

Ministry of the Environment  
and Climate Change

Ministère de l'Environnement et de  
l'Action en matière de changement  
climatique



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ENV1283MC-2016-534  
ENV1283MC-2015-2123

Mr Barry Laverick, P. Eng.  
Project Manager  
Regional Municipality of Durham  
605 Rossland Road East, Box 623  
Whitby ON L1N 6A3

Mr Wayne Green, P. Eng.  
Project Manager  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket ON L3Y 6Z1

Dear Messrs' Laverick and Green:

**RE: Part II Order Requests– Class Environmental Assessment to Address  
Outfall Limitations at the Duffin Creek Water Pollution Control Plant**

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As you are aware, I received 90 Part II Order requests for the Regional Municipality of York and Regional Municipality of Durham (Proponents)' proposed Class Environmental Assessment to Address Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant (WPCP) (Project).

Following the submission of the requests, Ministry of the Environment and Climate Change (ministry) staff met with the Proponents, heard from some of the requesters and consulted with ministry technical experts. Concerns were raised about the state of the waterfront and the inability to use the waterfront as a result of Cladophora algae growth that may be worsened due to phosphorus discharged from the WPCP. I have determined that further study by the Proponents is required before I make a decision on the Part II Order requests.

Pursuant to section 16(3) of the *Environmental Assessment Act*, I am issuing an Order imposing the following conditions further to the requirements set out in the Municipal Class Environmental Assessment:

**A. WPCP Phosphorus Reduction Action Plan Study - Requirements**

1. The Proponents shall retain an independent qualified waste water expert to prepare a WPCP phosphorus reduction action plan (PRAP) study to determine how phosphorus concentrations and loads in the effluent from the WPCP can be reduced to the lowest achievable level prior to entering the outfall for both current and future operating conditions.
2. The PRAP shall include:
  - a. data from the past five years on phosphorus concentration and loadings;
  - b. a desktop study of optimization of plant operations to reduce phosphorus in the WPCP effluent;
  - c. a study of new methods that could be employed to reduce phosphorus in the WPCP effluent;
  - d. based on a. to c. above, consideration of options to reduce total phosphorus in the WPCP effluent, including an indication of how phosphorus and loadings would be impacted by each option;
  - e. the determination of an option that will result in the lowest achievable level of total phosphorus levels in effluent, including an assessment of the operating implications of, and the modifications and costs required to achieve such reductions;
  - f. a strategy to reduce the amount of soluble reactive phosphorus (SRP) in the WPCP effluent in the short, medium and long term including methods for the identification of current SRP levels, a method for determining how to quantify SRP reductions, and a description of methods to be used to measure reductions;
  - g. identification of the seasonal window of nuisance *Cladophora* algae growth and how total phosphorus in effluent may be further reduced during this time; and,
  - h. a determination of the feasibility of achieving a permanent (or ongoing) annual average concentration of 0.35 milligrams per litre of total phosphorus

in WPCP effluent, as well as a total phosphorus load of 190 kilograms per day based on an annual average.

**B. PRAP – Reporting Requirements**

3. The Proponents must meet with the ministry at a minimum once while undertaking the study and once when the study is complete.
4. The PRAP shall be submitted to the Director, Environmental Approvals Branch, (Director) in 9 months from the date of this letter. The Proponents may apply to the Director, and the Director in his or her sole discretion, may grant an extension.

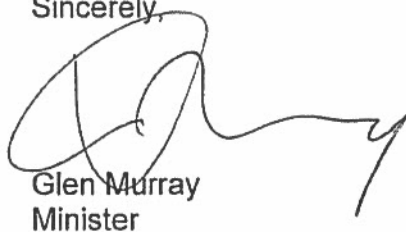
**C. Public Posting**

5. The Proponents shall post the completed PRAP on the Project website at the same time that the completed PRAP is submitted to the Director.
6. Within 45 days from the date the completed PRAP is publicly posted, any person may submit comments regarding the PRAP to the Director.

Should you have any questions about the information provided in this letter, please contact Ms. Kathleen Hedley, Director, Environmental Approvals Branch at 416-314-7288.

Thank you for your attention to this matter.

Sincerely,



Glen Murray  
Minister

