



**Ashbridges Bay Treatment Plant (ABTP)
Neighbourhood Liaison Committee (Meeting #89)**

&

**ABTP Implementation and Compliance Monitoring Committee (ICMC)
(Meeting #68)**

Mennonite New Life Centre, 1774 Queen St. East
Tuesday, July 8, 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
David Done	
Lawrence Kerry	
Bob Kortright	Toronto Field Naturalists, Resident

City of Toronto:

Shabbir Dattoo	ABTP Engineer, Toronto Water
Nancy Fleming	Senior Engineer, Toronto Water
Frank Quarisa	Director, Wastewater Treatment
Katie Rabinowicz	Public Consultation Unit

1. Welcome and Introductions

Prior to the beginning of the meeting, **Lawrence Kerry** asked for information about the flashing lights halfway on the stacks as he indicated that they recently have become brighter. **Shabbir Dattoo** indicated that the flashing light has always been there and has likely been recently replaced or upgraded. The reason there is a flashing light is likely because it is legislated that stacks over a certain height need to have flashing signals.

Action Item #1: **Shabbir Dattoo** to find out more information about flashing lights on the stacks and whether or not there were any recent changes to them.

Karey Shinn brought the meeting to order at 6:45 p.m.

● **Review and approval of the agenda**

The agenda was amended to also include an announcement from Michael Rosenberg regarding the Lake Ontario Park activities.

NLC Portion of the Meeting

2. Review and Approval of ABTP NLC Minutes

- **Meeting #88, June 3, 2008**

It was requested that the pages of the minutes be numbered in the future.

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

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 said that the City has likely not done anything regarding this action. She said that this action item is the same as Meeting #83: Action #4. **Michael Rosenberg** agreed. The decision was made to drop Meeting #80: Action Item #1 and keep Meeting #83: Action #4.

Disposition: Completed.

Meeting #81: Action Item #4

Dave Done to take the Motion to Sandra Bussin.

Karey Shinn asked **David Done** if this occurred. He said that after the election the committee was never reinstated. It was completed, however.

Disposition: Completed.

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.

Karey Shinn said that the Public Works and Infrastructure Committee does not meet until September 2008.

Michael Rosenberg asked for grammatical adjustments to the Meeting #83: Motion #1. Two commas were inserted. The Motion now reads:

Michael Rosenberg moved that the NLC request:

- a) That the City not give approval to Veolia to use any thermal process, as agreed to in the Mediation Agreement.
- b) If the City intends to ignore our request, that the NLC and the community be informed at least 6 months before any permission is given to Veolia to use a thermal process.

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 has not done this yet. It is already redundant because they have already met.

Disposition: Completed/remove.

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 said that this was done.

Disposition: Completed.

Meeting #86: Action Item #3

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

Katie Rabinowicz indicated that Robert Davis is currently on holidays.

Disposition: Ongoing.

Meeting #88/67: 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.

Dalton Shipway asked whether Action Item #1 from that meeting should be revised to specify that the committee needs information on provincial regulation 153/04, Record of Site Condition.

Shabbir Dattoo said that he struggled with this Action Item as it did not specify for the City to be involved in contacting John D. Minor and the location of the site was at Carlaw and Lakeshore and not at Ashbridges Bay Treatment Plant. **Dalton Shipway** explained that he wanted John D. Minor to speak to the committee using the Carlaw and Lakeshore site as an example of the proper way to do site remediation. **Shabbir Dattoo** felt that this may be jumping ahead as the Risk Assessment of the pumping station site is not done yet and it is unknown what will be proposed. **Karey Shinn** asked Dalton to share John D. Minor's contact information with her so she could contact him. She thought that it may be possible that he has something in writing that could be shared.

Disposition: Completed

Action Item #2: **Dalton Shipway** to share John D. Minor's contact information with Karey Shinn. **Karey Shinn** to contact John D. Minor and ask him to share written information regarding the Carlaw and Lakeshore site.

Meeting #88/67: 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.*

Karey Shinn said that they have to put together all of the past minutes and find the motions that were pending. **Karey Shinn** asked if there was a catalogue of all of the minutes. **Shabbir Dattoo** indicated that all of the minutes are on the City's website.

Disposition: Ongoing.

Meeting #88/67: Action Item #3

***Shabbir Dattoo** to provide the name of a City contact person for the Coatsworth Cut EA.*

Shabbir Dattoo indicated that the contact person for the Coatsworth Cut EA is Tracy Manolakakis. Her e-mail address is: tmanola@toronto.ca.

Disposition: Completed.

Meeting #88/67: Action Item #4

Shabbir Dattoo to get clarification on how cement is used in the alkaline stabilization process.

Shabbir Dattoo said that cement kiln dust is mixed with biosolids as an alkaline material, which is intended to

- a) raise the pH of the biosolids to above 12
- b) raise the heat of the biosolids to kill pathogenic material rendering it stable
- c) absorb odours
- d) increase the solids content

Bob Kortright asked if there was a reaction. **Shabbir Dattoo** answered yes. **Jim Neff** asked which one absorbs which. **Shabbir Dattoo** said that the reaction absorbs the biosolid odours.

Doug asked for further clarification. **Doug** asked if it raised the pH to 12 or above 12 and what percentage of pathogens are killed in this process. **Shabbir Dattoo** said it raises the pH to above 12. He did not know what percentage of pathogens would be killed. **Doug** asked for further information on alkaline stabilization and the resulting reaction. **Shabbir Dattoo** said if he could get some sort of technical paper on this process he will bring it to the committee.

Dalton Shipway asked which contractor is responsible for alkaline stabilization and what percentage it is. **Shabbir Dattoo** said this was discussed at a previous meeting. It is not a big percentage. **Michael Rosenberg** said it is about 7%. **Shabbir Dattoo** agreed that 7% was about right. He was not sure if contractor information could be disclosed.

Disposition: Completed.

Action Item #3: Shabbir Dattoo to get further clarification on alkaline stabilization process.

Meeting #88/67: Action Item #5

Shabbir Dattoo to find out whether there has been any change in Toronto Water's position with regard to the acceptability of footpaths on plant property.

Shabbir Dattoo said there has been no change. However, any components of the Landscaping Plan that are on plant property south of Lakeshore are not in Toronto Water's current planning horizon. **Michael Rosenberg** said a previous statement indicated that footpaths were acceptable and another previous statement indicated that they were not acceptable. **Shabbir Dattoo** said that Toronto Water's position is that footpaths are acceptable, but that no part of the Landscaping Plan that is on Plant property South of Lakeshore is in this planning horizon. The position has not changed.

Doug said that there is a Waterfront plan that includes footpaths in the periphery around the bay and not what management refers to as plant property. There would be no footpaths on the actual plant property to avoid people going through it. **Shabbir Dattoo** said that Toronto Waterfront has been told that they can go ahead with their plan outside of the plant property and when it comes to doing something within the plant property Toronto Water does not want to proceed within this planning horizon due to the potential of having possible legislative changes/improvements to the treatment process. **Karey Shinn** asked if Lake Ontario Parks can do what they want as long as it is not on the plant property. **Shabbir Dattoo** said yes, he believes so.

Michael Rosenberg said that he had the impression that the plan was approved and now it is being excluded. **Shabbir Dattoo** said it is being deferred for now.

Dalton Shipway asked what Michael would like to see. **Michael Rosenberg** said that he would like to see that anything that was approved be part of the landscaping plan. **Karey Shinn** said that the plan is a design and it has to go through an implementation phase which involves redesigning. Lake Ontario Parks would have no

jurisdiction on the plant site. **Shabbir Datto** said that is correct, Toronto Water is implementing the Landscaping Plan at the Pumping Station site.

Bob Kortright asked how long the planning horizon is. **Shabbir Datto** said it is typically five years, but that it may not be in the next planning horizon either, he doesn't know.

Jim Neff asked if it was dependent on the direction of the Ministers. **Shabbir Datto** said that future improvements to treatment processes could be legislated by the Canadian Council of the Ministers of the Environment.

Bob Kortright said that Michael Rosenberg's point is well-taken as this seems to have been deferred indefinitely. **Shabbir Datto** said we do have a commitment as part of the mediation agreement to do these things. Sometimes it is a question of priorities.

Dalton Shipway said that he had a hunch that it is environmentally friendly to advance the agenda on this trail. Sometimes staff cannot do something until action is recommended from the community or politicians. This committee could say it is in the interest of the environment plan to take the next step on this trail or else we might lose it permanently. He asked if there was anything we could do such as pass a motion to say the trail is a good idea. **Karey Shinn** said we could go to the open house/meeting on Thursday. **Bob Kortright** said that Lake Ontario Parks' plan needs a trail that goes down the western side of the Coatsworth Cut.

Michael Rosenberg said that this motion is stuck in implementation limbo because of what is being called deferral is really a new plan. This forces Waterfront Toronto to come up with a plan without footpaths on the property. We do not want this message to go to Waterfront Toronto. **Karey Shinn** asked if there would be a benefit to send a message to Toronto Water that we disagree with the current situation and that they should send a message to Lake Ontario Parks that they should be planning these walkways. **Michael Rosenberg** said we could write a letter to Waterfront Toronto to provide clarification on this so they know the footpaths have not been cancelled. **Karey Shinn** asked Michael to draft a letter.

Marianne said the letter should advise Waterfront Toronto that they need to talk with Toronto Water regarding their plan on the Ashbridges site. They likely know there is already a plan. We should put acceptability of footpaths in large letters and bold. **Karey Shinn** said we have to make sure the letter says we do not agree with the process.

Action Item #4: Michael Rosenberg to draft a letter to Waterfront Toronto regarding the lack of immediate action regarding footpaths and specifying that the Toronto Water plan has not been cancelled.
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Disposition: Completed.

Meeting #88/67: 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.

Shabbir Datto said that part of the contract requirements was to provide bonds. There is a bond under the design build agreement for the construction of the Pelletizer and there is another bond under the operation and maintenance agreement. So, if Veolia was declared to be in default the matter would be referred to the City's solicitor. **Karey Shinn** asked at what point of time would they be declared in default. **Shabbir Datto** said he did not know. **Michael Rosenberg** asked if there would be any penalty for a delay in construction. He wondered if there was any wording in the contract that would imply time periods. **Karey Shinn** said that the contract could be requested through Freedom of Information if necessary. **Karey Shinn** requested that **Shabbir Datto** ask for a copy of the contract and/or for more details about penalties. There is a concern that the Pelletizer will never go up. **Shabbir Datto** said he can ask a second time. **Karen Buck** asked him to inquire about timeframes specified in the contract in terms of commissioning and penalties for not meeting timelines.

Disposition: Completed.

Action #5: **Shabbir Dattoo** to find out if the design build contract with Veolia specified completion dates and financial penalties for not meeting timelines or completion.

Meeting #88/67: 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.

Karen Buck asked if we want an odour protocol that actually leads to a follow up. **Karey Shinn** said we had a discussion about this same issue years ago. **Karen Buck** said the protocol was never put in place. If anyone called to complain no one had to verify anything regarding odour and whether or not the odour could be attributed to the plant. **Karey Shinn** said the last time this was discussed the point was made that there has to be a person 'on the ground'. We have to find out what 311 will do in this situation. **Doug** said it would be helpful if odour complaints had their own section in the telephone book with an odour hotline.

Jim Neff asked that we request to bring the odour complaint protocol to the next meeting to look at it again. **Karey Shinn** said it could be on the next agenda and a motion could be brought forth regarding it at this next meeting. Action #7 should be expanded to also include that we will review the odour complaints protocol.

Disposition: Ongoing.

Meeting #88/67: Action Item #8

Shabbir Dattoo to investigate whether the preliminary soil and groundwater testing report is available.

Shabbir Dattoo said Toronto Water would prefer to wait until all testing is completed. A draft report is targeted to be available in early fall.

Disposition: Completed.

Meeting #88/67: Action Item #9

Shabbir Dattoo to find out how the NLC is going to be involved with the EA Advisory Committee.

Shabbir Dattoo said that the NLC will be provided with regular updates on the EA implementation process. **David Done** said that he would like to have a motion that the NLC have one to two reps on the advisory committee. **Karen Buck** said that she did not want to be co-opted because the committee is contravening EA conditions. **Dalton Shipway** said he was in favour of two reps from the NLC. **Michael Rosenberg** suggested three reps. **Jim Neff** said that the committee is already pre-set up as is the agenda and we are just tagging along. This is without regard to mediation, this was made in good faith and it was ignored. **Dalton Shipway** suggested that something be done tonight to address representation on the committee. **David Done** suggested that an election for electing representatives for the committee be put on the agenda of the August meeting. **Karen Buck** suggested we have to state a position that is in support of the EA approval and conditions that go through and if Toronto water is not going to follow the approval that this is the committee structure that we see as being important. We can wait until we hear from the Ministry of the Environment.

It was agreed that an August election for 2 NLC representatives on the EA advisory committee be added to the next meeting.

NLC Motion #1

David Done moved that:

Whereas in our opinion, the advisory committee that Toronto Water has set up has bypassed the genuine intent of the EA approval conditions. Therefore, we resolve that Toronto Water allow the ABTP NLC to have two representatives on the advisory committee to augment the membership of the EA advisory committee. And, all meetings of the advisory committee should be public.

Dalton Shipley seconded.

The motion passed without objection.

Disposition: Completed.

4. Mini-updates

- **Pelletizer**

Shabbir Datto said the Pelletizer will tentatively start towards end of July.

- **Odour Control Project**

Shabbir Datto said there is no update.

- **Landscaping Plan**

Shabbir Datto said there is no update.

- **EA**

Shabbir Datto said staff are still putting together the workplan for implementing the EA.

Biosolids

Shabbir Datto said the Terms of Reference and the Peer Review for the master plan were taken to public works on June 27 and they have now been approved and await Council approval.

Karey Shinn said the Terms of Reference for re-writing the biosolids master plan will be done within a year as that is how long it would take to do all of the consulting. **Karen Buck** said the decision is available online. Public Works and Infrastructure Committee decision document can be found starting on page 6 at : <http://www.toronto.ca/legdocs/mmis/2008/pw/decisions/2008-06-27-pw17-dd.pdf>

David Done asked if KMK would be hired. **Karey Shinn** and **Karen Buck** agreed that they believed they were looking at rehiring KMK. **Karey Shinn** said there would be a thirty day public response period.

ICMC Portion of the Meeting

5. ICMC Steering Committee re: the Environmental Assessment undertaking

Nancy Fleming indicated that she has taken over project management of implementing the Environmental Assessment approved undertakings. She is excited about the new challenge.

Frank Quarisa asked that there be a new item 1 added to every ICMC agenda and that it be called *ICMC Steering Committee re: the Environmental Assessment undertaking*. He proposed the following structure regarding staff involvement in the portion of ICMC meetings where the implementation of the EA approved

projects are discussed: where there is not much of an update, a quick written report be sent in to the committee; where this is something to present/report on, 1 or 2 staff members would come to the meeting in-person; and, where there is substantive discussion a separate meeting could be dedicated to it. These options would make good use of staff time.

Michael Rosenberg requested that there still be a technical staff person for whole meeting. **Frank Quarisa** said with Mark Rupke leaving it becomes difficult. There has been a big knowledge gap since he left. There currently are not enough staff resources and we cannot do everything. The biggest priority right now is to begin the implementation of the projects resulting from the approval of the EA.. **Michael Rosenberg** added that there are other high priority items, other than the EA undertaking.

Karey Shinn said that the Mediation Agreement requires that the ICMC be the implementation monitoring committee. She wondered how they view their coming to the ICMC in terms of the conditions of approval. She indicated that she did not understand how the EA Advisory Committee, with its limited membership, relates to the ICMC. **Frank Quarisa** asked for this to be discussed later and for the focus to first be on the new proposed agenda item.

Karen Buck said she agreed that this item be added to the structured meeting agenda.

Doug said that Mark and other staff used to make great efforts to come out to meetings. Now, a written report is being suggested in place of this. **Frank Quarisa** said that this is due to staffing issues and there was acknowledgement of the committee’s opinion on this. The undertaking is the top priority for staff to focus on.

Michael Rosenberg said it makes it sound like there are high priority and low priority items. **Frank Quarisa** said with limited staff resources, there are limited items that staff can attend to at once so priorities need to be set, the EA undertakings are a high priority.

Jim Neff said the ICMC is a product of Mediation Agreement and he did not want to see the purpose of the committee ignored. **Frank Quarisa** said he is trying to deal with what is within his immediate control. There is no senior engineer dedicated to ICMC business at this time. The gap could start to be bridged by trying to schedule presentations from other parts of the City.

Karey Shinn asked, in the course of doing the outfall project, if information will be provided on proposed inputs to the treatment plant not just the wet weather plan, but also from the twinning of Coxwell sewer for example. That was missing for us in the Wet Weather Flow Master Plan. **Frank Quarisa** said there is a big pre-design component to the undertaking and during the pre-design all required information will be identified and gathered.

Everyone agreed that the ‘ICMC Steering Committee re: the “EA undertaking’ item can be added to every ICMC meeting agenda as the first item on the agenda.

Frank Quarisa said he thought it would be appropriate to summarize the correspondence generated to date since the EA approval. At some point someone may want to assemble an ICMC file with respect to correspondence. Staff will make a point to copy this one representative from the ICMC on all correspondence so their file can be updated accordingly..

Date	Correspondence
February 22, 2008 received March 6 2008	EA Approval
March 31, 2008	Letter to Ministry indicating there will be no first year report as approval was just obtained
May 30, 2008	Letter from Ms. Buck to the MOE objecting to the formation of the proposed Advisory Committee

June 2, 2008	Letter from Nancy Fleming inviting ICMC to participate in proposed Advisory Committee
June 9, 2008	Letter from the City to the MOE outlining the role of the proposed Advisory Committee
June 13, 2006	Letter from the City to ICMC outlining the preliminary work plan for implementing the undertakings
June 16, 2008	Letter to Ms. Buck from MOE acknowledging May 30 receipt of letter and that the MOE was looking into concerns raised
July 2, 2008	Letter from the City to the MOE further clarifying the role of the proposed Advisory Committee and the role of the ICMC in regards to the implementation of the approved undertakings.

Nancy Fleming indicated that a copy of the June 13 letter circulated at the meeting would be attached to the minutes. She reviewed the proposed work plan discussed in the letter.

Frank Quarisa wanted to address concerns regarding the proposed Advisory Committee and explained that it will be composed primarily of the regulatory bodies and agencies such as the Ministry of the Environment, Ministry of Natural Resources, TRCA, Department of Fisheries and the Ashbridges Bay yacht club. **Frank Quarisa** acknowledged that he is aware that the ICMC has issues with this committee and that Toronto Water is happy to wait for the Ministry's response.

Karen Buck said there was a misunderstanding as to what the E.A. Advisory Committee was actually doing. She still does not fully understand its role. From the first letter that went out it seemed to be an Advisory Committee with two members of the ICMC on it. And, the ICMC thought Toronto Water would not be working with the ICMC on the EA approval. **Frank Quarisa** said that the public input piece still comes from the ICMC. The purpose of that Advisory Committee is to get technical and logistical input. **Karen Buck** clarified that this is an Advisory Committee pulled together to move the project forward. It was not clear in the first letter that the agencies were the members. She asked when the committee would meet. **Frank Quarisa** said it would meet during normal business hours.

Karen Buck said this is less of a concern than it was in the first letter that was sent out.

Michael Rosenberg said that he gets worried when people refer to areas as 'technical' and hope it does not mean that the ICMC is not 'technical'. He considers the ICMC's role as technical in the sense they are reviewing what is going on in some degree of detail. **Frank Quarisa** said some items, such as the mixing zone in the lake, are highly technical and that no one in this room has any expertise in them. **Michael Rosenberg** said items like this could still be brought for discussion at ICMC meetings. **Karey Shinn** said that the E.A. Advisory Committee minutes could be shared with the ICMC. **Michael Rosenberg** said that it is not a question of receiving minutes as the ICMC should be involved in 'technical' discussions. It seems like things are being shifted away from ICMC.

Karey Shinn asked what the relationship is between federal EA that has to be done, as this outflow pipe is so long it goes into federal water. **Frank Quarisa** said he is not aware what approvals will be required under Canadian Environmental Assessment Agency at this point but the City is in the process of determining what approvals would be necessary to move forward..

Marianne asked if the EA Advisory Committee meetings will be open to the public. **Frank Quarisa** said he would rather that they are not as it could hamper the process. There will be two ICMC members in the room who can bring back information to this group.

Dalton Shipway said that the NLC passed a motion asking for two reps from the NLC to sit on the EA Advisory Committee. **Frank Quarisa** said the motion will be considered. But, the ICMC should be able to represent the NLC as well in their role. We want the committee to be small enough to be able to produce results quickly. We

do not want to turn it into another public consultation process.

David Done asked if it would be possible to have two alternates for the EA Advisory Group. **Karen Buck** said that way there could be two at the table and another two members could also sit in so that they could step in if a full member was unable to make it. This could ensure that there are two informed up-to-date people working on the advisory committee. It has worked well in the past. **Frank Quarisa** said he worried that this could turn it into another bureaucracy. He stated that one ICMC member could back up the other member.

Karey Shinn requested that the Biosolids and Residuals Master Plan Peer Review Panel Report presented at the June 27, 2008 Public Works and Infrastructure Committee Meeting should be attached to the minutes.

6. Review and Approval of ICMC Minutes

- **Meeting #67, June 3 2008**

Deferred to next meeting.

7. Review of ICMC Action Items & Motions

Deferred to next meeting.

8. Other Business

Lake Ontario Park Meeting will occur on Thursday July 10.

- **Next Meeting**

The next regular joint meeting of the NLC/ICMC will be August 13, 2008.

The meeting was adjourned at 9:15 p.m.

After the meeting it was decided that Toronto Water does not have sufficient staff available during the month of August to hold a meeting of the NLC/ICMC on August 13. The meeting is being rescheduled to (either September 18 or September 24 – Nancy M. talking to co-chairs).