

Appendix F-7-3

Public

Notice of Commencement



Notice of Commencement - Kingston Regional Biosolids & Biogas Facility

1 message

Facility, UK Biogas <ukbiogasfacility@dillon.ca>

Tue, Sep 19, 2023 at 1:13 PM

Cc: lscanlan@utilitieskingston.com

Bcc: [REDACTED], info@pdca.ca, [REDACTED],
[REDACTED], khba@khba.ca, info@kingstonchamber.ca, hello@downtownkingston.ca,
Michele@downtownkingston.ca, visit@tourismkingston.com, [REDACTED], info@seniorskingston.ca,
[REDACTED], info@pcbf.org, [REDACTED],
[REDACTED], info@kingstonfieldnaturalists.org,
isullivan@cityofkingston.ca, dochej@cityofkingston.ca, info@switchontario.ca, info@sustainablekingston.ca,
[REDACTED] GEN-NHQ-ONT-CLDC-CAPC@csc-scc.gc.ca,
Thomas.Rittwage@csc-scc.gc.ca, Catherine.Buragina@csc-scc.gc.ca, [REDACTED],
[REDACTED], bsills@sl.on.ca, qa-aq@mmcc-cmrc.ca, [REDACTED],
[REDACTED] ne.on.ca, ddesantis@alcdsb.on.ca,
bertma@ecolecatholique.ca, sylvie.tremblay@cepeo.on.ca, ask@kingstownschool.ca, admin@kingstonchristianschool.ca,
info@lakeshoreschool.ca, eturcke@leahurstcollege.ca, administrator@mulberrywaldorfschool.ca, admin@quintilianschool.ca,
mmills@frontenacounty.ca, fireprevention@cityofkingston.ca, lsargeant@cityofkingston.ca, [REDACTED],
[REDACTED], SecondaryLandUse@hydroone.com,
tammy.wong@opg.com, [REDACTED],
[REDACTED],
tdiczki@cityofkingston.ca, [REDACTED],
[REDACTED],
ascott@loyalist.ca, [REDACTED],
[REDACTED]@solowaywright.com, [REDACTED] solowaywright.com, [REDACTED]

Good Afternoon,


Utilities Kingston is undertaking a Municipal Class Environmental Assessment (Class EA) for a combined biosolids and food waste processing facility at Knox Farm (the Project), a municipally-owned property located off of Perth Road just northwest of the Highway 401 and Division Street interchange in the City of Kingston (refer to proposed project location map). The intent is that the facility will process wastes from the City's wastewater treatment plants and "Green Bin" program to produce renewable natural gas (biogas) and other beneficial resources.

Please see the attached Notice of Commencement for the Kingston Regional Biosolids & Biogas Facility Municipal Class EA. Information can also be found on the project website <http://www.utilitieskingston.com/Projects/Detail/RegionalBiosolidsBiogasFacility>

If you have any questions or comments about the Project, please respond back to this email or contact the Project team members listed in the notice.

Kind Regards,

Avid Banihashemi
Environmental Assessment Lead

 UK Biosolid - Notice of Commencement.pdf
316K

Notice of Public Information Centre



Re: Notice of Public Information Centre - Kingston Regional Biosolids & Biogas Facility

1 message

Facility, UK Biogas <ukbiogasfacility@dillon.ca>
Cc: "Scanlan, Lauren" <lscanlan@utilitieskingston.com>
Bcc:

Mon, Mar 25, 2024 at 1:32 PM

[Redacted]

Good afternoon,

This is a reminder of the upcoming Public Information Centre for the Kingston Regional Biosolids & Biogas Facility Municipal Class Environmental Assessment.

The Public Information Centre will be held on Wednesday March 27, 2024.

The in-person drop-in style session will be held from 4pm-8pm at the Utilities Kingston Main Office (85 Lappan's Lane, Kingston, ON).

The virtual session will be held from 7pm-8pm. If you're interested in attending the virtual session please register here: <https://us06web.zoom.us/join/register/tZUodeIqrz8sHdl26Lizozja8J1EWwpdDdbK>

If you have any questions or comments about the Project, please respond back to this email or contact the following Project team members:

Lauren Scanlan, Project Advisor – Risk & Research, Utilities Kingston
lscanlan@utilitieskingston.com; (613) 546-1181, ext. 2462

Betsy Varghese, Partner, Dillon Consulting Limited
UKBiogasFacility@dillon.ca; (416) 229-4647, ext. 2326

You can also visit the Utilities Kingston project website for more information on the project. A survey to provide feedback on the project will be available on the website from March 27, 2024 to April 12, 2024: <https://utilitieskingston.com/Projects/Detail/RegionalBiosolidsBiogasFacility>

Kind Regards,

Avid Banhashemi
Environmental Assessment Lead

On Tue, Mar 12, 2024 at 2:35 PM Facility, UK Biogas <ukbiogasfacility@dillon.ca> wrote:
Good Afternoon,

Utilities Kingston is undertaking a Municipal Class Environmental Assessment (Class EA) for a combined biosolids and food waste processing facility at Knox Farm (the Project), a municipally-owned property located off of Perth Road just northwest of the Highway 401 and Division Street interchange in the City of Kingston. The intent is that the facility will process wastes from the City's wastewater treatment plants and 'Green Bin' program to produce a renewable natural gas (biogas) and other beneficial resources.

On behalf of Utilities Kingston, attached please find the Notice of Public Information Centre (PIC) for the Kingston Regional Biosolids & Biogas Facility Municipal Class EA. Information can also be found on the project

website <http://www.utilitieskingston.com/Projects/Detail/RegionalBiosolidsBiogasFacility>

If you have any questions or comments about the Project, please respond back to this email or contact the Project team members listed in the notice.

Kind Regards,

Avid Banihashemi
Environmental Assessment Lead

From: Sandra Tree

Sent: Thursday, October 5, 2023 3:52 PM

To: icanlan@utilitieskingston.com; UKBiogasFacility@Dillon.Ca

Cc: [REDACTED]

Subject: Kingston Regional Biosolids and Biogas Facility at Knox Farm

Good afternoon,

Attached please find correspondence from Ursula Melinz regarding Kingston Regional Biosolids and Biogas Facility at Knox Farm.
Please confirm receipt of the correspondence via return email.
Thank you

Ursula K. Melinz

Partner

Direct line: [REDACTED]

Email address: [REDACTED]

October 5, 2023

Lauren Scanlan
Utilities Engineer, **Utilities Kingston**
Kingston, ON
lsanlan@utilitieskingston.com

Betsy Varghese
Dillon Consulting Limited
UKBiogasFacility@Dillon.Ca

**Re: Potential impact related to the proposed
Kingston Regional Biosolids and Biogas Facility at Knox Farm
Notice of Municipal Class Environmental Assessment**

We are the lawyers for the Holiday Inn Express & Suites, the Quality Inn and the Comfort Suites located on Benson Street in Kingston. Our client also owns other lands along the Highway 401 corridor at Division Street and Sir John A. MacDonald Boulevards. This letter is to raise our client's opposition to the construction of the proposed Biosolids and Biogas Facility (the "Proposed Facility") at the Knox Farm location.

Knox Farms as a possible location for the Proposed Facility raises a number of concerns. We ask that the approval of the Knox Farm site be rejected for the following reasons, or at least withheld until such time as the below concerns are addressed and it is confirmed that the Proposed Facility will not have any impact particularly in regard to odour.

Impact to Surrounding Businesses

If the Proposed Facility was constructed at Knox Farm, the 401 Highway would be the only physical structure separating the Proposed Facility and dozens of businesses. As you may know, the area on the south side of the highway contains our client's hotels, the King's Crossing Fashion Outlet, the most popular movie theatre in Kingston, a grocery store, an LCBO, a Canadian Tire, the Kingslake Plaza, and dozens of restaurants. Our client also owns other land along this corridor both north and south of the highway.

If the construction and then operation of the Proposed Facility at the Knox Farm location creates obnoxious odours, noise, or impacts air quality, dozens of businesses will suffer as a result. This could result in nuisance claims being launched against the City of Kingston and Utilities Kingston.

Impact to Tourism and Reputation

The aforementioned area south of the 401 Highway is also a major stop along the 401 Highway. Many people 'visit' Kingston momentarily while they refuel and purchase food. The two main bus companies, Megabus and Rider Express, onload and offload their passengers for travel in this area.

For many people in Ontario, this area may be their only impression of Kingston. If the operation of the Proposed Facility creates obnoxious odours, noise or impacts the air quality in that area, the reputation of Kingston could be impacted. Those who momentarily visit Kingston by stopping in this area would likely have a lower opinion of the city, which may impact tourism.

Nearby Conservation Area

The Knox Farm location is situated directly next to the Cataraqui Creek Conservation Area. This conservation area is a sensitive natural heritage site and contains species-at-risk habitat. The construction of a brand new Biosolids and Biogas facility next to the conservation area has a potential to put the area at risk.

Moreover, the construction of the Proposed Facility at the Knox Farm location may pose a risk to groundwater. The Knox Farm location is within the Cataraqui Source Protection Area and is identified as a highly vulnerable area. The site is within a Groundwater Recharge Area that refills aquifers in the area, which provides drinking water for local residents and is critical to maintain.

Proximity in the Event of an Accident

As mentioned, the area is comprised of dozens of businesses and a natural heritage site. Moreover, the area is near critical infrastructure such as the 401 highway and bus stations. This context is significant because if there was an accident at the Proposed Facility, the impact would be substantial.

As you may know, similar Biogas and Biosolids facilities have been constructed internationally. Similar facilities in Korea, the United Kingdom and the United States of America have suffered from tragic accidents due to the nature of the facility. For example, Biogas is incredibly flammable and has resulted in explosions when ignited. In addition, the sludge used for processing at the Proposed Facility has been problematic in similar facilities. In the United Kingdom, there was an overflow of sludge at a Biosolids and Biogas facility that caused significant contamination to the surrounding 70 acres of land.


It is also significant that the transport of sludge and other contaminants would need to be by truck, as the Knox Farm location does not contain the necessary infrastructure to transport the material otherwise, exacerbating the likelihood of an accident at the facility.


If a similar accident to those reported internationally was to take place at the Proposed Facility, at the Knox Farm location, the results would be devastating to our aquifer systems, the Cataraqui Creek Conservation Area, critical infrastructure, and dozens of businesses.

In view of the foregoing, we kindly ask that you give appropriate weight to the concerns articulated above, and do not proceed with the approval and construction of the Proposed Facility at the Knox Farm location unless these concerns can be fully and adequately addressed. Proceeding otherwise would have a devastating and long-term impact on the community and the surrounding environment.

Addition to Notification List

Lastly, please add the following to your mailing notification list for this project:

Michael Springer


Ursula Melinz & Phillip Osterhout


We request being advised as to what the next steps are in the process so we may ensure that our consultants may provide their input.

Yours very truly,



Ursula K. Melinz Professional Corporation
UKM/

Cc: M.Springer

October 24, 2023

Ursula K. Melinz
Ursula K. Melinz Professional Corporation
Soloway Wright Lawyers
Delivered Via Email: [REDACTED]@solowaywright.com

RE: Response Letter: Potential impact related to the proposed Biosolids and Biogas Facility at Knox Farm

Dear Ursula K. Melinz,

Thank you for your letter, dated October 5, 2023 detailing your client's opposition to the construction of the proposed Biosolids and Biogas Facility (Facility) at the Knox Farm location in Kingston, ON. We note that it contains the same content as your May 25, 2023 letter with the exception that you have requested additional contacts be added to our notification list as well as information related to next steps in the project. We will address these new items here.

Project Contact List


As requested, we have updated our project contact list with the e-mail addresses noted in your October 5, 2023 letter.

Project Status and Next Steps

Since our response to your May 25, 2023 letter, dated June 8, 2023, we have officially commenced the Schedule C Municipal Class Environmental Assessment (Class EA) for the Facility. You should have received this Notice directly from our consulting partners, Dillon Consulting Limited, by e-mail on September 19, 2023.

Throughout the next couple of months, we will be working with our team to develop design concepts for the proposed facility, and evaluate these concepts against the natural, socio-cultural, technical and financial environments. As part of this work, our team will complete an air quality impact assessment to characterize the anticipated changes in air quality and odour at nearby receptors to the site.

A Public Information Centre (PIC) will be scheduled in early 2024 to present alternative design concepts, potential environmental impacts and recommended mitigation measures, including findings of the air quality assessment. The PIC will be publicly



advertised and those on our project contact list will receive a direct notification of the event at least 2 weeks in advance. We encourage you and your clients to attend and/or review related materials when the time comes.

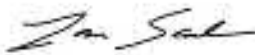
In the meantime, additional project information can be found at:

<https://utilitieskingston.com/Projects/Detail/RegionalBiosolidsBiogasFacility>.

Again, we would like to thank you and your clients for the input provided to date. These concerns have been documented and will be taken into account as project planning evolves.

Please feel free to reach out at any time with additional comments or questions.

King Regards,



Lauren Scanlan, M.A.Sc., P.Eng.
Project Manager and Utilities Engineer,
Utilities Kingston

cc:

Heather Roberts, C.E.T., Project Director and Director of Water and Wastewater Services, Utilities Kingston (hroberts1@utilitieskingston.com)

Paul MacLatchy, P.Eng., Environment Director, City of Kingston
(pmaclatchy@cityofkingston.ca)

Alan McLeod, LLM, Deputy Director – Legal Services City of Kingston
(amcleod@cityofkingston.ca)

Michael Springer [REDACTED]

Sandra Tree, Legal Assistant, Soloway Wright LLP [REDACTED]

Philip Osterhout, Soloway Wright LLP [REDACTED]

Betsy Varghese, Partner, Dillon Consulting Limited (bvarghese@dillon.ca)

Other Communications



Fwd: Kingston RFI

1 message

Varghese, Betsy <bvarghese@dillon.ca>

Thu, Nov 30, 2023 at 9:11 AM

To: UK Biogas Facility <ukbiogasfacility@dillon.ca>

Cc: Elizabeth Wittmann <ewittmann@dillon.ca>, "Banihashemi, Avid" <abanihashemi@dillon.ca>, Sydney Tasfi <stasfi@dillon.ca>

Hi Elizabeth,

Can you please add these three people to the project contact list?



Betsy Varghese
Partner
Dillon Consulting Limited
235 Yorkland Blvd Suite 800
Toronto, Ontario, M2J 4Y8
T - 416.229.4547 ext. 2326
F - 416.229.4692
M - 416.817.8045
bvarghese@dillon.ca
www.dillon.ca



----- Forwarded message -----

From: Hamdan, Ricardo <[REDACTED]>

Date: Thu, Nov 30, 2023 at 10:08 AM

Subject: RE: Kingston RFI

To: Varghese, Betsy <bvarghese@dillon.ca>

Cc: Singh, Sabrina <sasingh@dillon.ca>, Watterson, Sarah <Sarah.Watterson@hz-inova.com>, Scanlan, Lauren <lscanlan@utilitieskingston.com>, Bontje, Bram <bbontje@dillon.ca>, Sylvain Trépanier <Sylvain.Trepanier@biogazeg.com>

Yes please. Could you also add Mr. Sylvain Trepanier to the project progress email list?

As always, let me know if you have any further questions. Happy to help!

Ricardo

Hitachi Zosen Inova Canada Ltd.

Ricardo A. Hamdan



From: Varghese, Betsy <bvarghese@dillon.ca>

Sent: Thursday, November 30, 2023 8:00 AM

To: Hamdan, Ricardo <[REDACTED]>

Cc: Singh, Sabrina <sasingh@dillon.ca>; Watterson, Sarah <Sarah.Watterson@hz-inova.com>; Scanlan, Lauren <lscanlan@utilitieskingston.com>; Bontje, Bram <bbontje@dillon.ca>

Subject: Re: Kingston RFI

External E-Mail - This message comes from an external organization. Be careful of attachments and embedded links.

Hi Ricardo,

Thank you for your interest in the project and for participating in the RFI process! After the RFI submissions were reviewed, Utilities Kingston decided to proceed with the initiation of Phase 3 of the Municipal Class EA in the Fall. We are in the midst of preparing the draft ESR and intend to consult with the public and other interested parties in the new year. Utility Kingston's [project website](#) is kept up to date. Would you also like to be added to our project contact list for notifications as the project progresses?

Cheers,

Betsy



Betsy Varghese
Partner
Dillon Consulting Limited
235 Yorkland Blvd Suite 900
Toronto, Ontario, M2J 4Y8
T - 416.229.4647 ext. 2326
F - 416.229.4692
M - 416.617.8045
bvarghese@dillon.ca
www.dillon.ca



On Tue, Nov 28, 2023 at 2:39 PM Hamdan, Ricardo <[REDACTED]> wrote:

Hi Sabrina:

I hope you are doing well. Any feedback from the Kingston RFI? We have not heard much after we submitted.

Thanks

Ricardo

Hitachi Zosen Inova Canada Ltd.

Ricardo A. Hamdan

From: Singh, Sabrina <sasingh@dillon.ca>
Sent: Monday, May 15, 2023 4:15 PM
To: Hamdan, Ricardo <[REDACTED]>
Cc: Scanlan, Lauren <lscanlan@utilitieskingston.com>; Bontje, Bram <bbontje@dillon.ca>; Betsy Varghese <bvarghese@dillon.ca>
Subject: Re: Kingston RFI

External E-Mail - This message comes from an external organization. Be careful of attachments and embedded links.

Hello Ricardo,

Thank you for your response. Please see the attached RFI for the Kingston Regional Biosolids and Biogas Facility. Please note that any submissions should come through Biddingo.

Thank you,

Sabrina Singh



Sabrina Singh (she/her)
Dillon Consulting Limited
235 Yorkland Boulevard Suite 800
Toronto, Ontario, M2J 4Y8
T - 416.229.4646ext. 2031

M - 226.344.3246
sasingh@dillon.ca
www.dillon.ca



On Fri, May 12, 2023 at 10:03 AM Hamdan, Ricardo <[REDACTED]> wrote:

Hi Sabrina:

We recently received a note for the Kingston RFI, but it didn't contain a link or the documents with the instructions. Any chance you can send those to me? We intend to submit a response.

Thanks

Ricardo

Hitachi Zosen Inova Canada Ltd.

Ricardo A. Hamdan

Sales Manager



Waste is our Energy. Engineering is our Business. Sustainable Solutions are our Mission.

Legal Disclaimer:

Correspondence with above mentioned sender via-email is only for information purposes. This medium is not to be used for the exchange of legally-binding communications. If you have received this message by mistake, please notify us immediately by e-mail and discard or delete any copies (electronic or not) of this message.

This message is directed in confidence solely to the person(s) named above and may contain privileged, confidential or private information which is not to be disclosed. If you are not the addressee or an authorized representative thereof, please contact the undersigned and then destroy this message.

Ce message est destiné uniquement aux personnes indiquées dans l'entête et peut contenir une information privilégiée, confidentielle ou privée et ne pouvant être divulguée. Si vous n'êtes pas le destinataire de ce message ou une personne autorisée à le recevoir, veuillez communiquer avec le soussigné et ensuite détruire ce message.

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From: Scanlan,Lauren <lscanlan@utilitieskingston.com>
Sent: October 24, 2023 8:50 AM
To: Sandra Tree; Ursula Melinz
Cc: Roberts,Heather; MacLatchy,Paul; McLeod,Alan; [REDACTED]@diamondhotels.ca; Philip Osterhout; Varghese, Betsy
Subject: RE: Kingston Regional Biosolids and Biogas Facility at Knox Farm
Attachments: 1R. UK-22-02 Ltr2 Response to SW.pdf

Good Morning Sandra,

Please find attached a response to correspondence from Ursula Melinz on October 5, 2023. CC'ing a number of related contacts.

Please let me know if you have any comments or questions and kindly confirm receipt of this email.

Thank you,

Lauren.



Lauren Scanlan, M.A.Sc., P.Eng.
Utilities Engineer
P.O. Box 790, Kingston, ON K7L 4X7
P: 613-546-1181 x.2462 C: 613-217-7181
lscanlan@utilitieskingston.com



Utilities Kingston acknowledges that we are situated on the ancestral and continuing unceded territory of the Huron-Wendat, Anishinaabe and Haudenosaunee Peoples. We thank these Peoples for their stewardship of the land. As we preserve and protect the land and water, we commit to delivering our services with care for the Earth.

From: Sandra Tree <[REDACTED]@solowaywright.com>
Sent: Friday, October 6, 2023 8:08 AM
To: Scanlan,Lauren <lscanlan@utilitieskingston.com>
Subject: RE: Kingston Regional Biosolids and Biogas Facility at Knox Farm

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Lauren,
My apologies. I had to send the email a few times before your address was recognized.
Here is the letter
Thank you

Sandra Tree
Legal Assistant - Municipal, Land Development & Expropriation Group



Soloway Wright lawyers



 solowaywright.com

From: Scanlan,Lauren <lscanlan@utilitieskingston.com>
Sent: Friday, October 6, 2023 8:03 AM
To: Sandra Tree <[\[REDACTED\]@solowaywright.com](mailto:[REDACTED]@solowaywright.com)>
Subject: RE: Kingston Regional Biosolids and Biogas Facility at Knox Farm

Good Morning Sandra,

I am receiving this email (but not the 2 below and with no attachment). Are you able to pass along the email again with the original attachment?

Thank you,

Lauren.



Lauren Scanlan, M.A.Sc., P.Eng.
Utilities Engineer
P.O. Box 790, Kingston, ON K7L 4X7
P: 613-546-1181 x.2462 C: 613-217-7181
lscanlan@utilitieskingston.com



Utilities Kingston acknowledges that we are situated on the ancestral and continuing unceded territory of the Huron-

Wendat, Anishinaabe and Haudenosaunee Peoples. We thank these Peoples for their stewardship of the land. As we preserve and protect the land and water, we commit to delivering our services with care for the Earth.

From: Sandra Tree <[REDACTED]@solowaywright.com>
Sent: Friday, October 6, 2023 7:11 AM
To: Scanlan, Lauren <lscanlan@utilitieskingston.com>
Subject: FW: Kingston Regional Biosolids and Biogas Facility at Knox Farm

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Sandra Tree
Legal Assistant - Municipal, Land Development & Expropriation Group

 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]@solowaywright.com



**Soloway
Wright** | lawyers

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

 solowaywright.com

From: Sandra Tree <[REDACTED]@solowaywright.com>
Sent: Friday, October 6, 2023 7:04 AM
To: lscanlan@utilitieskingston.com
Subject: FW: Kingston Regional Biosolids and Biogas Facility at Knox Farm

Good morning,
We received an "undeliverable" bounce back for your address on the original message sent yesterday. I see we were missing a letter from the address.
Please acknowledge receipt of the correspondence.
Thank you.

Sandra Tree

Legal Assistant - Municipal, Land Development & Expropriation Group

☎ [REDACTED]
📧 [REDACTED]
📧 [REDACTED]
📧 [REDACTED]@solowaywright.com



Soloway
Wright lawyers

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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Confidentiality Note: This email transmission is directed in confidence to the person named above, and may not be otherwise distributed, copied or disclosed. The contents of this e-mail transmission, also may be subject to solicitor-client privilege and all rights to that privilege are expressly claimed and not waived. If you have received this e-mail transmission in error, please notify the sender immediately by telephone and delete it without making a copy. Due to the inherent risks associated with the Internet, we assume no responsibility for unauthorized interception of any Internet communication with you or the transmission of computer viruses. Thank you for your assistance.

From: Sandra Tree

Sent: Thursday, October 5, 2023 3:52 PM

To: icanlan@utilitieskingston.com; UKBiogasFacility@Dillon.Ca

Cc: Ursula Melinz <[REDACTED]@solowaywright.com>; [REDACTED]@diamondhotels.ca; Philip Osterhout <[REDACTED]@solowaywright.com>

Subject: Kingston Regional Biosolids and Biogas Facility at Knox Farm

Good afternoon,

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Please confirm receipt of the correspondence via return email.

Thank you

Ursula K. Melinz

Partner

Direct line: [REDACTED]

Email address: [REDACTED]@solowaywright.com

[REDACTED]
[REDACTED]
www.solowaywright.com

FILE NO: [REDACTED]

October 5, 2023

Lauren Scanlan
Utilities Engineer, **Utilities Kingston**
Kingston, ON
lsanlan@utilitieskingston.com

Betsy Varghese
Dillon Consulting Limited
UKBiogasFacility@Dillon.Ca

**Re: Potential impact related to the proposed
Kingston Regional Biosolids and Biogas Facility at Knox Farm
Notice of Municipal Class Environmental Assessment**

We are the lawyers for the Holiday Inn Express & Suites, the Quality Inn and the Comfort Suites located on Benson Street in Kingston. Our client also owns other lands along the Highway 401 corridor at Division Street and Sir John A. MacDonald Boulevards. This letter is to raise our client's opposition to the construction of the proposed Biosolids and Biogas Facility (the "Proposed Facility") at the Knox Farm location.

Knox Farms as a possible location for the Proposed Facility raises a number of concerns. We ask that the approval of the Knox Farm site be rejected for the following reasons, or at least withheld until such time as the below concerns are addressed and it is confirmed that the Proposed Facility will not have any impact particularly in regard to odour.

Impact to Surrounding Businesses

If the Proposed Facility was constructed at Knox Farm, the 401 Highway would be the only physical structure separating the Proposed Facility and dozens of businesses. As you may know, the area on the south side of the highway contains our client's hotels, the King's Crossing Fashion Outlet, the most popular movie theatre in Kingston, a grocery store, an LCBO, a Canadian Tire, the Kingslake Plaza, and dozens of restaurants. Our client also owns other land along this corridor both north and south of the highway.

[REDACTED]

If the construction and then operation of the Proposed Facility at the Knox Farm location creates obnoxious odours, noise, or impacts air quality, dozens of businesses will suffer as a result. This could result in nuisance claims being launched against the City of Kingston and Utilities Kingston.

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Moreover, the construction of the Proposed Facility at the Knox Farm location may pose a risk to groundwater. The Knox Farm location is within the Cataraqui Source Protection Area and is identified as a highly vulnerable area. The site is within a Groundwater Recharge Area that refills aquifers in the area, which provides drinking water for local residents and is critical to maintain.

Proximity in the Event of an Accident

As mentioned, the area is comprised of dozens of businesses and a natural heritage site. Moreover, the area is near critical infrastructure such as the 401 highway and bus stations. This context is significant because if there was an accident at the Proposed Facility, the impact would be substantial.

As you may know, similar Biogas and Biosolids facilities have been constructed internationally. Similar facilities in Korea, the United Kingdom and the United States of America have suffered from tragic accidents due to the nature of the facility. For example, Biogas is incredibly flammable and has resulted in explosions when ignited. In addition, the sludge used for processing at the Proposed Facility has been problematic in similar facilities. In the United Kingdom, there was an overflow of sludge at a Biosolids and Biogas facility that caused significant contamination to the surrounding 70 acres of land.

It is also significant that the transport of sludge and other contaminants would need to be by truck, as the Knox Farm location does not contain the necessary infrastructure to transport the material otherwise, exacerbating the likelihood of an accident at the facility.

If a similar accident to those reported internationally was to take place at the Proposed Facility, at the Knox Farm location, the results would be devastating to our aquifer systems, the Cataraqui Creek Conservation Area, critical infrastructure, and dozens of businesses.

In view of the foregoing, we kindly ask that you give appropriate weight to the concerns articulated above, and do not proceed with the approval and construction of the Proposed Facility at the Knox Farm location unless these concerns can be fully and adequately addressed. Proceeding otherwise would have a devastating and long-term impact on the community and the surrounding environment.

Addition to Notification List

Lastly, please add the following to your mailing notification list for this project:

Michael Springer

██████████@diamondhotels.ca

Ursula Melinz & Phillip Osterhout

██████████@solowaywright.com

██████████@solowaywright.com

We request being advised as to what the next steps are in the process so we may ensure that our consultants may provide their input.

Yours very truly,



Ursula K. Melinz

Ursula K. Melinz Professional Corporation

UKM/

Cc: M.Springer



October 24, 2023

Ursula K. Melinz
Ursula K. Melinz Professional Corporation
Soloway Wright Lawyers
Delivered Via Email: [REDACTED]@solowaywright.com

RE: Response Letter: Potential impact related to the proposed Biosolids and Biogas Facility at Knox Farm

Dear Ursula K. Melinz,

Thank you for your letter, dated October 5, 2023 detailing your client's opposition to the construction of the proposed Biosolids and Biogas Facility (Facility) at the Knox Farm location in Kingston, ON. We note that it contains the same content as your May 25, 2023 letter with the exception that you have requested additional contacts be added to our notification list as well as information related to next steps in the project. We will address these new items here.

Project Contact List


As requested, we have updated our project contact list with the e-mail addresses noted in your October 5, 2023 letter.

Project Status and Next Steps

Since our response to your May 25, 2023 letter, dated June 8, 2023, we have officially commenced the Schedule C Municipal Class Environmental Assessment (Class EA) for the Facility. You should have received this Notice directly from our consulting partners, Dillon Consulting Limited, by e-mail on September 19, 2023.

Throughout the next couple of months, we will be working with our team to develop design concepts for the proposed facility, and evaluate these concepts against the natural, socio-cultural, technical and financial environments. As part of this work, our team will complete an air quality impact assessment to characterize the anticipated changes in air quality and odour at nearby receptors to the site.

A Public Information Centre (PIC) will be scheduled in early 2024 to present alternative design concepts, potential environmental impacts and recommended mitigation measures, including findings of the air quality assessment. The PIC will be publicly



advertised and those on our project contact list will receive a direct notification of the event at least 2 weeks in advance. We encourage you and your clients to attend and/or review related materials when the time comes.

In the meantime, additional project information can be found at:

<https://utilitieskingston.com/Projects/Detail/RegionalBiosolidsBiogasFacility>.

Again, we would like to thank you and your clients for the input provided to date. These concerns have been documented and will be taken into account as project planning evolves.

Please feel free to reach out at any time with additional comments or questions.

King Regards,



Lauren Scanlan, M.A.Sc., P.Eng.
Project Manager and Utilities Engineer,
Utilities Kingston

cc:

Heather Roberts, C.E.T., Project Director and Director of Water and Wastewater Services, Utilities Kingston (hroberts1@utilitieskingston.com)

Paul MacLatchy, P.Eng., Environment Director, City of Kingston
(pmaclatchy@cityofkingston.ca)

Alan McLeod, LLM, Deputy Director – Legal Services City of Kingston
(amcleod@cityofkingston.ca)

Michael Springer (████████@diamondhotels.ca)

Sandra Tree, Legal Assistant, Soloway Wright LLP (████████@solowaywright.com)

Philip Osterhout, Soloway Wright LLP (████████@solowaywright.com)

Betsy Varghese, Partner, Dillon Consulting Limited (bvarghese@dillon.ca)



Facility, UK Biogas <ukbiogasfacility@dillon.ca>

RE: Biosolids management facility at Division and 401

Scanlan, Lauren <lscanlan@utilitieskingston.com>

Tue, Sep 26, 2023 at 8:50 AM

To: [REDACTED]
Cc: Sydney Tasfi <stasfi@dillon.ca>, "Varghese, Betsy" <bvarghese@dillon.ca>, Avid Banihashemi <abanihashemi@dillon.ca>, "Facility, UK Biogas" <ukbiogasfacility@dillon.ca>

Hi Shirley,

Thank you very much for reaching out! We are pleased to hear that you are interested in learning more. We will certainly add you to the direct notification list for this project.

Thank you,

Lauren.

Lauren Scanlan, M.A.Sc., P.Eng.
Utilities Engineer
P.O. Box 790, Kingston, ON K7L 4X7
P: 613-546-1181 x.2462 C: 613-217-7181
lscanlan@utilitieskingston.com

Utilities Kingston acknowledges that we are situated on the ancestral and continuing unceded territory of the Huron-Wendat, Anishinaabe and Haudenosaunee Peoples. We thank these Peoples for their stewardship of the land. As we preserve and protect the land and water, we commit to delivering our services with care for the Earth.

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, September 26, 2023 8:47 AM
To: Scanlan, Lauren <lscanlan@utilitieskingston.com>
Subject: Biosolids management facility at Division and 401

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please include me on your mailing list for this project. We live off of Perth Rd and obviously want to understand the impacts of this plant. That being said, we are pleased our city is looking at alternative energy sources for the future.

Thanks so much

Shirley Empringham

Sent from my iPad



Facility, UK Biogas <ukbiogasfacility@dillon.ca>

UK Biosolids/Biogas Facility Class EA - Follow up

1 message

Scanlan, Lauren <lscanlan@utilitieskingston.com>

Wed, Oct 4, 2023 at 10:59 AM

To: "[REDACTED]"
Cc: "Facility, UK Biogas" <ukbiogasfacility@dillon.ca>, Avid Banihashemi <abanihashemi@dillon.ca>

Hi Shirish,

Thank you very much for the call this morning and interest in keeping informed of our Biosolids/Biogas Facility Class EA project.

As discussed, please visit our webpage (<https://utilitieskingston.com/Projects/Detail/RegionalBiosolidsBiogasFacility>) for key project documents that have been issued to the public to date. Please scroll to the bottom of the page, section titled "Schedule and Project Downloads" for a list of documents available to you to learn more about the project activities to date.

By way of this email, I am also confirming that our consulting team cc'd here will add you to our direct mailing list for this project.

Please let me know if you have any comments or questions.

Thank you,

Lauren.



Lauren Scanlan, M.A.Sc., P.Eng.
Utilities Engineer
P.O. Box 790, Kingston, ON K7L 4X7
P: 613-546-1181 x.2462 C: 613-217-7181
lscanlan@utilitieskingston.com



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Banihashemi, Avid <abanihashemi@dillon.ca>

RE: Biosolids management facility at Division and 401

1 message

Scanlan, Lauren <lscanlan@utilitieskingston.com>

Tue, Sep 26, 2023 at 8:50 AM

To: Shirley Empringham <[REDACTED]>

Cc: Sydney Tasfi <stasfi@dillon.ca>, "Varghese, Betsy" <bvarghese@dillon.ca>, Avid Banihashemi <abanihashemi@dillon.ca>, "Facility, UK Biogas" <ukbiogasfacility@dillon.ca>

Hi Shirley,

Thank you very much for reaching out! We are pleased to hear that you are interested in learning more. We will certainly add you to the direct notification list for this project.

Thank you,

Lauren.

Lauren Scanlan, M.A.Sc., P.Eng.
Utilities Engineer
P.O. Box 790, Kingston, ON K7L 4X7
P: 613-546-1181 x.2462 C: 613-217-7181
lscanlan@utilitieskingston.com

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-----Original Message-----

From: Shirley Empringham <[REDACTED]>

Sent: Tuesday, September 26, 2023 8:47 AM

To: Scanlan, Lauren <lscanlan@utilitieskingston.com>

Subject: Biosolids management facility at Division and 401

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Please include me on your mailing list for this project. We live off of Perth Rd and obviously want to understand the impacts of this plant. That being said, we are pleased our city is looking at alternative energy sources for the future.

Thanks so much

Shirley Empringham

Sent from my iPad



Banihashemi, Avid <abanihashemi@dillon.ca>

Fwd: Request to be added to the Kingston Biosolids Class EA Distribution List

3 messages

Tasfi, Sydney <stasfi@dillon.ca>

Mon, Aug 28, 2023 at 9:52 AM

To: Avid Banihashemi <abanihashemi@dillon.ca>, Laura Swyers <lswyers@dillon.ca>

Cc: Betsy Varghese <bvarghese@dillon.ca>

Hi Avid and Laura,

Please see email below - a new contact would like to be added to our contact list for UK.

Thank you,
Sydney

----- Forwarded message -----

From: **Varghese, Betsy** <bvarghese@dillon.ca>

Date: Mon, Aug 28, 2023 at 9:01 AM

Subject: Re: Request to be added to the Kingston Biosolids Class EA Distribution List

To: Susan Jingmiao Shi <[REDACTED]>

Cc: Scanlan, Lauren <lscanlan@utilitieskingston.com>

Hi Susan,

Thank you for your interest in the project.

We will add you to our contact list.

Many thanks,
Betsy



Betsy Varghese
Partner
Dillon Consulting Limited
235 Yorkland Blvd Suite 800
Toronto, Ontario, M2J 4Y8
T - 416.229.4647 ext. 2326
F - 416.229.4692
M - 416.817.8045
bvarghese@dillon.ca
www.dillon.ca



On Mon, Aug 28, 2023 at 8:54 AM Susan Jingmiao Shi <[REDACTED]> wrote:

Hello Betsy,

I would like to be added to the distribution list for future project updates on the Kingston Biosolids Class EA project.

Thank you!
Susan Shi