

ED-19 Waste Disposal Site for Leeds and Grenville

Background Information

In the early 1990s, the United Counties of Leeds and Grenville, along with the City of Brockville and the Town of Prescott, undertook a lengthy waste management master plan process. This process was encouraged by the province, which provided funding in order to undertake the needed studies, engage consultants, and consult with the public. This process was a provincial priority due to the general lack of long term waste management planning and pending closures of landfills across the province as well as the fact that many of the existing landfills had been sited out of convenience and started many years before without regard to potential impacts on the environment. The Province's preference was for regional sites that would be appropriately sited, meet modern design and construction standards, be financially feasible, and protect the environment.

By the late 1990s, the municipalities had completed the Master Plan and a full Environmental Assessment. Based on these, the preferred site was selected, referred to as "ED-19". This site is located in the Township of Edwardsburgh Cardinal, at the west-end of Byers Road. Two of the main reasons the ED-19 site was identified as the preferred site were that there is very limited development in the area of the site and the subsurface conditions provide a high degree of natural protection for groundwater. The site selection process included a considerable amount of public consultation including open houses, public meetings, workshops, newsletters to all households, deputations with the Steering Committee, agency consultation, and meeting with the Edwardsburgh Council. A Public Liaison Committee was actively involved in working with the Steering Committee and public.

The future waste disposal site is approximately 165 acres, with only 35 acres to be used for the landfill footprint. The Counties purchased 478 acres, including some of the

subject lands, and lands directly adjacent to the proposed site, while another 100 acres of lands remain in private ownership. The approved permitted capacity of the site is 1.56 million cubic metres which includes the volume for waste plus daily and intermediate cover material. This would equate to a minimum of 25 years of site life based on a permitted annual tonnage of 50,000 tonnes of waste disposed per year. This would equate to approximately 20 to 25 vehicles per day consisting of 7 tandem waste packer trucks, 3 transport truckloads of waste and 10 to 15 cars and pickups daily (based on 6-day/week operation).

In 1998, the Province of Ontario granted the Counties a Provisional Certificate of Approval. This document enables the Counties to develop the subject lands as a regional waste disposal site. There are numerous conditions to the Provisional Certificate of Approval, including:

- environmental protection (groundwater, surface water, air, etc.);
- site design;
- upgrading of access roads and other related infrastructure;
- operational requirements;
- annual monitoring and reporting: and,
- closure plan

This Certificate has been valid and in effect since 1998. Over the past eighteen years, the Counties has considered several times the opening and development of ED-19, but after each study/analysis, the Counties found the site was not economically feasible at the time. The tipping fees required from users would far exceed the fees being charged by the private sector for waste disposal. The key reason was the significant capital investment to open and develop the ED-19 site (\$15 to \$20 million). Another issue was the fact that numerous Leeds and Grenville municipalities still had capacity at their own local sites and therefore the volumes of waste were not sufficient to cover costs. Over the years, many of those local municipal landfills have closed, and the costs of tipping at the private sector landfills have risen.

In 2010 the Counties invited proposals and expressions of interest from private waste firms to provide long term waste management services for Leeds and Grenville. At that time, several companies responded. As a result of this work, the Counties did negotiate a contract for local municipalities to ship their waste to Lafleche Environmental in Moose Creek, Ontario at a preferred tipping fee. Each municipality had the autonomy to decide whether to participate or not in this contract. One of the other interests received at that time was from R.W. Tomlinson Limited, another eastern Ontario waste management firm. Their interest was in the purchase and development of ED-19.

Since then, the Counties has been discussing and negotiating with Tomlinson. In 2015 Counties Council directed staff to proceed with further negotiations for the potential sale of the ED-19 site to Tomlinson. Counties Council's reasons to consider selling the property are:

- the Counties purchased the lands for the purpose of a waste disposal site;
- the site has an Environmental Assessment approval and Provisional Certificate of Approval both of which remain valid;
- the Counties is neither in a financial position to invest the capital outlay nor has the capacity to operate a waste disposal site;
- the site is relatively small, compared to other current commercial waste management facilities; and,
- the private sector has the capital, expertise and knowledge to develop and operate a site within the current legislative framework (environmental laws)

Over the past year, staff has met numerous times with representatives of Tomlinson and have slowly been negotiating a potential sale, though nothing has been finalized.

Once again, it is important to note that the subject lands have been approved for a waste disposal site since 1998. This includes the proper Official Plan designation and zoning. Furthermore, the Counties participated in a meeting with representatives from the Ministry of the Environment and Climate Change to discuss the status of the Provisional Certificate of Approval. The Ministry did provide its comments that includes that the Certificate is still valid.



As noted above, the negotiations with Tomlinson are ongoing. Such discussions and negotiations are confidential and meet the requirements of the Municipal Act accordingly.

In November 2016 Counties Council asked the Counties' Chief Administrative Officer to update Edwardsburgh Cardinal Township Council on the sale. This occurred at a meeting held November 29, 2016. Due to the purpose of the meeting (to discuss the negotiations and sale of lands), the meeting was closed to the public. No decisions were required or made by the Township Council, rather members of Council were able to provide their comments, and ask questions of the Counties' Chief Administrative Officer.

Should the Counties conclude the sale of ED-19, the purchaser would be subject to all the conditions of the Provisional Certificate of Approval, as well as any updated environmental requirements. The preparatory work prior to any construction will take time. Likewise, the site construction/development will take time. In the end, it is expected to likely take three years before the site would be open for business, at the earliest.

As part of waste disposal site operations, a Public Liaison Committee will be formed to provide residents the opportunity to review the site operations; review the site performance and recommend appropriate improvements.

Qs and As

1. What is the role of the Counties in regards to ED-19?

The United Counties of Leeds and Grenville owns both lands and the Provisional Certificate of Approval for ED-19. The Counties is entirely responsible for any outcome as it relates to ED-19 and has the right to transfer the lands to a private company.

2. What is the role of the Council for the Township of Edwardsburgh Cardinal as it relates to ED-19?

The Township is part of the United Counties of Leeds and Grenville and, as such, will enjoy the same benefits as the other local municipalities forming the Counties, as well as other benefits exclusive to its role as the host municipality. Though the Township may be consulted on any sale, the decision shall be made by Counties Council.

3. If all conditions on the Provisional Certificate of Approval and any new environmental requirements as prescribed by the Province are met, could the ED-19 site be developed and opened?

Yes, whether it is the Counties or a private developer, the site may be opened once the terms and conditions of the Provisional Certificate of Approval are met.

4. Is there an opportunity for residents to be heard by Counties Council regarding ED-19?

Yes, the United Counties has been made aware by Edwardsburgh Cardinal Township of its residents' concerns. In response, the Counties Chief Administrative Officer will organize and advertise a public meeting in the Township early in 2017. The date and time will be made available to everyone. The meeting will be held in the evening.

5. What, if any, benefit will ED-19 have for the Township of Edwardsburgh Cardinal?

Prior to selection of any waste management site in 1998, the Waste Management Master Plan Steering Committee adopted a 'host municipality' policy. The policy provided free tipping for the residents of the host municipality, a royalty, full commercial taxes or grant-in-lieu on the property, and roadway improvements. This policy continues to be valid and will be included in negotiations with any purchaser.

6. How can residents be assured that a new waste disposal site will not adversely affect the environment and/or their water source?

Today's environmental laws and regulations protect against any adverse effects on the environment – land, air and water. Any new landfill requires an engineered containment system which will prevent the escape of leachate from the landfill footprint and its movement off-site. Leachate will be removed from the site and treated. Any final Certificate of Approval issued to the owner/operator will prescribe the requirements for ongoing monitoring and site performance evaluation. Annual reports will be required by the province. The Ministry of the Environment and Climate Change will regularly inspect the site and respond to valid complaints regarding compliance with provincial legislation and guidelines.

7. Is there a copy of the Provisional Certificate of Approval available?

Yes, there is a copy of the Provisional Certificate posted on the Counties' website at www.UCLG.on.ca. The direct link is:

http://www.leedsgrenville.com/uploads/149/Doc_636165479156698868.pdf

The complete study is comprised of 4 volumes, though the key volume is Volume 1. Volume 1 is the Leeds and Grenville Waste Management System Plan's Environmental Assessment Act and Environmental Protection Act document.

8. If a site is developed and opened, is there a way for continued public input?

Yes, the key way of continued public input after the opening of the site will be through a Public Liaison Committee. This Committee will be a key conduit between the Counties, the public and the owner/operator once any site is developed. The purpose of the Committee would be to provide a forum for local residents to consult, review and exchange information regarding overall site operations and monitoring while providing a means to resolve concerns. Members would be appointed annually by Counties Council.



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