

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

(not approved by WPLC at time of distribution)

Date: Thursday, January 15, 2009
Time: 7 pm
Location: Lambton Mutual Insurance Meeting Room

Present: Lawrence Zavitz – Chair
Wayne Jenken, Cheryl Moons – Waste Management of Canada Corporation (WMC)
Percy Heath – Township of Warwick
Dwayne Reid – Ministry of Environment (MOE)
Peter Braet, Carolyn Cornelissen, Alex McDonald, Mary Lynn Metras, Mac Parker, Elsie Timmers – community members
Mary Janes – Secretary

Absent: Reid Cleland (*with regrets*), Mary Ellen King (*with regrets*), Doris McCormick (*with regrets*), Norman McCullough (*with regrets*), Jerry Westgate

Also in attendance: Brent Langille (Jagger Hims), Gerry Van Diepen

1. CALL TO ORDER

Chair Lawrence Zavitz welcomed everyone at 7 pm.

2. APPROVAL OF/ADDITION TO AGENDA

MOTION: that the agenda be accepted (Parker/Cornelissen) *Carried.*

3. ACCEPTANCE OF OCTOBER 2 and DECEMBER 4 MINUTES

There were two corrections in the October 2 minutes.

Under 4g) page 2: it should say (see 4f).

Under 4h) Brent passed out copies of his corrections concerning the Quarterly Monitoring Report.

Secretary's note: There should have been a third correction: Item 3 should read "Acceptance of June 19 minutes."

MOTION: that the minutes of the October 2 meeting be approved as amended (Cornelissen/Metras) *Carried.*

There were two corrections in the December 4 minutes.

Page 2, middle of the page: It should read "A. McDonald questioned the motives of WMC for asking for this amendment. N. McCullough suggested the use of the lagoons would be about 90% WMC and 10% community."

Page 4, 3b: P. Heath distributed his correction. The second sentence of the paragraph should read: "He first made a comment that he was acting on his own behalf and not on behalf of Council."

*MOTION: that the minutes of the December 4 meeting be approved as amended
(Parker/Jenken) Carried.*

4. BUSINESS ARISING

a) Rotation of Members

Mary Ellen King resigned from the WPLC. Doris McCormick (in a later phone call), Mac Parker and Lawrence Zavitz committed to three more years. That left one opening, plus the opening left by L. Badder's resignation earlier in 2008.

b) Election of Chair

MOTION: that Lawrence Zavitz continue as Chair for 2009 (Parker/Cornelissen) Carried.

MOTION: that Peter Braet serve as Vice-Chair for 2009 (Metras/Cornelissen) Carried.

c) Selection of New Member

Since there were two openings and two applications, it was decided to accept both applications as new community members. Gerry Van Diepen agreed to a three year term to replace M. King and was asked to join the Committee at the table. Betsy Rombouts is accepted to serve as a two year member to replace L. Badder. (*L. Badder's name had not been included when the initial rotation terms were set up.*)

The terms as of January 2009 are as follows:

- 1 year: Peter Braet, Carolyn Cornelissen, Alex McDonald
- 2 years: Norm McCullough, Mary Lyn Metras, Betsy Rombouts, Elsie Timmers
- 3 years: Doris McCormick, Mac Parker, Gerry van Diepen, Lawrence Zavitz

d) Air Quality Monitoring Plan Request for Change

On July 30, WMC had requested an alternate method of providing power at the Total Suspended Particulate Matter (TSP) monitoring stations because electrical services will not be implemented at the monitoring sites until 2009, as a result of construction delays in 2008.

On August 1, the MOE agreed to the alternate method (the use of PQ100s) until permanent utilities are installed, within 1 year.

Dust has been monitored on site since August 5, 2008.

e) Landscaping Plan Progress

Berm A near the cemetery is completed. There will be a gate to the parking lot, with the Cemetery Board holding a key.

The drainage is incomplete. The remainder of the landscaping will continue in 2009.

f) Leachate Treatment Facility

The leachate treatment facility package was submitted to the MOE in October, to satisfy Industrial Sewage Works (ISW) Condition 13. The final draft of the Amended C of A for the Twin Creeks Landfill ISW was distributed by the MOE on December 15, 2008.

An amendment to the C of A Air was submitted in January, 2009. The original Certificate of Approval Air (Section 9 EPA) was dated February 13, 2008. Since then, the leachate treatment facility plans have been submitted (Condition 103). There will be air emissions from this facility. Also, the leachate treatment facility package includes three diesel generators – one for emergency power backup for the landfill gas collection facility, one for the leachate pumps and one for emergency power backup for the Maintenance Office.

The review parties all have copies of the documents. (*Contact Secretary or WMC to read the Leachate Treatment Facility and Air [emission summary dispersion modeling] packages.*) The Technical Review Team has asked for additional time to review all the information.

g) Condition 167 Amendment

Condition 167 has been amended (Jan 13, 2009) to give WMC three years in which to investigate a partnership with the Township of Warwick concerning the use of the Watford sewage treatment system. WMC must also provide financial assurance to include the costs of the modified method of disposal of leachate in that period.

5. NEW BUSINESS

a) Letters re Failed Soil Samples

There were three failed contaminated soil samples since the last meeting – October 14, December 10 and December 16-23. The October 14 loads were classified as hazardous waste (high in lead) and should not have been received at the site; the soil was subsequently moved to Clean Harbors. More about this shipment is included in the report of the Environmental Inspector.

Questions were then asked about procedures and costs. C. Moons said that these shipments are not priced on site but by the WMC Sales team. In this particular case the customer would have been back charged because the soil had to be moved off-site. Generally she did not know the procedure. She also was not sure if all customers would be aware of the secondary testing at this site, since the Warwick site is the only one in Ontario to have this as part of its C of A. At the Warwick site the soil must meet the 1/10 of Schedule 4 requirements to be placed in the monofill for use as interim daily cover.

W. Jenken noted that the monofill from the old site will continue to be used as daily interim cover. He also noted that in the expansion this will no longer be an issue, since all contaminated soil will be included as waste tonnage.

b) Cell 12 Monofill/ Diversion Area Amendment

In the original expansion plans Cell 12 was to be devoted to Municipal Solid Waste (MSW) and the diversion area (compost, tire shred, etc.) was to be located near Zion Line so as not to

lose air space from the expansion. Then it was proposed to move the diversion area to the back near the leachate treatment plant. After consultations the application that has been submitted locates the diversion area to the east of the leachate treatment plant. The draft amendment was distributed by Greg Washuta, MOE on Jan. 13, 2009. Comments about the draft amendment are to be submitted by Feb. 2, 2009.

Questions were then asked about the proposed amendment.

Will tires be coming in and shredded on site, or will tire shred be coming in? W. Jenken indicated both would be coming in.

Why is there an increase in tire shred from 2000 tonnes to 7160 tonnes? W. Jenken noted that once it was realized that, according to the C of A (Feb. 13, 2008), tire shred could be used as a liner in the cells in place of, or in addition to, stone, it was also realized that 2000 tonnes was not sufficient. The amount of tire shred is limited by the C of A and by the fire code as to how much can be received and how much can be stored. The tire shred process is outlined in the Air Quality Report.

Will tires be stockpiled? W. Jenken replied that limitations are in place.

What is on site for fire suppression? W. Jenken indicated the storage ponds and the treated effluent lagoons will provide enough water in case of fire.

Will the tire shred be wetted down? W. Jenken responded that it would not be wetted down.

In case of fire, what happens to the runoff? W. Jenken replied that the diversion area storage pond will get the runoff from the compost, diversion and tire shred area.

c) Quarterly Monitoring Report (July-September)

B. Langille explained the highlights of the third quarter monitoring report. He included comments on the fourth quarter reports that the WPLC had received in his presentation. Conclusions and recommendations are on page 30-31 of the Report.

Jagger Hims monitors and reports on leachate, surface and ground water, as well as the SFA poplar tree plantation. Noise, dust, air quality, VOC (volatile organic carbon) and odour monitoring and reporting are completed by RWDI Air Inc. A summary of the work completed by RWDI Air Inc. is presented in the quarterly monitoring reports prepared by Jagger Hims Limited.

Surface water is monitored at select stations, after precipitation events, to see if there is a landfill effect. In cases where there are exceedances, a verification sampling event takes place shortly after the precipitation event. Construction activity has caused some turbidity. In summary, the surface water quality was acceptable in the third quarter.

Ground water at the site flows in a southwesterly direction. There are various wells at different depths, to monitor the different layers. Well OW58-14 showed a decrease in boron concentration in May/June but still exceeded the trigger concentration stated in the Environmental Monitoring Plan (EPM). However, the boron concentration in OW58-14 was verified to be acceptable in December 2008.

There is a need to focus on chemical concentrations over time, to see if there is an increase. During the third quarter groundwater chemical concentrations have either been acceptable or within historic range.

Particulate monitoring is done on a six day cycle, taking one sample every six days. There are four monitoring locations at the site. The monitoring stations are predetermined, and are sometimes very close to work areas. There were two trigger exceedances which were attributed to construction activities. One exceedance was attributed to the construction of Berm B (from a scrapers working nearby), while the other exceedance was attributed to the construction activities (rock trucks moving soil) of Cell 11.

There are two VOC monitoring stations, one downwind and the other upwind. Upwind and downwind stations are determined on the day of sampling. The results were below trigger standards in July, August and September.

A question was asked about methane gas monitoring in the subsurface. Methane gas monitors were not installed in the current site. Methane gas will be monitored for the expansion site. Installation and monitoring details are summarized in the EMP.

The results of the poplar tree monitoring are consistent with historic findings. In Zone 3 some of the trees were culled due to an infection of stem-canker blight and will be replaced in the spring.

d) November/December Monitoring (included with 5 c)

e) Amendments since Feb. 13, 2008 Certificate of Approval (C of A)

The binders of WPLC members were collected and will be replaced by new ones. To date, Condition 121 has been corrected; there has been a name change; Condition 167 has been amended; and there is an application to amend the Cell 12 monofill/diversion area. There is a new C of A number and name change for the Industrial Sewage Works. The Air Permit is new, as is the Permit to Take Water, and the leachate treatment system. By March 31 there will be a new financial assurance package.

A question was asked about the name change from Warwick to Twin Creeks Landfill. W. Jenken replied that the public and the Township wanted the name change.

f) Paper versus Email

There was no consensus resulting from C. Moon's survey, so hard copy will be continued. Members would like business to be emailed as well, but some are on dialup service and, if the attachments are too large, their service is extremely slow.

MOTION: that in future all failed soil sample information be summarized into one page. The summary should include the date, source and quantity of the shipment, the name of both the initial lab providing results and the lab doing the secondary testing, the parameter(s) showing exceedance and by how much, and what has been done with the shipment as a result of the secondary testing. (Jenken/Parker) *Carried.*

g) Township Protocol

This protocol was drawn up by the Township to clarify the role of the Councillors on the WPLC, and to clarify communication methods with Council. The Councillors on the WPLC do not speak for Council as a whole. Council communicates by resolution or by-laws and

will make any formal submissions to the WPLC in writing. The WPLC may make requests of Council or give information to Council by written submission to the Administrator-Treasurer.

h) Host Municipality Agreement

This is a large legal document which may be borrowed from either the Chair or the Secretary. It outlines protocols, etc. for the life of the landfill. It is binding on future Councils, even if Warwick Township should become part of a regional government.

A question was asked about whether Lambton County is included in this agreement. W. Jenken said that the County has a separate agreement which includes road maintenance, highway interchanges and a long term waste agreement.

G. Van Diepen asked about financial assurance. W. Jenken explained that financial assurance is the security the company must set aside so that if the company fails the MOE can close the site. Amended Condition 167 has additional conditions concerning leachate management, since the building of the plant is being delayed. These conditions state the company has 90 days to develop a plan acceptable to the MOE, then 45 days in which to put that amount in place. Usually the amount set aside is in a letter of credit.

WMC hopes to include the three parts of financial assurance (entire site, leachate treatment as described in Condition 167b and Cell 12 monofill/diversion area) in one document by the due date of March 31.

6. OPEN SESSION

There was no-one in the audience to ask other questions.

7. REPORTS

a) Environmental Inspector

D. Reid first explained that there is a delay between when the reports are prepared and when they are signed off by his MOE supervisor. The August, September and October reports were distributed at the meeting; November and December are prepared but not signed off yet. The WPLC had previously received the June report (letter of Nov. 7, 2008). Mr. Reid explained that his reports document observations made on site, compliance issues and non-compliance issues identified in the previous monthly inspection report. Compliance dates are set after discussing the required actions with WMC and taking their comments into consideration. He is generally on site half days, Monday to Friday. All the reports follow the same format.

As D. Reid discussed the reports he concentrated on *Section 5.0 Actions Required and Compliance Status* and *3.0 Review of Previous Non-Compliance Issues*. Both he and WMC representatives noted that they discuss the issues on site on a regular basis.

In the August report it was noted that the chain link fence around the whole site (Condition 149) had not been installed yet, but a temporary fence had been installed along Zion Line. It was suggested No Trespassing signs also be posted.

The gates are supposed to be locked after hours but L. Zavitz noted two occasions on which he saw the gates open after hours. B. Langille took note of one incident and will ensure Jagger Hims locks the gates when they are on site doing their monitoring work. Erosion issues have been repaired.

In the September report he commented that in the monofill cell, soil had been moved into it before the confirmatory testing results had been received.

He also noted that when the sluice gate on the sedimentation pond outlet is closed, no water should be taken for dust suppression. It was suggested that the sluice gate be posted, in addition to operators reviewing procedures.

The October report dealt with i) the contaminated soil that had to be removed from the site (see 5a), ii) a reminder to Jagger Hims that verification sampling needs to be done within 2 weeks (condition 182), and iii) the fire on site on October 15.

Chair Zavitz, who is a volunteer fireman and was one of the firemen who responded to this fire suggested that when the fire department is called in, someone be posted at the gate to ensure the fire trucks know exactly where the fire is and how to get to it.

Another issue was the large soil stockpile on Cell 9. Large soil stockpiles on top of a capped cell can pose a risk of slope failure on the walls of the surrounding cells and the capped cell.

WMC responses to the actions they have taken in response to the Environmental Officer's Monthly Inspection Reports (August, September and October reports) were distributed at the meeting.

It was agreed that D. Reid had provided very good reports, and that these were the kind of thing the WPLC had wanted when they insisted on a full-time Environmental Officer.

b) Township of Warwick

MOTION: that the WPLC request that Council give a written report of its activities relating to the landfill to each WPLC meeting (Metras/Van Diepen) Carried.

c) Waste Management of Canada Site Operations

Landfilling of municipal solid waste (MSW) is taking place in Cell 11 north, which is about 1/3 full. Cell 11 south is approximately 1/2 full; there is still some space in Cell 9.

Contaminated soil is being placed in Cell 10 north. Since the amount of space is limited, waste receipt will be slowing down until the expansion work is completed.

In 2008 40% of the construction goal was completed. Work is ongoing pertaining to landfill gas, buried lines and perimeter fencing.

Cell 12 south will be constructed in the spring, once MOE approval is received.

WMC has had no further discussions with Council about the Watford lagoons, but expects to do so now that Condition 167 has been amended. In response to a question about the December 18 Open House concerning the lagoons, it was noted that three people attended to discuss the issue with about ten engineers.

d) Monthly Tracking (October, November, December)

The recycling percentages for Warwick residents are: October 9.59%; November 6.96%; December 18.68%. In October and December the total waste and contaminated soil tonnage was high. Between Christmas and New Year's the bins were filled.

It was suggested there needs to be a better job of maintaining and monitoring this area for Warwick residents.

8. NEXT MEETING

Date: Thursday, April 16, 2009

9. ADJOURNMENT – 9:50 pm

Distributed at meeting:

from P. Heath (WPLC) to M. Janes (WPLC) re Dec 4 minutes (09/01/15)	2 p.
corrections to Oct 2 minutes from B. Langille (JaggerHims) [undated]	2 p.
from D. Reid (MOE) to R. Cleland (WMC) re September Inspection (09/01/14)	12 p.
from C. Moons (WMC) to D. Reid (MOE) response to September inspection (09/01/15)	3 p.
from D. Reid (MOE) to R. Cleland (WMC) re October Inspection (09/01/08)	14 p.
from C. Moons (WMC) to D. Reid (MOE) response to Oct. inspection (09/01/15)	3 p.
from G. Washuta (MOE) to R. Cleland (WMC) re Condition 167 (09/01/14)	3 p.
from G. Washuta (MOE) to R. Cleland (WMC) re Cell 12 monofill (09/01/13)	5 p.
from C. Moons (WMC) to D. Reid (MOE) re failed soil sample Dec. 16, 2008 (09/01/07)	27 p.
from D. Reid (MOE) to R. Cleland (WMC) re August Inspection (09/01/06)	10 p.
from C. Moons (WMC) to D. Reid (MOE) response to August inspection (09/01/14)	2 p.
from Jagger Hims to R. Cleland re groundwater verification monitoring (09/01/06)	9 p.
from W. Jenken (WMC) to G. Washuta (MOE) re Cell 12 monofill (08/12/18)	3 p.
Tonnage tracking (December)	1 p.

Also enclosed:

from W. Jenken (WMC) to G. Washuta (MOE) re Cell 12 Monofill (09/01/16)	1 p.
from M. Janes to Warwick Council (09/01/19)	1 p.