

Proposed EFW **Council rejects staff recommendations**

December 12, 2007

Those Clarington residents opposed to the proposed Region's energy from waste (EFW) facility, say they feel let down and ignored by their council.

Clarington Council voted Monday night not to support key recommendations made by their staff and hired consultants regarding the EFW.

Clarington Planning staff made several recommendations in a report issued last week on the Region's site selection process for the EFW, which has identified a site in Courtice, as their preferred site. In that report, Clarington's Planning Department recommended that the Region "be requested to delay the final selection of a preferred site until the EFW technology is selected. They also asked that the final site selection be delayed until the business case for the EFW, clearly indicating the cost to the taxpayers, has been adopted.

In his motion Monday night, councillor Charlie Trim moved that council adopt the staff report with these two recommendations removed. In a recorded vote, local councillor Ron Hooper voted with the Regional Councillors; Mary Novak and Mayor Jim Abernethy voted in support of Trim's motion.

Following the meeting, resident Wendy Bracken said she couldn't understand how council could not have fully supported staff recommendations. "I hope the landfill threat did not play a role," she stated, "it was a scare tactic."

The subject of the Hale landfill site in Newtonville was raised last Wednesday at a Regional finance and administration committee meeting in response to a question by Regional Chair Anderson. Anderson asked Regional Commissioner of Public Works, Mr. Cliff Curtis, what kind of contingency plan was being created, should the Michigan landfill site (currently accepting the Regions waste) be closed before 2010, if the proposed incineration is not operational by January 1, 2010. Curtis replied that discussions are ongoing with three landfill sites on Ontario, one of which was the Hale site in Newtonville, for interim landfill capacity. Mr. Hale has denied having any discussions with the Region regarding his landfill site.

In her presentation to council on Monday night, Linda Gasser urged councillors not to get distracted by the Hale's Landfill debate, which she called, "beyond ridiculous." "This sounds to me to be a crude ploy by someone, to set up the old incinerator versus landfill debate," she stated. "The likelihood of Hales serving as interim landfill are beyond remote."

Clarington's solicitor, Mr. Dennis Hefferon, explained to councillors Monday night that in December 2005, the Ontario Court of Appeals upheld a Superior Court decision in the case of Newcastle Recycling (Hales) versus the Municipality of Clarington that found any legal non-conforming use related to the Hale landfill had ceased to exist. "I suppose, there is a possibility if faced with an emergency, the Ministry of Environment could allow the site to be used for further landfill," Hefferon said. "It really would be premature for me to express an opinion on that" he stated. "There has to be a genuine emergency, and there are a lot of landfill sites in Ontario before you get to that kind of emergency," he said.

To reactivate the Hale Landfill, the owners would need to get an Official Plan Amendment from the Municipality of Clarington and the Region of Durham. They would also require a Zoning Amendment from the Municipality, and a revised Provisional Certificate of Approval from the Province that would trigger requirements to upgrade the site.

Councillor Woo said he wondered what the upper tier of government was up to, throwing in the Hale landfill site at this time. "Are they trying to push us one way or the other?" Woo asked. "One has to wonder if Clarington is the Region's solution to the waste problem," he stated.

Many of the residents who appeared before council Monday, urged councillors to approve the Staff report in it's entirety, and to declare Clarington an unwilling host for the proposed EFW.

Regional Council will vote on Wednesday, December 23, whether or not to accept their project team's recommendation that the Clarington '01' site in Courtice is the preferred site for the proposed EFW.