

OTHER BUSINESS

ENERGY FROM WASTE – AUTHORIZATION FOR STAFF TO NEGOTIATE

Resolution #GPA-632-07

Moved by Councillor Novak, seconded by Councillor Foster

WHEREAS the Consultants retained by the Regions of Durham/York (Proponent) to oversee an Environmental Assessment (EA) to site an Energy From Waste (EFW) facility have identified a property located in the Municipality of Clarington as the preferred site for said EFW facility;

WHEREAS such EFW facility is to be developed and operating on a date that appropriately relates with the scheduled closure of the U.S./State of Michigan border to all Canadian Municipal residual waste shipments;

WHEREAS the Municipality of Clarington believes that the Proponent of the EFW facility shall be fully responsible for all costs and risks associated with the development and operation of the EFW facility;

WHEREAS the Ontario Ministry of Environment must approve the Environmental Assessment process which includes a site specific Human Health and Environmental Risk Assessment, and issue to the Proponent a license to operate the EFW facility;

WHEREAS it is standard practice in North America that a Host Community Impact Agreement be entered into between the Proponent and the Host Community for any type of Municipal residual waste processing facility;

NOW THEREFORE, the Municipality of Clarington resolves that staff is authorized to undertake without prejudice negotiations with Durham Region and that the Regions of York and Durham are requested to:

1. Agree to protect the health and safety of the residents of Clarington and Durham by incorporating into the design and installation of the EFW facility the most modern and state of the art emission control technologies that meet or exceed the European Union (EU) monitoring and measurement standards.
2. Agree to continue to support an aggressive residual waste diversion and recycling program(s) in order to achieve and exceed, on or before December 2010, a 70 % diversion/recycling rate for the entire Region and such aggressive program(s) shall continue beyond 2010.
3. The Host Community Impact Agreement shall address, but not be limited to, the following major areas of concern and requirements:
 - Provide 24/7 emission monitoring systems easily accessible by the public.
 - Restrict the quantities, types and sources of waste, ie no City of Toronto waste will be allowed.

**General Purpose and Administration Committee
Minutes
November 5, 2007**

- Establish a Community Liaison Committee including local Physicians.
 - Provide infrastructures to facilitate economic development in Clarington.
 - Absorb all Clarington costs that are related to the development and operations of the EFW facility.
 - Compensate Clarington for any detrimental costs, if any, associated to an EFW facility sited within Clarington borders.
 - Assume all risks and liabilities associated with the EFW facility.
 - Provide a royalty and/or revenue sharing arrangement to Clarington for the life of the EFW facility in appropriate amounts and suitably indexed.
 - The project shall have no adverse impacts on payments in lieu of taxes.
 - No ash from the facility shall be deposited in any landfill site located within Clarington borders.
4. To alleviate the concerns of the people of Clarington and Durham by acknowledging the foregoing and agreeing to negotiate with Clarington in good faith,
5. Staff is directed to forward this resolution to the Regions of York and Durham; FORTHWITH.

CARRIED LATER IN THE MEETING
(See following motions)

Resolution #GPA-633-07


Moved by Councillor Robinson, seconded by Councillor Woo

THAT the foregoing motion be divided in order to allow for consideration of the third bullet in item 3 separately.

CARRIED

Resolution #GPA-634-07

Moved by Councillor Robinson, seconded by Councillor Woo

 THAT the third bullet of item 3 of Resolution #GPA-632-07, which reads as follows
"The Host Community Impact Agreement include the establishment of a
Community Liason Committee including local physicians"
be tabled to Council meeting scheduled for Monday, November 12, 2007.

CARRIED

The balance of Resolution # GPA-632-07 was then put to a vote and carried.