

**WARWICK PUBLIC LIAISON COMMITTEE
WASTE MANAGEMENT OF CANADA CORPORATION (WARWICK)
MINUTES**

Date: Thursday, April 17, 2008
Time: 7 pm
Location: Lambton Mutual Insurance Co. Meeting Room

Present: Lawrence Zavitz – Chair
Reid Cleland, Wayne Jenken, Cheryl Moons – Waste Management of Canada Corporation (WMCC)
Percy Heath, Jerry Westgate -- Township of Warwick
Dan Gaudenzi, Mark Cruickshank – Ministry of Environment (MOE)
Peter Braet, Carolyn Cornelissen, Mary Ellen King Norman McCullough, Doris McCormick, Alex McDonald, Mary Lynn Metras, Mac Parker, Elsie Timmers
community members
Mary Janes – Secretary

Also in attendance: Wilf Ruland (Citizens Environmental Consulting), Dan Gaudenzi (MOE), Jason Balsdon (Jagger Hims Ltd.), Ron Jarriott, John King

1. CALL TO ORDER

At 7:05 pm Chair Lawrence Zavitz welcomed everyone and thanked everyone for coming. He announced that Lynn Badder had sent a letter of resignation from the WPLC, effective immediately.

2. APPROVAL OF/ADDITION TO AGENDA

There were two additions to the agenda, concerning Lynn's resignation and MOE site inspections in 2007.

MOTION: that the agenda be accepted as amended (McDonald/Cornelissen) *Carried.*

3. ACCEPTANCE OF JANUARY 31 MINUTES

MOTION: that the minutes be approved as printed (Metras/Parker) *Carried.*

4. BUSINESS ARISING FROM JANUARY 31 MEETING

a) Environmental Inspector (EI) Update

D. Gaudenzi gave the background to the need for an EI on the site. He distributed the revised draft of the letter of agreement and the revised Terms of Reference for this position. This document addresses the major concerns of the WPLC, Warwick Council and Walpole Island First Nations (WIFN) -- start of the position being the same time as the start of construction, that the EI attend all WPLC meetings and that the EI provide monthly and annual summary reports. Condition 47 of the Certificate of Approval addresses the concern that the EI be full-time.

A question was asked about the review of the position. WMC and the MOE are the parties involved in the review, but Condition 48a indicates there must be consultation with all parties involved before a decision is made.

b) Environmental Commissioner of Ontario

M. Janes reported that she had spoken with Scott Shaw at the Environmental Bill of Rights office April 4, 2008 but that he had no response yet about the two applications for review of policy and a change to regulations. (This is in reference to applications made by four individuals, three from the WPLC, last August for review of policy and a new regulation..)

c) 402 Exchange

Wayne Jenken reported that the final design is 90% ready. The comments from the Public Information Centre have been evaluated. The issue of emergency access to Hwy 402 has been addressed. The job will be ready for tender in May, but because of an appeal to the Ontario Municipal Board (OMB) concerning the rezoning for the landfill construction will be delayed. Construction was expected to occur from July to October, with a six to seven week shutdown of the overpass.

The work on the overpass will include conduits for traffic lights if they should be required in the future. The Waste Management part of the construction requires no purchase of land and can go ahead. The Ministry of Transportation is including the design and construction of the west ramp in this same tender, but this can be pulled until the lands issue is resolved.

d) Official Plan/Zoning Amendments

Warwick Council and Lambton County have both approved the amendments. But both decisions have been appealed to the OMB. WMC has requested a pre-hearing conference with the OMB to mediate. July 11 appears to be the date for this; this delay will probably put off all construction until next year.

e) Responses to Annual Monitoring Report

W. Ruland first explained his role as hydrogeologist for the landfill site, reporting to Warwick Council. In general he finds the management of the site the best ever and the monitoring appropriate.

As far as leachate quantity, more leachate is now being removed than generated; that is good management. There continues to be mounding in the west central area; this may have potential impact. The leachate quality is typical of landfills except in one area where some volatiles are present. Groundwater monitoring is important because of the potential for leachate to exit in the top ten metres, even though clay provides good containment. Every summer the clay dries, then cracks and there may be conduits for leachate in the first five to six metres. Chloride is the ideal indicator. There are three wells (OW 16-6, OW 17-4 and OW 67-4) with elevated chloride; they just need monitoring, because the elevations are not increasing rapidly. Well OW 67-11 also needs close observation.

Surface water monitoring is difficult because surface water flow is intermittent in the landfill area. Wilf included Table 1 of landfill degradation of surface water flowing to Bear Creek. The iron results are not a concern because iron is probably from the mud and dirt washed off the site; the boron would also be coming off the landfill and is somewhat of a concern. There are minor landfill impacts on surface water.

The biomonitoring on site confirms that the minor exceedances are not a problem for downstream surface water organisms. Rainbow trout and daphnia magna are being used for biomonitoring. Because there was only a 93.3% survival rate of daphnia magna on March 2, 2007, Wilf recommends

that biomonitoring be expanded in 2008 to include all storm events, to find out what caused this mortality rate. He also does not agree with the statement in the Monitoring Report (p. 44) that states: “the biomonitoring events were completed No toxicity was detected...”

Wilf's second recommendation concerns the decommissioning of wells. Twenty wells situated on the current site and 27 on the expanded site have been decommissioned and he was not made aware of this. Should they have been removed? He recommends that WMC notify the Township of Warwick, the MOE and the WPLC before any future wells are decommissioned.

Please note there is an error on page 11 of his report and the replacement page is included with this mailing.

Norm McCullough asked why wells would be decommissioned. Jason Balsdon replied that if the wells are no longer needed they still need to be maintained, so it is better to remove them. Also during construction it is often hard to find them. Also some of the wells were in the way of the construction which should be starting.

Mary Lynn Metras asked about the sampling after storm events of at least 1 inch. Because a 1 inch storm event does not always occur during a quarter, the company policy is to do two samplings per period, to make up for a missed event. They do surface water and biomonitoring at the same time.

A question was asked about the mounding in the south cell. This mounding is not a concern, but needs continued monitoring. The leachate collectors that were installed a few years ago in Cell 3S will be effective in case there is a need to extract leachate.

Jason will prepare a response to Wilf after he has looked at the Pollutech report and finds out if there is a standard for survival rates of daphnia magna.

The MOE report on the 2006-2007 Monitoring Report was distributed with the agenda.

5. NEW BUSINESS

a) Condition 10 Report

C. Moons explained that since the landfill is now under a new Certificate of Approval (C of A) there is no Condition 10. Based on the current C of A WMC must keep track on a daily, weekly, monthly basis, but does not need a breakdown of municipalities from which it receives garbage. The WPLC will continue to receive monthly tracking reports, which will include the % recycled each month.

b) Issues from WPLC Terms of Reference

The WPLC decided that the staggered terms (three year commitment), which started January 1, 2008 will be as follows:

1 year: Mary Ellen King, Doris McCormick, Mac Parker, Lawrence Zavitz

2 year: Peter Braet, Carolyn Cornelissen, Alex McDonald

3 year: Norm McCullough, Mary Lyn Metras, Elsie Timmers

MOTION: that the WPLC accept the above terms of commitment, starting Jan. 1, 2008. (Metras/McDonald).

Carried

c) Issues from new C of A

M. Janes brought up the issue that the new C of A requires regular reports to the community, but that the Watford papers had stopped printing the minutes and that the Forest paper had never printed the minutes of meetings.

She was asked to speak to the local newspapers about printing the minutes regularly, perhaps even doing it part by part over several weeks. An alternative would be to make the minutes available in the local libraries.

MOTION: that M. Janes contact the newspapers about printing the minutes (Heath/Parker) Carried

W. Jenken drew to the attention of the Committee that there had been an administrative error in the C of A, condition 122. The level of benzene in contaminated soil must be 0.5 mg/l to be considered hazardous, but the new C of A reads 0.4 mg/l. In order for the C of A condition to be changed WMC must consult with the WPLC, Warwick Township Council and WIFN.

MOTION: that the WPLC is in support of this amendment to the C of A and that the WPLC will provide a letter indicating such to WMC. (Metras/McCormick) Carried

d) New Development & Operations (D & O) Report

This is the final report. Mac Parker asked about the difference between the .3 metres of leachate maintained in the sump pumps but a 6 metre trigger. The sump pumps are in the leachate collection system. Maintaining the level at .3 metres in the sump is a condition of the C of A and is an operational condition. The 6 metres is a trigger in the monitoring plan, also a condition of the C of A. Above six metres there is a high potential of leachate moving out because the hydraulic trap is lost. If the sumps were above .3 metres, WMC would be out of compliance; if leachate were over 6 metres, it would be a much more serious condition.

e) Cell 12 Monofill Application

R. Cleland explained that, after looking at the air space of Cell 10, he realized WMC would be running out of capacity for contaminated soil by October, 2008. Since the Township wants to keep in place the \$600 000 to \$700 000 in royalties agreed to in the Community Commitments Agreement, WMC wants to repermit Cell 12 to monofill to keep their part of the agreement. Since Cell 12 is in the new **D & O** as the location of the new compost/diversion area, WMC wants to move that area near to the Watford cemetery. WMC plans to hold an open house in the near future to discuss their plans with the community, then submit the application to the MOE about June 1. WMC is open to suggestions.

The TRT for the Township has concerns with the noise, odour, and impact on the cemetery where the diversion area is now being planned. L. Zavitz noted that aerobic composting guidelines do not require a very large buffer. A. McDonald commented that consultants RWDI have 7 concerns to be addressed. W. Ruland noted there are two parts to the application. The monofill is a positive change. Each person can provide individual comments.

MOTION: that the compost area be moved approximately 800 metres east of where WMC suggests right now.

(Parker/Metras) Carried

MOTION: that the WPLC supports the WMC proposal to use cell 12 for contaminated soil

(Westgate/McCormick) Carried

f & g) 2007 Monitoring Report Addendum and SFA Poplar System Monitoring report

Because the new C of A requirements to have the annual year reports from January to December, Jagger Hims needed to prepare a Monitoring Report addendum for September to December, 2007. Jason Balsdon used a power point presentation to explain the report. The findings in the addendum are similar to those in the 2006-2007 annual report. The 2008 monitoring plan will have additional monitoring wells on the east side. He also recommended harmonized concentrations for reports - contaminated soil/landfill -- since this recommendation had not been made an amendment of the previous C of A.

Jason also used power point to present the annual report on the poplar plantation. Approximately half the leachate was used on the trees, and the other half trucked away. The recommendation of this report is to use 100% of the target concentration on the poplar trees.

h) MOE 2007 Inspections

Mark Cruickshank reported that the MOE had done four quarterly site inspections in 2007 and found no problems of non-compliance.

i) Resignation

*MOTION: that Lynn Badder's resignation be accepted with regrets and that he be sent a card of thanks.
(Metras/Parker)*

Carried.

A replacement for Lynn will be discussed at the next meeting.

6. REPORTS

a) Township of Warwick

There was no further report.

b) Waste Management of Canada Site Operations

W. Jenken distributed the financial assurance for the current year. It is an irrevocable letter of credit in the amount of \$12 214 109

7. OPEN SESSION

There were no questions.

8. NEXT MEETING

Date: Thursday, June 19, 2008 at 6 pm (dinner); 7 pm (meeting) at the landfill.

Agenda: cell 12 status
Rezoning status
New member

9. ADJOURNMENT

MOTION: that the meeting be adjourned at 9:55 pm (Parker)

Distributed at meeting:

RWDI to F. Ford re Relocation of Diversion Area (08/03/28)	2 p.
W. Jenken to WPLC re financial assurance (08/04/01)	5 p.
W. Ruland to Twp. Council review of monitoring reports (08/04/10)	11 p.
Revised Draft Letter of Agreement re Environmental Officer	7 p.
P. Pickfield to D. Bruder re TRT comments on Cell 12 monofill (08/04/17)	11 p.

Distributed with minutes:

Corrected page 11 of Wilf Ruland's Review	1 p.
Jagger Hims to R. Cleland re 2008 First Quarter precipitation event (08/04/25)	5 p.
Tonnage Tracking Record (April)	1 p.