

Region accepts Clarington site for EFW

At the end of a marathon meeting last Wednesday, Durham Regional Council voted to accept the Clarington 01 site as the preferred site for the proposed energy from waste (EFW) facility,

Clarington local councillor Adrian Foster was one of the 38 delegates registered to speak at Wednesday's regional council meeting. Foster told Regional councillors, "Through due and legal process, it's Clarington's official position that final site selection be delayed." Foster reported that on January 14, Clarington council passed a resolution requesting that the Region of Durham delay final selection of the preferred site of the proposed EFW facility until the business case for the proposed facility was prepared, and until the technology and vendor for the facility had been selected. This resolution passed at Clarington council with all four local councillors voting in favour, and the three Regional councillors voting against it.

Durham's Health and Social Services Committee passed a similar resolution at their last committee meeting, which they brought forward as a recommendation to full council on Wednesday. Regional Chair Roger Anderson told the Health and Services Committee members when they passed the resolution, that he felt it was an improper recommendation, and he would probably rule it 'out of order' at the Regional Council meeting, which he did.

"The motion moved at Health and Social Services is contrary to previous council position," Anderson said at Wednesday's meeting. "If you want to defer the decision, that's a vote you can make, but if you defer the decision and say you want the business case and preferred technology on multiple sites, that is not allowed. It is contrary to council's position," he stated.

Oshawa councillor Brian Nicholson challenged Anderson's ruling in a recorded vote, which was lost. Nicholson argued that council's direction was fulfilled when staff came forward with a recommended site for the proposed EFW. It was now up to council to decide what they were going to do with that recommendation, according to Nicholson. Councillors voted 17 to 9 to uphold the Chair's ruling. All three of Clarington's regional councillors voted to support the chair's ruling.

Before voting on the preferred EFW site, councillor Nicholson introduced a number of motions to further clarify the Region's direction as it pertains to waste management. Some of Nicholson's motions came from Clarington council, where they were voted on and adopted.

His first motion asked the Region to protect the health and safety of the residents of Clarington and Durham by incorporating into the design and installation of the EFW, the most modern and state-of-the-art emission control technology to meet or exceed the European Union standards. This motion was adopted unanimously.

Nicholson's second motion asked the Region to commit to include in their request for proposals for the EFW, Maximum Achievable Control Technology for emission standards and monitoring for the EFW. This motion was approved by councillors.

The third motion put forward by Nicholson asked that the Region continue to support aggressive residual waste diversion and recycling programs in order to achieve and exceed,

on or before December 2010, a 70 percent diversion rate for the entire region and that these aggressive programs continue beyond 2010. This motion too was carried.

The last motion Nicholson introduced was not adopted by council. In his final motion Nicholson asked that the Region respect the wishes of local councils and not allow an incinerator to be located in any community that is not declared a willing host community by resolution of its local council after public consultation.

Chair Anderson responded to this motion by stating, "Sometimes we're going to make decisions local councils don't like." He told council members that this motion was not an appropriate way to deal with the Region's business. "If this is going to be a decision left to a local council, then let's give them the responsibility for garbage collection and disposal," Anderson stated. Requests, comments and opinions from local council will come into our decision making, but this is our decision," he said:

Clarington councillor Mary Novak said that she would have a problem knowing when to come forward as a willing host or not; at the beginning, midway or at the end of the process when they actually have the facts.

Regional Works Commissioner, Mr. Cliff Curtis warned against passing such a resolution. "You've handed the keys of the kingdom to whatever municipality the site lands on," Curtis stated. "They can pass an unwilling host resolution and negotiate for some advantage to remove that resolution. Basically you're frustrating the environmental assessment process by allowing this resolution to trump that process," he stated.

Nicholson's motion was defeated in an 18 to 8 vote, with all three Clarington councillors voting against it.

Most of the 26 regional councillors present at Wednesday's meeting took turns speaking to the Works Committee recommendation to declare the Clarington site in Courtice as their preferred site for the proposed EFW facility.

Clarington's Mayor, Jim Abernethy, said that his position has always been constant. "My position is, I'm against land fill, that is the option of last resort," he stated. He felt it was too early in the environmental assessment process to have sufficient answers to decide if the proposed EFW would be safe or not.

Clarington said 'no' to land fill in the 1990s, Abernethy told his fellow councillors. "I don't want to go back to my community now and say, 'I'm sorry, we've closed the door on an option and now we're going to have to open up the door on land fill.'"

Councillor Novak said it was important for her to find out where the process takes us. "I've taken heed of each and every comment of those opposed and those in favour," stated Novak. "If the specific health study shows it [EFW facility] is not safe in Clarington, I will not support it, and will come to each member in this council and ask them 'not to support it,'" she said.

The final vote on the site selection was approved in a 19 to 7 vote, (2 absent). The three Clarington councillors voted in favour of accepting the Clarington site as the preferred site.

The council meeting began at 10 a.m., and the vote on the site was taken shortly after 11 p.m.