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The Regional Municipality of Durham

The Honourable Glen Murray
Minister of the Environment and Climate Change
11th Floor, Ferguson Block
77 Wellesley Street West
Toronto, Ontario
M7A 2T5

Office of the Regional Chair

605 ROSSLAND ROAD E.
PO BOX 623
WHITBY ON L1N 6A3
CANADA
905-668-7711
1-800-372-1102
Fax: 905-668-1567
Email: roger.anderson@durham.ca

www.durham.ca

Roger M. Anderson
Regional Chair and CEO

Dear Minister Murray:

As the Regional Chair and CEO of the Region of Durham, I am writing to share my concerns about a particular aspect of Ontario's proposed cap and trade program. I am advised that the Ministry is considering including Energy-from-Waste (EfW) facilities like our state-of-the-art Durham York Energy Centre (DYEC) under the cap while excluding landfills. I have serious issues with this proposed policy.

In Durham, we are extremely proud to have one of the most advanced integrated solid waste management systems in Ontario, which achieved a diversion rate of 55% in 2014. In the past 15 years, we have nearly doubled our diversion rate and continue to strive for higher diversion rates with a goal of 70%. The Region achieved these high diversion rates by implementing a fully integrated Long-Term Waste Management Strategy Plan that effectively manages our residential wastes within our Regional borders, today and into the future.

Please recall that in 2006, Durham worked collaboratively with the McGuinty government to halt the transport of our residents' waste for landfilling in Michigan. This decision ended an eight-year practice that saw over 26,000 transfer trailer loads of residential waste travel over 23 million kilometers to landfill in Michigan. Concurrent with the extensive Environmental Assessment process for an EfW facility, Durham dramatically increased our diversion programs. As a result, the MOECC approved a state-of-the-art energy recovery facility, the first new one in Ontario in 25 years, for post-diversion residential waste. I personally championed that initiative, which is why I find the MOECC proposal that amounts to a tax on our brand new facility so concerning.

Durham and our partner, York Region, have invested \$300 million in the state-of-the-art Durham York Energy Centre. The four-year construction project directly created in excess of 400 construction jobs and more than 40 full-time, high-paid permanent positions to operate the facility.

If this information is required in an accessible format, please contact the Accessibility Co-ordinator at 1-800-372-1102 ext. 2009.



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If the DYEC is placed under an emissions cap, I am advised that it could cost the Region's taxpayers up to a \$1,000,000 per year. That additional solid waste management cost will have a direct impact on our ability to continue operating and enhancing diversion programs.

The Councils of both Durham and York Regions have endorsed energy-from-waste as the best long-term, local, and sustainable option for final disposal of residential garbage that remains after maximizing waste diversion programs – reducing, reusing, recycling and composting. In the face of growing public concerns with landfills, and limited options for new landfill locations available in Ontario, we developed an environmentally sustainable and local alternative to landfilling. The DYEC is a state-of-the-art EfW facility that safely processes 140,000 tonnes per year of post-recycled residential waste that would otherwise be landfilled. It also happens to significantly reduce carbon emissions in comparison to landfilling that waste.

Reducing greenhouse gases (GHG) was an explicit goal when we made our investment in the DYEC, a more sustainable post-diversion waste management system. Energy-from-waste is recognized internationally, by the US EPA, the European Union, the International Panel on Climate Change, the World Economic Forum and the United Nations, as a source of GHG mitigation in comparison to landfills. These reductions result primarily from prevention of uncollected fugitive emissions of landfill methane even at landfills with gas capture systems. In fact, the United Nations International Panel on Climate Change called EfW a "key GHG mitigation technology".

Durham Region has worked with the MOECC to dramatically reduce the greenhouse gas impact of our municipal waste system by increasing diversion efforts and stopping the practice of exporting and landfilling waste. Given our efforts, it seems inconceivable that the Province's cap and trade system would penalize us and our taxpayers for doing the right thing. We should not be treated worse than the municipalities and the ICI sector that simply landfill their waste.

A study by the California Department of Resources Recycling and Recovery, the state's lead solid waste regulator, found that EfW facilities result in a net GHG reduction relative to landfilling, even with the state's very aggressive landfill gas collection regulations in place. The California Air Resources Board also has concluded that EfW facilities reduce GHG emissions relative to landfilling.

Quebec and California, with whom Ontario proposes to link its cap and trade scheme, have both exempted EfW. In addition, the Regional Greenhouse Gas Initiative (RGGI), the European Union Emissions Trading System, the Kyoto Clean Development Mechanism and the United States Clean Power Plan also exempt the entire solid waste management sector including EfW from the cap. In fact, this past August, the Obama Administration released its new Clean Power Plan which includes EfW as a GHG mitigation tool that states can use to meet their reduction targets.

Ontario should align with these leading jurisdictions and also exempt the entire solid waste disposal sector, including EfW, from its proposed cap.

Using a published peer-reviewed methodology validated using the U.S. EPA's MSW Decision Support Tool, we estimate the net GHG savings, excluding the benefits of the generated electricity, to be 0.58 tonne carbon dioxide equivalents per tonne of MSW diverted from landfills, even after factoring in landfill gas collection and control. The full lifecycle GHG benefits are even greater.

We hope and trust that your government will follow the lead of climate scientists and other jurisdictions, including Quebec and California, and exempt EfW from the cap.

Yours truly,



Roger Anderson
Regional Chair and CEO

- c: The Honourable K. Wynne, Premier of Ontario
- The Honourable D. Matthews, Deputy Premier and
President of the Treasury Board
- The Honourable T. MacCharles, MPP Pickering/Scarborough East
- G. Anderson, MPP Durham
- J. Dickson, MPP Ajax/Pickering
- J. French, MPP Oshawa
- L. Scott, MPP Haliburton/Kawartha Lakes/Brock
Vacant Office, Whitby/Oshawa Riding
- A. Bevan, Chief of Staff and Principal Secretary for the Premier
- J. Espie, Chief of Staff, Ministry of the Environment and
Climate Change
- I. Myrans, Director of Policy, Ministry of the Environment and
Climate Change
- A. Wood, Executive Director, Climate Change Directorate
- K. Thiru, Senior Policy Advisor, Ministry of the Environment and
Climate Change
- G. McNamara, President, Association of Municipalities of Ontario
- W. Emmerson, Regional Chair and CEO, Region of York
- E. Mahoney, Commissioner Environmental Services, Region of York
- G.H. Cubitt, Chief Administrative Officer, Region of Durham
- C. Curtis, Commissioner of Works, Region of Durham