



**The Corporation of the
City of Burlington**

October 12, 1983

SCHEDULE "J" TO

C.A.O. REPORT #319/83

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14 OCT 1983

**HALTON REGION
PUBLIC WORKS**

Mr. G. Mierzynski, P. Eng.
Regional Director
Ministry of the Environment
Central Region
150 Ferrand Drive
Suite 700
Don Mills, Ontario M3C 3C3

Dear Mr. Mierzynski:

SUBJECT: Environmental Assessment of the Landfill Component of
Halton's Solid Waste Management System, Interim Plans

Thank you for your letter of 1983-10-03. I do appreciate your prompt response to my letter of September 27, 1983.

The most significant part of your letter, for which I thank you, is that the Ministry will insist on a public hearing should Regional Council proceed with the now proposed interim expansion of the current interim expansion of the Burlington Landfill Site. (Your letter, paragraph 5).

However, your letter does not make clear the legislation which you feel should apply. Will it be the Environmental Assessment Act or the Environmental Protection Act? My letter specifically asked as follows: "Has the proposed "interim expansion" gone beyond being "moderate" or "small" and, therefore, must be seen as a further landfill site subject to the requirement of an Environmental Assessment?" I believe the question still to be valid. Nowhere in your letter of 1983-10-03 do I see a clear response to that question. I would still appreciate such a response.

I found your letter disappointing and contradictory. I would like to respond to your letter by commenting on each paragraph:

Paragraph 1: I question whether your "request to Halton Region that an interim plan be available at the Regional facility" is beyond your authority as a Ministry. You might request that an interim plan be available. However, to request that it be available at the "Regional facility", I believe goes beyond your mandate to provide environmental protection. If that is the request now, then one questions why bother having a hearing. Furthermore, your own Blueprint for Waste Management lists among a number of principles the principle of minimizing landfill. Your statement both ignores and contradicts your own Blueprint for Waste Management. The principle of considering all alternatives is an established "environmental principle" which, surely, is violated by your statement that "an interim plan be available at the Regional facility".

Paragraph 2: Your evaluation of C.A.O. Report #219/83 may be fair. But, I wish to suggest at least four factors for you to consider:

- 1) Recommendation 6 was withdrawn at the meeting of the Solid Waste Management Committee because, as I understand, it was considered possibly premature;
- 2) A criteria was not established to determine what constitutes a "reasonable" increase of funding to support the export option;
- 3) The financial analysis does not take into account the "total costing" method promoted by your own Blueprint for Waste Management.
- 4) The report does not consider the best strategy for tying an interim plan into the keystone of our future plans, namely a resource recovery based solid waste management system.

You say that you are "confident" that Halton will consider the developments since February, 1983 as outlined in my letter. That may or may not be so. I certainly will present the information to Regional Council. However, the point of my letter was that I addressed that information to you! Since your February correspondence was based on information you then had in hand, I thought it fair that you might look at your previous decision in the light of present circumstances. I find it unacceptable that you pass the buck so easily!

Paragraph 4: I am sure that the present Burlington Landfill Site represents the state of the art in landfill technology. You should be aware that I have raised serious questions about the leachate monitoring of the present site. I am awaiting a response from your Greg McCarty to a letter I sent him with respect to the leachate monitoring. I will be reporting further to Regional Council and will be pleased to send you that information. However, I question the relevance of this paragraph to the central question of whether a further interim expansion can be tacked onto an already interim expansion.

Paragraph 4: In making the point that the Burlington site is now Halton's only approved landfill site and that the Region has a "responsibility" for waste management in the Region, you ignore the responsibility of the Ministry in helping to create the situation we are now in. You speak of short term but do not define it. Does short term mean one month, six months, one year, four years, ten years?

Paragraph 5: Your statement that "Central Region staff of the Ministry have made it clear to Halton Region that an application for a phased expansion of the landfill is required now" has clearly "progressed" from the rather general statements about the need for interim plans in your February correspondence to accepting the Dillon/Regional Staff proposed "phased expansion of the landfill". It seems to me that this statement is both prejudicial and provocative. It can only serve to cloud the credibility of your Ministry and any future public hearing. Your statement that "landfilling could be terminated after completion of any given phase" sounds good on paper but does not stand the test of the real politics of garbage disposal nor of the history of the search for landfills in Halton or elsewhere.

Paragraph 6: Is the proposed four-phased expansion at the Burlington site a "moderate landfill expansion"? Please compare approved capacity of the original interim expansion and the proposed further interim expansion. You obviously have dismissed the export option as impractical, but, have not really given reasons for so doing. In fact, one can argue that the export option is more practical than the four-phased expansion by itself - particularly in light of stated provincial government objectives. A practicality which you have not even considered is that a persistence with the landfill only option as an interim plan could be tied up in hearings, appeals, and court cases beyond the actual deadline the Region now faces. Where is the practicality then?

If you argue that the best forum in which to "determine an equitable review of the short-term disposal options is at a public hearing", can you also confirm that such a hearing would be under the Environmental Assessment Act so that in fact all options are considered?

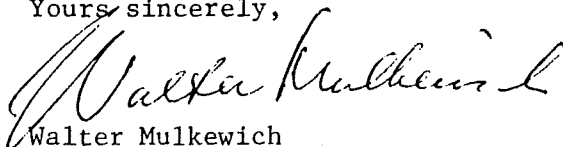
Paragraph 7: My question on Energy from Waste related not only to the program of the Ministry of Energy, of which I am aware, but to the stated Ministry of Environment desire to see local municipalities pursue more of the recovery techniques for garbage disposal - including Energy from Waste.

In conclusion, your letter leaves the questions I raised in my letter unanswered, raises new questions, and clouds the credibility of the present process.

I want to assure you that I am seeking to represent the best interests of the residents in the area which I represent. I would be pleased to personally discuss this whole matter with you if that would be useful. I look forward to hearing from you.

Thank you.

Yours sincerely,



Walter Mulkeewich
Regional Councillor
Ward 1

WM/lf

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