaw & Lakeshore. He added one of the major hurdles to cleaning up these sites is the question of liability. **Karen Buck** asked if there is documentation of what happened at the hydro site and **Dalton Shipway** said he assumes there is a proper record. He added that **John D. Minor**, a senior environmental specialist with the City, could be contacted at some point to give advice on remediation.

William Sheehan said he had an experience with developers who claimed they had done bore hole testing but there was no visual evidence of bore holes having been dug on the site in question. **Jean-Yves Urbain** said bore holes were drilled at the M&T buildings site and that while some of them have been plugged and are not visible any more, some of them can still be seen.

Karey Shinn asked if the NLC could be informed of the results of testing.

Action Item #5: **Shabbir Datto** to ask the landscaping consultants to report to the NLC on the results of soils drilling work, and the impact on the risk assessment for the Lanscaping Project

- **EA**

Shabbir Datto distributed copies of a letter from Wastewater Treatment Director **Frank Quarisa** to the Ministry of the Environment in response to the EA approval, particularly regarding submittal of an Annual Compliance Report no later than March 31 of each year. The letter indicates that for March 31, 2008 there will be nothing meaningful to report on and that the first report will thus be submitted on or before March 31, 2009. **Shabbir Datto** said that the City is continuing to assess how the project is going to be planned and implemented and that an internal Project team is being assembled.

David Done asked about scheduling and **Shabbir Datto** said it is still too early to answer that question. Generally speaking, the phases of a Project would be writing the RFP, preliminary design, detailed design, and then awarding and supervising construction contracts. **David Done** asked if the NLC could get a written response from City Staff as to how they construe the EA approval with regard to the Mediation Agreement, both specifically in terms of the 3 proposals but also in general, in terms of future initiatives.

Shabbir Datto said he believed this was an ICMC issue and could not speak to this, as his position at this time involves supporting the ABTP operationally and on active plant projects, whereas the EA concerns future plant projects, which he is not currently involved with.

Action Item #6 (ICMC request?): a written response from Toronto Water regarding the Minister's approval of the EA, with specific references to:

- the status of MA in light of the approval
- page 5 of the approval letter, particularly sections 7 & 8

- **Biosolids**

Shabbir Datto said City Staff are continuing to work on developing a strategy for revising the Master Plan in view of the Peer Review's recommendations. Once this is complete, the report will be made publicly available on the PW & I agenda, and stakeholders would be notified when the agenda is posted. At this point, he did not have a timeline for this. **William Sheehan** noted that at the Highland Creek Treatment Plant NLC meeting, the Plant Manager indicated that this will be going to Council in June.

5. Other Business

William Sheehan asked about plant security and said he had walked down the laneway by Coatsworth Cut near the Plant without encountering security guards or any other obstacles. **Shabbir Datto** indicated that there will soon be a Plant-wide security upgrade project that is in the final design stage which will potentially include several features such as turnstiles with magnetic swipe cards, added security cameras and others. In the interim, there are already security cameras in some areas, and Plant Security staff conduct regular and periodic patrols of the site perimeter.

ICMC portion of the meeting

Shabbir Datto said he did not intend to stay for the remainder of the meeting as his contribution to the ICMC portion of the meeting would be limited, since he is not directly involved with items that are within the ICMC mandate. **Karey Shinn** noted that the group had asked **Shabbir Datto** to stay and that the ICMC requires a

technical person representing the City to be present when discussing the EA. She said the MA states that there needs to be a representative of the Commissioner/General Manager at ICMC meetings.

Dalton Shipway said the committee should write a letter to the Mayor's Office about not having a technical representative present for the meeting's duration. **Karen Buck** noted that representatives of Toronto Water have said the ICMC did not officially exist until the EA was approved, but now that it has been approved, the MA is clearly in effect. **Robert Davis** noted that because of the recent hiring freeze, the City does not have the resources to support the ICMC with an engineer right now.

Michael Rosenberg brought up problem of meeting numbering. This meeting should be referred to as Meeting #66, not Meeting #65 as written on the agenda. He said that between the meeting in October and today, there have been 12 meetings of the ICMC at which staff were not present. These meetings are to be entered into the record as follows:

ICMC Meeting	#65a	November 15, 2007
	#65b	December 6, 2007
	#65c	January 15, 2008
	#65d	February 5, 2008
	#65e	February 14, 2008
	#65f	February 27, 2008
	#65g	March 12, 2008
	#65h	March 27, 2008
	#65i	April 8, 2008
	#65j	April 17, 2008
	#65k	April 23, 2008
	#65l	April 30, 2008 (distinct from the present meeting)

5. Review and Approval of ICMC Minutes

Meeting #64, June 19, 2007

Page 7 - 2nd last paragraph "North Toronto Treatment Plan" should read "North Toronto Treatment Plant".

Michael Rosenberg did not attend the June meeting; his name should be removed from the attendance.

The minutes were approved as revised.

6. Minister's EA Approval Letter – Discussion

- Review letter & City's Response

Karey Shinn said that in the preamble to the Minister's approval letter it says that the Ministry had accepted the City's submission as amended by the MA. Within this, the City suggested that tertiary treatment be put in place at least as an approved option that could be adopted by the City at some time, but that this isn't in the letter at all. **Robert Davis** said that concern needs to be addressed to the Minister, but if the Minister is not fielding any questions then the Minister's decision should be taken as final.

Jim Neff asked what an annual mediation agreement status update is, as mentioned in the 3rd paragraph as an item that the City must submit. **Robert Davis** indicated that it is addressed in **Frank Quarisa's** letter by saying that reporting will take place as of March 31, 2009.

In response to discussion around the table, **Robert Davis** asked if the committee would like representatives from the Department of Planning to attend the next meeting on June 3rd and **Karey Shinn** said yes.

The following issues were raised as those that the committee would like a representative from Planning to respond to:

- What sort of population changes is the City of Toronto looking at in the immediate vicinity of the ABTP and generally, and how will this affect the amount of sewage going into the plant?
- What population increases are forecasted for the Coxwell Trunk?
- What is the time period for this population growth? When might this become a problem?
- Information about the geographical distribution of population and how that affects the sewage system or the plant.
- Does all new building construction have to be done with up-to-date water efficiency standards?
- Given that parts of the City are built out to capacity, how does each new condo development impact capacity?
- How do different types of development (residential vs. industrial) figure into these projections?
- Question about the change of zoning of the former incinerator site when the incineration stopped.
- How is the new mandatory downspout disconnection policy being incorporated into new development?
- How do the City's MA commitments fit in with what is happening in Planning? How are reports such as the Wet Weather Flow Master Plan being implemented through the Department of Planning and related Departments?

Karen Buck noted that the MA, resolution 10, page 100, section 1.1.2 states, "The City shall ensure that its Planning Department provides an annual update to ICMC regarding population projection and that the Works Department provides an annual report to ICMC regarding the impact of these population projections on water and wastewater flows." Section 1.1.3 states, "The City shall ensure that all of its relevant departments and committees receive a copy of MA and understand its commitments and the City shall ensure the Planning Department incorporates these commitments into the New Official Plan for the City of Toronto immediately following ratification."

Action Item #7: Robert Davis to ask if representatives from the City Planning can attend the next ICMC meeting to respond to the above questions.
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The following comments are to be forwarded to Toronto Water for response regarding the EA approval letter.

Karey Shinn said that while the MA only goes to 2011, new Toronto Water projects may not be initiated until 2009, and it takes 5-10 years to build an outfall pipe. Given this, how does the City interpret the MA in terms of its discrepancy with the planning horizon? She asked that the 2011 deadline be extended to cover the build-out of the project. She noted that the way the MA is worded it extends the commitments in the agreement beyond 2011.

Karey Shinn asked if the ICMC is going to be shown the EA as it is being worked on, such as how the Landscaping Plan was presented to the committee.

David Done said he wondered if this approval document will be forwarded to **Councillor de Baeremaker** and said that he would like to see it move into the political arena. He said they are happy that the EA has been finally approved as they have been waiting since 1997. **Jim Neff** noted the original EA was in put forward in 1991.

Karen Buck said this is the next step to completing everything that's in the MA so to get the approval of the 3 projects is a very positive movement. She said she found helpful the City of Toronto report that goes to the

Ministry every year called, "City of Toronto wastewater treatment plant annual reports". It would be good to have this circulated once it is complete.

Karey Shinn said that when Toronto Water is ready to respond, they will have more comments and noted that some of the comments here are subject to interpretation.

Robert Davis said all of the comments will be forwarded to Toronto Water.

Action Item #8: **Robert Davis** to forward comments from the ICMC regarding the EA Approval Letter to Toronto Water for response.

7. ICMC Annual Report

Michael Rosenberg said the ICMC should still produce a report covering 2007 even though the City is going to wait until next year. He said this change in the reporting cycle raises the question of what the ICMC should do next year, whether the format should change in some way, and whether they're more interested in having these reports be received by the Province or City. **Robert Davis** asked what submitting a report would accomplish this year given that the City is not producing one. **Michael Rosenberg** said there are issues related to the MA that were active during the 2007 time period, and that they have produced a report every year up to now. **Karey Shinn** said that as a signatory to the MA, she is technically committed to doing an annual report. She added that the 3 projects approved by the Ministry have to have their own set of reporting. The process whereby the ICMC goes to PW & I when the City is out of compliance (such as on the Wet Weather Plan, Water Efficiency Plan, Landscaping Plan etc.) and people in Toronto Water are asked to respond to the ICMC reports moves the ICMC further towards compliance.

Karey Shinn said the report this year is quite late because the ICMC is missing some reports that were never received from City Staff. For instance, they are looking at possible discrepancies between EA documents and biosolids reports such as total tonnages. **Robert Davis** said he has no authority to authorize the release of reports but will communicate the ICMC's request for these reports to Toronto Water.

Action Item #9: **Robert Davis** to communicate to Toronto Water that the ICMC is missing the Planning and Biosolids reports.

William Sheehan said that if they are missing reports then that could be communicated in the ICMC report with the conclusion that the City is non-compliant. **Karey Shinn** said they would have to do that eventually but they still need that information.

8. Other Business

There was no discussion of other business.

9. Next meeting date, agenda topics (ICMC topics, and ABTP NLC topics) and adjourn

The next meeting will be a joint meeting of the NLC and ICMC.

Tuesday, June 3
6:30 p.m. – 9 p.m.
Mennonite New Life Centre, 1774 Queen St. East

The meeting was adjourned at 9:01 p.m.