

**MINISTER'S NOTICE TO
PROCEED WITH TRANSIT PROJECT SUBJECT TO CONDITIONS**

Ontario Regulation 231/08

SUBSECTION 12(1)(c)

RE: Proponent: Metrolinx

Project Description: Georgetown South Service Expansion and Union-Pearson Rail Link Project between Bathurst Street in the City of Toronto and Highway 427 in Peel Region.

In accordance with subsection 12(1)(c) of Ontario Regulation 231/08, I hereby give notice allowing Metrolinx to proceed with the Georgetown South Service Expansion and Union-Pearson Rail Link transit project in accordance with the applicable Environmental Project Report (EPR), subject to the following conditions:

1. Metrolinx shall implement the undertaking in accordance with the EPR and shall take all necessary steps to ensure that any other party involved in implementing the undertaking implements the undertaking in accordance with the EPR, subject to the conditions set out below.

Emission Technology

2. All trains utilized for GO Transit that travel to, from or through Georgetown along the Georgetown South Corridor shall be Tier 4 compliant when service begins or when Tier 4 compliant technology becomes commercially available.
3. All trains utilized for the Union-Pearson Rail Link in the Georgetown South Corridor shall be Tier 4 compliant when service begins or when Tier 4 compliant technology becomes commercially available.
4. Metrolinx shall continue to consider the use of any new technologies that become commercially available for use and that could reduce air emissions from the trains. The details of any considerations shall be made available to the public through a posting on the Metrolinx website and provided to the Ministry's Director, Environmental Assessment and Approvals Branch.

Human Health and Mitigation Plan

5. Within twelve months of this notice having been issued, or within such other time frame that is agreed upon in writing by the Ministry's Director, Environmental Assessment and Approvals Branch, Metrolinx shall, in consultation with the Ministry of the Environment (Ministry), conduct further studies and analyses in order to supplement the information contained in the EPR related to the predicted human health risks from the train traffic. The studies and analyses shall include an enhanced distribution analysis of the predicted air concentrations and background air concentrations at the location of the receptors identified in the EPR. The studies and analyses shall also include the scenario prior to utilization of Tier 4 compliant trains and the 'residual' scenario based on the use of Tier 4 compliant trains.
6. Upon completion of the further studies and analyses required in condition 5 above, Metrolinx shall submit the studies and analyses to the Ministry's Director of Environmental Assessment and Approvals Branch for review and acceptance.
7. Following acceptance by the Ministry of the studies and analyses required in condition 5, Metrolinx shall, in consultation with the Ministry, develop a revised mitigation plan that outlines the mitigation measures that Metrolinx will implement to address outstanding risks to human health remaining after the change to Tier 4 compliant trains. Metrolinx shall make this draft mitigation plan available to the public for comment by posting the plan on Metrolinx's website for a minimum of 30 days. Metrolinx shall consider all comments received from the public regarding this mitigation plan.
8. Metrolinx shall consult with the public from the study area and hold public open houses on the draft plan prior to submitting the mitigation plan to the Ministry.
9. Following completion of conditions 7 and 8, Metrolinx shall submit the final mitigation plan to the Ministry's Director of Environmental Assessment and Approvals Branch for review and approval. In addition, Metrolinx shall submit a record of the public comments received and Metrolinx's response to the issues raised by the public. Following approval, Metrolinx shall implement the mitigation plan.
10. Metrolinx shall complete the requirements set out in conditions 5 to 9 above prior to the commencement of train operations on the Georgetown South Expansion and the Union-Pearson Rail Link.

Ambient Air Monitoring and Reporting

11. Within three months of this notice having been issued, or within such other time frame that is agreed upon in writing by the Ministry's Regional Director, Central Region, Metrolinx shall submit to the Ministry an ambient air monitoring and reporting plan that shall be approved by the Regional Director prior to the plan being implemented.

In developing the ambient air monitoring and reporting plan, Metrolinx shall establish a working group which shall, at a minimum, include Environment Canada, the City of Toronto's Medical Officer of Health, representatives from the adjacent community, and any other relevant government agencies.

The representatives from the adjacent community on the working group shall include one or more individuals from organizations in the study area, such as the Clean Train Coalition.

12. The ambient air monitoring and reporting plan to be developed by Metrolinx shall include at a minimum:
 - a. ambient air monitoring activities at a minimum of three sampling locations at any point in time. The monitoring locations must be situated within the boundaries of the Georgetown South Corridor (and Union-Pearson Rail Link spur line) or within the adjacent community throughout the required monitoring period. Siting of the monitoring locations shall be done in accordance with the Ministry's *Operations Manual for Air Quality Monitoring in Ontario*, March 2008 and be approved by the Ministry's Regional Director, Central Region;
 - b. continuous monitoring of fine particulate matter (PM_{2.5}), nitrogen oxides (NO_x), carbon monoxide, and sulphur dioxide (SO₂);
 - c. twenty-four hour samples for total suspended particulates (TSP), metals, and polycyclic aromatic hydrocarbons (PAH) using high volume (hi-vol) samplers on the 6-day National Air Pollution Surveillance (NAPS) cycle; and
 - d. twenty-four hour samples for volatile organic compounds (VOCs) using Method TO-15 canister method on the 6-day NAPS cycle.
13. The ambient air monitoring and reporting plan shall also include a timeline for Metrolinx to undertake air modeling to determine source apportionment of area emissions. This modeling shall be undertaken, at minimum, within 18 months of the completion of construction.
14. The ambient air monitoring and reporting plan shall set out requirements for the reporting of the monitoring results to the Ministry and public. Metrolinx shall make the reports available to the public by posting the reports on Metrolinx's website immediately following submission of the reports to the Ministry.
15. Metrolinx shall make the draft ambient air monitoring and reporting plan available to the public for comment by posting this plan on Metrolinx's website for a minimum of 30 days. Metrolinx shall consider all comments received from the public regarding this plan.
16. Following completion of the public comment period required in condition 15, Metrolinx shall submit the final ambient air monitoring and reporting plan to the Ministry's Regional Director, Central Region for review and approval. In addition, Metrolinx shall submit a record of the public comments received and Metrolinx's response to the issues raised by the public. Following approval, Metrolinx shall implement the ambient air monitoring and reporting plan.
17. Within three months of the Ministry's Regional Director, Central Region approving the ambient air monitoring and reporting plan, the ambient air monitoring program set out in the approved plan shall commence and continue until such date as the Regional Director determines that the ambient air monitoring program is no longer required. The Ministry will notify Metrolinx in writing as to when Metrolinx may discontinue the air monitoring program.
18. Audits will be conducted by the Ministry, as outlined in the Ministry's *Audit Manual for Air Quality Monitoring in Ontario*, March 2008, to confirm that siting and performance criteria are met. Metrolinx shall implement any recommendations on siting and performance criteria set out in the audit report. Such recommendations are to be implemented within three months of the audit report being provided by the Ministry to Metrolinx.

Metrolinx is now permitted to issue a statement of completion of the transit project assessment process. A statement of completion is the final part of the transit project assessment process. The process must be completed prior to the start of the construction phase of the project.

Dated the 5th day of October 2009 at Toronto

Original signed by

John Gerretsen

Minister of the Environment
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