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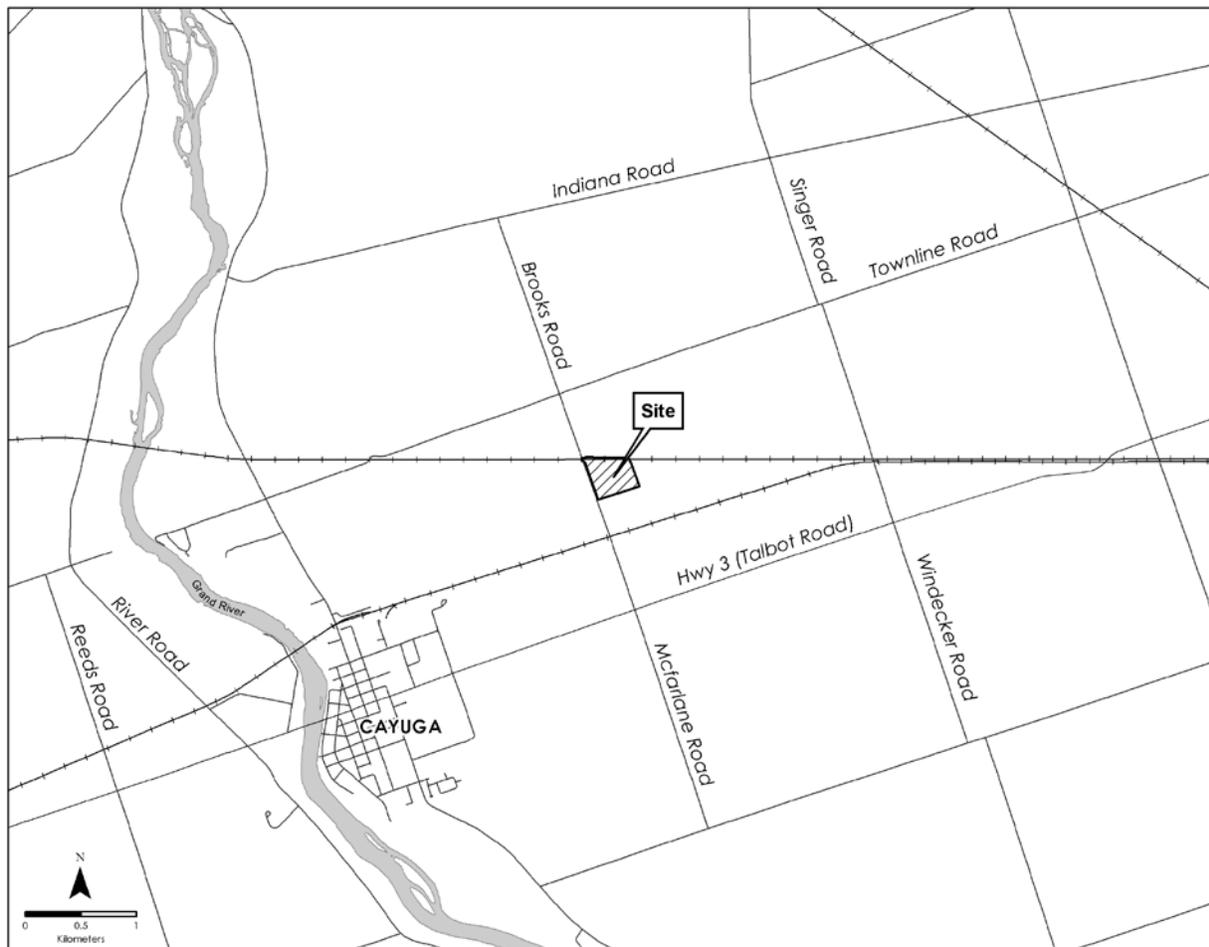
Section 1.0 Introduction

1.1 Introduction

This Environmental Assessment (EA) Report documents the Individual EA (IEA) carried out for the proposed vertical expansion of the waste disposal capacity of the Brooks Road Landfill Site (Site), located at 160 Brooks Road, near Cayuga, Haldimand County, Ontario. In July 2015 the Minister of the Environment and Climate Change approved the Terms of Reference (ToR) for the Brooks Road Landfill Site Vertical Capacity Expansion EA.

The Site is owned and operated by 2270386 Ontario Limited, herein referred to as Brooks Road Environmental (Owner, Proponent). The location of the Site is shown in **Figure 1.1**.

Figure 1.1 Location of the Proposed Undertaking



The Site, which operates under Environmental Compliance Approval (ECA)¹ No. A110302, has an approved fill rate of 500 tonnes per day and a capacity of 624,065 cubic metres (m³) (including waste and daily/final cover). The Site has accepted waste (in one form or another) since 1959 and received a Certificate of Approval (CofA) in 1980, with amendments approved by the Ministry of the Environment and Climate Change (MOECC) in 1980, 2002, 2004, 2005, 2007, 2011, 2012, and 2013. Under the current ECA, the Site is licenced to receive post-diversion solid non-hazardous Industrial, Commercial & Institutional (IC&I) waste from across Ontario. The 12.4 hectare (ha) Site contains an approved fill area of 6 ha.

1.2 Proponent

The Proponent of the IEA described in this EA Report is Brooks Road Environmental, which currently owns and operates and will continue to own and operate, the Brooks Road Landfill Site.

Contact information for the Proponent is as follows:

Mr. Richard Weldon
Brooks Road Environmental (2270386 Ontario Limited)
162 Cumberland St., Suite 300
Toronto, Ontario M5R 3N5

1.3 Site History

The Site has gone from being a rural "dump" (i.e., non-engineered, unlined, waste disposal pits) to a modern engineered and operated waste management facility/landfill. Due to the nature of some of the waste historically disposed of, the Site has been remediated to remove previous waste deposited on-Site from the unlined disposal pits, some of which was deemed to be hazardous under Ontario Regulations. Since Brooks Road Environmental has taken ownership, the Site has undergone numerous improvements from an operational and safety standpoint, as described in the paragraphs following. A short summary of the Site's history is provided below.

The Site was first established in 1959 as a rural dump for the surrounding area. A lack of provincial environmental protections and waste legislation at the time allowed for the accumulation of hazardous wastes in areas of the Site that gave rise to concerns about toxic contamination. In 1971, provincial legislation was enacted requiring that all waste disposal operators apply for a CofA (now referred to as an ECA). Renamed the Edwards Landfill in 1971, the Site continued to operate and accept IC&I waste from the County between 1971 and 1977.

¹ As a result of changes to the Ontario *Environmental Protection Act* in 2011 the term 'Certificate of Approval' (CofA) was changed to 'Environmental Compliance Approval' (ECA). All previously-issued CofAs are now deemed to be ECAs.

From 1977 to 2002 waste disposal at Edwards Landfill occurred only on an intermittent basis. The Site was purchased by Haldimand Norfolk Sanitary Landfill Inc. in 2002, and an application was submitted to reopen the Site. The MOECC granted an ECA for the Edwards Landfill to reopen, subject to a list of conditions. The main requirement of the owners was to decommission the disposal pits that had historically accepted potentially hazardous wastes.

Haldimand Norfolk Sanitary Landfill Inc. submitted an application in 2004 to amend the maximum daily fill rate from 10 tonnes per day to 500 tonnes per day. The proposal was granted by the MOECC in February 2005; however, an application seeking leave to appeal the MOECC's decision was filed in June of that same year. A Settlement Agreement was reached between the appellants, Haldimand Norfolk Sanitary Landfill Inc., and the MOECC in November of 2006, and the appeal was withdrawn, but a number of important issues and concerns related to the Site (known at this time as the Edwards Landfill Site) and its operation were raised during the appeal (see Section 1.3 for further information on historic public issues).

Significant management and financing issues led Haldimand Norfolk Sanitary Landfill Inc. to declare bankruptcy in 2007, leaving no plan in place for cleaning up the areas of concern at the Site. The Site went into receivership in September 2007, with SF Partnership Chartered Accountants as acting receivers. Community members and Aboriginal communities expressed concerns over the following years about mismanagement of the Site.

In May 2012, Brooks Road Environmental purchased the Site with a plan for the future of the landfill as a modern facility managed in accordance with current MOECC requirements. To date, the Site has been fully decommissioned, which included excavation and off-Site disposal of 193.37 tonnes of waste and impacted soils at Newalta's (now known as Terrapure Environmental) waste disposal facility at 65 Green Mountain Road in Stoney Creek, Ontario; excavation and off-Site disposal of five over-packed drums of solid non-hazardous waste to Tervita's waste transfer station at 1650 Upper Ottawa Street in Hamilton, Ontario; off-Site disposal of 27,680 litres of liquid industrial waste to Newalta's (now known as Terrapure Environmental) facility at 1131 Snow Valley Road, Barrie, Ontario; and relocation of 60,204 cubic metres of non-hazardous solid waste and impacted soil from the unlined disposal pits, referred to as the Original Landfill Area (OLA), to the on-Site engineered landfill cells. Results of the soil sampling program confirmed that all waste and impacted soils have been removed from the OLA and the remaining native soil within the decommissioning area meets the applicable Ontario Soil Criteria standards provided in Ontario Regulation 153/04. All decommissioning activities are documented in a lengthy and detailed Site Decommissioning Report (CRA, 2014) submitted to the MOECC on January 30, 2014. Brooks Road Environmental has also provided an irrevocable letter of credit to the Ontario Government to satisfy the Financial Assurance requirements stipulated by the ECA. Further, a renewed Aboriginal community, Agency and public consultation/outreach program has been put in place to provide immediate data and to consult on future plans for the Site. This communication is primarily through the Public Liaison Committee (PLC).

As mentioned, the Proponent has carried out systematic remediation of the Site and, as of June 2013, has removed all hazardous waste associated with historic landfilling operations.

Going forward, the Site will continue to operate as a modern, state of the art non-hazardous solid waste landfill for the disposal of IC&I wastes. The Proponent has shown a commitment to environmental stewardship and community involvement/outreach, and will fully comply with all permits and approvals.

1.4 Brooks Road Landfill Site Vertical Capacity Expansion Environmental Assessment

This EA was initiated in August 2015 following approval of the ToR by the Minister of the Environment and Climate Change (July 31, 2015)². The vertical capacity expansion proposed under this EA is for approximately 421,000 m³ of additional capacity (including waste and daily/final cover) over a five to seven year planning period. The planning period is a function of the constraints of the site (i.e., small footprint, ability to develop on existing waste footprint) and that the site will most likely not operate at the maximum annual fill rate at all times. Further, the planning period is a function of the business procured by the owner and the rate at which waste is received. This will be achieved through a re-engineering of the Site's final contours. All proposed changes will occur within the Site's existing waste footprint and Site boundaries.

Also proposed as part of this EA is an alteration from a daily maximum to an annual maximum rate of waste received on-site. As noted above, the current approved rate of fill is a maximum of 500 tonnes per day. The proposal will be to maintain the current rate, but allow for an annual maximum, rather than a daily maximum. The annual rate of fill (maximum of 151,000 tonnes per year) is equal to the daily maximum (500 tonnes per day³). The rationale behind this change is to accommodate busier months of operation in the spring and summer, given that this time of year typically produces more construction waste than the winter months.

The vertical capacity expansion proposed under this EA entails re-engineering of the Site's approved final contours (i.e., height and slope) while continuing to operate within the same footprint (i.e., current base area permitted to accept waste). In the simplest of terms, the proposed expansion would see additional waste placed on top of the existing landfill footprint.

² Notice of Commencement issued August 27, 2015.

³ Achieving 500 tonnes per day over 302 days (six days per week per year minus 10 public holidays) equals 151,000 tonnes.