

**WARWICK PUBLIC LIAISON COMMITTEE
WASTE MANAGEMENT OF CANADA CORPORATION
MINUTES OF SPECIAL MEETING**
(not approved by WPLC at time of distribution)

Date: Thursday, December 4, 2008
Time: 7 pm
Location: Lambton Mutual Insurance Meeting Room

Present: Lawrence Zavitz – Chair
Reid Cleland, Wayne Jenken – Waste Management of Canada Corporation (WMC)
Percy Heath -- Township of Warwick
Peter Braet, Doris McCormick, Norman McCullough, Alex McDonald, Mary Lynn Metras, Elsie Timmers -- community members
Mary Janes – Secretary

Absent: Mac Parker *(with regrets)*, Dwayne Reid (MOE) *(with regrets)*, Mary Ellen King *(with regrets)*, Jerry Westgate *(with regrets)*, Carolyn Cornelissen *(with regrets)*, Cheryl Moons

Also in attendance: Ron Jarriott, Gerry Van Diepen

1. CALL TO ORDER

At 7:05 pm Chair L. Zavitz welcomed everyone. He apologized for the short notice of meeting and expressed appreciation for everyone's attendance.

2. APPROVAL OF/ADDITION TO AGENDA

MOTION: that the agenda be accepted (Metras/McDonald)

Carried.

**3. APPLICATION FOR AMENDMENT TO CONDITION 167
(LEACHATE TREATMENT SYSTEM)**

(Condition 167 reads: Before the placement of the first tonne of waste in the expanded portion of the Site, the Owner shall ensure that the proposed leachate treatment plant is installed and operational. Any waste from the leachate treatment plan that is to be disposed of in the landfill must be classified as a solid non-hazardous waste.)

Chair Zavitz asked that there be questions after the presentations, rather than during the presentations.

a) Reid Cleland and Wayne Jenken spoke on behalf of WMC. First R. Cleland read Condition 166: "The Owner shall obtain approval under Section 53 of the OWRA for the leachate treatment plant prior to any waste being deposited in the expanded site." This application was submitted to the MOE on October 27, 2008 with a request that it be fast-tracked.

During the summer it came to the attention of WMC that the Township of Warwick was doing an Environmental Assessment (EA) on its waste treatment system. WMC recognized a window of opportunity to investigate a system which would save both WMC and the Township money. WMC wondered if they might pretreat leachate at the landfill, then dispose of it in the Watford municipal treatment system, at the same time helping the Township with funding. So WMC would like to submit a request to amend Condition 167 to read "a three year delay". Three years has been suggested as a reasonable time frame in which to see if WMC and the Township might work in partnership to save ratepayers money. Issues such as sewer use by-laws need to be explored. WMC is not trying to get out of building a leachate treatment plant onsite (Condition 166), but is asking for time to see if something different can be done. If the amendment to Condition 167 is not approved, WMC will have the proposed system in place by October, 2009.

Questions were then asked.

M. Metras asked what would happen to the leachate in those three years. R. Cleland responded that it would be trucked off-site to one of four possible leachate treatment plants (such as Greenway) and used for the poplar spray (drip irrigation) system on the cap and on the new poplars. The intent after the three years is to keep the poplar trees as a contingency if the stormwater ponds are contaminated.

Norm McCullough questioned the motives of WMC for asking for this amendment, since the use of the lagoons would be about 90% WMC and 10% community. If the Watford facility had problems, it would be a municipal problem even though WMC was the major user. He stated the community was concerned about any leachate going to the lagoons. He was also suspicious of the time frame, since it was eight months ago that the **Guide-Advocate** reported federal money would be coming to the Township to upgrade the lagoons. He also questioned the dumping of garbage in the expanded site, since it was not to be dumped there until the leachate treatment plant was installed (Condition 167).

R. Cleland drew attention to the package of plans already prepared and submitted to the MOE. If the amendment is not approved the plant will be operational by October, 2009. If WMC were to use the Watford site, there would be a sewer use by-law by which they would have to abide. WMC would pretreat leachate to a certain level on site, but the plant as currently proposed would be modified.

A question was asked about odour and pollution from the Watford treatment plant if WMC leachate were delivered there. The answer to that is unknown. It was noted that too much storm drainage is going into the Watford lagoons now.

Norm McCullough's concern was mixing leachate from WMC with municipal waste, going into Bear Creek and eventually ending up in Wallaceburg.

Doris McCormick noted that the discharge will affect at least 10 local farms and Walpole Island.

The Chair then stated that the topic in question for this meeting is whether it is reasonable to postpone the treatment system to investigate an alternate method. Many of the concerns already expressed do not pertain to this question. This meeting is not about condoning leachate going into

the municipal system; it is about allowing 3 years in which to investigate alternate methods and possibilities.

A question was asked about whether there is a Certificate of Approval for the current effluent from the lagoons. No answer was given.

Alex McDonald then asked if WMC could construct a system and let Watford use the WMC facility. W. Jenken replied this idea had already been suggested.

Alex then stated that he is opposed to a forcemain from WMC (industrial sewage) going to the lagoons (human waste). There is a chance of breakage; this would damage the town. Again the Chair noted this was off topic; this is an issue to be addressed in the EA process.

L. Zavitz asked when WMC would expect to generate leachate from the new cell (in the expanded site). W. Jenken replied that leachate would be generated immediately. Because of the one foot leachate level planned in the **Development & Operations Plans** leachate will not be allowed to mound. Of course it also depends on the weather. It will take 3 years to fill the first cell. It is expected that about 4 ½ tankers of leachate (130 000 litres) will be produced per day. The leachate will increase in strength as more garbage comes in. The existing poplar plantation takes two tankers of raw leachate per day. He noted that in the expanded site poplars will be watered with treated leachate.

L. Zavitz then asked if the amount of leachate at the current site would decrease over the three year time frame. W. Jenken replied that as the existing landfill is closed and capped, the amount of leachate will decrease. The third quarter monitoring report shows that 7 500 cubic metres of leachate were drawn out of the existing landfill.

D. McCormick noted that in 1998 at an open house WMC said the lagoons would not be brought up again. The community was not expecting to have to handle WMC problems. R. Cleland noted that WMC was not pushing this on the Township; that they were suggesting a partnership in which the Township could benefit.

A comment then was made that the MOE pushed the landfill expansion on the local community, but the MOE cannot do the same with the use of the lagoons.

G. Van Diepen asked on what capacity 130 000 litres was based. Starting at 0, the calculations are that by the end of three years the 15 hectare cell will have produced 130 cubic litres. The second cell will start calculations from 130 cubic litres.

Alex Mc Donald asked when the last leachate is expected to come out of the expanded site. W. Jenken responded that it would be 83 years after closure. Alex then noted that the lagoons were put in place 40 years ago and upgraded twice since then; should the Township be in bed with WMC on this issue? Wayne replied that with ongoing maintenance and improvements the leachate strength will decrease.

Alex then referred to the WMC (W. Jenken) letter of November 19. In the last paragraph it says "... should the partnership solutions not proceed ...". He then asked what if the Township says "no" to

the partnership after one year, should the leachate treatment system not be constructed by then? W. Jenken replied that three years is a “best guess” and that the three years would start whenever the MOE approved the amendment to Condition 167.

N. McCullough asked if human waste could be shipped to WMC instead of leachate going to Watford’s system? Wayne replied that if WMC were issued a Certificate of Approval to receive sewage, it would be possible.

b) Percy Heath was then asked to provide the Township’s response. He first made a comment that he was acting on his own behalf, not on behalf of Council. He noted that WMC has nibbled away at using the Watford system and is now asking the municipality to take its leachate. Tonight the WPLC is being asked to “rubber stamp” the negotiations between Council and WMC. He also noted that no-one has mentioned if this system is a good idea or where it is used. R. Cleland responded that it is used in Blenheim. He added that if the Township says no, WMC will deal with the leachate by itself.

L. Zavitz asked P. Heath to explain what took place before the November 17 Council resolution was passed by Council.

P. Heath said that the village sewage system is a burden on Watford alone and that if the Township puts money into it, it has to counterbalance it with money into a Township project. The MOE says the lagoons must be upgraded, the choices being shutting one cell down and removing the sludge, then doing the same with the other cell, or by building a third lagoon. The pumping station must be upgraded, at a cost of over \$2 000 000. Currently alum is used to dissolve the material.

One concern is that if the Township partners with WMC they may have to put in their own line to the pumping station. WMCs idea is a new sanitary sewer to allow for growth in the north end, and a forcemain to deal with capacity.

Earlier this year \$2.3 million in funding was announced by the federal and provincial governments jointly. Since then the Provincial government has withdrawn its funding. The federal government will still provide its share if the municipality comes up with the rest of the money. The federal money will provide about 50% of the cost of required cleaning. But if the Watford system is not expanded, this will slow down both housing and industrial expansion.

The **Guide-Advocate** is advertising a December 18 “Notice of Project Initiation and Public Meeting” concerning the Watford lagoons and sewage pumping station upgrade.

D. McCormick requested a recorded vote but the Chair explained this could only be done if it were a bylaw in the WPLC Terms of Reference. N. McCullough wondered how we could vote; he suggested we recognize we received the information.

*MOTION: that the WPLC not support the amendment to Condition 167. (McCormick/McDonald)
opposed 6, in favour 4 Motion declined.*

The question was then asked: “What happens when Council has already approved of the amendment?” The response was that the MOE looks at all submissions, so the WPLC can present its opinion.

M. Metras then commented that she has many questions, that she does not necessarily support a partnership, but that she supports looking into the issue. A. McDonald noted that WMC and the

Township had already had ten years in which to look into the matter. L. Zavitz noted that in the April 24, 2003 PLC minutes, Council spoke of a resolution stating “that the Township cannot delay its Class EA on upgrading the sewage lagoons until CWS decides on its preferred method of leachate treatment.... Council is addressing its future needs now by improving capacity for the industrial park and to address population growth projections.” N. McCullough commented that a partnership between the Township and free enterprise was not necessarily a good idea, since the shareholders of a private company could decide to divest of the property. A. Mc Donald noted that he has lived in Watford for 38 years and had heard of the concerns of those downstream of the lagoons over that time; now new health issues are being added to those concerns.

D. McCormick then inquired why WMC could not go ahead with its investigation without the amendment. W. Jenken responded that if WMC does not get the amendment it will start tenders and ordering equipment in early January to have the treatment plant ready for the fall. If there is a three year extension, WMC will not need the tenders now. If the plant is built the opportunity to look at other possibilities will be lost. He repeated that there are benefits to bringing different waste streams together: they can be treated better together and the capital cost decreases when the building of facilities is combined. WMC is hoping to have MOE approval of the treatment facility plans by December 8, to give them ten months in which to construct it.

N. McCullough said he was confused by the information about capital investments and stand alone facilities etc. He also wondered how the WPLC could vote, since members are volunteers. The response was that Watford would benefit with improved sewer capacity. It is almost at its limit now for building.

It was noted that Mac Parker’s emailed comments were included in the package of information distributed at the meeting, since he was unable to attend in person. A question was then asked about proxy votes. The response was that these are not in the WPLC’s Terms of Reference.

Other questions were asked:

Of what benefit is an expanded sewer line to the north end?

Will this benefit the ratepayers?

Who pays for the Environmental Assessment?

When will discussions start?

D. McCormick then reminded everyone that what goes downstream from the lagoons will hit local residents first, before it gets to Walpole Island. Chair Zavitz also reminded everyone that it is their individual responsibility to stay informed and to pass information on to the MOE during the EA process.

MOTION: that WPLC supports the application to amend Condition 167 (Metras/ Cleland)

In favour 6; opposed 4; Carried.

MOTION: that the Secretary provide a letter to WMC, copied to the MOE (G. Washuta) and Council, using M. Metras’ suggestions [below] (Metras/ Braet)

2 abstained Carried.

M. Metras's written suggestions:

- Support of this change based on Dec. 4 discussion (after much discussion)
- WPLC wants to see the developed options presented through the EA process, including public consultation.
- If this process fails along the way, WMC continues with the onsite leachate treatment plant.
- Attach the meeting minutes.
- Use format of Township resolution.

4. NEXT MEETING

Date: Thursday, January 15, 2009
Agenda: Quarterly Monitoring Reports
Selection of new member
Rotation of members
Election of Chair
Environmental Officer Report
Paper copies versus email copies
Host Municipality Agreement
Township of Warwick resolution re WPLC protocol

5. ADJOURNMENT – 9:10 pm

Distributed at meeting:

Jagger Hims **Quarterly Monitoring Report** (July 1 - Sept. 30, 2008)
Email from M. Parker to L. Zavitz re Dec. 4 meeting (08/12/03) 1 p.
Transmittal from Conestoga Rovers to M. Janes re package of information (08/10/29) 1 p.
Letter from R. Cleland to D. Dumais (MOE) re application for amendment to Cond. 167 (08/10/29) 2 p.
Attachment A re leachate treatment facility (no date) 3 p.
Application for Approval of Industrial Sewage Works (08/10/27) 7 p.

Enclosed:

Letter from Township of Warwick to WPLC re WPLC protocol (08/12/02) 4 p.
Announcement of public meeting re Watford lagoons 1 p.
Tonnage Tracking Report (November) 1 p.
Letter from B. Langille to R. Cleland re Precipitation Event (08/11/26) 6 p.
Letter from B. Langille to R. Cleland re Precipitation Event (08/11/25) 10 p.