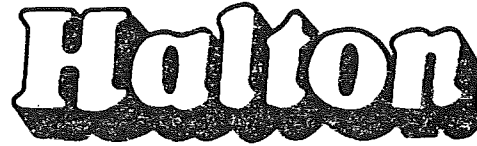


THE REGIONAL MUNICIPALITY OF HALTON



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C.A.O. REPORT 203/85

"HALTON'S NEW LANDFILL COMPONENT - APPROVALS APPROACH"

1985 06 28

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C.A.O. REPORT 203/85

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"CONFIDENTIAL" -
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re Region of Halton -
Environmental Assessment

THE REGIONAL MUNICIPALITY OF HALTON

Report to Chairman and Members of the Solid Waste Management Committee

From Dennis Y. Perlin, C.A.O.

Date 1985 06 28

Report No C.A.O. 203/85

Re: Halton's New Landfill Component - Approvals Approach - Environmental Assessment, Environmental Protection Act, Planning and Financial

RECOMMENDATION:

1. THAT the Recommendations set out in Schedule "A" to C.A.O. Report 203/85 be adopted and that Regional Consultants and Staff be authorized to take the necessary action to implement the Recommendations within the Work Program and Financial Limitations set out in Schedule "A".

REPORT:

I. Stage 2C Submission and Response Document and Final Stage 2C Reports

The Submissions and Response Document regarding the Draft Stage 2C Reports for the Environmental Assessment for Halton's new landfill component is completed. The Consultants have put their Stage 2C Reports into final form and these have been circulated to Council and the mailing list. They are self-explanatory and basically indicate that four sites could be used for landfilling with the prioritization being F, D, A-E, at this EA level of detail. Recommendation #1 set out in Schedule A hereto requests receipt of the Reports concerned.

II. The Approvals Stage

The Approvals necessary in order to establish Halton's new landfill component are four-fold:

- . Environmental Assessment Act Approval;
- . Environmental Protection Act Approval;
- . Planning Approval; and
- . Financial Approval under The Ontario Municipal Board Act in order to debenture the funding necessary to construct the landfill component..

Work Programs have been developed regarding the work and the cost required to complete most of the detailed studies to the stage of the expected Hearing in front of a Consolidated Hearings Board (joint board of members of the Environmental Assessment Board and the Ontario Municipal Board) has been calculated. Legal advice has been obtained with respect to the proposed Work Programs as far as their sufficiency for the approvals and hearing process are concerned according to the Acts that govern those approvals and in addition legal advice on the approach that Council should adopt regarding the Approvals Procedure has also been obtained.

The amount of legal work expected through the detailed studies process to the commencement of the Preliminary Hearing is set out and the estimated cost related to same has also been obtained. The administrative "Approvals Direction Committee" (C.A.O., Regional Treasurer, Director of Planning and Director of Public Works with advice from Legal Counsel; Mr. Hodgson) have met on numerous occasions to consider and formulate a recommendation for Council that finalizes the approach Halton should take regarding the future Approvals Process for the Landfill Component.

III. Project Management

Regional staff are recommending the approval of an administrative Approvals Management Committee (AMC) to oversee and coordinate the Approvals Process until it is completed.

This Committee will be the same as the Administrative Approvals Direction Committee (ADC) with the addition of the Medical Officer of Health.

The AMC would report through the Solid Waste Management Committee to the Planning and Public Works Committee and Council and would consist of myself as Chairman, the Medical Officer of Health, and each of the three Department Heads whose departments will be managing various approvals. The Environmental Assessment and Planning Approvals will be managed by the Planning Department; the Environmental Protection Act Approval will be managed by the Public Works Department; and the Financial Approval will be managed by the Finance Department. The Medical Officer of Health will oversee the human toxicology work by the School of Epidemiology at McMaster University and generally provide advice on other matters of a public health nature. Thus the four members on the Approvals Management Committee in addition to myself would be the M.O.H., the Director of Public Works, the Director of Planning and Development, and the Regional Treasurer. The advisors to the Approvals Management Committee and in attendance at the meetings will be Legal Counsel - Mr. Doug Hodgson (subject, of course, to Council's retention of the firm of Osler, Hoskin & Harcourt) and Mr. Peter Walker - the Environmental Assessment Coordinator and Chief Planner for the project; (subject, of

course, to Council's retention of the firms of Osler, Hoskin & Harcourt and Walker, Wright & Associates); the Manager of Waste Disposal - John MacKay (E.P.A.); Paul Attack - the Environmental Planner (EA - Planning); and Gary Scandlan (Financial Approval).

The Approvals Process as you will see is very complex; it involves a great deal of preparation work; it involves a number of very complex procedures that are necessary before a Hearing can even be arranged and there will be a lot of inter-connecting work involving the three approvals. Further, the costs are very high. Therefore it is extremely important that there be overall management and co-ordination and thus the recommendation for the formation of a Committee which ensures the three persons managing the approvals meet constantly and that the work is fully co-ordinated. The inter-disciplinary and inter-departmental nature of the work requires, in my opinion, the Chairmanship of the C.A.O. in this particular special project.

Recommendation #8 concerns project management and is set out in Schedule "A" under that particular heading.

IV. Undertaking

The Approvals Direction Committee has met on numerous occasions since the release of the Draft Stage 2C Reports and thereafter to review submissions and the Final Stage 2C Reports in order that we could formulate staff recommendations for your consideration as to "Where the Region should go from here?"

We have considered the Stage 2C Environmental Assessment Reports from the Consultant, Mr. Walker, and his team. The advice in those Reports is to proceed forward with a single-site approach, that being Site F, to do the necessary detailed Environmental, Planning and Financial studies, and then to seek all of the necessary approvals to establish a landfill of 11.3 million cubic yards of capacity at Site F.

Mr. Walker has been advised by his team that there should be "no surprises" arising out of the next level of studies, and as a result Council should go with the one site, ie. Site F, from this time forward.

On the other hand, staff have received advice from Regional Legal Counsel, Osler, Hoskin & Harcourt - Messrs. Sexton and Hodgson, who have canvassed the options available to Council at this time from a legal point of view. A copy of their Legal Opinion is attached as Schedule "B". They have recommended that the Region adopt an alternatives approach at this point; that is, doing the necessary detailed studies and seeking the necessary approvals for at least two locations with the Consolidated Hearings Board then being in a position to choose from the alternatives. Regional Council could, as originally intended, make its own preference as to which site at this time but it should do

the necessary work that will allow the Board to approve a site other than the Region's preferred that the Region can open when the Approvals Process is completed if the Board disagrees with the preferred or sets conditions to be satisfied that the Region cannot afford.

In addition to the advice of the Environmental Assessment - Reports and Legal Counsel, the Approvals Direction Committee formulated a number of advantages and disadvantages from a review of the material to date and after doing that came to the Recommendation we are now putting forward.

We are recommending an alternatives approach to you because when "all is said and done", Regional Council does not have the final say in this matter. A Consolidated Hearings Board and possibly even the Provincial Cabinet will have the final say. It is therefore Staff's opinion that the Undertaking should be framed in such a fashion that those who will be giving the approval and finalizing the site(s) have the necessary tools to do so; that is, that it be framed in such a way that the choice that the approval authority(ies) wishes to make is encompassed within it.

Further, ALL Staff, not just myself have given very heavy weight to the legal advice of Osler, Hoskin & Harcourt as the Approvals Process is a difficult and complex one. With the presumption that a Hearing will be a necessity, we believe that the intricacies of the Hearing Process require Staff to support the advice of Legal Counsel, as opposed to continuing with Site F only at this point.

We wish to make it very clear that this is not a lack of confidence in our Environmental Assessment Consultant, Consultant Team or their recommendation, but it is a reflection of the reality of the situation that there will be many parties involved in this Approvals Process and that no suggested site will be without difficulty such that a hard choice will have to be made in the final analysis and that final choice will not be finally decided by Regional Council.

We are suggesting that the detailed approvals studies and applications be made with respect to 2 sites, ie. Site F and Site D, and that the Undertaking be phrased to indicate that it is to landfill 11.3 million cubic yards of solid waste at one or both of Locations F and D.

The Undertaking would thus permit the possibility of landfilling by one of 3 methods; namely, a single-site operation at F or D or a 2-site operation at F and D. Staff realize that the Region's evidence at this point does not support a 2-site operation. However, framing the

Undertaking in such a way would provide the opportunity for others to develop and lead evidence to support the 2-site method versus the 1-site method if they wished, or the evidence developed in this next level of Study may lead to that conclusion by Council and/or the Board itself may determine at the Hearing that the 2-site method would be preferable to a single site method at either F or D.

As to the reason for suggesting simply F and D rather than the other locations A and E, a number of the reasons in detail are set out later in this report. However, to capsulize, the reasons are as follows:

- (1) F and D offer a choice;
- (2) F and D are the two top sites in the opinion of Halton's Consultants;
- (3) F and D epitomize some of the central issues, i.e. can one landfill on shale or must one landfill on plaintiff? Does one require a liner and the other not? Is one affordable and the other not?
- (4) We should attempt to end the anxiety and/or concern from a Regional standpoint (we obviously cannot speak for others) with the landfill search as soon as reasonably possible. In light of the choice that F and D provide, there appears no reason why the Region should continue to push another two locations, A and E, both of which are considered by the Region's Consultants to be significantly behind the top 2 - F and D.
- (5) The cost of carrying out the necessary studies for the Environmental Protection, Planning and Financial approvals on any one site is very high let alone four sites. Since a choice can be offered by the two top sites, staff do not believe that the benefits from going beyond the two top sites outweigh the disadvantages.

We therefore proffer Recommendation #2 of Schedule "A".

It should be noted that should the Undertaking be approved as presented without a Hearing (as the Minister in his discretion can do), then it would be left to Regional Council to determine which method to use after the detailed studies are completed and to take that particular method through the public hearing process that will be necessary for the Environmental Protection Act approval and probably for the planning and financial approvals. A hearing in that case would be site specific to the particular method chosen by Council. However, Staff would be surprised if there was no request for an EA Hearing as well as EPA, Planning and Financial.

V. Preferred Method

Regional Staff are recommending that Regional Council make no choice at this time as to its preferred method, but rather defer on indicating its preferred method, ie. F or D, until such time as the final studies have been completed at which time a further Comparative Analysis of these 2 top sites will be done and Council could then, if it so wished, indicate to the Board what its preference would be if the decision was the Region's alone to make.

This particular recommendation has been the most difficult one for Regional Staff to make. It had been expected that Regional Council would be in a comfortable position to indicate its preferred choice at this time, ie. the end of Stage 2C.

However, while the opinion of Mr. Walker and his team is very reassuring, we still think there are too many unknowns at this time to simply indicate that Site F is the preferred and to study in detail and seek approval for that site only.

The question of hydrogeological suitability remains to be answered and that requires a very extensive drilling program on and off site, geochemistry study, and a determination as to whether a liner is necessary for that site, and if so what type of liner and at what cost.

Once one gets into costs, the issue of affordability arises. Cost was rated sixth as a factor for comparing locations and staff agree with cost as the sixth factor, but there must be affordability.

The Regional Treasurer during the detailed financial approvals studies, with the help of the financial consultant, Mr. Watson, will have to develop reasonable criteria for affordability which this Council will have to approve and which will be put forward to support the financial approvals of the project at the Consolidated Hearings Board.

It seems to Regional Staff that until Regional Council has a clearer picture of the landfilling restrictions and the costs of landfilling at Site F and at Site D and a clearer picture as to whether Site F and/or Site D fall within the affordability criteria to be established, then it is very difficult to select a preferred method.

The next level of studies will provide the type of detail related to hydrogeological suitability, costing and the affordability criteria which will enable a preferred choice to be made. Thus, Recommendation #3 to defer the selection of a preferred method until after the final detailed studies and a further Comparative Analysis are done on both Site F and Site D using that next level of study detail.

VI. Environmental Assessment Completion

In light of the recommendation of Staff to defer Regional Council's choice as to the preferred method until after the completion of the final detailed studies, the question arose as to whether the Environmental Assessment Document should be completed as it is, and the Undertaking submitted as suggested above, without Council indicating a preferred choice.

The recommendation from Regional Staff IS to complete the Environmental Assessment Document and submit that Document in accordance with the provisions of The Environmental Assessment Act, despite the lack of any preferred choice as far as a landfilling method is concerned, at this time.

The reasons why Staff are suggesting this are, in order of importance:

(1) Completion of Procedure and Timing

There is a minimum three-month review period during which the Government Reviewers must review the Environmental Assessment Document and submit a formal Response for comment by the Area Municipalities, interested groups, the public-at-large and the Region.

Thereafter, the Government Review, along with the comments of the various interested organizations and individuals are submitted to the Region for formal Response. In that formal Response, the Region can make certain changes to the Environmental Assessment if there are changes requested or suggested that the Region can agree with that may indeed satisfy a number of those who would be interested in the landfill project in Halton.

That period will take a minimum of 3 months for the Government Review and 1 month for the various comments, both of which, if history is any teacher, will probably take a lot more than that.

The Regional Consulting Team and the M.O.E.'s Environmental Assessment Branch believe that the studies to date have been done to sufficient depth and detail to submit an Environmental Assessment Document.

Therefore, we believe it would be wise to use some of the time during which the final detailed studies are being done to complete the Environmental Assessment procedure and receive the formal comments from the Government Review Agencies, as well as comments from interested parties, so that the E.A. procedures that need to be completed will have been completed in a timely fashion.

If the Environmental Assessment is accepted and approved as presented with no hearing being required, then the Region will be in a position to choose its preferred method after completion of the detailed studies and comparative analysis and to take that preferred method to a specific hearing related to Environmental Protection Act approval and probably Planning and Financial approval for the site or sites concerned. There will be a mandatory hearing but in the case described in this paragraph, it would deal with the preferred method only and not get into alternative methods as would a hearing that had not only Environmental Protection Act Planning and Financial approvals to deal with but also Environmental Assessment Act approval.

As stated previously, we have however assumed that all matters (EA, EPA, Planning and Financial) will be going to a Consolidated Hearings Board and thus, although the Minister in his complete discretion, could accept and approve the Environmental Assessment without referring it to a Hearing, it is likely that upon completion of the Government Review and the receipt of the various responses, that he will have a request for a Hearing from one or more of the interested parties and he will thus refer it to the Environmental Assessment Board for a Hearing; that particular Environmental Assessment approval will then be consolidated, as stated previously, with the other types of approval for a comprehensive Hearing in front of the Consolidated Hearings Board.

One will see that the final detailed studies are to be completed in sufficient detail to have finalized all of the other approval applications, ie., E.P.A., Planning and Financial, by March of next year. It will then take approximately a month and a-half to complete the Comparative Analysis, ie. to the end of April-first part of May, to enable Council to make its final preferred choice. Thus, if we were to start the submission of the Environmental Assessment at that time, the 4 months plus would be such that we would not be able to have the Preliminary Hearing in May/June, 1986 to establish the final notice and hearing procedures for the full scale hearing which we are targetting for September, 1986.

In other words, the submission of the E.A. at this time will allow the Environmental Assessment Act procedure to be completed. The information is of sufficient depth and detail to allow all those interested in the project to be able to comment on the Environmental Assessment. The only issue that will remain is as to which method should be selected, and that is best answered when the final detailed studies are done and a

further Comparative Analysis is done on the detail then known.

People commenting on the E.A. Document can either agree that we should have waited until the detailed studies were done or that the choice could have been made now, but at least we will have all of the review done and the comments in on the entire Environmental Assessment which takes us back to all of the documentation which began to be prepared in the Fall of 1982. That is a significant amount of material and data which has to be part of the total E.A. Document, and thus it will take significant time for many of the formal Government Reviewers (who have not to date reviewed same). Although they are to be done in 3 months, it would be wise to take a cautious approach and file the documentation now so that the review can be started and if it is completed in the 3 month period that the M.O.E. has committed itself to, so be it.

Even if the Region wishes to amend the E.A. to make its preference known in May of next year, that can be done very quickly since at that particular point, all of the past E.A. data that got us to the detailed E.P.A., Planning and Financial studies will have been reviewed and commented on.

(2) Receipt of Formal Comments

We should attempt to find out as soon as possible from the M.O.E. and the various Government commentators, whether the E.A. itself is acceptable as an Environmental Assessment and whether the Undertaking is sufficient for approval, subject, if necessary, to a Hearing.

The comments received to date during the presubmission consultation stage from the M.O.E. itself and from many other agencies that have reviewed the documentation have been informal and merely "suggestions". No one has had to be "put on the spot" to make their comments and recommendations known on a formal basis. If there are going to be any "second thoughts" and/or if there are changed policies to be in effect from those under which the E.A. Study was done, we should know that at an early date in case there is any further work that has to be done in order to ensure that the Environmental Assessment is acceptable, and that the Undertaking is in a position to be approved, subject to any comprehensive Hearing that may have to be held, and of course the results of that Hearing. The sooner we get into the formal commenting stage, the better.

Therefore, Recommendations 4 - 7 have been formulated to authorize the Regional Planning Director and the Environmental Assessment Consultant, Mr. Walker, to move to finalize Phase 3 of the Environmental

Assessment, ie. the Environmental Assessment Document, to be approved by Council, and then submitted to the Minister of the Environment.

VII. Approvals Work

(1) Work Programs For Top 4 Sites

As previously stated, the approvals necessary in order to establish the landfill site are fourfold, ie. Environmental Assessment, Environmental Protection, Planning and Financial.

While the Environmental Assessment work is completed, detailed studies must now be done in order to prove out any site such that it can receive the other three required approvals; namely, E.P.A., Planning and Financial.

What we determined would be necessary in order to enable Council to basically pick any one or more of the top 4 sites (F, D, E-A) for the next level of detail was to ask for consultants to prepare work programs for finalizing the necessary studies, applications and approvals for each of the 4 sites.

(2) Which Consultants

A certain number of the consultants were asked to prepare work programs and no alternative proposals were requested from any other consultants. This was based on the fact that certain work is simply a continuation of the Environmental Assessment work. For consistency in that regard it is therefore crucial to use the previous consultant who studied the matter during the E.A.

In other cases such as new issues of major importance, like leachate treatability and non-human toxicology, proposals were sought from consultants known to be in the field.

What has been circulated to you are the work programs for each of the areas that have been developed to date from each of the recommended consultants. These set out the work to be done and the fees and approximate disbursements to be charged.

The consultants who had done the previous work and who were asked to prepare work programs for the continued work in the areas they had done previously, were as follows:

- | | |
|-----------------|---------------------------------------|
| i) Agriculture | - Ecological Services
for Planning |
| ii) Biophysical | - Bird & Hale |

- | | |
|---|------------------------------------|
| iii) Heritage, Visual
After-Use, Site
Modelling | - Landplan Collaborative |
| iv) Archeological | - Museum of Indian
Archeology |
| v) Air Quality (Dust and
Odour) | - Senes Consultants |
| vi) Transportation | - Giffels Assoc. Ltd. |
| vii) Noise | - Barman Coulter Swallow
Ltd. |
| viii) Hydrogeology, Geology
Geochemistry, Geophysics,
Shale Resource Analysis | - Hydrology Consultants |
| ix) Planning | - Walker, Wright &
Associates |
| x) Economic and Financial | - C.N. Watson &
Associates Ltd. |

The new areas in which proposals were sought were the following:

- | | |
|---|--|
| i) Leachate treatment,
and non-human
toxicology | - I.E.C. Beak Ltd. and
Pollutech Ltd.
(Recommended Consult.
- Pollutech) |
| ii) Operations and Design | - McLarens Ltd. and
Hydrology Consult.
(Recommended Consult.
- Hydrology) |

Another important area in which work needs to be done is Human Toxicology and for that we have approached the School of Epidemiology at McMaster University Medical School. Another area in which work will have to be done is Wind Modelling Work for litter control once the preliminary design is done by Hydrology Consultants. A wind expert, R.F. Theakston & Associates, has been approached to do that work. If they are approved by this Report then Work Programs and Budgets will be developed and submitted at a later date.

Finally, there are 4 Review Consultants that will be necessary because of the critical nature of the detailed studies in those areas to review the work of the primary consultants. These Review Consultants are critical to the successful completion of the

Environmental Approval process. They are:

1. Hydrogeology, geochemistry and Geophysics - R.H. Farvolden, Univ. of Waterloo
2. Quaternary Geology - Dr. Karrow Univ. of Waterloo
3. Transportation Analysis - M. Ross & Assoc.
4. Leachate Treatability and Non-Human Toxicology - Canada Centre for Inland Waters

(3) How Many Sites to Study

(a) More Than One

Regional Staff would strongly recommend that the detailed studies be done on more than 1 site for some of the reasons that were suggested when discussing the "Undertaking". These and further reasons are:

(i) Hydrogeological Unknowns

The hydrogeological unknowns with respect to Site F and indeed the other three Sites at this particular point are many. For example, it is very important to know whether leachate will come up between Site F and the lake, and if it will, then what type of engineering must be done at Site F, and at what cost to prevent that from happening. Further, whatever the engineering is, will it be affordable.

As well, the hydrogeology of any other sites such as Site D must be fully canvassed to ensure that there are no problems with them, and whether any expensive engineering like dewatering and/or a liner would be necessary and if so, at what cost. Further how much would it cost to provide leachate treatment and collection for Sites like D and A-E which are a significant distance from any Sewage Treatment Plant and what is the impact and cost of leachate treatment at any of the Sewage Treatment Plants.

(ii) Very Little Remaining Capacity

The Region is running out of existing landfill capacity again even with the Occidental E.F.W. component. A separate report for the July 15th S.W.M.C. Meeting will deal with further interim capacity, but it is Staff's opinion that should the expected comprehensive Consolidated Board Hearing take place as now expected then the existing site and Interim Disposal Plan #3 option

will not last a sufficient length of time to allow the comprehensive Hearing to be completed, the conditions satisfied, the final design and engineering done, and then tender, construction and start-up.

With the limited existing capacity and the high cost of the existing interim, as well as any further interim plan, it is essential that Halton obtain from this expected comprehensive Hearing, some approval to proceed with a new landfill.

If only one site is fully studied and canvassed and that particular site does not prove out during the detailed studies, and/or is not approved by the Board, then the Region will have lost anywhere from 1 year to 2 years before it is even able to start to do the detailed studies necessary to obtain approvals for another site whereas doing the detailed studies now on at least one other site will give the Board an opportunity to approve (not just comment on) another Site, if necessary.

It is Regional Staff's opinion that with more than one site being fully studied through the E.P.A., Planning and Financial levels necessary, the risk of a site not proving out and/or of the Board not approving one is lessened significantly.

Even considering the very worst case; namely, that any alternatives studied and put forward are rejected by the Board, it is much better in Staff's opinion to know as soon as possible what sites are not available rather than a one-by-one-by-one approach considering our very limited remaining landfill capacity.

(iii) Timeliness of Studies

Another reason for proceeding to study more than one site at this time is the "timeliness" of the various studies.

If the Region were to use a one-by-one-by-one approach and we were to fail with the first one such that the Region had to do detailed studies on another site and bring that one forward, a question would arise as to whether the preceding studies that got to Stage 2C, ie. the Stage 1 Waste Needs and Systems Analysis Report, the Stage 2A Regional Overview, the Stage 2B Selection of Candidate Sites, and perhaps even the Stage 2C Selection of Preferred Sites, would still be valid, and whether one might have to go and repeat those studies and, if so, to what extent.

As stated above, from the time the Hearing starts until it is completed and perhaps some decision rendered could be anywhere from 1 year to 2 years which would mean 1987 or 1988 before studies of the next site could start. That would mean the Stage 1 Report would be 4-6 years old and it may be questioned as to whether that would still be valid in 1987/88 as it was in 1982/83.

Assuming, however, that the studies are acceptable in 1987/88 and the next best site is rejected for whatever reason, then the question of the timeliness of the early studies becomes even more significant as one gets into the 1990's.

Thus, it is much better, in Staff's opinion to try and explore more than one site at this point in significant detail to obtain approval, considering the questionable validity of studies done in the past as a significant number of years go by.

(iv) Cost Effective Studies

If one is concerned, as Regional Staff are, that despite the submissions and supporting data from our Consultants that the leading site at this point, ie. Site F, may be rejected because Council does not have the final decision, and a Board, in light of evidence and submissions brought by others, that a better alternative exists elsewhere such that further studies may have to be done on an alternative site(s) elsewhere, then the most cost effective way of doing those studies is to do them now and at the same time. One can organize drilling rigs to go out for the hydrogeological programs; one can organize one's team of archeological examiners; one can organize one's air quality analysis team, etc., all at one time to complete the analyses and report-writing at the same time.

It is obviously best in terms of "economies of scale" and more cost effective to do the studies at the same time if one believes that that may be necessary anyway. If one is confident that Site F will gain approval despite the opposition, then obviously the most cost-effective mechanism is to study only one site. However, as stated previously, Staff do not recommend the one-site approach at this point in light of the hydrogeological unknowns which go to the issue of suitability and which go to the issue of affordability, both of which can only be answered when the detailed level of studies is done.

Further, doing the detailed studies of more than one site allows for a further Comparative Analysis AT THE SAME LEVEL OF DETAIL between Site F at this point and another site(s). As more detailed studies are completed that have to be completed in order to obtain the approval of a landfill, wherever the site, the study of more than one of the suitable sites to date provides the opportunity for the Region to do one last Comparative Analysis before heading into the comprehensive Hearing.

(b) The Precise Number - 2

The next issue that arises under the heading "How Many Sites to Study" is the precise number (if one accepts Staff's reasoning for more than one). As a result of the Environmental Assessment, Stage 2C Report, Halton should be able to landfill at any one of 4 sites. The Consultant Team has indicated a preference for Site F with Site D closely behind, and then much further behind Sites A-E, comparatively the same.

Obviously, if the detailed work could be done on all 4 and the time and money necessary to do that at this point were no object, then the safest approach would be to do all of the top 4. However, in Regional Staff's opinion, having considered our own Consultant's Reports, and those done by the Consultants to other parties, we believe that we should be able to prove at least one of our own Consultant's top 2, ie. F and/or D. Thus, doing the detailed work on 2 should be sufficient.

In addition to strongly believing that 2 should be sufficient to meet the reasons for studying more than one site set out previously in this report, and our confidence that at least one or both should be able to be shown to be suitable, we do believe that it is reasonable for the Region to at least use the Stage 2C Report, at this point, as the further screening mechanism it was intended to be, and it is reasonable for the Region to now get down to at least the top 2, if not the top choice alone. Regional Staff are not claiming that that is the only approach or, indeed, that it is the best approach, but in our opinion, it is a reasonable approach (and combined with our belief that one or both of the top 2 choices can be shown to be suitable) to use the screening process that we have used to date to get down to at least the top 2 sites as a result of the Stage 2C Reports.

Finally, Regional Staff are extremely cognizant of the large numbers of dollars spent on this particular exercise since 1982, the significant number of dollars spent on the initial "aborted" old Site F planning and EPA process, and of the significant dollars that will

be necessary for the comprehensive Hearing, regardless of the number of alternative sites presented to the Board. Considering the number of dollars involved, Regional Staff do not believe that increasing those dollars, both in the detailed study stage and in the Hearing stage, is really likely to increase the chances of success.

Hundreds of thousands of dollars are necessary to go beyond 2 sites up to 4 sites. In fact, it would be extremely difficult for the Region to obtain approval of Sites A and/or E when its own Consultants are telling us that they are unlikely to be as good as either F or D and indeed are significantly behind them. Thus, we do not see the additional hundreds of thousands of dollars increasing our chances of success.

If others believe that they have the authority to do the necessary detailed studies and they wish to provide the Board with an alternative site that can be approved at the Hearing, then perhaps they might wish to do the necessary detailed studies accordingly or pay the Region to do them for reasons of "economies of scale".

Thus Recommendations 9 through 27 have been formulated for the detailed study of Sites F and D. The Recommendations themselves contain the Consultants who are recommended for doing the work and upset limits have been established based on the documentation which is submitted to you with this report and/or under separate cover and it includes dollars for disbursements and meetings as well as the actual work. In addition, it includes some dollars for work that may or may not be necessary and will only be charged to the Region if indeed the work has to be done. For example, dollars are included in the Ecological Services for Planning Limited Work Program on a contingency basis should the after-use for Site F be determined as agricultural. Then an agricultural assessment would be necessary to determine what would be needed to rehabilitate that site to agricultural purposes. On the other hand, if the after-use for that particular site is not determined to be agriculture, than obviously an agricultural assessment would not be necessary as far as determining what would be needed to rehabilitate that site to agriculture and so the dollars would not be spent.

Regional staff would be authorized to approve invoices for any work done within the financial limits established provided that work was set out in the Work Programs that are included with this report. If there is any work that would take the Consultant beyond the "upset limit", then staff must approach Regional Council for approval with supporting explanation and Work Program. This would also be the case if any work is proposed that is not included within the Work

Program even if the budgetary limits may not be surpassed.

(4) Budget

The budgetary recommendation is Recommendation #10. It establishes the global budget for the approvals work up to the stage of the completion of the detailed studies and supporting reports. For a Consultant for which upset limits have been established, the budgetary dollars reflect the upset limits for those consultants. In addition the global budget reflects dollars for a number of consultants for whom Work Programs and cost estimates have not yet been established for which separate reports regarding same will be submitted to Regional Council as they are received. These include Dr. Karrow, Review Quaternary Geologist; Canada Centre for Inland Waters, the reviewer of the leachate treatability and Non-Human Toxicology Studies; the School of Epidemiology at McMaster which would be doing the Human Toxicology Study; and R.F. Theakston & Associates, Wind Experts, with respect to the wind modelling for the preliminary design vis-a-vis litter control techniques once the preliminary design is completed.

An allowance has been included in the global budget sum for those various areas that have not been costed to date for which separate work programs and cost estimates will be submitted later.

Finally, the global figure includes a 10% contingency amount (\$192,000) for work that may have to be done during the Detailed Studies - Approvals Stage that cannot be anticipated now. Before any work would be done out of the contingency fund, a separate work program and cost estimate would be presented to Council for approval.

The entire global budget would be financed out of the Solid Waste Reserve which is of sufficient amount to cover the anticipated cost relating to the global budget including the contingency.

A separate report is being prepared by the Treasurer with respect to the whole issue of financing the solid waste management system for Halton including a new landfill component with the particular emphasis on Sites F and D to provide Council with a future picture of what might be expected should the knowledge which we have to date hold and the process proceed to completion.

That particular report should be available for the Solid Waste Management Committee at its meeting on July 15th.

Suffice it to say that the study of 3 and 4 sites as well as could be handled as far as the detailed studies are concerned out of the Solid Waste Reserve but that obviously would reduce by hundreds of thousands of dollars the monies available for the landfill component itself once an approval is finally received and final design and construction can begin.

The final amount that appears in the global budget is \$64,000 related to legal fees and disbursements for legal advice that may be necessary during the Detailed Studies Stage up to the time of the preliminary hearings. That is a maximum amount and could be as low as \$34,000.

VIII. Legal Counsel

Recommendation #35 recommends that Osler, Hoskin & Harcourt be retained to provide the Region with Legal Counsel right through the Approvals Process not only during the Studies Process but also through the Preliminary and Final Hearing Stages and any Appeals including Court Work until we have the Final Approvals in hand.

Osler, Hoskin & Harcourt have served the Region well and are familiar with the work done to date. They have read and reviewed all of the reports, various submissions and comments; they have been in touch with Legal Counsel for the Ministry of the Environment; they have given detailed consideration to the Approvals Process as per the attached letter dated June 24th regarding that matter.

I believe that they will provide the Region with the necessary legal support for the Approvals Process, during the Study Stage and the Hearing Stage and during any Appeal Stage and indeed in any Court Work that might come up.

I therefore would recommend that Osler, Hoskin & Harcourt continue as Legal Counsel.

As far as the budgetary requirement is concerned, Osler, Hoskin & Harcourt have indicated that from their experience considering the amount of advice they have given to date and the more detailed studies that will now be carried out, that they would expect with meetings, etc. that the fees during the Study portion of the Approvals stage could be anywhere from \$30,000 to \$60,000 together with disbursements to a likely maximum of \$4,000. Thus a recommendation that the upset limit for fees during this phase be set at \$64,000. Hopefully it will be closer to \$30,000 than \$64,000. Regional staff are judicious in the amount of legal advice they do request from Osler, Hoskin & Harcourt.

Osler, Hoskin & Harcourt have also given some idea to Regional Council as to the type of legal fees that would be necessary for the hearing of the magnitude that they would expect both in terms of a Preliminary Hearing and a Final Comprehensive Hearing.

Finally, in Schedule "A" to the Fees and Hearing Letter, Osler, Hoskin have set out the amount of preparation and hearing (I stress the word "preparation" as well as "hearing") time that will be necessary which is anywhere from 40 to 72 weeks with the Regional Consultants. Obviously more time will be necessary for those who would be presenting cases in support or in opposition to that of the Region.

Osler, Hoskin & Harcourt have tried to give us some of the worst case scenarios but they have indicated in verbal discussion that with an effective Preliminary Hearing to narrow the issues, the Comprehensive Hearing assuming full opposition might be able to be shortened. It is so very difficult to tell right now in the absence of the detailed studies and the positions of those who do not support the Region as to whether a "shotgun" approach to a Hearing will be used or whether it will be agreed that the Hearing can be limited to a specific number of issues such that any of the other evidence being led will be submitted uncontested.

The budgets for Osler, Hoskin & Harcourt as far as the Preliminary Hearing and Final Hearing Stages are concerned will be refined prior to those various stages and brought back to Council for approval before any work is done in those areas. Thus the global budget at this point only covers the \$64,000 upset limit through the Detailed Study Stage.

IX. Internal Staffing

In order to carry out the Approvals Stage, there are internal staffing additions needed along with complementary expenses in the area of furniture and travel expenses, etc.

Schedule "E" to this report sets out the internal staffing changes and complementary expenses in detail.

In the area of Public Works the Waste Disposal Division will require a Professional Engineer to support Mr. MacKay. It must be noted that the Waste Disposal Manager will have to ensure the day-to-day operation of the existing solid waste disposal operation (source separation, container stations, landfill and loading facility) and will also be involved with the examination of any further energy from waste proposals should same arise out of the work of the Solid Waste Advisory Committee. In addition Mr. MacKay has tremendous responsibility regarding the Industrial Waste Abatement Program, the Sludge Utilization and Elimination Program, as well as the examination of any

other waste disposal proposals put forward in Halton should same arise from organizations like O.W.M.C.

Thus Mr. MacKay indicates he needs the support of another Engineer on a temporary basis, i.e. two years, while this Approvals Process is carried through. The Engineer assigned to this program would take a day to day role in coordinating the Detailed Approvals Studies and in ensuring that the work is being done by the various Consultants and the work checks with that which is being billed for. Thereafter at the Hearing the Engineer assigned on a temporary basis would provide the Regional presence necessary for Legal Counsel and the witnesses. That is the reason for the suggestion of at least two years, at which time the matter can be reviewed.

Other staff necessary during the Detailed Studies Stage are a Planning Assistant to do some of the day to day distribution of studies and review of studies. That support person is essential to ensure that the Professional Engineer assigned is not doing organizational work of a scope that could be handled by a Planning Assistant. Further, a Clerk-Typist would be necessary considering the large amount of clerical work that will have to be done during the Detailed Study Stage in terms of correspondence, filing, distribution and so forth. Thus a recommendation to transfer a very capable Engineer that we have in the Public Works Department; namely, Mr. Dave Smith, from Engineering Services to Waste Disposal and to replace Mr. Smith with a contract engineer for the two year period in Engineering Services and the transfer of a Contract Planning Assistant from the Planning Department to the Engineering Department for the E.P.A. Process as well as the addition of one Contract Clerk-Typist (full-time). The remaining expenses relate to the needs of these personnel.

Another area that needs continued support in order to complete the Approvals Process is the Planning Department for the completion of the Environmental Assessment and the Planning Approvals. The needs there are for continuation of one Contract Planning Assistant and for a part-time Contract Clerk-typist.

To date there have been two Contract Planning Assistants; now one would move to Public Works and one would remain in Planning. The Contract Planning Assistant would be necessary to provide a lot of the day-to-day organizational and report review and distribution work during the time that the Environmental Assessment is completed and submitted, the Detailed Planning Studies are completed and submitted, and the Comparative Analysis is completed and submitted. The costs shown in the Planning area on

Schedule "E" relate to the complementary funds needed to support a Contract Planning Assistant position for the year concerned.

It should be noted that this Contract person may be needed longer than the one year but that matter will be brought back to Regional Council for further consideration next year before the contract year is completed. At this point we are only recommending one year and then a review of that before the year expires to see what the needs then are.

X. Transfer Station - Halton Hills

One issue that must be addressed during the Approvals Stage is the issue of the transfer station in Halton Hills.

If the Site F alone method for landfilling should be the one ultimately approved, then the Regional Consultants have recommended and Regional Staff strongly support that a permanent transfer station be placed in Halton Hills as part of the overall solid waste management system because of haulage distances and other environmental concerns such as roadside dumping.

It is important therefore that the necessary work be done concerning the provision and approval of a transfer station in Halton Hills should Site F alone be approved as the landfill method out of the three proffered in the Undertaking.

To that end, Recommendations #36 and #37 have been formulated which would instruct Regional staff to call the Regional Area Transfer Station Task Force together to complete the Task Force examination regarding the responsibility in the financing of transfer stations and in particular related to the transfer station recommended in Halton Hills should Site F alone be approved as the landfill method for Halton.

In any case, Regional staff would be authorized to prepare a Work Program regarding the provision and approval of a transfer station in Halton Hills should Site F alone be approved as the landfill method for Halton with that Work Program to include cost estimates for the necessary studies and approval procedures. It is to be submitted to the Solid Waste Management Committee and Regional Council for approval before commencement.

In developing the Work Program to be submitted to Council, we are asking authorization to consult with the Town of Halton Hills and to consider the use of the private sector (as was the case some 5 to 6 years ago when an initial proposal call regarding interest was

put out to the public and two companies expressed interest, one of which is now operating the temporary open air transfer station, i.e. Leferink Disposals). In addition the Regional Chairman indicated at a recent meeting of the Solid Waste Management Committee that discussions are going on regarding the possibility of a small Energy from Waste Plant to handle the burnable garbage of Halton Hills and/or the burnable garbage of Halton Hills and Milton if possible. Those discussions have been going on with various interested persons in the affected area of Acton and Regional Staff are requesting authority to continue to explore that possibility as an alternative to simply a transfer station. Obviously an Energy from Waste Plant has a transfer component to it in that the non-burnable garbage and the residue and ash must be transferred to the landfill so an energy from waste plant can satisfy a dual disposal purpose; namely, burning and transfer.

Further, one of the advantages of the Energy from Waste Plant alternative is that it would provide a very useful component to our solid waste management system regardless of which landfill method is finally chosen.

XI. Ontario Waste Management Corporation Study

There is one final issue that Regional Staff believe is important to consider as the approvals stage is entered with respect to our search for a new landfill component.

As everyone knows, the Ontario Waste Management Corporation, as a Provincial Crown Corporation, is to construct waste disposal facilities to handle liquid and hazardous waste and O.W.M.C. has determined that their system will consist of a physical chemical treatment plant, an incinerator and a landfill.

Eight candidate sites were identified in their Phase 3 Report to be examined in close detail in Phase 4 with the result of Phase 4 to be the announcement of a preferred and possibly a backup site for each or all of the three types of facilities that will make up their system.

Of the eight candidate sites, three are in Halton; namely Milton and two of those three include sites D and E which are two of our Candidate Sites for the new landfill component.

The other sites the Ontario Waste Management Corporation were considering were in Mississauga (1), West Lincoln (2) and Niagara Falls (2). The Mississauga site has recently been eliminated due to hydrogeological concerns leaving seven candidate sites.

Regional staff have asked Ontario Waste Management Corporation whether any of the sites in Halton will be preferred or backup. Ontario Waste Management Corporation has responded by indicating that they are not in a position to tell us at this time.

Their expectations are that they will be able to make an announcement as to which, if any, of the seven remaining sites will be the preferred and/or backup for any of the particular facilities they need by September, if all goes as expected from this time forward.

The various Regional reports that have been prepared throughout the Environmental Assessment process regarding the landfill component have been sent to O.W.M.C. and to this date we have not received any comments on any of the reports.

Regional staff have not addressed the issue of the Ontario Waste Management Corporation matter to this stage because until this point in our landfill search the situation with respect to Sites D and E could be said to have been hypothetical as to the Region's need for same.

The field work done on Stage 2C has now shown that both Sites D and E are areas where landfilling could be done by the Region of Halton and Regional Staff are recommending an Undertaking that has Site D as an alternative method. Thus the issue is no longer hypothetical.

Thus with respect to Site D in particular, Regional Staff believe that O.W.M.C. should now be formally informed of the possibility that Halton may need Site D for its own waste management purposes and that in Halton's opinion, its need for Site D is primary to that of any purpose the Ontario Waste Management Corporation may propose for that particular site and that therefore the Ontario Waste Management Corporation should guide itself accordingly in looking for locations for its waste handling and disposal facilities. Thus Recommendations 38 (a), (b), and (c).

You will note that Recommendation 38 (c) emphasizes to Ontario Waste Management Corporation that Halton's search for a landfill component began thirteen years ago (11 excluding the County days) and long before Ontario Waste Management Corporation began its present search and that in all of the studies that Halton has done, the particular Site D has been identified as possible locations for Halton's own landfill component.

Regional legal counsel and Regional staff believe that should there be a need for any "contest" between Ontario Waste Management Corporation and Halton

regarding Site E, Halton can make a good case with the Province and/or any Board that Halton's needs must be given preference considering the length and breadth of Halton's search compared to Ontario Waste Management Corporation's search and considering that O.W.M.C.'s geographical mandate is Province wide, such that their search need not be limited to Halton. Whereas Halton's mandate is simply Halton wide and limits Halton's search to Halton.

Therefore, while the Ontario Waste Management Corporation Facilities Process is of concern, it should not be given undue waste as Regional Council begins its Approval Stage. At the same time, we believe Ontario Waste Management Corporation should now be formally informed that Halton's position is that its need for a landfill component is primary to the purpose of any other waste management corporation and that O.W.M.C. should therefore guide itself accordingly in doing its search for facilities.

XII. Summary and Conclusion

Regional Staff have concluded a review of the Submissions and Response Document and Final Stage 2C Reports as well as the comments and submissions from the various interested persons, agencies, and organizations during the Stage 2C Review Process.

We have carefully considered the advice of our consulting team as well as that of Regional Legal Counsel. We have then formulated 38 recommendations for Regional Council respecting the entering into of the Approvals Stage of the search for a new landfill component.

In the 38 recommendations, we recommend the completion of the Environmental Assessment document and the submission of same to the M.O.E. with an Undertaking that reflects an alternatives methods approach.

The Undertaking that staff suggest requesting approval for is to landfill 11.3 million cubic yards of solid waste in Halton by one of three alternative methods; namely landfilling at Site F in Burlington, or landfilling at Site D in Milton, or landfilling a portion at both Sites F and D.

Regional staff recommend that Regional Council defer its decision on what the preferred method for landfilling in Halton should be until such time as the detailed studies necessary to complete the Approval Stage have been done and a further comparative analysis then carried out regarding the three methods.

Regional staff believe that the Environmental Assessment Document however can be completed now and submitted. It can then be either approved and/or

referred by the Minister of the Environment for a Hearing should any interested party request a Hearing by the Environmental Assessment Board.

We are recommending the detailed examination of only sites F and D as they are the two top sites as a result of the completion of the Stage 2C Reports by our Consultants. Our Consultants believe that they are significantly better than the other two sites that could be suitable for landfilling, namely Sites A and E. Sites F and D offer the significant contrasts that form the basis for disagreements as to the most suitable location for landfilling and therefore we do not believe it is necessary to expend hundreds of thousands of dollars more looking at either of the other sites, A & E.

Further, we should attempt to relieve the concern and anxiety of those affected by our search for a new landfill component as soon as we possibly can and we believe that now is the time for doing so for those near Sites A and E.

We believe that there is sufficient reason to believe that either Site F or D or both could receive approval either separately or in combination and we believe that there is sufficient choice for a Board to make its choice of alternatives should it not be happy with one or other.

We have therefore recommended study in 24 areas by Consultants who are expert in each of these areas and in certain critical areas Review Consultants are recommended for retention. For those areas that were previously examined during the Environmental Assessment process, we have recommended the same Consultants for the purpose of continuity which we consider extremely important. For new areas that have to be examined at this level of detail, proposal calls were requested and Consultants recommended. In each of those cases the Consultants providing the lowest proposal cost were capable and thus are now recommended for acceptance.

A global budget (\$2,110,518) has been established for the Detailed Studies portion of the Approval stage including a 10% (\$192,000) contingency.

Most of the areas to be examined have their Work Programs and budgets attached to this report or under separate cover. There are some areas such as human toxicology, wind modelling, and the final comparative analysis which still require detailed work programs and cost estimates and no work will be done on those areas until such time as work programs and cost estimates have been submitted to Council and approved by Council.

Monies set out in the budgets will only be expended in accordance with the appropriate policies of Council and in particular the Recommendations adopted as part of the financial audit.

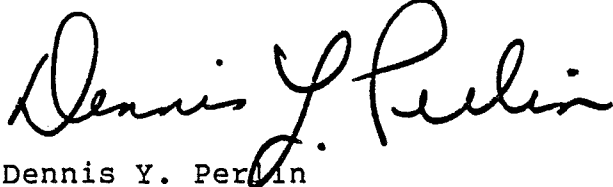
The Report recommends the retention of Osler, Hoskin & Harcourt as Legal Counsel throughout the Approvals stage and sets out a budget for legal services through the detail studies step to the Preliminary Hearings Stage.

The Report also recommends the preparation of a Work Program regarding the provision and approval of a transfer station in Halton Hills in accordance with the Recommendations of the Stage 2C Studies should the Site F alone method for landfilling be approved; the transfer station is recommended as part of that landfilling method and thus it should be known whether in fact that transfer station can be provided and approved when one is examining in detail the Site F method for landfilling. Also recommended as part of that matter is the recalling of the Regional Area Transfer Station Task Force to examine the issue of responsibility for financing of transfer stations. Further, it is also recommended that Halton Hills be involved in the development of a Work Program for a transfer station in Halton Hills and that a small Energy from Waste plant to handle the burnable garbage for Halton Hills and/or Halton Hills and Milton should be looked at as part of the examination of the transfer station issue.

Finally, the Report deals with the Ontario Waste Management Corporation search for waste handling and disposal facilities and its impact on the Halton search for a new landfill component. Regional staff believe that Halton Region's purpose is primary to that of O.W.M.C. as far as the Halton Area is concerned and that that position should be expressed to Ontario Waste Management Corporation. They should be told that two of the three alternative methods put forward for landfilling as part of the Undertaking of the Region in its Environmental Assessment would involve Site D in Milton and that O.W.M.C. should therefore guide itself accordingly in its continuing search for its own facility. It is further recommended that O.W.M.C. be reminded that the lands known as Site D have been part of lands being looked at for a new landfill component in Halton in numerous studies beginning in the early 70's long before Site D was named as a Candidate Site by O.W.M.C. In any case, Regional Staff basically believe that the O.W.M.C. issue should not be given

undue weight in resolving Halton's own landfill problem as the case for Halton's purpose being primary is strong.

Respectfully submitted,

A handwritten signature in cursive script, reading "Dennis Y. Perlman". The signature is written in dark ink and is positioned above the printed name and title.

Dennis Y. Perlman
Chief Administrative Officer

DYP*pm
attach.

SCHEDULE "A" to Report No. CAO 203/85

RECOMMENDATIONS

Stage 2C - Submission and Response Document and Final Reports

1. THAT the Stage 2C Submission and Response Document and Final Reports from the Environmental Assessment Consulting Team led by Walker, Wright and Associates, be received.

Undertaking

2. THAT the Undertaking to be set out in the Region's Environmental Assessment for its new Landfill Component be as follows:

"The Undertaking for which The Regional Municipality of Halton seeks approval in this Environmental Assessment Document is to landfill in Halton 11.3 million cubic yards of solid waste, and to do so by one of 3 alternative methods:

- i) landfilling at the site commonly referred to as Site F in the City of Burlington as set out in the "Site Plan Area" of the Stage 2C Final Hydrologic-Geologic-Hydrologic Assessment and Conceptual Design Report dated June, 1985 by Hydrology Consultants Limited being Figure F5 and facing Page 61. or
- ii) landfilling at the site commonly referred to as Site D in the Town of Milton as set out in the "Site Plan Area" of the Stage 2C Final Hydrologic-Geologic-Hydrologic Assessment and Conceptual Design Report dated June, 1985 by Hydrology Consultants Limited being Figure D9 and facing Page 44. or
- iii) landfilling a portion at both of the above-mentioned Sites F and D.

Preferred Method

3. THAT Regional Council defer its decision on what the preferred method for landfilling in Halton should be until after completion of the final detailed studies and Comparative Analysis.

Environmental Assessment Completion

4. THAT Regional Staff and the Region's Environmental Assessment Consultants, Walker, Wright & Associates, be instructed to complete Phase 3 of the Environmental Assessment; namely, the completion of the Environmental

Assessment Document for submission to the Ministry of the Environment under The Environmental Assessment Act, using the "Undertaking" set out in Recommendation No. 2 above.

5. THAT the Budget for the completion of Phase 3 of The Environmental Assessment be established at \$26,785 with the Consultant fees to be at the upset limit of \$22,835 and with disbursements of approximately \$450 and a contingency respecting various meetings and documentation that might be required, that cannot be predicted in advance, being \$3500.
6. THAT the Regional Planning Director with the approval of the C.A.O., be authorized to use the funds set aside in the contingency in Recommendation #5 above, provided that any such expenditures are within the approval limits of staff AND are in accordance with the recommendations of the financial audit previously approved by Council.
7. THAT the Environmental Assessment Document be sent to Council for review and approval before the Document is submitted in accordance with the provisions of The Environmental Assessment Act.

Project Management - Approvals Stage

8. THAT an administrative Approvals Management Committee (AMC) consisting of the Chief Administrative Officer as Chairman, the Director of Public Works, the Director of Planning & Development, the Medical Officer of Health and the Regional Treasurer be established to ensure the co-ordination and completion of the detailed studies necessary for the approval of Halton's new landfill component within the scope of the work programs and budgets set out and approved in Schedule "A" to C.A.O. Report No. 203/85.

Detailed Studies Budget - E.P.A., Planning & Financial

9. THAT the detailed studies work and report preparation set out in Recommendations 11 through 27 with respect to Environmental Protection Act, Planning and Financial approval be carried out for Sites F and D.
10. (a) THAT the budget for completion of the detailed studies and the preparation of reports for Environmental Protection Act, Planning and Financial approval for Sites F and D be set at \$2,110,518 including \$192,000 for contingency work, to be financed from the Solid Waste Reserve.

(b) THAT the contingency monies set aside in Recommendation #10(a) above be expended only with a

prior staff report with supporting documentation explaining the need and with Council approval thereto.

11. (a) THAT notwithstanding the Purchasing By-law, the firm of Trow Limited - Hydrology Consultants be retained to carry out the geology, hydrogeology, geochemistry, geophysics, shale resource analysis, water servicing, on-site leachate treatment, and design and operations work, and to prepare the necessary reports as set out in the Hydrology Consultants work program dated June 3, 1985 for Sites F and D at an upset limit of \$551,890 including \$44,100 for continuous coring.
12. THAT notwithstanding the Purchasing By-law, the firm of The LandPlan Collaborative Limited be retained to carry out the after-use, visual impact, heritage analysis, and site modelling work and to prepare the necessary reports as set out in their work program dated June 6, 1985 for Sites F and D at an upset limit of \$127,736 including \$35,800 for site modelling.
13. THAT notwithstanding the Purchasing By-law, the firm of Bird and Hale Limited be retained to carry out the biophysical impact work and to prepare the necessary report as set out in their work program dated June 4, 1985 for Sites F and D at an upset limit of \$34,042.
14. THAT notwithstanding the Purchasing By-law, the Museum of Indian Archeology (London) be retained to carry out the archeological work and to prepare the necessary report as set out in their work program dated June 17, 1985 for Sites F and D at an upset limit of \$44,525.
15. THAT notwithstanding the Purchasing By-law, the firm of Giffels Associates Limited be retained to carry out the transportation impact work as set out in their work program dated June 4, 1985 for Sites F and D at an upset limit of \$37,750.
16. THAT notwithstanding the Purchasing By-law, the firm of Senes Consultants Limited be retained to carry out the air quality (dust and odour) work and to prepare the necessary reports as set out in their work program dated May 29, 1985 at an upset limit of \$85,490, including \$19,940 to complete the suggested monitoring for one year.
17. THAT notwithstanding the Purchasing By-law, the firm of Barman Coulter Swallow Associates be retained to carry out the noise work and to prepare the necessary reports as set out in their work program dated June 5, 1985 for Sites F and D at an upset limit of \$13,005.

18. THAT notwithstanding the Purchasing By-law, the firm of Ecological Services for Planning be retained to carry out the agricultural impact and rehabilitation work to prepare the necessary report as set out in their work program dated June 14, 1985 for Sites F and D at an upset limit of \$45,081.
19. THAT the firm of Pollutech Limited be retained to do the leachate treatability and fish, animal and vegetative toxicology work and to prepare the necessary reports as set out in their work program dated June 19, 1985 for Sites F and D at an upset limit of \$98,225.
20. (a) THAT the School of Epidemiology, McMaster University, be retained to carry out the human toxicology work and any reports necessary with respect to environmental impact of a landfill at Sites F or D.

(b) THAT before authorizing the School of Epidemiology McMaster University, to do any work in this regard, that their work program and budget be formulated and submitted to Regional Council for approval.
21. (a) THAT R.F. Theakston and Associates be retained to carry out the Wind Tunnel Modelling Studies (Litter Control) for a landfill at Site F or D on completion of the Preliminary Design for each Site.

(b) THAT before authorizing R.F. Theakston and Associates to do any work in this regard, that their Work Program and budget be formulated and submitted to Regional Council for approval.
22. THAT notwithstanding the Purchasing By-law, Dr. R.N. Farvolden be retained to act as Review Hydrogeologist to review the various reports related to hydrogeology at an upset limit of \$12,000.
23. THAT M.M. Ross & Associates Limited be retained to act as the Review Transportation Engineer to review the transportation impact work at an upset limit of \$20,440.
24. (a) THAT the Canada Centre for Inland Waters be retained to carry out a review of the leachate treatability and fish, animal and vegetative toxicology studies.

(b) THAT prior to any work being done by the Canada Centre for Inland Waters that a work program and budget be developed and submitted to Regional Council for approval.
25. (a) THAT Dr. Karrow of the University of Waterloo be retained as the Review Quaternary Geologist to review the geology work with respect to Sites F and D.

(b) THAT prior to any work being done by Dr. Karrow, the Quaternary Geologist, that a work program and budget be developed and submitted to Regional Council for approval.

26. a) THAT notwithstanding the Purchasing By-law, Walker, Wright, Young & Associates be retained as the Planning Consultants to carry out the detailed planning work necessary to obtain planning approval for Sites F and D in accordance with their work program dated June 27, 1985 at an upset limit of \$91,206.

27. (a) THAT notwithstanding the Purchasing By-law, C.N. Watson Associates be retained to carry out the financial approvals work and to prepare the necessary reports as set out in their work program dated June 20, 1985 for Sites F and D at an upset limit of \$43,143 including \$19,000 for property value and compensation assessment.

Comparative Analysis

28. THAT upon completion of the detailed studies work set out in Recommendations 11 through 27 above, a final Comparative Analysis of Sites F and D be done and submitted to Regional Council for consideration.

29. (a) THAT notwithstanding the Purchasing By-law, Walker, Wright, Young Associates be retained as the consultants to carry out the final Comparative Analysis of Sites F and D based on the final level of detail for each of those sites.

(b) THAT a budget be established for the completion of the Comparative Analysis in the amount of \$51,000 representing the amounts that may be necessary for the completion of the Comparative Analysis of Sites F and D by Walker, Wright, Young Associates and for the securing of the advice of various members of the Consulting Team who should have input to the final Comparative Analysis.

(c) THAT prior to any work being done on the final Comparative Analysis that a work program and final cost estimate be developed and submitted to Regional Council for approval.

Detailed Approvals Work - Internal Staffing

30. THAT Mr. David Smith, a Professional Engineer currently on staff in the Public Works Department, be transferred from the Engineering Services Division to the Waste Disposal Division for a two-year period commencing July 29, 1985 to assist the Manager of Waste Disposal in the co-ordination and technical review of the Environmental Protection Act work and reports, and that Mr. Smith's former position be filled on a contract basis in the Engineering Services Division for the two-year period concerned.

31. THAT a contract planning assistant be retained by the Waste Disposal Division of the Public Works Department for a one-year period commencing August 1, 1985 to provide day-to-day support with respect to the co-ordination and completion of the work and reports necessary for the Environmental Protection Act approvals process.
32. THAT a contract planning assistant be retained by the Planning Department for a one-year period commencing August 1, 1985 to assist in the completion of the Environmental Assessment and the carrying out of the planning approvals work under the direction of the Senior Policy Planner, Planning & Development Department.
33. THAT a contract clerk-typist (full-time) be retained for a one-year period commencing July 29, 1985 for the waste disposal division of the Public Works Department and a contract clerk-typist (part-time) be retained by the Planning Department for a one-year period commencing July 29, 1985 to provide clerical and typing services with respect to the co-ordination of the Environmental Protection Act approval process.
34. THAT the internal expenditures budget set out as Schedule "E" to C.A.O. Report 203/85 regarding the various internal expenses including staffing expenses for the Detailed Studies - Approvals Stage at the upset limit of \$234,800 be approved.

Legal Counsel

35. (a) THAT Osler, Hoskin & Harcourt be retained as Legal Counsel to the Region for the completion of the Environmental Assessment and the carrying out of the approvals process including any Hearings and/or Court appearances related to the approvals process for Environmental Assessment, Environmental Protection, Planning and Financial approvals.
- (b) THAT with respect to the provision of legal advice by Osler, Hoskin & Harcourt to the completion of the detailed approvals work, that an upset budget amount of \$64,000 inclusive of disbursements with any bills related thereto to be submitted in detail as to hours, the individual doing the work, and the hourly rates in accordance with the letter of Osler, Hoskin & Harcourt dated June 24, 1985 regarding fees for their services.
- (c) THAT a further budget be developed with respect to the provision of legal advice by Osler, Hoskin & Harcourt for the completion of the preliminary and full-scale Hearings regarding the Approvals Process and submitted to Regional Council for approval prior to the commencement of the preliminary and full-scale Hearings process.

Transfer Station, Halton Hills

36. THAT Regional Staff be instructed to call the Regional/Area Transfer Station Task Force together to complete the Task Force examination regarding responsibility in financing of transfer stations, in particular related to the transfer station recommended in Halton Hills should Site "F" alone be approved as the landfill method for Halton.
37. (a) THAT Regional Staff be authorized to prepare a work program regarding the provision and approval of a transfer station in Halton Hills should Site F alone be approved as the landfill method for Halton, and that such work program be submitted to the Solid Waste Management Committee and Regional Council for approval before commencement.
- (b) THAT in developing the work program mentioned in Recommendation #37(a) above, Regional Staff be authorized to consult with the Town of Halton Hills, and be authorized as well to consider the use of the private sector, and finally to explore the possibility of a small energy-from-waste plant in Halton Hills to handle the burnable garbage of Halton Hills or Halton Hills and Milton, if possible, as an alternative to simply a transfer station.

O.W.M.C.

38. (a) THAT the Ontario Waste Management Corporation be informed of the "Undertaking" of the Region related to Halton's landfill component for its Solid Waste Management System; and further
- (b) THAT O.W.M.C. be informed that the possibility that Halton may need Site D for its own waste management purposes is primary to that of any purpose the Ontario Waste Management Corporation may propose for that particular site, and that therefore the Ontario Waste Management Corporation should guide itself accordingly in looking for locations for its waste handling and disposal facilities; and further
- (c) THAT the Ontario Waste Management Corporation be reminded that Halton's search for a new landfill component has identified the lands now referred to as Site D as far back as the early 70's in the McLaren Study; thereafter as part of Location F in the Dillon Studies; and then finally in the Walker, Wright, Young Stage 2B and 2C Reports, all before the Ontario Waste Management Corporation identified that particular location as a Candidate Site for its consideration.

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