

# Minutes

November 21, 2023

<b>Project name</b>	Brooks Road Landfill	<b>From</b>	Katrina McCullough
<b>Subject</b>	2023 Brooks Road PLC #3	<b>Tel</b>	+1 416-866-2365
<b>Date/Time</b>	November 1, 2023/ 7:00pm-8:00pm	<b>Project no.</b>	018235
<b>Attendees</b>	Katrina McCullough (KM) – GHD Ryan Loveday (RL) – GHD Axita Patel (AP) – GHD Tim Danyliw (TD) – BRE Jeremy Gamble (JG) – MECP Hamilton District Charlene Anderson (CA) – MECP Hamilton District Dave Bruce (DB) - PLC Member, Chair Kim Seabon (KS) – PLC Member Richard Clark (RC) - Member of the Public Laurie Woolnor (LW) – PLC Member Tara Lindemann – Haldimand Press	<b>Copy to:</b>	All Attendees

## Summary of Action Items and Commitments

- GHD to verify if groundwater results were appended to June PLC minutes
- Design lifespan of geomembrane

Minutes	Action
<b>Objectives and Introductions</b>	<ul style="list-style-type: none"> <li>– KM provided an overview of the meeting agenda.</li> <li>– KM reviewed the ground rules as well as the purpose and objectives of the meeting.</li> </ul>
<b>Review of Previous Minutes</b>	<ul style="list-style-type: none"> <li>– Dave noted he sent an email about an addition to the text.</li> <li>– Dave wanted the following to be added to the previous meeting minutes – “TD said only 10% of the site area was active. DB responded that the active area appeared much</li> </ul>

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	<p>larger and reminded TD that I fly near the site and have pictures”.</p>
<b>Site Updates</b>	<ul style="list-style-type: none"> <li>– TD provided the Site Update.</li> <li>– TD noted that raw leachate is hauled to Beamsville WWTP, and treated effluent is hauled to Dunnville WWTP.</li> <li>– Batch discharge to the roadside ditch has resumed.</li> <li>– TD noted that a new set of membranes have been ordered. The intent is to install them before the end of the year. BRE is also running the leachate collection pipe flushing program.</li> <li>– BRE has submitted a Leachate Treatment Plant ECA Amendment.</li> <li>– TD noted that zero complaints have been received from January to October 2023.</li> <li>– TD summarized the effluent leachate hauled off-Site from June to October 2023. Quantities in September and October have greatly increased, and the elevation has reduced.</li> </ul>
<b>Landfill Life Expectancy</b>	<ul style="list-style-type: none"> <li>– RL reviewed the landfill life expectancy based on survey (December 2022), and projected tonnage and waste characteristics (type, compaction, density, consolidation). Life expectancy is 4-6 months based on waste types and tonnages received.</li> <li>– DB inquired who does the survey. RL responded GHD and that the survey is done every December and the results are reported in the Annual Report which gets submitted to the MECP.</li> <li>– RL reviewed the liner and waste detail sketches (figure 1-3) and provided a copy of the sketches to attendees. A copy is appended to these minutes. RL provided a sample of HDPE/geomembrane liner for everyone to see and explained figures 1-3 simultaneously.</li> <li>– LW confirmed if the sample is HDPE, RL responded yes, it’s high-density polyethylene.</li> <li>– KS asked, “When you are talking about testing the ground underneath, do you drill into it”? RL responded, “Oh the groundwater monitoring you mean?” KS said, yes, so when you do the monitoring, where are you drilling? RL responded that the monitoring wells are outside the landfill and that monitoring is completed quarterly based on ECA requirements for groundwater and surface water.</li> <li>– KS asked, how do you know nothing is getting underneath the liner? RL mentioned that the groundwater wells monitor at different depths and elevations. KS asked if they test right underneath the liner. RL noted that it's not a best practice to drill a well through a liner system. It was noted that groundwater travels laterally as well.</li> </ul>

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	<ul style="list-style-type: none"> <li>– KS asked how long the liner lasts before it starts to break down. RL noted he doesn't recall the actual design life expectancy, but he can check. KM inquired if it is around 10 years or 100 years, and RL noted 100 years, but he will have to check.</li> <li>– KS inquired if the liners have been replaced and how long has it been since the existing liner was replaced, RL noted that it has never been replaced.</li> <li>– KS inquired if the type of liner and its expectancy depends on the type of chemical put in there, RL noted that the MECP and the regulation has a primary liner design in the regulation and the design adheres to it.</li> <li>– LW inquired if the whole landfill is one cell. RL said yes, it's one landfill and it was built in stages. RL drew the landfill diagram and explained the cell development.</li> <li>– KS asked if the results of the groundwater testing can be shared. RL replied that those were provided in the June meeting and also in the annual report available on the website. They were appended to the last PLC meeting minutes as well but will double-check.</li> </ul>
<b>MECP Update</b>	<ul style="list-style-type: none"> <li>– Jeremy Gamble is the new Supervisor of Hamilton/Haldimand County replacing Michael Durst.</li> <li>– No update from MECP.</li> <li>– Michael Durst has moved to Niagara office.</li> <li>– No questions were asked.</li> </ul>
<b>Approvals</b>	<ul style="list-style-type: none"> <li>– AP reviewed the current EA approval process, noting the change in Ontario regulation. AP noted we recently held Open House 2 and are currently in the public commenting phase. The Draft Environmental Screening Report will be completed in draft by the end of November. The final report will be submitted and available for 60 days and then GHD will issue a Notice of Completion.</li> <li>– DB was invited to a Council meeting in June 2014 (June 17, 2014) when BRE wanted to incorporate the north rail line into the zoning of the dump site and DB has a notice of Public Meeting for Zoning and Official Plan amendment. DB noted that the councillors were well informed about everything going on. DB inquired as to what benefit there was to the public in incorporating the north rail line into the dump site.</li> <li>– DB noted the details of the application for public meeting; “the purpose of this application is to amend the Designation of the official plan and zoning of the town of Haldimand zoning by-law 1H86 of the subject property to facilitate the extension of the northern rail line to act as an additional buffer zone and temporary storage of clean clay and</li> </ul>

relocation of groundwater monitoring wells. It has been assured by the proponent that there will be no landfilling on added lands and no change to the existing waste footprint of the land site will take place". DB says that BRE says something, and you can't believe them, they will say what they want to get what they want. KM noted she would put that into the meeting and asked if he could share the document. DB agreed to let KM take a photo of the document. MECP inquired about the date of the document and DB replied it was June 17, 2014. DB said he wished John Metcalfe was here to hear it and DB will make sure he gets a copy of it.

- DB asked if the approval for the expansion goes through, is it correct that you have to dig down to the bottom of the current cell where a liner and another liner would be fused? RL said that the northern expansion cell adjacent to the current landfill doesn't go as deep. The base is projected to be about 4-5 m higher than the existing low point in the current cell.
- DB asked how the leachate would be handled in the new cell. RL responded that there would be a new pipe on the side slope that would pump into the same leachate treatment system.
- DB noted that Stoney Creek is expanding horizontally, and they have nothing but problems, they have dug down to the bottom level which is causing odour issues. He thinks that if the same will happen here and they dig down the leachate, you can expect the same thing with odour problems. KM disclosed that GFL is a client and can speak to what has been released from GFL. KM explained that odour issues were caused by leachate and not cell construction. KM noted there was cell construction prior to the leachate odour issue and that was causing odours, but the odour issues since the summer have been caused by leachate. KM noted that the leachate is treated at BRE in a closed system and that GFL treats leachate in an open pond. DB asked CA if she is involved. CA noted she has previously responded to after-hours complaints and that others are on that file. CA noted that yes there are odour issues, and it is being dealt with by the area officer. There have been many meetings with GFL, MECP, and GHD. CA confirms that both the landfills are not designed the same way.
- DB inquired if odour complaints have been since the start or recent; CA said she isn't aware. DB asked is an open pond to manage leachate is permitted, CA responded yes.
- KS asked if you can guarantee there won't be odors. TD responded that the design is intended to minimize odour and that the expansion drainage layer will not be hydraulically connected to the existing landfill drainage layer. This manner

of construction will drastically reduce the need for waste excavation and thus avoid odours as best as possible.

- KM noted that GFL had construction into an existing cell, and they anticipated odour (with advanced notification) – there were some odour complaints and then the leachate issue occurred later. LW inquired if GFL offered air conditioners like Glanbrook did so that owners could keep windows shut. KM noted that she is not aware.
- RC noted that multiple expansions have occurred and inquiring if there are plans for more. He noted that it's a dog and pony show and that they never got the truth. He asked what the reality of this in the long term is and what is to say that we are not going to purchase more land. He mentioned that the reason there are no complaints is because the people have given up and it's a horrendous situation. RL noted it is a business and supply/demand decision. RC asked where those people are who makes these decisions. RC noted that he saw a dental hygienist and she apologized for odour and he noted it was the dump. The hygienist didn't know that there is a landfill nearby. He noted that it would be better if there was truth behind it. He has written many emails and phone calls and hasn't heard back.
- KM noted that there is a business decision once capacity is reached so that it is impossible to say exactly when a business case would continue. RC said that they made statements. RC called them a used car salesman.
- KS asked why was this land chosen to be a landfill? DB noted that it was a garbage dump and nothing was regulated and later the government gave that piece of property it's designation. DB noted that the property was purchased by a couple of guys (who borrowed money from Romspen). Over 2-3 years the site went into receivership and Romspen took it over and still owns it. RC noted that a dump was also permitted as a wrecking yard; KS noted that is the case as long as it is open.
- DB inquired about silt fence/chain-link around the Site. TD noted that there is a silt fence and an exclusion fence. DB mentioned that Amy from GHD at the Open House said that in case of heavy rainfall, the water would come off the dump site if it ever got out of the leachate collection ditches it would flow across and the silt fence would stop the debris and any water that got off the site would be tested. KM noted that she was present during this conversation and that Amy didn't realise that you were talking about the active landfill. She was talking about the outside of the landfill area. RL noted yes, she was talking about the perimeter fence not the landfill site. DB inquired if you also test the water outside the boundaries. RL

Minutes	Action
	<p>noted that surface water is tested as part of the quarterly system.</p> <ul style="list-style-type: none"><li>- RC inquired about studies to Grand River – RL noted he doesn't have all the details, but that discharge to the roadside ditch and to the south was part of the discharge approval.</li></ul>

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Minutes	Action
<p><b>Next Meeting and Other Business</b></p>	<ul style="list-style-type: none"> <li>– Dates for 2024 PLC Meetings are proposed for March 6, June 5, and November 6, 2024 (the first Wednesday in each month).</li> <li>– KS inquired if Indigenous communities are involved. KM noted that it is a requirement for the Environmental Screening and there is consultation in progress. However, she is unsure about the PLC if it is a requirement in the Terms of Reference (ToR) or any desire /request to have them in the PLC. LW noted there is supposed to be a member per the ToR.</li> <li>– DB wanted to talk to TD for a Site visit at the June PLC, meeting occurred three weeks ago in October. DN said it was informative and interesting but incomplete, DB noted at the June PLC meeting that he was interested in seeing the north and east side of the site and that he thought there was a water runoff and he reiterated that at the site visit, DB noted that they were not allowed within 250 m or more and he could see no reason why that happened.</li> <li>– TD noted there was a Site tour with the PLC, and that the south side of the site which included the riser (leachate treatment system), storm pond. TD noted that he thought the area that DB was interested in was the south side and split between the outside and inside ditch. TD noted that the Site was accessed from the north gate and the road terminated. At this time where DB wanted to get a close view, there was an excavator, bulldozer, and rock truck in the area working. Walking past the gravel driveway there would be no point. DB noted that it was unacceptable and that was an area that he wanted to see. TD noted that he needs to maintain safety. DB noted there is a fence between landfill cell filling and access. TD noted there is no fence there. DB noted regardless of the fence, the Site tour limitations were unacceptable.</li> <li>– DB inquired who was the manager of the Site, TD noted he is the Project Manager and Bill Sutton is the Site Manager. DB noted that TD is being vindictive, has some type of humour, or is hiding something. DB asked CA to get there as soon as possible. CA asked DB what he thinks is going on and DB responded that he thinks the ditching is incorrect, and the slope is incorrect. DB said what would you think when you ask to see it and you don't get to see it. DB doesn't think it is correct.</li> <li>– DB inquired when CA was last out there, CA replied May. DB insisted CA to go to the site.</li> <li>– KM ended the meeting.</li> </ul>
<p><b>Follow up</b></p>	<ul style="list-style-type: none"> <li>– Following the meeting it was confirmed that the primary liner system has a design service life of 150 years.</li> </ul>

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# The Key Differences between the Individual Environmental Assessment and Environmental Screening Process for Waste Management Projects

The purpose of the *Environmental Assessment Act* is to protect, conserve, and responsibly manage Ontario's environment. Directions of the Act are there to ensure all potentially significant factors are considered when reviewing various kinds of projects such as transit, public roads and highways, water and wastewater, and in this case, waste management.

The *Guide to Environmental Assessment Requirements for Waste Management Projects* is a supporting document for the *Environmental Assessment Act, Ontario Regulation 101/07*. This Guide sets out how the Regulation is used for waste projects, what projects are considered under the Regulation, and what tasks are required when following the Regulation. There are three different pathways for waste projects as per the Guide, but for the purposes of this memo, we will be focusing on the Individual Environmental Assessment (EA) and Environmental Screening Process. The self-assessment process depends on the expected significance of effects of the project. The following sections will define the approval processes and explain how they are different from one another.

## Individual Environmental Assessment

Individual environmental assessments (sometimes referred to as a comprehensive EA) are prepared for large-scale, complex projects with the potential for significant environmental impacts. They require the Minister of Environment, Conservation and Parks approval.

An individual EA is a self-assessment process that is a two-stage approvals process. First, a terms of reference (ToR) is developed that states how the EA will be prepared and describes the rationale for the undertaking and consideration of alternatives to ensure the most appropriate means of addressing the identified problem or opportunity is selected. There are two types of alternatives: "alternatives to" a proposed undertaking and "alternative methods" of carrying out a proposed undertaking. In some cases, proponents need only focus on alternative methods. This is often the case for many private proponents who have a specific type of business or a specific mandate.

Once completed, the ToR is sent to the Minister who decides whether or not it will be approved. If the ToR is approved, an EA is then prepared. Consultation with the public, government agencies and ministries, municipalities, and other interested persons is mandatory. Consultation activities are also a requirement of the Screening Process such as public consultation.

## Environmental Screening Process

The environmental screening process is for projects that have more predictable effects that can be readily mitigated. Like the individual EA, it is a self-assessment process, however, it is a 14-step process versus a two-stage approvals process. Minister approval is not required for this process, but a 'Statement of Completion' must be submitted to the Director and Regional Coordinator although, it is up to their discretion whether to acknowledge the 'Statement of Completion' or ignore it.

Both processes look at effects such as magnitude, duration, frequency (etc..) to determine significance on the environment. The screening process requires that waste management projects commence with a "Screening".

The project proponent must apply screening criteria which are presented in the form of a checklist with options "Yes" or "No". A criteria example is: "Might the project cause negative effects from the emission of dust or odour?". If the answer to this is 'yes', it will be included in the screening. If the answer is no, it does not need to be included.

## Key Differences between Individual EA and Screening Process

An individual EA takes longer than the screening process to complete because of its scale and complexity and since it requires a two-stage approvals process versus 14 steps.

There are specific thresholds to determine large-scale projects with potentially significant impacts from smaller-scale projects with more predictable effects. For example, as per the O. Reg 101/07 Guide, the screening process is applicable to a proposed landfill expansion that would increase the current waste disposal volume by more than 100,000 m<sup>3</sup>, but less than or equal to 375,000 m<sup>3</sup>, while not increasing the total disposal volume by more than 25% of what it was prior to the expansion. On the other hand, the individual EA is required for a proposed landfill expansion that doesn't meet such requirements. Ultimately, the major difference in thresholds is whether an expansion will increase the current waste disposal volume by more than 25%. If not, the project is eligible for the environmental screening process, otherwise, it requires an individual EA. A 10-year limitation is included to prevent a proponent from doing multiple smaller expansions in quick succession to avoid having to seek individual EA approval.

While the proponent may have identified that their project may fall under a screening level assessment, the Minister reserves the right to designate their project as an individual EA if they believe it necessary.