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APR 18 1984

HALT-RG-01

ORDER MADE UNDER THE
ENVIRONMENTAL ASSESSMENT ACT

EXEMPTION - THE REGIONAL MUNICIPALITY OF HALTON

Having received a request from the Regional Municipality of Halton that an undertaking, namely:

a program of continued operation, maintenance and closure of the existing Burlington Landfill Site, within the existing total site area of 68.3 hectares located in Lots 3 & 4, Concession 1 & 2, City of Burlington, Regional Municipality of Halton for the disposal of domestic, commercial and solid non-hazardous industrial wastes, consisting of wastes from manufacturing and industrial processes and including demolition and construction wastes,

be exempt from the application of the Act pursuant to section 29; and

Having been advised by the Regional Municipality of Halton that if the undertaking is subject to the application of the Act, the following damage or interference with the persons and property indicated will occur:

- A. The Regional Municipality would be subject to delay and expense if it were required to submit the undertaking to an environmental assessment. The Regional Municipality proposes that the activity at the Burlington site continue only until alternative landfill capacity within the Regional Municipality is approved and available to receive waste. The Regional Municipality estimates that the activity at the Burlington site will not extend beyond 1987 and the delay and expense in preparing an environmental assessment for this undertaking is not warranted.

Having weighed such damage or interference against the betterment of the people of the whole or any part of Ontario by the protection, conservation and wise management in Ontario of the environment which would result from the undertaking being subject to the application of the Act;

The undersigned is of the opinion that it is in the public interest to order and orders that the undertaking is exempt from the application of the Act for the following reasons:

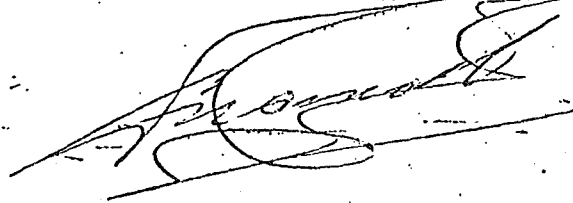
- A. Continued operation of the Burlington site is subject to the Environmental Protection Act. The Director of the Environmental Approvals and Project Engineering Branch of the Ministry of the Environment has indicated that a hearing is required pursuant to that Act. This hearing will give the City of Burlington and local ratepayers the opportunity to provide input to the Environmental Assessment Board and in turn to the Director on this program.
- B. A Certificate of Approval No. A210102 under the Environmental Protection Act was previously issued to the Regional Municipality for the use and operation of the Burlington Landfill Site. The Regional Municipality has advised that this Burlington site is the only approved sanitary landfill in the Regional Municipality and that the existing approved capacity will have been used up by August 1984.
- C. The Regional Municipality is in the process of conducting an environmental assessment of the long-term landfill component of its proposed waste management system. The Regional Municipality advises that this environmental assessment will be formally submitted to the undersigned in the second half of 1984. This is essentially the very same environmental assessment that would have to be done if this exemption were not granted.
- D. The Regional Municipality further advises that it is exploring the feasibility of an energy-from-waste facility for which a further environmental assessment may be required.
- E. The Regional Municipality proposes that the activity of sanitary landfilling at the existing Burlington site under this Order be only an interim measure pending the availability of approved alternative landfill capacity within the Regional Municipality.
- F. The conditions of this Order allow the Burlington site to be operated under this Order for only a limited period of time.

- G. No useful purpose would be served by conducting an environmental assessment on the suitability of the Burlington Landfill Site for sanitary landfill purposes.

This exemption is subject to the following terms and conditions:

1. No waste shall be deposited at the Burlington Landfill Site pursuant to this Order after a date on which both sufficient alternate capacity is available to receive waste at another landfill site within the Regional Municipality approved under the Act pursuant to an environmental assessment submitted by the Regional Municipality and appropriate contours for final closure as provided for in an approval under Part V of the Environmental Protection Act have been achieved at the Burlington Landfill Site.

MINISTER OF THE ENVIRONMENT



Approved by O.C. No. 991 /84

O. Reg. No. 240 /84

Filed with the Registrar of Regulations, April 16, 1984

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