

NORTH RENFREW WASTE MANAGEMENT BOARD

c/o Townships of Rolph, Buchanan, Wylie & McKay
R.R. #1, Deep River, Ontario K0J 1P0

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North Renfrew Waste Management Board Meeting
Minutes of Meeting
(REVISED)

Date: 1997 April 3
Time: 7:00 pm
Location: Town of Deep River, Municipal Office
Room 208 (Meeting Room)

Attendance:

Councillor T. Nicks, Townships RBWM, Chairman of the Board
Councillor D. Burton, Village of Chalk River
Councillor, R. Roiha, Town of Deep River
Mr. M. Richardson, Superintendent, Town of Deep River
Ms. A. LeClair, Board Project Coordinator

Mr. Sydney, Mrs. Iona Blimkie, Property Owners
Mr. Earl Gust, Mr. Brian Gust, Representatives of Property Owner

1. Review and Acceptance of Minutes of Last Meeting
1997 January 23
1997 February 21

Councillor Burton moved to accept the minutes without revision,
seconded by Chairman Nicks, minutes accepted.

2. Correspondence

Chairman Nicks directed Ms. LeClair to further categorize as
correspondence in/out, and to indicate whether the
correspondence is strictly for information purposes or whether
action is required on the part of the members.

As for the list provided for the meeting, Chairman Nicks
indicated that most of the correspondence is for information
only. Specifically, Chairman Nicks suggested members to read
items 10 & 11.

3. Business Arising from Last Meeting(s)

EA Review: Blue Review

Ms LeClair reported that the deadline for public comment has passed. One submission was received during the public review of the Blue Review Document. MOEE EA Branch Representative will now consolidate all information pertaining to the NRWMB EA proposal and forward to the Minister for acceptance and approval.

EPA: Submission of Application for CofA

Ms. LeClair reported that the EPA review of the NRWMB application has been initiated, and, the deadline for the technical review is scheduled for the end of May. Following the deadline, the NRWMB can expect to receive comments from the review for the Board to address.

Land Acquisition: Meeting: Minutes

Ms. LeClair reported that the minutes of meeting have not been completed at this time, and committed to have them complete for the following Board Meeting.

1997 Budget Submission

Chairman Nicks summarized that the Board approved the budget at the last meeting and was forwarded to the 3 municipalities for review and approval. Deep River Chair of the Finance and General Government Committee, Councillor D. Walker, submitted to Councillor Roiha a memo requesting clarification from the Board on a number of issues. Ms. LeClair provided responses to Deep River's concerns and copies of these responses were forwarded to each member. The request from Deep River to reduce the budget resulted in the following revisions:

1. Land purchase: as a result from discussions at the last land acquisition meeting in February the municipalities will be in a position to purchase a portion of the land, and not the entire lot. Therefore, it was assessed that the Board could reduce this anticipated expenditure by \$15,000.

2. Legal Fees: Professional fees were again challenged this year, although, it was recommended that the process would be compromised as many legal agreements will be drawn in the upcoming months. The Board's requirement for legal expertise in the area of environmental law remains ongoing. However, legal fees for the preparation of the operating agreement could be reduced by half, as the last intermunicipal agreement offers

a good basis for cooperative negotiations in the future. Therefore, it can be anticipated that the preparation of the operating agreement will not cost as much to prepare. Ms. LeClair did state that the mechanics of the process is not what cost as much as the process of negotiating the issues. Thus, a cautionary note to the reduction is offered, as conflicts could arise during the process of negotiating the terms of the agreement, as did with the last agreement.

Other reductions were included in the revised budget. Revised Tables 2, 3, and 4 were incorporated into the memo forwarded to Councillor Roiha for Deep River Council's consideration. All members received a copy of the memo.

Chairman Nicks moved to accept the revised budget. Motion was seconded by Councillor Burton. Motion was accepted.

Governance Review Committee Report: NRWMB Response

Chairman Nicks stated that at the last meeting, all members agreed that responding to the report would be a good idea, and requested Ms. LeClair to draft a response. Chairman Nicks reported that Ms. LeClair drafted a letter which was reviewed and approved by members. Upon request by the Board, the letter was submitted to the Committee as an initial response and that a final response would follow. Chairman suggested to members that a final response would not be required. All members agreed.

4. EA/EPA Review and Approval Processes - Update
No new issues were tabled.

5. Land Negotiations - Update
Chairman Nicks reported that a proposal to AECL is presently being prepared for the Board's review and approval.

6. Compensation

Property Owners

Summary of municipal landfill process

Chairman Nicks stated that the Board submitted its environmental assessment proposal to the Ministry of the Environment and Energy in June of 1996. The Ministry's EA Approvals Branch recently published its Blue Review document

for a one month public review and comment period. The deadline for submission was April 1, 1997. Chairman Nicks continued by stating that the Board in the meantime had proceeded to conduct a lengthy investigation to satisfy the requirements of the EPA, which involves many months of fieldwork to confirm that the site is suitable. An application for a Certificate of Approval for a new waste disposal site was submitted to the Ministry of the Environment and Energy at the end of February 1997. Supporting documentation including a design and operations concept, as well as a report on the ground water and surface water assessment was submitted along with the application. Ministry review and approval will take several months. While the Ministry is reviewing the application, the Board will be focussed on property owner and municipal compensation.

Chairman Nicks acknowledged that a property owner meeting was held with the Board and Reeve Curtis.

Chairman Nicks extended an invitation for discussion to property owners in attendance at the meeting.

Advertisement of Board Meetings

Mrs. Iona Blimkie, co-property owner of Lots 5&4, Concession 10, stated that the Board Meetings are never advertised. It was communicated to Mrs. Blimkie that the meetings are open to the public, and that the location is rotated to allow residents from each municipality to attend the meetings. Meetings are generally not advertised in the paper. However, the Board discussed the possibility of placing a notice of meeting in the local newspaper every month.

Landfill Impact Zone/By-law re: 500 metre Setback

Mr Blimkie, co-property owner of Lots 5&4, Concession 10, stated his concern with respect to the landfill impact zone, the 500 metre setback, and requested to know how this will impact on his property.

Ms. LeClair communicated to Mr. Blimkie that when discussing the new municipal landfill, the landfill impact zone talks about an area that is sensitive to the adverse effects of landfill operations. It is a guideline only, and serves the purpose for discussing the impacts on land in and around landfill site area. Ms. LeClair stated that it is not the same as the buffer zone which surrounds the landfill area, a Ministry requirement and must be staked out.

Further discussion led to a focus on the Township by-law which prevents the erection of a dwelling within a 500 metre zone surrounding a Municipal landfill area. Mr. Richardson made the point that the flow of the leachate in the case of the new landfill has been assessed and is figured not to migrate onto Lot 5, Concession 10. Mr. Richardson made the comparison with the Deep River Landfill Site, whereas the ground water and surface flow has been assessed before the new landfill site operations takes place. An assessment on the Deep River landfill site was conducted much time after the site became operational, and it has been assessed that the leachate has migrated up onto private property and turns to head downwards to Maskinonge Lake. Therefore, the property owner of the affected property is restricted from building in that section of the lot. The landfill site probably would not have been situated in that location had the information on the assessment of predicted groundwater flow been available before establishing the Deep River landfill site.

In the absence of an assessment on ground water and surface water flow, the 500m set back rule is used to determine the exclusionary area. The by-law has recently been amended to allow for the flexibility of reducing the zone, by way of an approved hydrogeological assessment. However, with respect to the new landfill site, there is a good possibility that the zone will be reduced as the assessment will show how the leachate is predicted to travel. Chairman Nicks stated that Townships Council realized that the by-law sanitized the area around the landfill site, and with council powers council moved to amend the by-law.*

Mr. Blimkie requested to have a legal survey to stake out the zone to know where the 500 m boundary is on his property. Mr. Richardson replied to the request by stating that a legal survey pin may not be an appropriate marker because the zone or the by-law may change over the years, for whatever reason.

Reliability of the Ground Water and Surface Water Assessment
Mr. Earl Gust, representing Mrs. Gust, property owner of Lots 3&4, Concession 11, queried about the reliability of the assessment. In particular, Mr. Gust questioned the reliability of the assessment - what proof is offered that the landfill site will not affect his family's property. Ms. LeClair stated that the Consultant is prepared to write a letter of opinion in support the assessment. The Board will consider this action and as mention during the property owner meeting in March, will consider monitoring the stream located on the property.

* (Aside: The amended by-law has been appealed, pending final decision by the Ontario Municipal Board on revisions to the amendment)

Continuance of Monitoring Program

Mr. Earl Gust questioned whether the Municipalities will be committed to continuing the monitoring of the site. It was communicated to Mr. Gust that the Municipalities are legislated to operate/monitor the site according to what is stated in the design and operations report and the terms and conditions attached to the Certificate of Approval for the construction and operation of the landfill site. Ms. LeClair added that the landfill site operations is heavily regulated. The Municipalities will be required to provide status reports, and the site will be inspected by the Ministry on a regular basis. Mr. LeClair provided a comparison with existing landfill sites, whereby many years ago, operations were not controlled and as a result have earned a bad reputation. The new landfill site in contrast will be heavily controlled. Landfill site operators are restricted in the manner by which sites are operated.

Ministry's Commitment to Regulate Landfill Sites

Mrs. Iona Blimkie queried as to the Ministry's commitment to continued regulation of municipal landfill sites, referring to a 1995 article which appeared in the Pembroke Observer entitled, "Dumps may escape environmental review". Chairman Nicks acknowledged the letter, and added that Reeve Curtis forwarded a letter in 1995 to the Minister stating the Municipality's view of the environmental assessment process, based on its experience with the Buchanan Landfill Site. The point being made that the present process was very untimely and very expensive particularly for smaller municipalities such as the Townships. The amendment to the environmental assessment legislation that this article refers to involves the streamlining of the environmental assessment review to make it more efficient and effective, it does not mean that it will relax the rules for the landfill site.

Use of Professional Services

Mr. Gust queried as to the number of consultants used to investigate the site. Chairman Nicks reported that one consulting firm was used, the same firm which provided the professional/technical support during the EA study. Mr. Richardson made reference to the Buchanan Landfill Site expansion process in that the services of more than one consulting firm is used in the process only due to the controversy that exists between the Ministry and the Townships

in the interpretation of the technical investigation. A second consulting firm was utilized as backup to confirm the Townships' position.

Ms. LeClair further added that the approvals process to satisfy the EPA requirements for the new landfill site involves a technical review by 8 technical experts. The EPA coordinator assigned to the Board's application is also an expert in the field of hydrogeology. As well, the ground water and surface water assessment, plus the design and operations concept that the Board proposes underwent a preconsultation review prior to the submission of the EPA application. The preconsultation review was conducted by a hydrogeologist and a surface water specialist from the Ministry's District Office in Kingston [plus MNR biologist and the district planner, the MOEE abatement Officer for this district, formerly from the Pembroke Abatement Office and now relocated in Ottawa, Board members, the Site Liaison Committee, and technical representatives from AECL. Ministry officials personally toured the site during the preconsultation review period]*.

The Selection of the Access Route

Mr. Earl Gust questioned the selection of the access route, that accessing the site from Miller's road would be easier. Chairman Nicks responded by saying that the Board and Public Liaison Committee during the Environmental Assessment Study performed independent assessments on possible choices for an access route. The assessment was based on a net effects analysis methodology using criteria categorized and rank by level of importance. Chairman Nicks added that the information on the selection may be found in the Task 5 report. Ms. LeClair offered to provide Mr. Gust with information on the process for selecting the access route. Ms. LeClair further added that the Ministry feels comfortable with the assessment in general, however, revisions were suggested during the preconsultation review and were subsequently incorporated into the assessment and the design and operations concept.

Land Acquisition Negotiations

Mr. Earl Gust queried as to the status of the land deal. Chairman Nicks stated that discussions on the details of the deal are confidential, however, the Board expects to complete the process this year.

On behalf of the Board, Chairman Nicks extended the Board's appreciation for the assistance and cooperation that Mr. Brian Gust and the Gust Family provided during the technical site investigation.

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Municipal

Chairman Nicks proposed to begin the municipal compensation process by surveying out to the Municipalities to obtain information on what they feel they should be compensated for. Councillor Burton supported the approach. Mr. Richardson cautioned the Board by asserting that the process should take on a more clinical approach, and it needs to be well thought out.

7. Financial Update

Account Balance/Payables/Receivables

The Board's bank balance figures at \$56,943.17. Payables for this month include payroll, NRT invoice for a notice, postage and telephone expenses, totalling \$988.82. The Board's book balance figures at \$55,954.35.

MOEE request for payments

Final Payment Received

Ms. LeClair reported that the final payment was received and that the amount was less than expected due to the fact that the Board had reached its upset limit for subsidy initially set at the beginning of the process.

8. SLC Update

Chairman Nicks welcomed Ms. J. Kolar to the meeting and stated that Ms. Kolar was asked to represent the SLC in the Chair's absence. Chairman Nicks discussed the possibility of having an SLC Meeting in April to provide an opportunity to discuss property-owner compensation, and revision needs for this year's Household Hazardous Waste Day Mobile Event planned for September.

9. Other Business

County Amalgamation

Ms. LeClair stated that this issue was discussed with J. Bullen from the EA Approvals Branch prior to the Board meeting, to determine what impact county interest in waste management would have on the new site and how the municipalities could obtain more control of its use under county control should it happen. Mr. Bullen stated during discussion that the County has the

authority to assume control of waste management interests, and that the Ministry is not in a position to break the spirit of the intent of present legislation. However, Mr. Bullen suggested to submit a letter to the Directory of the Approvals Branch outlining the Municipalities' concerns with respect to County amalgamation and what impact this move will have on the municipalities with respect to the new landfill site, whereby issues raised will be assessed and taken into consideration when approval takes place. Mr. Bullen added that if the Ministry warrants the claims to be valid, it may impose a condition on EA approval that could restrict the use of the new site. Ms. LeClair reported that Mr. Bullen advises the Board the submission of the letter, if the Municipalities opt to proceed, should be forwarded before the proposal reaches the Minister for acceptance and approval.

Mr. Richardson asserted that caution should be used as action on this issue would be deemed out of the Board's mandate. Ms. LeClair asserted that this issue was investigated and being offered to the Board for further discussion. It is offered as an alternative strategy to others that have been employed so far.

* Additional information not originally stated during the Board Meeting.

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