



REGION OF YORK
CLERK'S OFFICE
FILE No. - P42

June 20, 2011

Denis Kelly, Regional Clerk
The Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:

RE: Durham/York Energy from Waste Project
MOE File No.: EA-08-02

In accordance with the Notice of Approval to Proceed with the Undertaking regarding The Amended Environmental Assessment for Durham and York Residual Waste Study, Condition 3 Public Record, enclosed please find a hard copy of the following document:

- Amended Durham/York Energy from Waste Complaint Protocol for Design, Construction and Operations (June 20, 2011)

The enclosed document is also available on the project website as follows:

http://www.durhamyorkwaste.ca/project/whats_new.htm

and

http://www.durhamyorkwaste.ca/project/project_doc.htm

Thank you,

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Encl.

Durham/York Energy from Waste Complaint Protocol for Design, Construction & Operations

EAAB FILE NO: EA-08-02

Initial Submission Date: 2011-01-31

Amendment Submission Date: 2011-06-20

This document has been reviewed by the EFW Advisory Committee and edited appropriately as required by EA Condition 6.2.

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Introduction

The Minister of the Environment granted approval on November 3, 2010 of the Individual Environmental Assessment for the Energy from Waste (EFW) facility. One of the conditions of approval was the establishment of a detailed protocol to address concerns received from the public during design, construction and operation activities. Specifically, the Minister's Condition for the Complaint Protocol states that:

- 6.1 The proponent shall prepare and implement a Complaint Protocol setting out how it will deal with and respond to inquiries and complaints received during the design, construction and operation of the undertaking.
- 6.2 The Complaint Protocol shall be provided to the advisory committee for review prior to submission to the Director.
- 6.3 The proponent shall submit the Complaint Protocol to the Director within one year from the date of approval or a minimum of 60 days prior to the start of construction, whichever is earlier.
- 6.4 The Director may require the proponent to amend the Complaint Protocol at any time. Should an amendment be required, the Director will notify the proponent in writing of the required amendment and date by which the amendment must be completed.
- 6.5 The proponent shall submit the amended Complaint Protocol to the Director within the time period specified by the Director in the notice.

This document outlines the protocol on how Durham and York Regions will deal with and respond to inquiries, complaints and concerns received during the design, construction and operation of the Undertaking. The document will be posted on the EFW project website at www.durhamyorkwaste.ca.

Due to the nature of this Undertaking being a Design-Build-Operate project, for practical purposes the Complaint Protocol has been split into two phases:

Phase 1 – Design & Construction Phase

For the purposes of this document, inquiries, complaints or concerns from the public for the design and construction work is considered Phase 1 of the Complaint Protocol roll out. It is anticipated the majority of complaints or concerns arising during this phase will be related to EA follow-up, detailed design, early site investigation work, soil and groundwater investigations, heavy construction activity and project schedule. These inquiries will flow through the intake process as described in this document and be managed and directed as outlined in Section 2 and summarized in Figure 1.

Phase 2 – Operation Phase

Phase 2 of the Complaint Protocol will begin once the project moves from construction to the Operation Phase of the Undertaking. The Operation Phase commences after the facility is commissioned and operating as a Waste Management Facility. At that time it is anticipated the majority of complaints or concerns will be directed to facility personnel and follow the flow chart in Figure 2 of this document. Phase 2 Complaint Protocol will develop more fully as the project progresses and be amended as required to meet the future needs.

1. Complaints Received on the Energy from Waste (EFW) Project

1.1 General Process for Receiving Complaints or Concerns

Public comments, complaints and concerns will be directed to Durham Region and York Region through one or more of the following means: email (direct or via project website), telephone, letter or fax. It is recognized that inquiries of this nature could be received by local municipalities, the York Durham District office of the Ministry of the Environment (MOE) and the MOE Spills Action Centre. Appropriate staff at these organizations will be instructed to route these inquiries to the EFW phone number or email address for response and action.

The Complaint Protocol is to be fully implemented with staff (known as First Responders) who will be trained to respond to queries and the prescribed Complaint Protocol process. The First Responder is the initial point of contact for the person registering a complaint or concern and is responsible for starting the record of complaint process and determining the nature of the complaint. **Direct contact between the public and the Design-Build-Operator (DBO) contractor will be discouraged in order to promote direct contact between the Regions and the public. The First Responder will be responsible for directing the RoC to the appropriate individual for response.**

The following means will be available for the public to make complaints and concerns known during the design and construction phase of the project to the EFW Project Team:

- Email: info@durhamyorkwaste.ca
- Telephone (during business hours) – toll free 1-800-667-5671
- Telephone (during after hours) – toll free project number 1-800-667-5671 to be answered by an automated system which will direct the caller appropriately if it is an Emergency or request that the caller leave the pertinent information which will be immediately transferred as a voice recording to dedicated email addresses of the EFW Project Team.

- Mail:
The Regional Municipality of Durham
c/o EFW Project Team
605 Rossland Road East
Whitby, ON L1N 6A3

OR

The Regional Municipality of York
c/o EFW Project Team
17250 Yonge Street
Newmarket, ON L3Y 6Z1

- Comment form from the project website: www.durhamyorkwaste.ca
- Fax: Durham 905-666-6206
York 905-830-6927

Note: The Municipality of Clarington and the Durham Works Depot and York Operations Centre may receive calls or emails directly related to the EFW project. In this event, these concerns or complaints will be forwarded to the EFW phone number or email address.

1.2 Informing the Public of the Complaint Process

Durham and York Regions have committed in the IEA to undertake a comprehensive communications program to inform the public on the various ways of providing feedback, complaints or concerns regarding design, construction and operations activities. A Communications Plan will be prepared that will include some or all of the following methods of informing the public on how to communicate with the EFW Project Team:

- Project sign boards at the construction site compound will list the toll free project number and project website
- The EFW project website will include a Complaint Form and information on the toll free project number, project addresses and contacts, fax numbers and email addresses for Durham and York Regions
- Personalized letters may be sent to the project mailing list providing details on the toll free project number, project addresses and contacts, fax numbers and email addresses for Durham and York Regions
- EFW project newsletters will be used at various stages of the preconstruction and construction phases to inform the public on design and construction activities and include information on how to contact the project team as outlined in Section 2.1

- Electronic notifications to subscribers of the EFW dedicated email and other relevant social media accounts

1.3 Informing the Ministry of Environment

Durham and York Regions will communicate the details of any inquiry, complaint or concern to the MOE through the design, construction and operating stages of the facility to ensure the Ministry is aware and satisfied that the Regions are responding as detailed in the Complaints Protocol.

- An annual report will be submitted to the MOE District Office documenting a summary of the complaints that were received regarding the facility operation.
- In the event that there is an inquiry, complaint or concern during the design, construction or operation of the facility that may potentially constitute an adverse environmental effect or compliance issue, the Manager of the York-Durham District Office will be notified immediately.
- During the design, construction or operation of the facility any administrative inquiries, complaints or concerns will be documented and the Manager of the York-Durham District Office will be provided a summary of complaints on a monthly basis.

2. General Description of Complaint Management Process during Phase 1, Design and Construction

- The Complaint Protocol Process for the Design and Construction Phase is shown in Figure 1.
- All complaints received from residents and stakeholders will be centralized into a 'one window' complaint system managed by the Durham and York Region EFW Project Team.
- All complaints received will be assigned a Tracking Number.
- Phone complaints or concerns will be received during daytime operation hours (Monday to Friday 8:00 to 5:00) by a live operator at the Region of Durham Waste Management Call Centre (Call Centre) who will record details and log the Originators concerns before directing all EFW related complaints or concerns to an EFW Project Team member (First Responder).
- After hours calls received on the Call Centre voicemail will ask the caller to leave a detailed message with a call back number. This message will be recorded and logged into a software database and directed to dedicated email addresses of EFW Project Team

Members the next business day. Emergency calls will be redirected using touch tone options to a live operator.

- Complaints and concerns submitted via email or via the comment form on the project website will receive an automated response to acknowledge receipt of the comment.
- Complaints and concerns received via correspondence (not phone or email) shall be acknowledged within one business day by the First Responder provided that contact information for the Originator is included.
- Investigation of complaints and concerns will be conducted in a timely manner, as quickly as is reasonable considering the particular situation surrounding the complaint or concern. This may include meeting with the Originator as required to investigate the background and/or origin of the issue.

- An appropriate software package will be used to manage the information related to the Record of Complaint (RoC) including key information such as:
 - Name, address and contact information (confidentiality will be protected in the event the Originator wishes to remain anonymous)
 - Tracking number
 - Nature of the complaint or concern
 - Action taken to address or respond to the issue
 - Response provided to the Originator (if received via a municipality the municipality will be notified of the response)
 - Resolution of complaint
- A quality Assurance review of the Complaint Management Process will be undertaken annually by Durham and York Regions and modified where appropriate to ensure a high level of service to the public and stakeholders on complaints and concerns.
- A summary of issues and issue resolutions will be presented as a standing item on the EFW Advisory Committee meeting agenda.

3. General Description of Complaint Management Process during Phase 2, Operations

After major construction is complete and the facility is commissioned, the DBO will become more involved as a First responder. Complaints or concerns received via the receptors indicated in Section 1.1 above will be handled in the same manner. Durham and York Region staff will direct Facility Operational complaints or concerns to the EFW Plant via the process outlined in Section 2 above. Once the Facility is operational the DBO will have direct access to the computer software database to record, track and log all complaints so the DBO can also add complaints received at the Facility into the 'one window' system. The centralized system will be monitored by Durham and York Region.

3.1 Covanta Protocol for Complaint Management

3.1.1 Emergency Situations

Should the complaint relate to an emergency requiring immediate reaction or response, the complaint will be relayed to the Supervisor on Shift via telephone. Upon his/her assessment and verification, immediate actions will take place in accordance with Facility Emergency Action Plan. This plan covers the plant specific plans, appropriate notifications and additional actions beyond resolution of the emergency situation. The actual emergency action plan will be one of many plant specific safety procedures developed as part of the plant commissioning. It will be

developed based on plant specific conditions in accordance with a guidance document (reference tool) developed and managed by Covanta's Corporate Resources. A sample/example Table of Contents is attached.

3.1.2 Non-Emergency Situations

Non-emergency complaints will be routed through the Facility Manager and/or Business Manager, documented and assigned for evaluation and resolution to the appropriate facility management team member. Operational issues will be addressed by the Chief Engineer or his designee, Maintenance issues by the Facility Maintenance manager, and Health and Safety issues addressed by the Facility Environmental Engineer and/or Safety Coordinator. This will include follow-up communication with the compliant originator as appropriate. The results/resolution of the compliant will be directed through facility management as part of final resolution/close out of the complaint.

4. Record of Complaint (RoC)

The RoC will be entered into a complaint management software database. The software database will log the issue, track process and record the action plan and resolution of an issue. The intent of this document is to have real time information logged about the complaint or concern, status and resolution. This provides a record to allow all interested/appropriate levels of managers to be kept apprised of issues.

The RoC is maintained throughout the complaint resolution process and supports accurate data collection, timely and appropriate action and supports quality assurance and monitoring for reporting purposes. A typical RoC would include entry of the following information:

- Step 1: Nature of complaint/concern
 - Length of time (if applicable) of occurrence
 - Pertinent details – ie location of complaint
 - Assign Tracking Number
- Step 2: The Originator's contact information
 - Date/time for reporting the complaint/concern
 - Date/time of incident complaint/concern
- Step 3: Actions taken Owner of DBO

- Step 4: Outcome/resolution of issue and timing of completion
Recommendations for future if appropriate
Confirmation that originator has been advised as to the outcome (date/time) to ensure that calls have been tracked to completion and calls are then considered closed

5. First Responder Roles and Responsibilities

First Responders will typically be Durham and York Region EFW Project Team members during Phase 1. When required they will direct the DBO staff to respond as First Responders - predominantly during Phase 1 construction activities and then fully transitioned by Phase 2 operations of the facility.

For clarity, First Responders are the EFW Project Team staff that will handle all complaints and they are the first point of contact, except in the case of phone calls received on the Regions Waste Call Centre 1- 800 number where they will be logged, provided a tracking number and then transferred directly to the First Responder.

5.1 Description Overview

- The First Responder(s) will be trained to have a high level of project knowledge (part of the EFW Project Team) and generally be familiar with the project status.
- The First Responder(s) reports directly to the Regional Project Manager, who is accountable to Durham and York Regions.
- The Regional Project Manager co-ordinates the First Responder(s) to ensure coverage during regular business hours and the after hours process.
- The First Responder(s) is the person who receives the complaint or concern.
- The First Responder(s) assesses and assigns the complaint to one of the Complaint Resolution Teams:
 - Construction Contractor (DBO)
 - Durham/York Regions (EFW Project Team member)
 - Subject Matter Experts
- The First Responder(s) reviews the progress of the actions of the Complaints Resolution Team to ensure that issues are being resolved and that the Originator is being apprised of the action(s) taken.

- The First Responder(s) tracks the resolution of complaints or concerns and provides reports on the management of complaints or concerns in accordance with the Complaint Protocol; these reports are compiled and assessed as part of the Service Level Performance procedure

5.2 Receipt of Complaint

- The First Responder is the initial point of contact for the person registering the complaint or concern, responsible for starting the RoC process and determining the nature of the complaint. (except for complaints or concerns via telephone which will be first processed through the Call Centre toll free number)
- The RoC will be set up using a computer complaint management system with standardized questions to ensure adequate information concerning the complaint or concern is recorded to assess and determine the initial plan of action.
- The First Responder will determine if additional information is needed to assess an appropriate action or response concerning the complaint or concern. Additional information concerning the complaint or concern may necessitate further calls to the Originator or a field investigation.
- The First Responder will have communication with the job site via telephone and email.

5.3 Issue Identification & Triage

- The First Responder will initially determine if the complaint or concern is an Emergency or can be managed under a planned response.
- The Emergency Response Protocol will follow the Standard Operation Procedure (SOP) currently established by the Emergency Management Offices of Durham and York Regions or the Covanta Emergency Response Team. The First Responder will determine the appropriate emergency response to initiate based on information collected from the Originator.
- For non-emergency complaints or concerns, the First Responder will initiate the appropriate planned Action/Response steps which involves assigning the resolution of the complaint to one of the Complaint Resolution Teams
- The Ministry of Environment will be informed of all complaints that may constitute a potential adverse effect.

6. Action/Response

6.1 Description

- Action/Response refers to the steps taken to address and/or resolve the Originator's complaint or concern.
- Following assessment of the complaint or concern by the First Responder, all non-emergency complaints would be referred to one or more of the following complaint resolution teams:
 - *Durham Region Works Department:* For complaints or concerns that are directly related to Durham Regions integrated waste management plan, the First Responder will direct the issue to an appropriate party in the Waste Management Division for response under the current standard operating procedures. These would include issues related to blue box recycling or green bin organics programs, curbside collection issues, or any other waste related issues under the Region of Durham's jurisdiction and not directly related to the EFW facility.
 - *York Region Environmental Services Department:* For complaints or concerns that are directly related to York Regions integrated waste management plan, the First Responder will direct the issue to an appropriate party in the Waste Management Program Planning & Policy Division for response. These would include issues related to blue box recycling or green bin organics programs, curbside collection issues, or any other waste related issues under the Region of York's jurisdiction and not directly related to the EFW facility.
 - *EFW Project Team:* complaints or concern of a specific nature may require the Proponent's to involve a Subject Matter Expert.
 - Durham Region Hydrogeologist
 - Complaints or concerns related to private wells will be handled through the standard Well Interference Complaint Protocol
 - Complaints or concerns related to surface water and ground water issues
 - HDR Inc.
 - Complaints or Concerns related to Project Oversight

- DBO - Covanta
 - Complaints or concerns related to detailed EFW design issues
- Stantec or Covanta:
 - Complaints or concerns related to ambient air monitoring
 - Complaints or concerns related to Health Risk Assessment issue
- Health Department:
 - Complaints or concerns related to ambient air monitoring
 - Complaints or concerns related to Health Risk Assessment issue
- Construction Contract Issues:
 - For complaints or concerns that are directly related to the contractor's construction operations, the First Responder will contact the DBO Construction Project Administrator. The contract conditions include "good construction practices" to manage complaints relating to annoyance issues such as dust control, noise and vibration issues. In the event of a "health and safety" issue that may impact the public, the Contractor will be directed to immediate action to resolve these types of complaints or concerns, such as general site housekeeping, traffic control and speed, idling of vehicles, hours of operation and worker conduct/courtesy.

6.2 Examples of Non-Emergency Complaints or Concerns

	Complaint Example 1	Typical Response Time	Complaint Example 2	Typical Response Time
Issue	Dirt on road from construction vehicles near project site		Well Water complaint	
Step 1 First Responder	First Responder assigns resolution to DBO Construction Administrator. Cause identified as wheel wash out of service.	Typical investigation time 3 - 5 hours	First Responder assigns resolution to hydrogeological expert	Typical assignment to hydrogeological expert is immediate
Step 2 Resolution Team Action and Resolution	Parts ordered for back in service within one week. Alternative mitigation measures implemented to have street sweeper clean affected areas daily.	Final resolution (typically within week to replace parts and put system back in service) Interim solution (immediate action to initiate street sweeper to road cleaning)	Hydrogeological expert investigates; using previously established Well Mitigation process	Subject Matter Expert to investigate. Hydrogeological expert to investigate existing well records, contact property owner and carry out site investigation. Typical investigation 1 – 2 days.
Step 3 Monitoring, Reporting and Communications	EFW Project Team monitoring the site conditions daily. Weekly updates to be provided by Complaint Resolution Team to the Originator.	Initial communication to Originator within 24 hours of initial complaint. Weekly updates on progress of final solution.	Weekly updates to be provided by Complaint Resolution Team (hydrogeological expert) to the Originator	Initial communications to Originator at end of site investigation – typically 1 – 2 days. Weekly updates on progress of final solution.

7. Quality Assurance

7.1 Description

Quality assurance is a management function. It is the activity that checks to determine if the process which has been set out and agreed upon has been followed. Quality assurance is performed by senior management through regular review, audits and analysis using software and dialogue with team members. In addition, during the long term Operating Phase the DBO is contractually responsible for registering and complying with ISO 14001 Environmental Management System. ISO compliance requires internal and external communications protocols and regular 3rd party audits to ensure quality assurance is maintained. In addition, the Regions will assess the DBO contractors' complaints performance as part of the Service Level Performance Incentive Program.

7.2 Process

- A regular review of the Complaint Protocol will be undertaken to determine if any changes or revisions are required. Weekly reviews will be conducted during the start up month of construction and thereafter the Complaint Protocol will be reviewed quarterly, or as required.
- The type and frequency of complaints or concerns will be reviewed weekly during the start up month of construction, and thereafter quarterly or as required to determine the need for changes to construction practices.
- High level summaries on types, time to respond, frequency charts, etc., can be provided to senior management of Durham and York Regions to confirm the effectiveness of the Complaint Management Protocol.
- EFW Advisory Committee will be provided regular summaries at each meeting on complaint resolutions.

Complaint Form

EFW First Responder to respond or redirect complaint/concern to appropriate party for response as per Complaint Protocol	
Response/remedial action:	
Is the concerned party satisfied with the response and follow-up? Yes ☐ No ☐	
If NO, please provide reason(s):	
First Responder's Signature: Project Manager's Signature: 	Date (dd-mm-yyyy): Date (dd-mm-yyyy):
WHEN COMPLETE, PLEASE FORWARD THIS FORM AND RELATED DOCUMENTATION TO THE (To Be Determined) FOR FILING.	

Appendix B
Complaint Log

To be developed once appropriate software is determined

Figure 1 – Design & Construction Phase

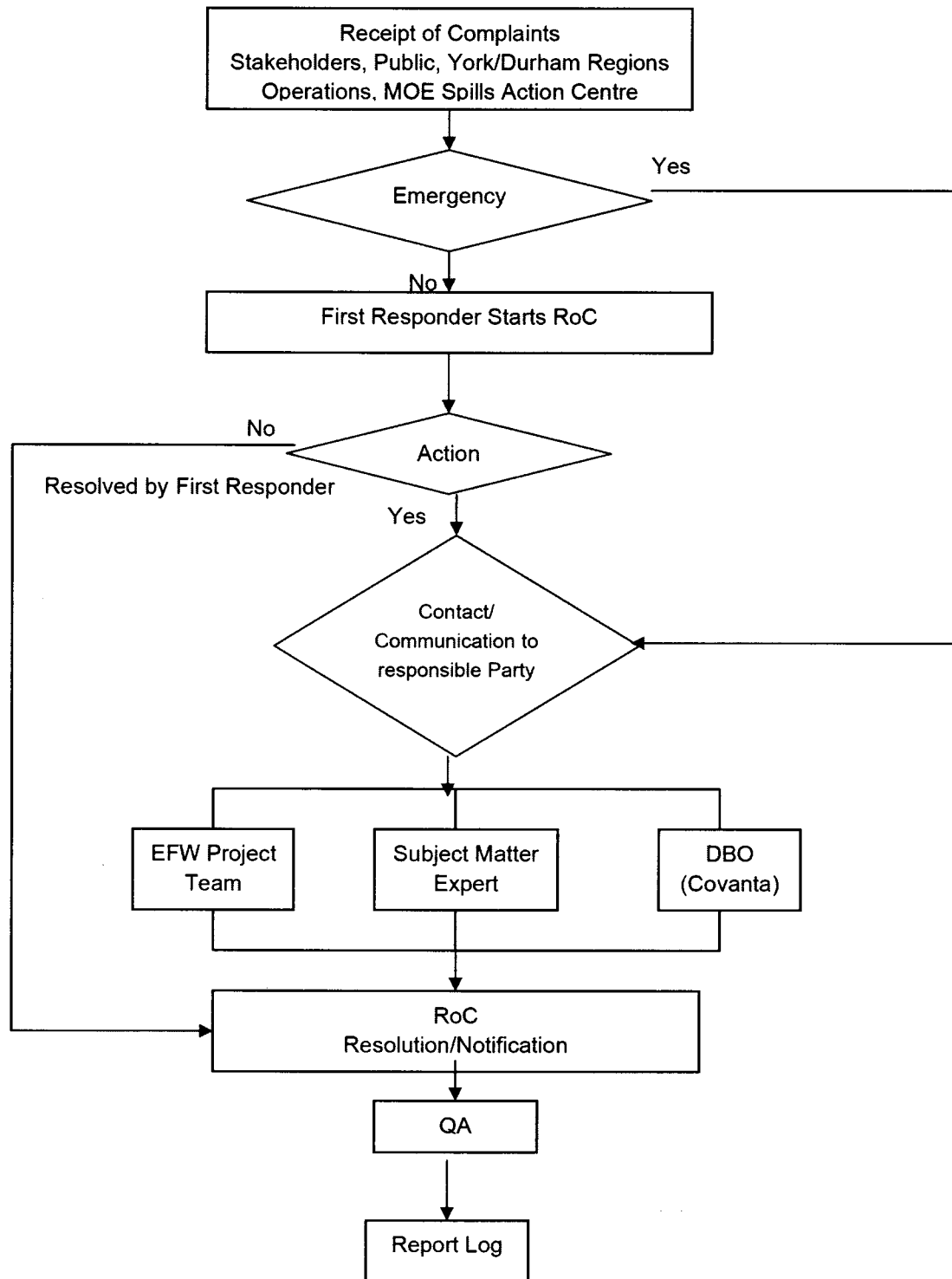
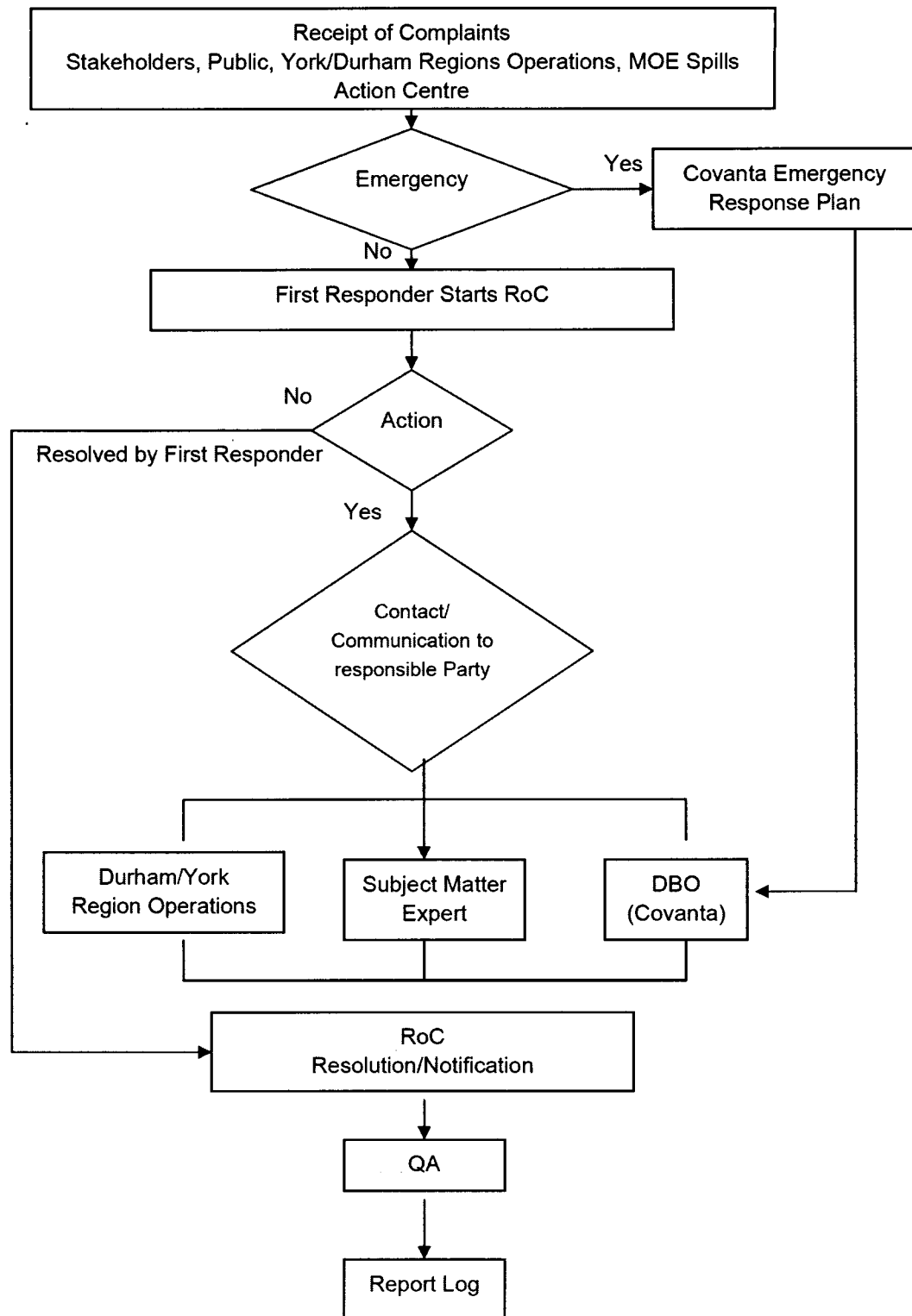


Figure 2 – Operations Phase



Appendix C



COVANTA – EMERGENCY ACTION PLAN REFERENCE TOOL Table of Contents

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