

From: [DG](#)

To: [Patrick Murphy](#) ; [David Ohashi](#)

Sent: Friday, February 07, 2003 4:34 PM

Subject: RE: Master Plan Update/Mid-Halton Wastewater Treatment Plant PR-1359A/PR-1106B

Patrick Murphy
Commissioner of Planning and Public Works

RE: Master Plan Update/Mid-Halton Wastewater Treatment Plant PR-1359A/PR-1106B

Dear Mr. Murphy:

Thank you for your response of Jan. 31, 2003, to my prior inquiries related to the Master Plan Update. I am afraid that my concerns about this project have not been fully addressed.

1. Approval Process

As you are aware, I expressed a concern related to the possible prematurity of the Approval under the EA Act. The 1995 HUSP Water and Wastewater Environmental Assessment prepared by Thorburn Penny, if my memory serves me correctly, deliberately omitted consideration of the Do Nothing option, on the basis that the associated development was already being planned under HUSP. My understanding is that the approvals required under the Environmental Assessment Act must be obtained before any other approvals under provincial or municipal statute or by-laws can be granted. To the best of my knowledge, consideration of the Do Nothing option would have been mandatory in 1995.

In your reply to this point, you state "The 'do nothing' or 'no growth' option was considered as part of the initial planning process, and the conclusion was reached at that time that Halton should follow a sensible, managed-growth path that would account for natural population increase as well as necessary migration to the region."

However, the "do nothing" option is not the same as a "no growth" option. The issue here is that the public through council, must be allowed the opportunity to verify that the proponent's project meets the concerns of the community about possible detrimental environmental effects and does not simply represent a rubber-stamping of a staff proposed project where the environmental effects are ignored. What opportunities have been provided to the public since the 1995 HUSP Environmental Assessment, that would negate this concern?

At what date was the "Do Nothing" option properly considered under the EA Act? Prior to 1997, Proposals under the Planning Act did not have regard to environmental issues, as is currently required through the Provincial Policy

Statements. Was there consideration of the Do Nothing at some point prior to 1995 or post 1995? Clearly, the Region must feel that at some point in the series of approvals under the EA Act/Planning Act, proper consideration was given through council of the environmental effects of the Do Nothing option as opposed to the Alternative Options. I want to know when this point occurred? i.e. under what approval was the need established?

2. Financing

The HUSP Financial Analysis and Implementation Strategy stated the following principal:

"no development approvals would be considered in the expanded urban areas resulting from the Phase Two study without the necessary commitments to financing the infrastructure needs without impacting on the existing residents and taxpayers in Halton."

In your response you state "..residential developers have contributed their full contribution of development charges up-front as a source of funding for triggered water and wastewater projects. The Region has invested in the infrastructure servicing non-residential development and collects a recovery when these lands proceed to building permit."

I understand that residential ratepayers in the region since 1999 have paid 50% of the development charges of industrial/commercial and 25% of the development charges for retail sectors in Halton. The amount of money lost to date, I am told, is in the vicinity of \$170 million. Does this not represent an unfunded liability to the Region, should development not proceed in the non-residential areas? Why was the non-residential sector treated differently than the residential sector, and not made to contribute development charges up-front? And finally, how does the proposed tax increase amounting to 47% over the next decade show adherence to the principal stated above of no impact on existing residents?

3. Plant Capacity

In your response, you state "At the final buildout date of 2031, the potential maximum capacity of the Mid-Halton Wastewater Treatment Plant will be 3.3 times its current capacity, not exceeded by 400 per cent or more as has been reported.....We are committed to implementing advanced technology to ensure the plant's effluent quality continues to be better than Ministry of Environment requirements." and further on "The Mid-Halton plant meets or does better than all MOE Certificate of Approval requirements."

It has been reported that the Mid-Halton/SW Oakville Plant combined effluent experienced 6 exceedances of the ammonia/phosphorous Certificate of Approval limits in 1997/1998.

Furthermore, I understand that the plant processed 21,498 cubic metres/day in 2002 and the proposed build-out expansion will allow for 166,000 cubic metres/day. This represents a 672% increase in flow from the current.

As you are aware there are many complaints about algae along the lake shore. According to the Master Plan, the Mid-Halton limits are less restrictive than for the Skyway, and this is because the Skyway has been subject to the Hamilton Harbour RAP (Remedial Action Plan). In other words we are getting the sewage that might otherwise have been handled there, on the basis that the Skyway cannot be expanded because the assimilative capacity of the Lake in the Harbour would be exceeded. However, it is clear that insufficient evidence of assimilative capacity exists at Coronation Park.

You state "On the question of algae, as Environment Canada scientist Murray Charlton explained at the January 29 public meeting, the extent to which phosphorous from wastewater treatment plants is responsible for aggravating nuisance algae has yet to be established. Mr. Charlton did note that while wastewater plants are certainly a source of phosphorous, they may not be the most significant source, and they may not be the primary factor in the most near-shore growth."

The link between phosphorous and Cladophora growth has been well established in the scientific literature, and Coronation Park is a former beach area. The incapacity of the Skyway Plant to handle effluent for a designated Hot Spot under the IJC is not an excuse to turn Coronation Park into another Area of Concern.

In the context of other sources of Phosphorous pollution, it is certainly true that stormwater and sediment loss from construction activities are contributing factors to Total Phosphorous loadings. However, neither the Region nor the Town of Oakville have restrictions on these sources of pollution that would justify allowing the plant to increase effluent loadings. To the contrary, the associated development both ongoing south of Dundas and proposed north of Dundas further justifies citizen concerns about the sizing of the Mid-Halton plant. There is nothing in the current Watershed/Subwatershed/Stormwater Management Practices applied in Ontario or proposed for Oakville, there will serve to control soluble phosphorous from these developments. Further, as is evident to anyone who drives through areas currently under construction in Oakville, there is no Erosion and Sediment Control Bylaw in the Town or Region, much less any restriction on the area of land that may be cleared of topsoil at any point in time. To the contrary, vast areas of land are stripped and left open to the elements.

4. Sewer Use Bylaw

On the subject of the Sewer Discharge Bylaw, I have asked three times for a summary of public comments from the Open House that was organized to discuss revisions to the by-law.

You state "the parameter limits are set by municipalities at a restricted level to ensure that the biological treatment process is not adversely affected." You also indicate that "Provincial Water Quality Objectives apply to drinking water, not to treated sewage." My understanding is that the PWQO apply to receiving waters and the PDWQO apply to drinking water.

In the tendency to set Bylaw limits at 20 times the Provincial Water Quality Objectives, it should be understood that the treatment process is not guaranteed to reduce the concentrations of chemicals. Rather the principal is one of dilution to one of three media, air, water or sludge.

Can the Region demonstrate that allowed influent chemicals will be actually treated by the sewage treatment process, as opposed to merely being volatilized into the ambient air, diluted into water, or separated into sludge? My concern remains that the Region sees the potential for over-strength agreements with industries as a source of revenue for the Region to the tune of some \$200,000. I would not like to see the Region making money on over-strength agreements, where the additional constituents were not actually treated by the process.

As one example both dichloromethane and toluene were found in not only the influent to the plants but also the effluent in some cases. In the case of dichloromethane, it was found at the South West plant. My understanding is that dichloromethane is so volatile that Environment Canada has done inventories in which they assume that virtually all of the dichloromethane that is imported into Canada (it is not made here, only imported) ends up in the atmosphere. So the fact that dichloromethane is found in the effluent suggests that either it is being passed through the plant or I don't know if it could be in such high atmospheric concentrations around the plant that it is being absorbed back into the water (maybe it is offgassed during the treatment process and hangs around the plant?)...but I would suspect the former. Dichloromethane is but one example of a chemical which is deemed toxic after it has been in use by industry and consumers for some considerable length of time, it being now on the Canadian Environmental Protection Act list as a targeted toxic chemical.

The suite of chemicals listed under the Sewer Use Bylaw appears very short, and in some cases more liberal limits are set in Halton than would be found in Toronto. You state "The City of Toronto experiences a much larger number of industries contributing to the system; therefore, Toronto requires lower concentration levels to compensate for the large volumes from industry." Surely this is not an excuse to allow weaker limits in Halton? What is to stop an industry from moving to Halton from Toronto to avoid the higher limits in Toronto?

Location of the Plant

You also state with respect to pipe break statistics " the main breakage statistic you cite applies only to potable water mains. The sewers do not break in the same fashion under pressure." What then is the equivalent leak rate for the sewer system? Your answer seems to imply that there are no breaks, however, this is very unlikely. It seems quite possible that industrial waste piped from Milton to Oakville would experience losses either to the ground or possibly to the atmosphere, for the very long distance that the wastewater will travel. Given the sensitive groundwater uses in Milton, this factor should argue towards full pre-treatment of all industrial waste in Milton.

Odour

You indicate that odour will "tend ...to move away from Glen Abbey for the majority of the year".. However, the wind roses presented at the November workshop indicate that my residence will be within the affected area. Furthermore it was indicated at the seminar presented by Councillors Elgar and Flynn that the buffers are inadequate and the odour limit applied was 10 times the applicable MOE limit. Furthermore, any VOCs emitted from the plant will be found within the wind rose area, I will presume.

Conclusion

The current Master Plan shows inadequate justification for the proposed sizing of the Mid-Halton Plant . Additional questions remain about the financing of the infrastructure, the allowable phosphorous limits, assimilative capacity of the Lake, about the allowable Sewer Use limits, effect of VOCs from the plant, availability of land for sludge disposal and the appropriate location for treatment of industrial waste from Milton.

These questions require additional time before this plan is approved. I therefore request an extension of the review period to allow more satisfactory information to be provided to the public and members of council.

Sincerely

Diane Green