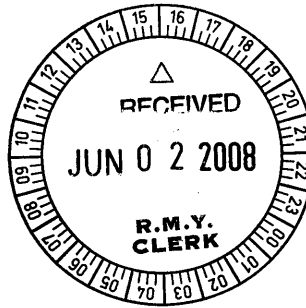


May 27, 2008

Ms. P. Madill
Regional Clerk
Regional Municipality of Durham
605 Rossland Road East
Whitby, ON L1N 2M8



REGION OF YORK
CLERK'S OFFICE

FILE No. - P27

Dear Ms. Madill:

**RE: HOST COMMUNITY AGREEMENT – PROPOSED ENERGY FROM
WASTE FACILITY – OUR FILE NO.: E01.EN**

At a special meeting held on May 27, 2008, the Council of the Municipality of Clarington considered the above-noted matter and passed the following resolution:

“WHEREAS Section 11 of the Ontario Municipal Act states that waste management in Ontario is a sphere of jurisdiction that has been assigned exclusively to the Region of Durham;

WHEREAS for many years the regional municipalities of York and Durham have been jointly developing a strategy for meeting their short and long term waste management needs; and

WHEREAS the regions are proposing to build and operate a thermal treatment waste management facility but must first obtain the required approval under the Environmental Assessment Act; and

WHEREAS the Environmental Assessment (EA) is intended to provide the Minister of the Environment with enough information about the potential environmental effects of the proposed facility to decide whether it should be allowed to proceed and put into operation; and

WHEREAS on January 23, 2008, the regions reached a key milestone in this EA process, announcing that they had approved a site for the proposed thermal treatment facility; and

WHEREAS this site is located in the Municipality of Clarington and the regions are now fulfilling a legal obligation under the Environmental Assessment Act to consult with the public to solicit feedback on the use of this site; and

WHEREAS the next step will be to determine the type of technology that may be used at the facility; and

WHEREAS many technologies will be considered including gasification, pyrolysis and conventional incineration; and

WHEREAS everyone is encouraged to participate in this process and raise any concerns they have with the regions for their consideration; and

WHEREAS once completed, the EA must be submitted to the Ministry of the Environment for an intense and thorough technical review; and

WHEREAS there have been many opportunities for members of the public to review the EA and provide comments directly to the ministry about any concerns they may have; and

WHEREAS comments made in this regard will be considered when the Government of Ontario makes a decision about the facility; and

WHEREAS the Municipality of Clarington is confident that the decisions of the Minister of the Environment for the Province of Ontario regarding this EA process will be made to ensure and protect the health, welfare, safety and well being of the people and the environment of the Municipality of Clarington and the Region of Durham;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Clarington supports the Region of Durham's Business Case Report #2008-J-13 dated May 21, 2008;

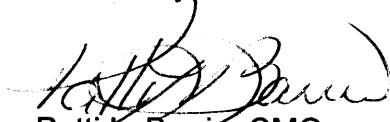
THAT the Regions of Durham and York be requested to provide confirmation to the Municipality of Clarington of the following:

1. THAT the proposed facility can be operated safely, by way of a Site Specific Human Health and Ecological Risk Assessment;
2. THAT the regions have investigated and determined that the proposal has a solid and affordable business plan for all of the residents of Durham;

3. THAT the regions will continue to negotiate in good faith, a Host Community Agreement with the Municipality of Clarington to reflect the "General Principles in the Host Community Agreement" as contained in Report #2007-J-14 as approved by Regional Council April 18, 2007; and
4. THAT this resolution is without prejudice and not an endorsement of the project until Clarington agrees to the terms of the Host Community Agreement; and

THAT the Regions of Durham and York, the Joint Waste Management Group, and the Ministry of the Environment be advised of council's decision."

Yours truly



Patti L. Barrie, CMO
Municipal Clerk

cc: Regional Municipality of York ✓
Joint Waste Management Group
Ministry of the Environment