



Ministry
of the
Environment

Ministère
de
l'Environnement

Central
Region

Région du
Centre

Rec'd May 9/86

May 8, 1986

7 Overlea Boulevard
4th Floor
Toronto, Ontario
M4H 1A8
(416) 424-3000

7 boulevard Overlea
4^e étage
Toronto (Ontario)
M4H 1A8
(416) 424-3000

The Corporation of the City of Burlington
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

ATTENTION: Ms. Helen MacRae, M.P.A.
City Clerk

Dear Ms. MacRae

RE: BAYVIEW PARK LANDFILL

On November 5, 1985, my staff and I met with representatives of the City of Burlington, the Regional Municipality of Halton and National Sewer Pipe Limited regarding the discharge of contaminants from the Bayview Park landfill site. At that meeting I tabled a draft of a control order that I proposed to issue.

At the conclusion of that meeting, it was agreed that an order was unnecessary provided that the City was prepared to undertake the necessary remedial action and that N.S.P. was prepared to negotiate access to its property. By letter of November 19, 1985, Mr. Boggs indicated that the City was prepared to undertake to complete certain works within a specified time schedule. That undertaking was subsequently ratified by Council resolution.

I was pleased that the short term remedial work was completed by the specified date.

By letter of January 31, 1986, Mr. Boggs requested that the time schedule be extended for certain actions. I agreed to that request and extended the dates to allow for completion of a leachate treatability study. In a letter dated February 14, 1986, I proposed a revised time schedule including the filing of property agreements between the City and N.S.P. with me by May 5, 1986. I also indicated that any further delays would not be acceptable. By Council resolution dated March 10, 1986, the City agreed to the time schedule.

INTERNATIONAL
YOUTH YEAR 1985



ANNÉE INTERNATIONALE
DE LA JEUNESSE 1985

The Ministry has received and reviewed your draft design documents. Although staff have some concerns, this work is proceeding on schedule. However, I have yet to receive any finalized agreement between the City and N.S.P. regarding access to N.S.P. lands. I am concerned that any further delays will jeopardize the ability of the City to construct the proposed works during this construction season. The clay plugs installed last December are no longer containing the break-out of leachate and it is absolutely imperative that immediate action be taken to stop the discharge of contaminants from the site.

In my opinion, lands consisting of Area B and the northern 50 metres of Area C would be sufficient to construct the proposed leachate control works. I am aware that the City proposes to expropriate all of Areas A, B and C. I would like to make it clear that any delay in the installation of the leachate control works due to the expropriation proceedings are unacceptable to this Ministry. In my opinion, the ownership of lands adjacent to the site and the clean-up of wastes illegally situated off-property are issues that can and should be dealt with at a later time. Access to the necessary lands for the purposes of construction and maintenance can be achieved through an agreement with N.S.P.

It is imperative that leachate control works, located either on or off City property, be constructed this summer. I have therefore decided to formally notify you of my intention to issue a control order which will require installation of additional interim and permanent works. A copy of the Notice is attached.

I look forward to receiving your submissions.

Yours truly



G. MIERZYNSKI, P. Eng.
Director

Attachment

cc:

Mr. R.S. Christensen
National Sewer Pipe Limited

Mr. R.J. Moore
Regional Municipality of Halton

Mr. Peter Wilmott
Regional Municipality of Halton



NOTICE OF INTENTION
TO ISSUE A CONTROL ORDER

TO: The Corporation of the City of Burlington
P.O. Box 5013
Burlington, Ontario
L7R 3Z6

ATTENTION: MS. HELEN MacRAE, M.P.A.
CITY CLERK

Under the provisions of Section 6 of the Environmental Protection Act, (the "Act"), the Director may issue a control order to a person responsible for a source of contaminant when the report of a provincial officer contains a finding that a contaminant discharged into the natural environment contravenes Section 13 of the Act.

The Report of James S. Dulny, Provincial Officer, filed with the Ministry and served upon you on December 16, 1985, contains findings that contaminants being discharged from the Bayview Park landfill site, (the "site"), into the natural environment contravenes Section 13. A copy of the report is appended hereto.

The site is owned by the Corporation of the City of Burlington and was operated for the purposes of sanitary landfilling until 1972. A portion of the waste landfilled at the site is located on property owned by National Sewer Pipe Limited.

Under the provisions of Section 116 of the Act, I hereby give notice of my intention to order you to do the following:

1. (a) Within 14 days of the issuance of the control order, complete construction of earthen coffer dams in the approximate locations of leachate seeps numbered 1 to 4, which shall be designed to contain leachate discharging to surface waters from the site. The dams shall be constructed in accordance with the instructions of the provincial officer on-site.
- (b) The containment areas created by the dams shall each be properly fenced to a six-foot height to prevent unauthorized access and

shall be adequately signed with warnings and an emergency 24-hour telephone contact.

- (c) Contaminated liquid accumulating behind all dams shall be transported to the Skyway Water Pollution Control Plant as required to ensure no discharge of contaminants to the Indian Creek watershed. A minimum one metre freeboard shall be maintained behind each dam.
- 2. Within 14 days of the issuance of the control order, submit to the Director of Central Region of the Ministry of the Environment, (the "Director"), an application under Section 24 of the Ontario Water Resources Act with a final detailed design report, drawings and contract specifications for the approval of the leachate collection and transmission works described in a draft report entitled "Detailed Design Report, Leachate Collection System and Surface Drainage Improvements, Bayview Landfill Site, City of Burlington", dated March 1986, (the "Design Report").
- 3. Subject to paragraph 4, within 14 days of the issuance of the control order submit to the Director an executed copy of an agreement with National Sewer Pipe Limited to allow access to lands described as Area B and the northern 50 metres of Area C on Plan 1 of the Design Report.
- 4. In the event that the executed agreement described in paragraph 3 is not filed in the prescribed time, within a further period of 14 days submit to the Director a modification to the application submitted pursuant to paragraph 2 which locates all leachate collection and transmission works necessary to capture all contaminated liquid discharging from the site to surface waters on lands owned by the Corporation of the City of Burlington.
- 5. Within 45 days of the receipt of a certificate of approval, commence construction of the approved leachate collection and transmission works.
- 6. Within 100 days of the receipt of a certificate of approval, complete construction and commence operation of the approved leachate collection and transmission works.
- 7. Within 30 days of the completion of the construction, submit to the Director copies of as-built drawings of the leachate collection and transmission works.

8. The interim works referred to in paragraph 1 and the leachate collection and transmission works shall be maintained and inspected on a frequent and routine basis.
9. On February 1, 1987, and on each February 1st thereafter, submit to the Director a report of the site monitoring program as approved by the Director.

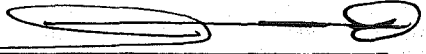
I propose to order you to take the foregoing steps for the following reasons:

1. Contaminated leachate originating at the base of the Bayview Park Landfill on property owned by both the City of Burlington and National Sewer Pipe Limited is being discharged to Indian Creek, which flows through part of the City of Burlington (the former Town of Aldershot) finally discharging to Burlington Bay.
2. The Creek flows through residential areas and a park facility within the City of Burlington. The problem of leachate discharged to Indian Creek was first identified in a survey carried out by Ministry staff in 1979 and 1980. The problem was drawn to the attention of the City of Burlington on numerous occasions and action was promised but never taken. New surveys undertaken in 1983 and 1984 and again in 1985 confirmed the earlier findings.
3. Several of the contaminants identified in the leachate exceed Provincial Water Quality Objectives and may cause damage to plant and animal life as well as posing a potential hazard to human health.
4. In December 1985, the leachate seeps at the site were plugged with clay in an attempt to temporarily stop the discharge of leachate to Indian Creek while a longer term solution was being devised. Recent inspections by both City consultants and Ministry staff confirm that the clay plugs are no longer effective to contain the leachate. The discharge of contaminants is currently occurring at approximately the same rate as in previous years.
5. The specific reason for paragraph 1 is that immediate action is necessary to stop the discharge of contaminants from the site.
6. Beyond any short term solution, a long term solution is needed for the discharge of leachate from the Bayview site. While the location of a regional landfill facility on the National Sewer

Pipe property would undoubtedly include provision for dealing with leachate from Bayview, any such facility is several years away from construction and approval of a facility at that site cannot be taken for granted. It is technically feasible to implement a long term solution of leachate collection in the time frames set out.

Under the provisions of Section 116 of the Act, a control order may not be issued for at least fifteen days. Any submissions should be made to the undersigned by May 27, 1986.

Dated at Toronto this 8th day of May, 1986.



G. Mierzynski, P. Eng.
Director
Central Region



Environmental Approvals and
Land Use Planning Branch

135 St. Clair Avenue West
Suite 100
Toronto, Ontario
M4V 1P5

35 oul
Burch
Toronto (O
M4V 1P5

965-6975
JUL 02 '86

June 27, 1986

The Corporation of the City of
Burlington
P.O. Box 5013
426 Branch Street
Burlington, Ontario
L7R 3Z6

ATTENTION: Ms. Helen McRae, Clerk

Dear Ms. McRae:

RE: APPLICATION DATED JUNE 9, 1986 BY THE CITY OF
BURLINGTON FOR SEWAGE WORKS FOR THE COLLECTION AND
TRANSMISSION OF SURFACE LEACHATE AND CONTAMINATED
SHALLOW GROUNDWATER FROM THE CLOSED BAYVIEW PARK
LANDFILL SITE

Your application and supporting information for the above-noted works was received and has been reviewed pursuant to Section 24 of the Ontario Water Resources Act. There is sufficient information presented to approve that portion of the sewage works from Manhole 12 (as shown on sheet 1 of 15 Drawing #6 of plans prepared by Conestoga-Rovers and Associates Ltd. dated April 1986, revised June 13, 1986 and issued June 17, 1986) on the road allowance of King Road to the existing 450 mm diameter sanitary sewer approximately 800 m to the southeast. The enclosed Certificate of Approval covers this portion of the sewage works.

Before your application for the remaining sewage works can proceed further, additional information is required. Pursuant to Subsection 24 (1) of the Ontario Water Resources Act, I am requiring you to submit the following information to support this application:

1. The City shall prepare an analysis and evaluation of the performance of the various components of the leachate collection system. This analysis and evaluation shall reasonably demonstrate that the elimination of surface water contamination caused by the leachate seeps will be achieved by the proposed works. This analysis and evaluation shall include:
 - (a) the construction of flow nets in representative cross-sections accompanied by appropriate calculations and an estimate of over-all collection efficiency and effectiveness;

- (b) calculations shall be submitted which will describe when steady state is expected to be attained within the various parts of the landfill;
 - (c) all test pit, standpipe and piezometer information relating to the Bayview site including construction details, field logs and water levels shall be supplied as an appendix to the Design Report already submitted. Their location shall be clearly identified on accompanying plans.
2. The contract shall provide for a warranty and maintenance period of at least one year.
 3. All air and water quality data shall be made immediately available to the contractor in order that he is able to provide adequate safety to workers.
 4. A set of contract specifications which includes Section 6, the leachate sumps, the leachate pumps, the electrical control equipment, the electrical control panel, and the pump level indicators shall be supplied for review.
 5. Revised engineering drawings showing a detail of the PVC and PE pipe connections at manholes.
 6. Additional structural calculations relating to the perforated collector drain piping. It is not at all clear how this material behaves under a burial condition (whether it is materially the same or substantially different from non-perforated plastic pipe). It is no use having an adequately constructed leachate sewer when the collector pipe itself may collapse in the field after burial due to extensive drilling.
 7. A revised detail of the precast concrete manhole with open grating and a gas vent as originally designed.
 8. A check of the existing pipe SDR with the depth of bury shown on the detail drawings. This is necessary as a 5% deflection shall not be exceeded. The depth of bury as shown on the drawings exceeded the allowable depths of bury for the proposed class of pipe. For example, the PVC sewer between manhole 21 and pump station #1.
 9. That provision be made in the contract for the hiring of a soils engineer experienced in the area of landfill design who would provide field advice as to the adequacy and long term stability of the sewer and forcemain alignment and bedding with the design proposed.
 10. Any amendments to the proposed works should be submitted by the date referenced below.

Once this information has been reviewed, a decision on approval of the remaining sewage works covered by your application will be made as quickly as possible along with any conditions which are considered necessary. Because of the contamination of Indian Creek presently being caused by this site, it is imperative that the above-noted information is submitted as soon as possible to allow a timely review and an approval decision so that construction and operation are not unduly delayed.

It is expected that the construction of the total sewage works would be complete and operational by September 30, 1986. To this end, I expect submission of the above-noted information to me by July 8, 1986. If this information is not received by this date, I will recommend that the Regional Director proceed with the issuance of the control order which was the subject matter of the Notice of intention served upon you on May 9, 1986.

Yours truly,


T. Armstrong, P.Eng.
Acting Director

DFC/zk

cc: G. Mierzynski
G. Nelson, MOE, Halton Peel
Conestoga-Rovers & Associates Ltd.
Mr. R.S. Christensen, National Sewer Pipe Ltd.
Mr. A. Ramsey, City of Burlington
Mr. G. Woodburn, Reg. Mun. of Halton
Mr. D. Carr
Ms. I. Pawlowski
Mr. J. Martin, MOE, Legal Services Branch



Ministry
of the
Environment

NOTICE

TO: The Corporation of the City of Burlington
P.O. Box 5013
426 Branch Street
Burlington, Ontario
L7R 3Z6

You are hereby notified that Conditional Certificate of
Approval No. 3-0819-86-006 has been issued to you subject to the conditions outlined therein.

The reasons for the imposition of these conditions are as follows:

There is some concern with respect to whether the legal duty falls to the City of Burlington or the Regional Municipality of Halton for the operation and maintenance of these sewage works. I would like a statement from the applicant, the City of Burlington, setting out where this responsibility is seen to reside. I strongly urge that the Regional Municipality of Halton be a party to this statement and concur in its content.

You may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board.

This Notice should be served upon:

The Secretary,
Environmental Appeal Board,
1 St. Clair Ave. West,
5th Floor,
Toronto, Ontario.
M4V 1K7

AND

The Director,
Section, 24, O.W.R. Act
Ministry of the Environment,
135 St. Clair Ave. West,
Toronto, Ontario.
M4V 1P5.

DATED at Toronto this 27th day of June, 1986

A handwritten signature, likely of the Director, is written over a horizontal line at the bottom right of the page.



Ministry
of the
Environment

Ministère
de
l'Environnement

Certificate of Approval (Sewage)
Certificat d'autorisation (eaux usées)

Number / Numéro

3-0819-86-006

Whereas / Attendu que

THE CORPORATION OF THE CITY OF BURLINGTON

/ d

has applied in accordance with Section 24 of the Ontario Water Resources Act for approval of:

a fait, conformément à l'article 24 de la loi sur les ressources en eau de l'Ontario, une demande d'autorisation:

Sewage works for the transmission of surface leachate and contaminated shallow groundwater from the closed Bayview Park landfill site in the City of Burlington consisting of a 200 mm PVC sanitary sewer from Manhole 12 (as shown on sheet 1 of 15, Drawing No. 6 of plans prepared by Conestoga-Rovers and Associates Limited dated April, 1986, revised June 13, 1986 and issued June 17, 1986) on the road allowance of King Road to an existing 450 mm diameter sanitary sewer approximately 800 metres to the southeast, all in accordance with the above plans, specifications dated June, 1986 including Addendum No. 1 dated June 16, 1986 and Addendum No. 2 dated June 19, 1986 and detailed design report dated June 1986 printed on June 13, 1986, subject to the following special terms and conditions considered necessary by the undersigned:

SPECIAL TERMS AND CONDITIONS

1. By July 16, 1986 submit to the Director, Environmental Approvals and Land Use Planning Branch, a letter confirming who the operating authority will be for the sewage works approved under this Certificate of Approval.

Now therefore this is to certify that after due enquiry the said proposed works have been approved under Section 24 of the Ontario Water Resources Act.

Le présent document certifie qu'après vérification en bonne et due forme la construction dudit projet d'ouvrages a été approuvée aux termes de l'article 24 de la loi sur les ressources en eau de l'Ontario.

DATED AT TORONTO this
DATE À TORONTO ce

27th

day of
jour d

June, 1986

(a) the construction of flow nets in representative cross-sections accompanied by appropriate calculations and an estimate of over-all collection efficiency and effectiveness;

1. The City shall prepare an analysis and evaluation of the performance of the various components of the leachate collection system. This analysis and evaluation shall reasonably demonstrate that the elimination of surface water contamination caused by the leachate seeps will be achieved by the proposed works. This analysis and evaluation shall include:

to support this application:
 act, I am requiring you to submit the following information pursuant to subsection 24 (1) of the Ontario Water Resources Act, additional information is required.
 before your application for the remaining sewage works can proceed further, additional information is required.

Your application and supporting information for the above-noted works was received and has been reviewed pursuant to section 24 of the Ontario Water Resources Act. There is sufficient information presented to approve that portion of the sewage works from Manhole 12 (as shown on sheet 1 of 15 drawing 66 of plans prepared by Consultants-Bovars and Associates Ltd., dated April 1986, revised June 13, 1986 and issued June 17, 1986) on the road allowance of King Road to the existing 450 mm diameter sanitary sewer approximately 500 m to the southeast. The enclosed Certificate of Approval covers this portion of the sewage works.

RE: APPLICATION DATED JUNE 9, 1986 BY THE CITY OF BURLINGTON FOR SEWAGE WORKS FOR THE COLLECTION AND TRANSMISSION OF SURFACE LEACHATE AND CONTAMINATED SHALLOW GROUNDWATER FROM THE CLOSED BAYVIEW PARK LANDFILL SITE

Dear Mr. McGee:

ATTENTION: Mr. Nelson McGee, Clerk

The Corporation of the City of Burlington
 P.O. Box 5013
 426 Branch Street
 Burlington, Ontario
 L7R 3Z6

June 27, 1986

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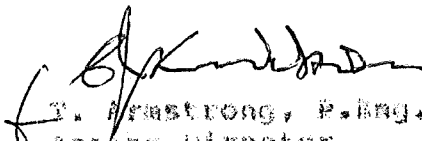
Environmental Approvals and Land Use Planning Branch

- (b) calculations shall be submitted which will describe when steady state is expected to be attained within the various parts of the landfill;
 - (c) all test pit, standpipe and piezometer information relating to the Mayview site including construction details, field logs and water levels shall be supplied as an appendix to the Design Report already submitted. Their location shall be clearly identified on accompanying plans.
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Yours truly,


T. Armstrong, P.Eng.
Acting Director

DRC/zk

cc: G. Mierzynski
G. Nelson, ROE, Halton Peel
Conestoga-Rovers & Associates Ltd.
Mr. R.S. Christensen, National Sewer Pipe Ltd.
Mr. A. Ramsey, City of Burlington
Mr. G. Woodburn, Reg. Mun. of Halton
Mr. D. Carr
Ms. I. Pawlowski
Mr. J. Martin, ROE, Legal Services Branch



Ministry
of the
Environment

NOTICE

TO: The Corporation of the City of Burlington
P.O. Box 5013
426 Branch Street
Burlington, Ontario
L7R 3Z6

You are hereby notified that **Conditional** Certificate of
Approval No. **3-0819-86-006** has been issued to you subject to the conditions outlined therein.

The reasons for the imposition of these conditions are as follows:

There is some concern with respect to whether the legal duty falls to the City of Burlington or the Regional Municipality of Halton for the operation and maintenance of these sewage works. I would like a statement from the applicant, the City of Burlington, setting out where this responsibility is seen to reside. I strongly urge that the Regional Municipality of Halton be a party to this statement and concur in its content.

You may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board.

This Notice should be served upon:

The Secretary,
Environmental Appeal Board,
1 St. Clair Ave. West,
5th Floor,
Toronto, Ontario.
M4V 1K7

AND

The Director,
Section, 24, O.W.R. Act
Ministry of the Environment,
135 St. Clair Ave. West,
Toronto, Ontario.
M4V 1P5.

DATED at **Toronto**

this **27th** day of **June**

, **1986**

A handwritten signature in dark ink, appearing to be "L. K. Brown", is written at the bottom right of the page.



Ministry
of the
Environment

Ministère
de
l'Environnement

Ontario

Certificate of Approval (Sewage)
Certificat d'autorisation (eaux usées)

Number / Numéro

3-0819-86-006

Whereas / Attendu que

THE CORPORATION OF THE CITY OF BURLINGTON

/ d

has applied in accordance with Section 24 of the Ontario Water Resources Act for approval of:

a fait, conformément à l'article 24 de la loi sur les ressources en eau de l'Ontario, une demande d'autorisation:

Sewage works for the transmission of surface leachate and contaminated shallow groundwater from the closed Bayview Park landfill site in the City of Burlington consisting of a 200 mm PVC sanitary sewer from Manhole 12 (as shown on sheet 1 of 15, Drawing No. 6 of plans prepared by Conestoga-Rovers and Associates Limited dated April, 1986, revised June 13, 1986 and issued June 17, 1986) on the road allowance of King Road to an existing 450 mm diameter sanitary sewer approximately 800 metres to the southeast, all in accordance with the above plans, specifications dated June, 1986 including Addendum No. 1 dated June 16, 1986 and Addendum No. 2 dated June 19, 1986 and detailed design report dated June 1986 printed on June 13, 1986, subject to the following special terms and conditions considered necessary by the undersigned:

SPECIAL TERMS AND CONDITIONS

1. By July 16, 1986 submit to the Director, Environmental Approvals and Land Use Planning Branch, a letter confirming who the operating authority will be for the sewage works approved under this Certificate of Approval.

Now therefore this is to certify that after due enquiry the said proposed works have been approved under Section 24 of the Ontario Water Resources Act.

Le présent document certifie qu'après vérification en bonne et due forme la construction dudit projet d'ouvrages a été approuvée aux termes de l'article 24 de la loi sur les ressources en eau de l'Ontario.

DATED AT TORONTO this
DATE À TORONTO ce

27th

day of
jour d June, 1986

ENVIRONMENTAL APPROVALS AND
LAND USE PLANNING BRANCH

135 St. Clair Avenue West
Suite 100
Toronto, Ontario
M4V 1P5
323-4446
135 ouest, avenue St. Clair
Bureau 100
Toronto (Ontario)
M4V 1P5

February 2, 1987

The Corporation of the City of Burlington
1426 Brant Street - Box 5013
Burlington, Ontario
L7R 3Z6

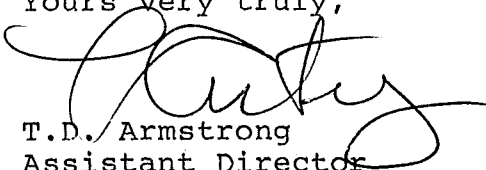
Attention Mr. H. McRae, Clerk

RE: CITY OF BURLINGTON
Bayview Park Landfill Site,
Leachate Metering System
Certificate of Approval #3-0819-86-007

The proposal submitted on January 9, 1987 by Conestoga-Rovers & Associates Limited to change the above mentioned leachate metering system from a Parshall flume to elapsed time meters on the pumps, has been reviewed and found satisfactory.

Copies of this advisory letter, which should be placed with the Certificate of Approval #3-0819-86-007, are being forwarded to the persons indicated.

Yours very truly,


T.D. Armstrong
Assistant Director

SU/mb

c.c. M. Koevoets - Dir. of Works - Burlington
M. H. Boggs - C.A.O. - Burlington
D. J. Varley, Clerk - R.M. of Halton
Conestoga-Rovers & Assoc. Ltd.

CITY OF BURLINGTON	
RECEIVED	
OFFICE OF C.A.O.	
FEB 06 1987	
C.A.O.	
A/C.A.O.	
COPY/ACTION:	
AR	✓

copy attached
to certificate