

West Burlington Citizens Group

January 6, 1987

Ministry of the Environment
Province of Ontario
9th Floor
1 St. Clair Avenue West
Toronto, Ontario M4V 1K6.

Attention: Philip H. Byer
Chairman
Environmental Advisory Committee

Dear Sir:

Re: Interim Expansions of Municipal Sanitary Landfills

Our citizens' group has been involved in the issue of landfilling in Halton Region for a number of years. Not only were we participants in an EPA hearing in 1984 regarding the expansion of the present landfill site, but we will also be a part of the EAA hearings for a new landfill site in the Region scheduled for 1987.

As a result of our experiences, we would like to take this opportunity to provide some input into the Ontario Government's proposed policy and procedure on interim expansions.

Yours sincerely,

June Anderson
per file

June Anderson
President
/dp
encl.

copy to be placed in CE2A file

President: June Anderson

COMMENTS ON PROPOSED POLICY AND PROCEDURE FOR INTERIM EXPANSIONS OF LANDFILLS

LENGTH OF EXEMPTION

The recommendation is that an exemption be valid for up to a five year maximum.

- a) A period of no longer than three years should be used - this could be based on current and projected waste produced.

Too long a period of time would encourage municipal administrators and councillors to procrastinate.

In Halton, our experience was that the Region, after being advised that it must undergo the environmental assessment process, did not take action for over one year as they waited to see if the provincial government would fund the project. Meanwhile, landfill sites were filling up rapidly and were being closed, eventually leaving only one remaining one operating in Burlington. In 1983, with time running out, the option of shipping garbage to an EFW plant was discussed. The West Burlington Citizens Group (WBCG) made presentations to council, urging them to make use of every opportunity to extend the life of the site. Council did not act on this and six months later, during an EPA expansion hearing, the Region came to the EA Board pleading "Emergency" as the site was filled to capacity. One year after our plea, Halton began to ship garbage to the EFW plant. The time wasted has cost not only the loss of valuable time in the search for a new site but in addition has cost Halton residents hundreds of thousands of dollars.

- b) There should be absolutely no exemptions when a site exhibits environmental problems - although this seems rather obvious, it cannot be emphasized too strongly.

RENEWALS

There should be no renewals beyond the three year maximum. The MOE must lead the municipalities, using remaining capacity data to require early action by the municipalities, making it clear that interim expansions are undesirable.

Once a Certificate of Approval for an expansion has been issued there should be a final decree of closure that is irrevocable.

In 1980, at an expansion hearing at the Burlington site, local residents were told there would be no more landfilling once the site was full. In 1984, at the next expansion hearing for the same site, this was waived aside (it was not in writing), however, the Region again gave verbal assurances that there would be no further landfilling once the site was full. However, as the site nears capacity again and a new site not yet chosen, we are concerned that "Emergency" will again rear its ugly head. It is no wonder that the public exhibits a lack of confidence in their governing bodies and becomes cynical about the process as a whole.

EMERGENCY CERTIFICATES

Once an interim expansion has been granted, municipalities should not be allowed to apply for an Emergency Certificate to further extend the life of the site. Under Section 31 of the EPA, the Director has the authority to issue a Certificate of Approval without requiring a hearing!

MUNICIPALITY MUST BE CARRYING OUT A LONG TERM WASTE PROJECT

The MOE is in the key position to provide the initiative and should prompt action by the municipalities by giving early warning and setting scheduled deadlines for the EAA and EPA process. Nobody knows better than the MOE what needs to be done and how long it will take.

There is a tendency for municipal administrators, councils and consultants to procrastinate, playing political games to their respective advantages. This is particularly true in regional government where individual municipalities may play one against the other.

SHORT TERM MEASURES

Every effort should be made by the municipality to find alternative methods of waste disposal in order to extend the life of the landfill as long as possible. Trade-offs with other municipalities, recycling, reducing the amount of waste generated, etc., should be pursued.

Because the 1984 expansion hearing was under the EPA, therefore site specific, the Region did not have to really justify not making use of other means of disposal.

The MOE should ensure that the municipality is following this route so that no "emergency" situations arise.

WBCG.....4

PUBLIC NOTIFICATION

Public input is a critical part of the process and should not be bypassed in any way.

- a) The MOE should perhaps look at conducting the public meetings.

In our experience, where public meetings were held during the EAA process, consultants conducting the meetings were defensive and resisted any input from citizens, creating a frustrated public.

- b) Sufficient time should be given to allow the public to properly examine reports and to make their responses, both verbal and written.

In both instances above, there must be proper communication between the public and the government(s)' representatives.

For several years, the WBCG was concerned about the monitoring and operation of the present landfill site, however, the Region was not responsive to this. At the 1984 hearing, it was finally admitted that leachate had moved offsite and that the monitoring program was not operating properly. We have grave concerns that an EPA hearing fails to address the panorama of questions that need to be answered and there is no onus on the municipality to do so.