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 Delegation for presentation June 16th, 2009 Committee of the Whole

Chair Anderson, Members of Committee, Staff, Media and Public. My name is Kristin Robinson, and I live in Bowmanville.

Last night at Clarington Council, I heard Dr. Chris Ollsen state (and I quote): “Risk Assessment is not a science to prove things are safe”. I repeat: “Risk Assessment is not a science to prove things are safe”. Interesting. This and yet Dr. Ollsen still feels that he can answer ‘Yes’ to the question ‘is it safe’.

I, and many, many other citizens have concerns with this EFW project, and I will touch on just a few here.

Perhaps the most anticipated study to be released from the consultants was the Health Risk Study. However, the only place in Durham Region that a Public Information Centre was held was in Bowmanville. It wasn’t even held in the host community of Courtice! Why was there no other PICs held in Durham? Is health not important to the rest of Durham? Most importantly, the rest of Durham lost out on hearing all of the terrific questions that the public asked of the consultants – and the lack of solid answers from the panel. Speaking of the panel, there was no Physician to answer questions on health. This is unacceptable. There were even medical doctors/nurses in the audience who had major concerns about this facility, but they had no peer on the panel to ask questions to.

I am so sick and tired of hearing the consultants say: ‘the air shed here is no different than anywhere else in Southwestern Ontario’, as if this comment makes it okay to build an incinerator here. What this does tell me is that the air shed burden here is much worse than much of outside Southwestern Ontario, and we shouldn’t be adding any more to it to increase the cumulative effect.

Oh, but I forgot. When the consultants ‘crunched the emission numbers’ they came up with the conclusion based on percentages that the amounts of emissions added to our air shed by the incinerator is insignificant. However, when these same emission numbers are plugged into the East Gwillimbury air shed data, we see that by adding these same pollutants to their air shed they would increase the area’s industrial emissions in some cases by over 3000%!

In the air quality technical report (pg 35, 3.2.4.3) it shows that this area with no incinerator is below the Canada Wide Standard of PM 2.5 by only ONE. That is our area is already at 29ug/m3 of PM2.5 and the CWS is 30ug/m3. This is with no incinerator! How can it be possible that we will stay below the CWS with the incinerator? And remember, all particulate matter is not measurable, so the most damaging to human health – that is the ultrafine particulate matter – cannot be equated.

In Dr. Lesbia Smith and Ross Wilson’s peer review of the human health risk assessment and environmental surveillance, they write:

“Validation of exposure point concentrations is considered to be outside of the mandate of this review. We note that this review of the SSHHRA has not evaluated the accuracy

of the exposure point concentrations (from the air modeling of emissions) and thus, all of the exposure point concentrations assumed in the SSHRA are assumed to be accurate.”

So in other words, their entire peer review assumed that perhaps the most important factor, the exposure point concentrations, were correct. They didn’t check it whatsoever.

We were promised the best of the best technology out there for monitoring emissions – and we certainly have not got that. There are continuous emission monitors for many, many more pollutants than what are currently being monitored. The spikes of pollutants will not be measured at start up and shut down. We will not know what is going into our air shed.

So, is it safe? We know from last night that risk assessments do not prove things are safe. We have also heard in the past from Dr. Lesbia Smith that the epidemiological study was “inconclusive”. We know that Dr. Nosal, the Medical Officer of Health for Halton Region did not feel that building an incinerator would be safe for his community, and thus he recommended the precautionary principle be taken and the facility not be built. Are our citizens of this Region second rate? Why is it considered okay here but not in Halton?

PLEASE do not allow this incinerator to be built. PLEASE follow Dr. Nosal’s lead and protect us by adopting the precautionary principle.

Thank you.

Delegation to Committee of the Whole, June 16, 2009.

Re: Incinerator EA Reports COW 01,02,03, draft final EA

Chair Anderson, Councillors, Ladies & Gentlemen:

I believe most of you to be fair-minded people. I honestly believe that today you have the ability to change Durham forever. You can leave a legacy of avoidable serious health and environmental impacts and crippling financial risk, or, you can move away from this flirtation with incineration and embark on the road to safer and more sensible alternatives. **You know** there are more reasonable alternatives on both an interim and longer-term basis.

If you adopt incineration, on top of polluting our air, soil and water, you would also be dooming other communities to the very landfill impacts you claim you want to avoid, with the additional burden of highly concentrated toxics in the ash. You will continue to be exposed to all the costs, impacts and risks (including political) of cross border shipments of waste, including hazardous waste. These costs can only go up and you can be sure the vendor will pass those through to us.

At present, all residual waste management alternatives include landfill – you know this and over the last two years we have brought forward safer and more flexible options for Council to consider, options the community would be eager to help Durham implement. The term Zero Waste contemplates a whole host of solutions and recognizes that landfill is an interim component until the goal of near zero residuals is achieved.

Those on council last term when incineration was selected as the preferred option were not fully informed about the impacts – some of you were told by staff and consultants what you would see is water vapour coming out of the stack, with few details about the hundreds of pollutants emitted and the associated health risks.

There was little discussion of the huge financial risks and there was no anticipation by staff of changes in the waste management landscape (Zero Waste arising from the Ont. Waste Diversion Act Review) and changes in law that are currently being contemplated with the A-7 revisions (KPMG April. 29.09 letter-Attch.4 to COW 03, pg 326). Note that as per the draft project agreement (Attch. 6 to COW-03 pg 340), **all risks related to changes in law are the responsibility of the owner** and given the pace of change, these risks will be high.

Over two years I have heard some of you say you would not support incineration if it were not proven safe and financially feasible. You and we know that in his report Dr. Kyle **DID NOT** provide any assurances that incineration is safe. In fact, in 2007 Dr. Kyle's peer reviewer, Dr. Smith, found that: ***“the current epidemiologic literature (2000-2007) is inconclusive and does not demonstrate one way or another the modern incinerators have associated health effects on the people living around them”*** (Appendix A-MOH 2007-20, pg 2). Dr. Pengelly also found no evidence “modern”

incinerators are safe. So since at least 2007 you have known there is no scientific evidence and proof that incineration is safe. No amount of window dressing with risk assessment or creative interpretation thereof can obscure or change the fact that you have no evidence this incinerator would be safe.

In my view Dr. Ollson earned his money last night at Clarington Council – a televised meeting - with this statement: **“Risk Assessment is not a science to prove that things are safe”**. This of course did not stop Mayor Abernethy from asking again, “is incineration safe.” Mayor Abernethy is looking to cover his political backside and make someone else responsible.

Risk assessment is simply an estimate of risk that attempts to quantify those risks based on a large number of assumptions and according to Dr. Ollson and Clarington peer reviewer Dr. Phillips, there are inherent uncertainties in the process. Further, it was confirmed the science is not there to address chemical mixtures and can hardly be there for unknown compounds and things like nanoparticles that cannot yet be measured.

Though this would be the largest capital project the Region has considered and known to be high risk, your staff have not provided a detailed business case nor have they addressed the serious deficiencies identified by several reviewers with last year’s and they continue to maintain their assumptions hold. Report COW 03 provides you less information than last year though costs have ballooned for \$198 mio to exceed \$272. You have fewer details about operating costs and none about potential pass-through costs. **You have not been provided with a draft project agreement with Covanta**, only with a generic agreement that was provided to all vendors in the RFP process. The devils are in those details not before you, nor have you allowed for time to review the limited information provided because the political direction has been to ram through adoption of incineration through council before summer –is this sensible?

Assessments and reports for 400,000 tpy scenario only provided last Friday though section 12.5, pg. 6 in the May 25th draft EA clearly sets the stage for the end game that the incinerator proponents on council have played from the get-go. **“it is the proponent’s expectation that should the Facility be expanded within the short-term (i.e. within the next five years) a number of the specific supporting documents that would be used to support environmental screening would not require updating...** None of the documents around the 400,000 tpy option have been peer reviewed – by adopting this schedule you did not allow that review to take place and have deprived yourselves and us of this information. Section 12.5 was quietly removed from the subsequent June 12th draft EA.

Please know that anyone who supports a 140,000 tpy will be seen as supportive of a future expansion to 400,000 tpy, and note the 250,000 expansion evaluation appears to have been dropped. What arguments will be used to get you to go to 400,000 tpy quickly – economies of scale, savings by going big right off, more “juice”, or you may be told the vendor will be responsible for supplying/securing waste in excess of your put or pay obligations??

You have been denied a real examination of all reasonable alternatives. Anecdotal reporting of the problems with landfill does not constitute a rigorous analysis of how modern landfill compares with modern incinerators. If staff and incinerator proponents on Council were confident incineration were safe and sensible, they would support a fair process to allow you- the decision-makers- and all stakeholders to examine options and thoroughly review related documents. Again, thousands of pages incredibly detailed documents were released last Friday so neither the peer reviewers nor we can bring all the necessary details to the attention of those wanting to make an informed decision.

In my opinion, this incineration project is very much about who gets to make the money disposing of our waste **for up to 50 years** (COW-03 pg 289)– lots of money. Covanta is tapped to build the incinerator, dispose of the fly and bottom ash and we are hearing residual waste may be shipped to a Covanta facility in New York on an interim basis?? – so it seems like it's Covanta all the way.

The incineration industry targets already polluted areas with weak political representation. Additional pollution can be shown as being a small percentage increase relative to the huge existing pollution burden-don't fall for it. The industry has staff and politicians doing the marketing for them all over and in this case a former Durham politician is working closely with the preferred vendor – it's a revolving door. If you adopt incineration, Durham Councillors will simply be seen as the one more group of politicians willing to transfer public wealth to a private corporation while putting the health of the community at risk – sadly this is hardly breaking news anymore.

You have an opportunity to prove the incineration industry wrong and demonstrate to residents you have our well being from every perspective as your priority. You can do this by moving away from incineration towards safer, sustainable, and more flexible and less costly alternatives. If you choose not to vote down incineration today as you should **because there is no evidence** it is safe and if you choose not to err on the side of caution, at the very least do not accept the staff recommendations in reports COW 01,02,03.

Allow yourselves and the public time to review the masses of documents and defer a final decision to a meeting in September. This would allow time for all stakeholders including the host community to review the documents pre-submission i.e. without the prescriptive constraints of a MoE review at this time. **Clarrington staff bring forward peer review reports on July 6th and 13th.** **You could undertake the balance of your peer reviews.** In September, you could make a more informed decision whether or not to proceed. Please -don't burn our future with a hasty recommendation today.

Thank you for your attention.

Linda Gasser

Cc: Clarrington Council and Dir. Planning
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