



**Ashbridges Bay Treatment Plant (ABTP)
Neighbourhood Liaison Committee (Meeting #88)**

&

**ABTP Implementation and Compliance Monitoring Committee (ICMC)
(Meeting #67)**

Mennonite New Life Centre, 1774 Queen St. East
Tuesday, June 3, 2008
6:30 p.m. – 9:00 p.m.

Attendance:

Michael Rosenberg	Economics of Technology Working Group
Karen Buck	Citizens for a Safe Environment, NLC Co-Chair
Lois James	Scarborough Resident
Jim Neff	Citizens for a Safe Environment
Karey Shinn	NLC Co-Chair, Safe Sewage Committee
Dalton Shipway	Friends of the Lower Donlands, Task-Force to Bring Back the Don
Steven Whyte	ICMC, Resident of South Riverdale

City of Toronto:

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

Regrets:

Steven Connell
David Done
William Sheehan

1. Welcome and Introductions

Karey Shinn brought the meeting to order at 6:35 p.m.

● **Review and approval of the agenda**

It was noted that the action items attached to the agenda from Meeting #87 were numbered incorrectly as being from Meeting #88. The status of Meeting #80, Action Item #1 should read “November 20th, 2007”, not “November 20th, 2008”.

The agenda was approved as amended.

NLC Portion of the Meeting

2. Review and Approval of ABTP NLC Minutes

- **Meeting #87, April 30, 2008**

Karen Buck asked for clarification on the statement she made on Page 5 regarding “documentation at the hydro site” and **Dalton Shipway** said it was in reference to his comment that the hydro site clean up at Carlaw and Lakeshore was an example of a good approach to dealing with toxic sites. Rephrase: “**Karen Buck** asked if there was any soil contamination and remediation documentation that would have occurred at the hydro site at Carlaw and Lakeshore.”

Action Item #1: NLC to contact **John D. Minor**, environmental specialist with the City of Toronto, to ask if he has any information about the hydro site at Carlaw and Lakeshore.

Karey Shinn asked that “Safe Sewage Committee” be added to her identification in the attendance record.

It was noted that the pages of the minutes should be numbered.

Jim Neff moved to adopt the minutes as amended. **Dalton Shipway** seconded.

The minutes were adopted as amended.

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.

Karey Shinn asked **Robert Davis** if he had determined what happens to motions that are passed at the NLC and he said that the General Manager of Toronto Water receives the minutes that include the motions. **Karen Buck** said she thinks **Karey Shinn** and herself should write a letter listing all pending Motions in order to get a response.

Disposition: Ongoing.

Action Item #2: Karen Buck/Karey Shinn to write a letter on behalf of the NLC to Toronto Water requesting a response on all pending Motions

Meeting #80: Action Item #5

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

Karey Shinn said the issue was whether the NLC had reached consensus on the location for the proposed wetland, and whether there were any objections to it being in the Cut or outside the seawall gate. She added that she wanted the interests of the committee to be included in the ICMC annual report. Anyone with thoughts on this should speak with **Michael Rosenberg** and they will be written up in the Coatsworth Cut section of Resolution 8, which is part of the NLC’s mandate. **Karen Buck** said one of the biggest objections to it being at the end of the seawall gate was that there was not going to be any opportunistic sewer separation.

Disposition: Completed.

Jim Neff asked if there have been any reports on water quality in Coatsworth Cut.

Action Item #3: **Shabbir Datto** to provide the name of a City contact person for the Coatsworth Cut EA.

Meeting #81: Action Item #4

Dave Done to take the Motion to Sandra Bussin.

Discussion of this action item was deferred, as **David Done** was not present.

Disposition: Ongoing

Meeting #83, Action Item #4

Karey Shinn to send Meeting #83, Motion #1 to Lou Di Gironimo, CC'ed to the Public Works & Infrastructure Committee (PW & I) members.

Karen Buck said that this motion is out there and that the final contract with Veolia doesn't allow thermal processing without Council's approval. **Shabbir Datto** reminded the NLC that they had wanted to keep this item ongoing because the NLC wanted to be notified if Veolia requests that they be allowed to use a thermal process. **Karey Shinn** said **Karen Buck** and herself would include this motion in those they will follow up on.

Disposition: Ongoing

Meeting #83, Action Item #5

Karey Shinn to send Meeting #83, Motion #2 to Lou Di Gironimo, PW & I and the Public Art for Public Spaces Committee.

Karey Shinn said she probably did this but will follow up and/or resend.

Disposition: Ongoing.

Meeting #84, Action Item #2

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

Karey Shinn said this motion was received from Nancy Martins and they will add it to their list of motions to follow up on.

Disposition: Completed.

Meeting #84, Action Item #3

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

Karey Shinn and **Karen Buck** will look into this.

Disposition: Ongoing.

Meeting #86, Action Item #1 (an already completed action item)

Shabbir Datto 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.

Karen Buck said the NLC had asked that pellets that were blended not be used on vegetable crops, in accordance with the Nutrient Management Act, and instead should be used mostly for non-agricultural purposes. **Karey Shinn** said they would have to read the agreement to determine exactly what Veolia can and cannot do. **Dalton Shipway** expressed a concern that the committee might be party to having pellets sold to grow food when there are problems with this and **Karey Shinn** said the NLC has been saying that Veolia should look at non-food applications. **Shabbir Datto** said the NLC has copies of Veolia's marketing plan and that based on the markets they are successful in, Veolia is supposed to amend that plan on an annual basis. **Dalton Shipway** read from a report that described potential health risks associated with pellets. **Karey Shinn** said the NLC asked the Board of Health to look into this and they basically said there were no health issues.

Meeting #86, Action Item #3

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

Karey Shinn asked how the committee finds out what happens to motions that go to **Lou Di Gironimo**. **Robert Davis** said they forward him the minutes which include motions but from there it's up to Lou's office to decide what to do. **Karey Shinn** said maybe they should put at the bottom of each motion, "Please respond in writing". **Dalton Shipway** said he thinks this committee is doing important work and that this is perhaps not being recognized by people at the City. He asked if they can find out who the NLC's contact person is in **Lou Di Gironimo's** office. **Robert Davis** said they will make another inquiry. **Jim Neff** said the objective of passing motions is to get them to the Works Committee, so perhaps they should just be CC-ed to the Chair.

Disposition: Ongoing.

Meeting #87/66, Action Item #1

Shabbir Datto to provide written definitions of land application, soil amendment and degraded sites.

Shabbir Datto provided the requested definitions (see Attached). He said there had been some confusion because in the percentages breakdown that had previously been provided, the 7% attributed to "soil amendment" should have been listed as "alkaline stabilization".

Disposition: Completed.

Karen Buck asked about the examples of alkaline material given as "lime or cement" and asked for clarification on the inclusion of cement.

Action Item #4: Shabbir Datto to get clarification on how cement is used in the alkaline stabilization process.
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Meeting #87/66, 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.

Shabbir Datto said Toronto Water's position is that the Plant property needs to be protected for the long term needs of the Plant, and is thus considered sacred. Future legislative and other requirements may dictate the need for process improvements, thus protecting the Plant property for the future is of paramount importance. Toronto Water has therefore advised Lake Ontario Parks and Toronto Waterfront that their Projects should not encroach onto the Plant property. **Jim Neff** said there is a grey area because Toronto Water's property line extends out into the lake and Lake Ontario Park is looking to construct a water pathway.

Michael Rosenberg said he wanted more clarification with regard to land vs. water and whether the possible use of paths and walkways is still acceptable to ABTP. **Shabbir Datto** said Toronto Water is not currently looking at walkways or any components of the Landscaping Plan south of Lakeshore within the current planning horizon, so there is nothing to present on these points. **Michael Rosenberg** said he was asking because if the

City does consider it acceptable to have paths on the property then they should tell Lake Ontario Parks that while they don't want the land to be permanently altered, this may not be something Lake Ontario Parks should feel is prohibited. **Shabbir Datto** said that when this becomes part of Toronto Water's planning horizon then they would look at it. **Michael Rosenberg** said regardless of what Lake Ontario Parks is doing, if the City has approved the construction of paths, then why are they telling Lake Ontario Parks to not do something that they themselves have already approved?

Karey Shinn said this plan was approved 4 years ago and they thought it was going to be fulfilled because it received awards. **Shabbir Datto** suggested that there are sometimes parts of a plan that cannot be implemented, due to varying circumstances. **Michael Rosenberg** asked why Toronto Water's current position with respect to footpaths on plant property is different from its position when the plan they themselves created was approved and **Shabbir Datto** said it may have to do with the use of this land for future needs as well as security.

Action Item #5: **Shabbir Datto** to find out whether there has been any change in Toronto Water's position with regard to the acceptability of footpaths on plant property.

Karen Buck said that the NLC understands that the sewage treatment plant is on land that was granted by the Harbour Commission expressly for the purpose of sewage treatment and they support the Mediation Agreement which says that the land is to be reserved for sewage treatment if that is what is needed, understanding the constraints on available land & infrastructure.

Disposition: Completed.

Meeting #87/66, 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.

Shabbir Datto said that under the design build contract, if Veolia was unable to complete the contract, they would be in default. If this were to happen, the City would then seek legal advice from the City Solicitor on how to proceed. **Michael Rosenberg** asked, even if Veolia does eventually complete the contract, is there any financial penalty because it took them longer?

Action Item #6: **Shabbir Datto** to find out whether Veolia would incur a financial penalty if there is a delay in completing the Pelletizer contract.

Disposition: Completed.

Meeting #87/66, 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.

The URL is: http://www.toronto.ca/water/wastewater_treatment/treatment_plants/ashbridges/nlc/2008-01-12_85_agenda.pdf

Disposition: Completed.

Meeting #87/66, 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 Landscaping Project

Shabbir Datto said the Landscaping Project informed him that the risk assessment will not be completed in Draft form until early October. Additional drilling is currently taking place that started last week, following

which work on the risk assessment will proceed. Once this is done, the Landscaping Project intends to do a presentation to the NLC, likely in the Fall.

Disposition: Completed.

4. Mini-updates

- **Pelletizer**

Shabbir Datto said the Pelletizer is still shut down. Veolia has brought in an expert to review the facility and how Toronto Water transmits biosolids to them, following which he will be making recommendations as necessary. The City is hoping that the Pelletizer will be back on-line in July, but that date is still tentative.

Karen Buck said she thinks there should be penalties in the contract; this has gone on too long. A similar facility in Maryland that they visited was commissioned within 18 months and it has been working ever since (15 years).

- **Odour Control Project**

Shabbir Datto said he has no further updates on this Project since the last update. Design work is progressing.. **Karey Shinn** asked if they would be implementing during the summer and **Shabbir Datto** said the M & T buildings are at 95% design and that the Project was waiting for the necessary approvals.

Karen Buck said there isn't a good odour reporting protocol. The current protocol has a complainant phoning in and saying they smell something, and while it is recorded, there is no investigation. **Shabbir Datto** said they try to find the source and record it. A Plant Operator investigates the complaint and marks on a map where the odour was reported. A reason for the source of odour, where possible, is also identified, although he is unsure whether anyone goes out to the receptor when they receive a complaint. **Karen Buck** said this protocol is ineffective in determining whether or not the odour complaint is valid for the ABTP or if it is from another facility. She said one thing that has been proposed is to get a community volunteer who will be contacted by the plant personnel that there has been an odour complaint and will actually go out and try to identify it by meeting with the complainant. She said she did it one summer and might have time to do it this summer. She gave some examples of successfully determining that the ABTP was not the source of certain odour complaints and added that they want to have confirmation for complainants that something is actually being done about odours.

Karey Shinn said there were other provisos regarding an odour response protocol that the City was going to include in their 311 calling system, but the status of that is unknown. **Robert Davis** said 311 would be rolling out within the next 6 months.

Action Item #7: Robert Davis to inquire as to whether the odour response protocol is a service that 311 will provide and how they plan on addressing odour complaints.

- **Landscaping Plan**

Shabbir Datto said that initial limited soil and groundwater testing that was completed at the site as part of the Landscaping Project identified elevated concentrations of metals, petroleum hydrocarbons, polycyclic aromatic hydrocarbons and volatile organic compounds. Further testing is being completed to verify the results, investigate the extents of impact, assess potential hazards, and if necessary, develop measures to deal with the identified hazards. The expected completion date of the Draft risk assessment is early Fall. **Karen Buck** asked if the preliminary testing report is available, either as a summary or in full.

Action Item #8: **Shabbir Datto** to investigate whether the preliminary soil and groundwater testing report is available.

- **EA**

Shabbir Datto said **Nancy Fleming** will be leading the EA process. She is currently putting together a plan on what projects and studies are required and when and how they will be undertaken. **Karey Shinn** asked how her plan is going to be incorporated with input from the NLC and **Shabbir Datto** said it is still very early and he didn't know. **Karey Shinn** passed around a letter from **Nancy Fleming** to the ICMC and noted it includes nothing about representation from the NLC.

Action Item #9: **Shabbir Datto** to find out how the NLC is going to be involved with the EA Advisory Committee.

- **Biosolids**

Shabbir Datto said the Peer Review Report will be going to Public Works and Infrastructure (PW&I) on June 27th. **Karey Shinn** said it should be made available a week before the PW&I meeting. **Karen Buck** said it is asking a lot from the NLC to read a lengthy report only 5 days ahead of its release and then make comments.

It was agreed that "Peer Review Discussion" should be an agenda item at the next NLC meeting.

NLC Motion #1

Michael Rosenberg moved:

The NLC recommends that since the existing landscaping plan south of Lakeshore includes footpaths on the plant property, we request that Toronto Water inform Waterfront Toronto that the inclusion of footpaths on the plant property would be acceptable in the Lake Ontario Parks Plan. Toronto Water should also inform Waterfront Toronto that the intention of the landscaping plan was that footpaths on the plant property were acceptable but that the land involved may need to be reclaimed for plant operations at some point in the future.

Jim Neff seconded.

There was some discussion about a friendly amendment but it was agreed to leave the motion as it was originally made.

The motion passed without objection.

Action Item #10: **Karey Shinn** and **Karen Buck** to send Meeting #88, Motion #1 to **Lou Di Gironimo** and Waterfront Toronto.

ICMC Portion of the Meeting

5. Review and Approval of ICMC Minutes

- **Meeting #66, April 20, 2008**

The minutes were adopted as distributed.

6. Review of ICMC Action Items & Motions

Meeting #87/66, Action Item #6

ICMC requests 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.*

Robert Davis said they didn't receive anything back from Toronto Water.

Disposition: Ongoing.

Meeting #87/66, Action Item #7

Robert Davis to ask if representatives from the Department of Planning can attend the next ICMC meeting to respond to the above questions.

Katie Rabinowicz said she spoke to Planning staff and they directed her to two staff at Toronto Water. She spoke with **Ted Bowering** (manager of policy and program development at Toronto Water) and is waiting to hear back from him. **Michael Rosenberg** said if **Ted Bowering** is in regular contact with planning staff he may be able to deal with these issues, but it is possible that they'll still want to hear from planning staff themselves.

Karey Shinn asked if they could request **Ted Bowering** do a presentation at the NLC/ICMC meeting on July 8.

Action Item #11: **Katie Rabinowicz** to ask **Ted Bowering** to present at the NLC/ICMC July 8, 2008 meeting.

Disposition: Ongoing.

Meeting #87/66, Action Item #8

Robert Davis to forward comments from the ICMC regarding the EA Approval Letter to Toronto Water for response.

Robert Davis said there has been no response.

Disposition: Ongoing.

Meeting #87/66, Action Item #9

Robert Davis to communicate to Toronto Water that the ICMC is missing the Planning and Biosolids reports.

Robert Davis said there has been no response.

Disposition: Ongoing.

Michael Rosenberg said the list of action items contains those from NLC/ICMC joint meetings, but there may be old ICMC Action Items that should be included on this list.

Action Item #12: **Robert Davis** to look for any old ICMC action items from the fall and previous and include them in a master list.

7. Other Business

Michael Rosenberg noted the following ICMC meetings at which City Staff were not present. They are to be entered into the record as follows:

Meeting #66a May 14, 2008

Meeting #66b June 3, 2008 (before the present meeting)

Karey Shinn said they are at the editing stage with the ICMC annual report and are trying to get it up to date given the new Ministry report.

Robert Davis said the letter from **Nancy Fleming** asks the ICMC to nominate 2 members for the EA Advisory Committee, and asked if the ICMC would like to nominate members. **Karen Buck** said they believe that Toronto Water's creation of this committee is in contravention of the conditions of EA approval. They have sent a letter to the Ministry of Environment regarding this. They do not want to proceed with the EA Advisory Committee, which seems to just replace the ICMC as it is or run parallel to it. She said they feel it would be inappropriate to even go through the process of choosing and forwarding members until such a time as they feel that this committee is in fact valid and worthwhile.

Karey Shinn read from the Minister of Environment's letter of approval for the EA dated January 24, 2008, page 5, section 8.2, noting that the ICMC is to be the steering committee. This is also stated in section 11. **Steven Whyte** said Section IV also indicates that the City cannot make any change without the unanimous consent of the ICMC and the agreement of the environmental assessment branch, although they can add more stakeholders to the committee.

ICMC Motion #1

Michael Rosenberg moved:

WHEREAS the MOE's approval of the ABTP EA requires the EA approval implementation and compliance monitoring committee to be the public input committee for the EA implementation and the steering committee for the detailed design and OWRA application studies for the outfall and the UV disinfection system,

BE IT RESOLVED THAT the ICMC is opposed to the creation of a new committee with the same mandate which may circumvent the role of the ICMC, and the ICMC recommends that Toronto Water use the ICMC as the advisory committee for the EA implementation and the steering committee for the outfall and UV disinfection system as required by conditions of approval 8 and 11 and mediation agreement resolutions 10, 7, and 8.

Karey Shinn seconded.

The motion passed without objection.

Karey Shinn asked for the Planning report so that they can finish the ICMC report.

Michael Rosenberg said that since Nancy Fleming is working for the City again, she should be attending ICMC meetings. **Robert Davis** said this has been passed on to her.

Karen Buck asked if **Robert Davis** had in writing his communication with Toronto Water requesting comment as per the ICMC action items. He said he had just forwarded them the minutes, which included those action items. **Karen Buck** said the he should have pointed out which parts were relevant; otherwise they wouldn't understand why it was forwarded.

- **Next Meeting**

There will be a special joint meeting of the NLC/ICMC to discuss the Peer Review, June 25th, at the Metro Hall Urban Affairs Library (tentative).

The next regular joint meeting of the NLC/ICMC will be July 8, 2008.

The meeting was adjourned at 8:54 p.m.