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ENVIRONMENTAL ASSESSMENT ACT NON-DESIGNATION REQUEST VAUGHAN TRANSFER AND RECYCLING INC.

The Solid Waste Management Committee recommends the adoption of the recommendations contained in the following report, February 2, 2005, from the Commissioner of Transportation and Works:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council request the Ministry of the Environment that the proposal of Vaughan Transfer and Recycling Inc. to increase the approved capacity of its existing solid waste transfer and processing facility in the City of Vaughan not be subject to the *Environmental Assessment Act* and not require an environmental assessment.
2. The Regional Clerk forward copies of this report to Vaughan Transfer and Recycling Inc., the Clerk of the City of Vaughan and the Ministry of the Environment.

2. PURPOSE

Vaughan Transfer and Recycling Inc. has made two respective applications to the Ministry of the Environment (MOE) with respect to the company's proposal to increase the capacity of its existing solid waste transfer and processing facility in the City of Vaughan. This report responds to the MOE's request for comments with respect to one of those applications.

3. BACKGROUND

Vaughan Transfer and Recycling Inc. has made application to the MOE for an amendment to its Provisional Certificate of Approval No. A680333 with respect to the company's solid waste transfer and processing facility which is located at 650 Creditstone Road in the City of Vaughan. The company has also made a second related application to the MOE, which requests that the amendment not require an environmental assessment.

Regional Council considered the company's original Certificate of Approval application through the adoption of Clause 1 of Report No. 8 of the Regional Commissioner of Transportation and Works on September 9, 1999. The company name at that time was York Disposal Service Limited. The Region did not object to the issuance of the Certificate of Approval, subject to the Region's standard conditions.

4. ANALYSIS

4.1 Description of Location, Facility and Operations

Attachment 1 is a map showing the general location of the facility. The site is approximately 2.4 hectares (6 acres) in size and is located in an industrial area.

The existing transfer and processing facility has been in operation since 1999. The operation is carried out inside a building which has a total area of 4,650 square metres (50,000 square feet). The transfer station occupies 2,500 square metres (27,000 square feet) of this area with the remainder being used for the company's offices and truck maintenance garage.

4.2 Environmental Protection Act

The company has made application to the MOE under the *Environmental Protection Act*, for an amendment to its existing Certificate of Approval. The proposed amendment would allow the facility to accept and process increased quantities of waste and recyclable materials as summarized in Table 1.

Table 1
Summary of Existing Approval and Proposed Amendment

Item	Current Approval	Proposed Amendment
Maximum Received Quantity of Waste and Recyclable Materials	500 tonnes per day	800 tonnes per day
Maximum Storage Capacity at Any Time	550 tonnes	800 tonnes
Maximum Quantity of Waste for Disposal	300 tonnes per day	600 tonnes per day

The MOE has not yet requested the Region or any other party to provide comments with respect to Vaughan Transfer and Recycling Inc.'s application under the *Environmental Protection Act*. It is understood that the MOE wants to first make a decision with respect to the applicability of *Environmental Assessment Act* as outlined below.

4.3 Environmental Assessment Act

The MOE has advised that new or expanded waste transfer stations which handle greater than or equal to 300 tonnes per day may be considered for designation under the *Environmental Assessment Act*.

The MOE is considering whether the approvals process under the *Environmental Protection Act*, in addition to other required approvals, will be sufficient to address government agency and public concerns, if any, with respect to the proposal. If not, the

MOE will consider requiring the company to prepare an environmental assessment for Minister and Cabinet's approval under the *Environmental Assessment Act*.

4.4 Recommendations for a York Region Position

It is the opinion of Regional staff that any potential environmental impacts from the proposed facility can be adequately addressed under the *Environmental Protection Act*. Therefore, it is recommended that the Region request that the company's proposal not be subject to the *Environmental Assessment Act* and not require an environmental assessment.

If the MOE's decision is to let the proponent proceed without an environmental assessment, then it would formally ask the Region and other pertinent stakeholders to provide comments at that time under the *Environmental Protection Act*. Should this be the case, then Regional staff will prepare a report for the consideration of Committee and Regional Council that would contain recommendations with respect to the Region's comments.

In commenting on approval applications, made under the *Environmental Protection Act*, for waste management facilities, Regional staff focus on the following key issues:

- The establishment or existence of a process to collect data to monitor diversion rates to assess the Region's progress toward diversion targets.
- The minimization of the risk of an accidental leak or spill.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

The MOE issued a letter to the City of Vaughan, which was identical to the Region's, asking the City to provide comments with respect to the proposal. City staff have prepared a report that will be considered by the City's Committee of the Whole on February 7, 2005. The report contains the following recommendations from the City's Commissioner of Engineering and Public Works:

- “1. The request from Vaughan Transfer and Recycling's to the Ministry of the Environment that would allow for an increase in the amount of tonnage received at their 650 Creditstone Road facility from 500 to 800 tonnes per day, and outbound tonnage increased from 300 to 600 tonnes per day, and storage be increased from 550 to 800 tonnes, should not be considered for designation under the *Environmental Assessment Act*; and,

2. *Copies of this report and Council's resolution be sent to: Mr. Kevin Plautz, Project Officer, Environmental Assessment Project Coordination Section, Environmental Assessment and Approvals Branch, 2 St. Clair Avenue West, Floor 12A, Toronto, Ontario, M4V 1L5."*

7. CONCLUSION

This report responds to the MOE's request for comments with respect to the request by Vaughan Transfer and Recycling Inc. for an environmental assessment exemption.

The proposed amendment to the company's Certificate of Approval would provide increased transfer station capacity that may be potentially used by industrial and commercial businesses in the Region. The recommendations of this report, if adopted, would increase the likelihood that the company would be able to obtain the amendment.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)