CONSOLIDATED HEARINGS BOARD

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— and —

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HELD AT: Oakville, Ontario

DATE: September 7, 1988

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NETHERCUT & COMPANY LTD.
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TEL: 593-4802

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I N D E X

NAMES OF WITNESSES	PAGE NO
PICKFIELD, Max (Sworn)	42554
Examination by Ms Vigod	42554
Cross-examination by Mr. Leitch	42556
BROWNLEE, Brian (Sworn)	42558
Examination by Ms Vigod	42558
Cross-examination by Mr. Leitch	42562
Cross-examination by Ms Cronk	42563
CHORNOOK, Vi (Sworn)	42564
Examination by Ms Vigod	42564
FILMAN, Diane (Sworn)	42568
Examination by Ms Vigod	42568
FRASER, Mary (Sworn)	42572
Examination by Ms Vigod	42572
VAN DEN ANDEL, John (Sworn)	42576
Examination by Ms Vigod	42576

LANGTON, Douglas (Sworn) 42578
Examination by Ms Vigod 42578
Cross-examination by Mr. Leitch 42587

CONNELL, John (Sworn) 42590
Examination by Ms Vigod 42590
Cross-examination by Ms Cronk 42594

JAMES, Jan (Sworn) 42598
Examination by Ms Vigod 42598
Cross-examination by Ms Cronk 42600

SMITH, Penman (Sworn) 42601
Examination by Ms Vigod 42601

VIVIAN, Lloyd (Sworn) 42617
Examination by Ms Vigod 42617
Cross-examination by Mr. Tidball 42622

BRECHT, Michael (Sworn) 42621
Examination by Ms Vigod 42621
Cross-examination by Mr. Tzekas 42627

GERRIE, Marnie (Sworn) 42627
Examination by Ms Vigod 42627

MARINACCI, Gary (Sworn) 42630
Examination by Ms Vigod 42630
Cross-examination by Ms Cronk 42635

PERIGO, Morgan (Sworn) 42639
Examination by Ms Vigod 42639

SPENCE, Judy (Sworn) 42644
Examination by Ms Vigod 42644

KORNEY, Ben (Sworn) 42646
Examination by Ms Vigod 42646

LOVEGROVE, Steve (Sworn) 42650
Examination by Ms Vigod 42650

SCHMALZ, W. (Sworn) 42655
Examination by Ms Vigod 42655

ZIMMERAN, Art (Sworn) 42667
Examination by Ms Vigod 42667

E X H I B I T S

NO.	DESCRIPTION	
N-944	NSP Newsletter No. 4	42596
WB-946	Minutes - Feb. 2/83	42683
WB-947	Video	42683
WB-945	Five photographs	42627

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BEFORE: H. H. Lancaster, Q.C. - Chairman

Dr. D.J. Kingham - Member

Nethercut & Co. Ltd.
Toronto, Ontario

Hearing conducted at The Oakville Granary Commercial Centre, 105 Robinson Street, Oakville, Ontario, on September 7, 1988

VOLUME 171

APPEARANCES:

T.R. Lederer and H.D. Hodgson	for the Regional Municipality of Halton (Proponent)
J.R. Tidball	for the Ministry of the Environment
T. Vigod J.F Castrilli	for the West Burlington Citizens Group
D. Estrin, F.E. Leitch and H. Dahme	for the Corporation of the Town of Milton
S.R. Garrod and A. Nurvo	for the Milton Area Citizens Coalition and several affected Milton area landowners
R.B. Tuer, Q.C. E.A. Cronk and F. Perrier	for National Sewer Pipe Limited
L.F. Longo	for Azova Investments Limited
M.J. McQuaid, Q.C. and C.J. Tzekas	for the City of Burlington
C. Mansfield	for the Ministry of Natural Resources
P. Renaud	for Cumis

APPEARANCES (Cont'd):

C. Stevenson P. Hancock	for Framgard Holdings, Fosseri Investments Limited, Seriphos Investments Limited and Topic Investments
J.H. Olah	for the Halton Region Conservation Authority

* * * * * *

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Per: P. D. McQueen

--- Upon commencing at 1:00 p.m.

MR. LANCASTER: Thank you. Please be seated. Ms Vigod.

MS VIGOD: Thank you. Mr. Chairman, my first witness will be Mr. Max Pickfield

DR. KINGHAM: I will mention now for the benefit of all witnesses that we would prefer if you would use the neck microphone so that the Court Reporter can hear you.

MAX PICKFIELD, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Pickfield, what is your position?

A. Mr. Chairman, I am the first vice-president of the Board of Directors of the Burlington Golf and Country Club. I am here to represent the Board of Directors and all the members of the Burlington Golf and Country Club. The area that we are speaking of is this cross-hatched area in red located here.

Q. I understand you have a brief presentation for the Board today.

A. Yes.

Q. Please go ahead.

A. The Burlington Golf and Country

Club was founded in 1922 and currently has 1,670 members that live in all parts of the City of Burlington. Over its 66 years of existence, the course which is 135 acres in area, which has majestic trees which have grown to maturity, beautiful grass fairways and many tributaries of the Falcon Creek meandering through the fairways as the creek flows on to the Burlington Bay. I believe some of these are shown here. Not all of them, but tributaries off that creek as well.

As you can see by the map, it is located directly south of the present site as well as the proposed Site F. It is our understanding that monitoring studies of the present landfill indicate that leachate is leaking southward and that this will continue long after the site is closed.

It is also our understanding that evidence has been presented to this hearing indicating that five per cent leakage at Site F represents 6,000 gallons daily and that where it leaks to cannot be determined for certain.

Obviously, with 135 acres immediately south and with the Falcon Creek and its tributaries flowing through the property, our Board of Directors and our members of the Burlington Golf and Country Club

have some very sincere concerns if Site F is selected and landfill continues for possibly another 20 years. We therefore respectfully record our objections to you regarding the possible selection of Site F.

On behalf of the Burlington Golf and Country Club and all its members, I thank you for the opportunity to make this presentation.

MR. LANCASTER: Thank you.

Mr. Tidball, do you have any questions? Mr. Tzekas, Ms Cronk, Mr. Leitch?

CROSS-EXAMINATION BY MR. LEITCH:

Q. Mr. Pickfield, you say you have information with respect to leachate and its flow south. Where did you get that information?

A. That information was presented to us and I presume it is information of record.

Q. Was it presented to you personally?

A. Yes.

Q. Who gave you that information?

A. It was part of the presentation, I am not exactly sure who determined the presentation. The presentation was written in conjunction with myself and some other people.

Q. What I am asking you is, who gave

you and the other people the information that this leachate was leaking and going southward and may affect the Falcon Creek and the golf course?

A. I am afraid I can't tell you exactly who it was. I don't know.

MR. LEITCH: Thank you.

DR. KINGHAM: Mr. Pickfield, you mentioned a fair number of tributaries that exist on the golf course that are not shown on that map. Did they arise on the golf course?

THE WITNESS: They are like little creeks.

DR. KINGHAM: Are they simply runoff when it rains there, or are they running all the time?

THE WITNESS: Some of them in a very dry season, they dry up, but during the spring and fall, they run on a continuous basis.

DR. KINGHAM: My question is, where does the water for those tributaries come from; do you know?

THE WITNESS: From further north because I know it flows towards the bay.

DR. KINGHAM: Perhaps I am not being clear. We see some tributaries and some of them do come from all upstream, the Escarpment. Others appear to start at the boundary of the golf course and you

have mentioned there are others not shown on there.

THE WITNESS: There are little side creeks that can flow from here to this one. I know there is one on the 17th hole that runs very close here in behind the green and to the right of it. Eventually, it meanders down through somewhere and back into the bay, the creek which flows back into the bay.

DR. KINGHAM: Do you know if there are any springs of water on the golf course that are the sources of this tributary?

THE WITNESS: I am not aware of that from what we can see. It starts at the north end of the golf club and it runs in that direction, all of them run in that direction, so whether there are any that are a source right in the golf club, I can't tell you.

MR. LANCASTER: Mr. Hodgson, do you have any questions?

MR. HODGSON: No, thank you.

MR. LANCASTER: Thank you.

MS VIGOD: I call Mr. Brian Brownlee.

BRIAN BROWNLEE, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Brownlee, could you identify your residence with a red star, please?

A. 827 Glenwood Avenue.

Q. If you could just stick one of those stars on the approximate location.

A. This, I believe, is in lots and I don't remember the exact, approximately there.

Q. Mr. Brownlee, how long have you lived in that location?

A. I have lived there for the past seven years and prior to that, I lived for eight years on Francis Road, right there.

Q. So, still in the Aldershot area?

A. Yes.

Q. I understand that you have attended a number of the public meetings throughout this process?

A. I was to one of the meetings at Aldershot High School, which was actually about the extension of the existing landfill site.

I was to a site visit at Site F in '85 or '86. It was in December, I think, of '85 or '86.

Q. I understand you have a brief presentation for the Board today?

A. Yes, I do.

Maybe if I can just start where the previous person left off, a little bit.

Between Glenwood Avenue and Forest Glen, is a ravine. There is a year-round creek there. I think the source of that, I think it is probably a spring-fed creek, because there is no obvious source north of Townsend Avenue for that. It does flow year-round. I think this is part of one of my general concerns is the effect that the impact of the landfill site will have on the water quality of all of the creeks draining in this area.

From a layman's perspective, just what are the possibilities that groundwater will migrate from here and eventually surface, source or reappear in some of these streams here. I realize it is not a simple straightforward matter, but I do have this concern, general concern on the impact of the landfill site, leachate from the landfill site on water quality in the area.

Another concern I have is just with the fairness of the whole process. I realize this is a subjective viewpoint, but I would like to compare it a little bit, compare my personal experience, I guess, although not extensive, with the process that was undertaken for the Queen Elizabeth Way widening.

When I was living on Francis Road, I went to one public meeting and one presentation, one

information presentation having to do with the Queen Elizabeth Way widening. I think there the public, my impression is that the public was taken into the process better. It is probably, I think the public probably had more confidence in the review process with that QEW widening than they seem to have with the selection of the landfill site.

In thinking about this matter of public confidence, I would like to pose three questions or three conditions on whether these are being met with this choice of landfill site.

Has the best possible effort been made to find the best site? I think there, economics shouldn't necessarily be the major consideration.

Has the public been involved, gotten involved, for lack of a better term, in a friendly way, or has the whole process by and large, created hostility among the public?

Are there assurances the site will be managed in the best possible way?

Those three questions I think are important and speaking from my rather limited experience and involvement in this, I am not really confident that those conditions are being met. I feel the Region has really not established its credibility

in the best possible way. It is a lot of feelings and opinion, I guess and I am just speaking as a resident of the Aldershot area. This is how I feel.

I think that is all I have to say.

MS VIGOD: Thank you.

MR. LANCASTER: Are there any questions of this witness? Mr. Leitch?

CROSS-EXAMINATION BY MR. LEITCH:

Q. With reference to a gully which has some sort of watercourse in it, you told us, was there a name that attached to that?

A. I don't know of any name. It is just a ravine between the east side of Glenwood and the west side of Forest Glen.

Q. That is a ravine that is fairly near to where you live?

A. Right behind. My house borders on it. In fact, the stream runs through the back of my property.

Q. You said you thought that it might be spring-fed, but I take it you haven't found any springs?

A. No, because that is on private property. There is no way I personally could find that out. I am just reasoning from what I see.

MR. LANCASTER: You did say it is year-round?

THE WITNESS: It is year-round.

MR. LANCASTER: Mr. Hodgson? Ms Cronk?

CROSS-EXAMINATION BY MS CRONK:

Q. Where did you say you lived? What is the municipal address there?

A. 827 Glenwood Avenue.

DR. KINGHAM: I wonder if you have had an opportunity or took the opportunity of reading the Region's documents on site selection. You said one of the things you are concerned with, the first rhetorical question you posed was, was the best site selected, or something to that effect.

Did you read any of the material prepared by the Region on site selection?

THE WITNESS: I did read one consultant's report. It had to do with leachate treatability. Oh yes, and I read another on, I forget the exact title, I think it was "The Impact on Air Quality".

DR. KINGHAM: Are you aware that the Region did documents on the site selection process in the Region of Halton?

THE WITNESS: No, I am not. I haven't

read that.

MR. LANCASTER: Fine, thank you.

Ms Vigod, have you distributed the list of witnesses to counsel?

Might we have Mr. Pickfield's address? We don't have that on the record.

MR. PICKFIELD: 556 Northshore Boulevard East, Burlington.

MS VIGOD: I will call Vi Chornook.

VI CHORNOOK, Sworn

EXAMINATION BY MS VIGOD:

Q. Ms Chornook, could you identify your residence on the map at the start?

A. 938 Tanager Avenue.

Q. How long have you lived at that location?

A. Thirty-four years.

Q. I understand you have a brief presentation for the Board?

A. Yes, I do have.

In 1954, my husband and I chose to have our house built in a pleasant spot in mid-Aldershot. Now, of course known as West Burlington, and in the survey locally known as Birdland. We loved it and still do and hope to be there until we leave

horizontally.

Our house is approximately 3.6 kilometres from the entrance to the present landfill site. By air, it would be about 1.5. In other words, we are sort of due south but we can't go that way.

I consider that I have been a good citizen as far as garbage is concerned. I started separating and washing and removing labels from all cans and bottles that could be recycled and saving newspapers as soon as those far-seeing members of our community organized that citizens' committee for pollution control.

When the building on the Guelph Line opened, I made regular trips to there and I was part of the blue box pilot project that started in 1983, I understand. It seems longer than that. I still have, and use, my blue box.

I heard on CBC this morning that blue boxes are to be introduced to the citizens of Toronto on October 1st this year. We have had a compost pile for many years. We use mostly garbage pails instead of green bags. I stopped using chlordane and its like. I have had moderate success in persuading my husband to stop spraying for weeds and bugs. This has all been with the hope that at least we will not be adding to

the stream of poison working its way towards our source of drinking water.

I know that many other people in Aldershot have also been working at reducing the volume of garbage and pollution it creates.

However, despite our efforts, or maybe because of them, it seems that we are considered to be in an ideal spot for garbage, having received Milton's since 1980 and that of the whole Region since 1983 and are now expected to do the same for another 20 years.

Have we been handling our garbage too well, giving the impression we like the stuff? Are we not in a vulnerable position as far as leaching into our drinking water is concerned?

The following is a quote from the report of the March 1985 meeting at Aldershot High School:

> "At the interim expansion hearing in 1984, the Region's hydrogeology consultant, Mr. R. Leitch of Gartner, Lee Associates, said that he personally would not recommend the siting of a landfill on shale in the Escarpment Site F area and that tills are definitely preferable."

I do have that full report here if

anyone wants to look at it.

Who really knows that leachate can be contained and that in a few years we won't be told we can't drink the water. I can imagine the problems of our administrators but I sincerely hope that while they must provide a landfill site in the near future that they will put their energies and talents towards the serious study of proven alternative methods of reducing garbage, properly built and run incinerators, compulsory recycling and converting sewage sludge and garbage into usable compost.

I hope everyone read the editorial in the September 3rd Spectator. I have a copy of it here.

Also, it is too bad we can't be listening to today's CBC one o'clock phone-in on the same subject of reducing garbage.

In conclusion, I am against the establishing of Site F for the purpose of receiving garbage from the whole Region. I think our area has had its share and that there will be as many problems here as there will be in, for example, Milton.

Thank you.

MR. LANCASTER: Any questions?

DR. KINGHAM: When you made the comment, Ms Chornook, to leachate getting into our drinking

water, you are not referring to wells.

THE WITNESS: No, no, down through the streams and into the bay. I mean, there are all sorts of streams that aren't marked there. There are lots of ways I think it can get down there, that is all I meant.

DR. KINGHAM: Thank you.

MR. LANCASTER: Thank you very much.

MS VIGOD: I wish to call Diane Filman.

DIANE FILMAN, Sworn

EXAMINATION BY MS VIGOD:

Q. Ms Filman, could you identify your residence?

A. I live at 814 Partridge Drive.

Q. How long have you and your family lived in that location?

A. I have lived there for seven years. My husband has lived there in the same house for 35 years.

Q. I understand you have a presentation for the Board today.

A. Yes, I have.

The land surrounding our home was a farmland for many years. My husband's family settled there about 150 years ago as farmers and market

gardeners and their crops flourished in the good soil. This soil is very sandy. The water never lays on the surface as it does on clay. There are numerous springs feeding the creeks in the various ravines around our area as there is at the back of our property. This water naturally flows to the lake where all our drinking water originates.

My husband and I have attended several public meetings and have two main concerns regarding the placement of the dump in our area.

The first concern and fear is the possible future pollution of our drinking water. Our generation and those before us all over the world have made many, many mistakes through ignorance mostly, which are affecting our water. We already know, however, that leaking has occurred at both Aldershot dumps. Yet, we are considering compounding this problem by creating yet another dump in this area.

Our second concern is fairness or equality. When the Aldershot dump was first opened it was on the outskirts of Flamborough Township and then on the outskirts of Burlington. Now, as the dumping area for all of Halton, it is surrounded by homes and more are being built.

As a Public School Trustee for

Aldershot, I am aware that the children who attend the fine schools in the area come from the Waterdown Road on the west, from Tyandaga on the east and south of the dump.

At the Halton Board of Education which runs all of Halton's 83 schools, we are very aware of the size of our region and the need to be fair to each area. We are constantly striving for equality of service and working to find the best solutions for the entire region. No one wants a dump in their backyard, but it is not fair or equal treatment to add another dump to the Aldershot area of Burlington because it was there before and we are used to it.

We all realize the enormous problem garbage is presenting to the world and we must continue to work for solutions. I am proud that we in Halton are pursuing recycling so vigorously and urge everyone to continue to be aware of ways we can all help to preserve our environment.

Thank you.

Q. Ms Filman, you were interviewed by Mr. Lang last year; is that correct?

A. Yes.

MR. LANCASTER: Any questions of this witness?

Thank you.

THE WITNESS: Could I just mention something? On your map here we have a stream that goes down this ravine and continues on and we do have a spring at the back of our property. It just goes all the time.

DR. KINGHAM: That is not the same stream that Mr. Brownlee was referring to, is it?

THE WITNESS: No. There are numerous ravines. This is a ravine that goes from about there and it just sort of peters out down into the lake here somewhere by Eagle Creek.

DR. KINGHAM: You are pointing to an area that is shown as a green thin rectangle running north/south; what is the name of that?

THE WITNESS: They call it the Teal Park, the Teal Greenway. It does continue down the back of the homes and comes out in this spot here on the lake. This is the area that has been farmed for years and is all full of streams and springs coming out of the banks.

DR. KINGHAM: Does that one flow all year round or only when it rains?

THE WITNESS: No, it is year-round.

MR. LANCASTER: Thank you.

MS VIGOD: I will call Mary Fraser.

MARY FRASER, Sworn

EXAMINATION BY MS VIGOD:

Q. Mrs. Fraser, could you identify your residence with a star.

What is the address there?

A. I live at 808 Shadeland Avenue.

Q. How long have you lived at that location?

A. I have lived there for three years. Before that, I lived at the corner of Northshore and King Road. I have lived in Aldershot since 1960.

Q. I understand you have a presentation.

A. Yes, I have.

Q. Please proceed.

A. As I said, we came to Aldershot in 1960 when my husband, Duncan Fraser, opened a business on Plains Road. We brought up four children on that property, but moved three years ago to a smaller place. Because we like it at Aldershot, we did not look at houses in any other part of Burlington.

My reasons for appearing today have to do with my background as a food chemist and a

biochemist, my concern about the environment, my involvement in the history of Burlington. I was an early Chairman of the Board of the Joseph Brant museum and the first Chairman of the Burlington Local Architectural Advisory Committee and I am a past president of the Burlington Historical Society.

Aldershot, which was part of East Flamborough Township was first surveyed by Augustus Jones in 1791, 15 years before the rest of Halton was purchased from the Mississauga Indians. It was, therefore, settled by Europeans much earlier than the rest of the region. The earliest families farmed the land and built mills on the streams.

The soil was good, the Fongers were among the first of many descendants living in Aldershot and I see somebody has appeared before this committee, living on the corner of Shadeland and Townsend. That was a Fonger house. There are many descendants still living here, William Applegarth and his brother built a grist mill in 1801. One of the daughters married Alexander Brown who owned several farms in the area and built the wharf at the present LaSalle Park.

George Chisholm, a friend of Joseph Brant, built his house at the corner of Plains Road and King Road. His son William founded the town of

Oakville. Adam Fergusson, founder of the Highland Agricultural Society came to Canada on its behalf in 1831. He was so impressed with the land, searching for the perfect spot for his own home, he found it on the edge of the Escarpment. His contributions to the development of Canada cannot be over-emphasized and his house and farm are still owned by Robert Elstone, who, I believe, made a presentation before this committee. That property is just to the north of the land in question.

The early settlers include many well known families who have made an impact on the area leaving numerous descendants. These include the well known Gallagher family. The bought Fonger land and carried on mixed farming. They branched into growing fruit and developed the melon for which the area was at one time world famous.

The Emery's bought land from the Fongers and were the founders of East Plains Church. They were the first to ship Canadian apples abroad, more particularly to South Africa. The Unsworths are still in business in Aldershot. George Unsworth was a vegetable grower who extended his growing season by using greenhouses. He was well known for his tomatoes, lettuce and cucumbers.

The Easterbrook family bought Chisholm's substantial home at King Road and Plains Road, established two brickyards and two plough mills. Clay used for making the bricks is still available in the area.

The Filman family has made a large contribution to the area leaving many descendants, one of whom you have met today. This is an established community. The early settlers picked it for its good soil, its clean water and its spectacular scenery. Because they didn't understand the need for protecting their environment, they developed a dump for their limited use. No one could have foreseen the problems that could have developed years later.

The many streams draining the west end of Lake Ontario into the bay were felt by most residents to be an asset. However, if the landfill continues, who knows what will happen to our water.

My home is small, backs onto one of Aldershot's lovely ravines. We have trees, birds and small animals and a stream which is running. How long will the trees be able to survive if more chemicals find their way into the stream? Who can be sure what will leach from the dump? Why do we continue to pollute our air, water and soil? Do any tourists now

visit Aldershot's magnetic hill? In any other location it would have been developed as an attraction, not surrounded by garbage.

I would like to leave my children a land which has been improved a little from my having lived here, not spoiled for future generations.

MR. LANCASTER: Are there any questions of this witness? Thank you.

MS VIGOD: I would call Mr. John van den Andel.

JOHN VAN DEN ANDEL, Affirmed

EXAMINATION BY MS VIGOD:

Q. Mr. van den Andel, can you identify your residence for the Board? What is the address there?

A. 176 Old Orchard Road.

Q. How long have you lived in that location?

A. Twenty-eight years.

Q. Do you have a presentation for the Board today?

A. Yes.

Q. Please go ahead.

A. Garbage disposal in Burlington has become a status quo case. It has been dumped in

Burlington for so long, so why not keep doing it? Garbage is bad and nobody knows what to do with it.

Therefore, in 1978, after having been concerned for some years, I presented an idea of making good use of the garbage in the form of a berm along Highway 403 to reduce the noise level in the Aldershot area. The idea was hailed by newspapers and aldermen as a novel idea which would do something good with our waste.

However, the Ministry of the Environment rejected it because daily covering is needed to prevent litter and rodents.

Two, it required rigid control from both public health and environmental points of view.

Three, long-term control of leachate and gas migration needed continuous monitoring over a widespread area.

We seem to have the answers to our concerns. The above three points are general to garbage dumps, particularly to those close to densely populated areas. If these problems are of concern south of the 403, they are of concern north of the 403.

Nobody can talk those problems away.

We went through the dump questions for the last 12 years. Several times the existing dump

life had to be extended. Now, another dump is being foisted on us. If accepted, almost immediately after we should start looking for a site for use when this one too is full. Likely 15 years, although 20 years has been quoted.

It is one of the worst side effects of regional government, no community has the incentive to look after itself. The problem is pushed to the neighbours until the meekest gets it. With all the figures and reasons presented, many of them weak, the main concern is that garbage shall not be dumped adjacent to a densely populated area. On and on and on, Mr. Chairman.

MR. LANCASTER: Thank you. Are there any questions of this witness? Thank you, sir.

MS VIGOD: Mr. Douglas Langton.

DOUGLAS LANGTON, Sworn

EXAMINATION BY MS VIGOD:

Q. Can you identify your residence with a star on the map?

A. I live at 1077 Clearview Avenue, which is ...

Q. How long have you lived at that location?

A. I moved to Burlington 28 years

ago, 1960, was when I moved out to Aldershot and from that time until this, I moved to an area where I have been fighting not only with the dump itself, but also another concern of mine is right next door to me ... However, the dump today.

Back in 1960 when I moved out there, naturally when you move in you think, okay, well let's take all our stuff over to a landfill site and put it all there. So, I did. So, naturally, we moved into that dumpsite and at one time it was very low and actually there were bulrushes and things of that nature because it was just a sort of low fill area. Whenever we needed parts of cars or things like this at the time we could more or less go there. We could always pick up parts and pieces because that is an area where they dumped everything.

As a matter of fact, I had a Volkswagen at the time and we decided, okay, let's get some parts off an old wreck and we went over there and there were about eight or nine laying in the ravine.

So, when all this transpired, I thought okay, what else do we actually dump here? Many things have been dumped in that dump and we always heard at that stage that we are going to actually close it and extensions kept coming and coming and nobody actually

took the bull by the horns and said, okay, we are going to close that dump.

When I moved there, they said in five years' time Aldershot would not have a dump. Then, the Post paper came along and said at that time we are now going to extend the Aldershot dump for another three years. That would bring it roughly to 1968 to '70.

In 1969 I bought an automobile and was driving up the Waterdown Road and there was a garbage truck in front of me and consequently, some fill was coming out of the back of it. It was sort of a liquid. I didn't pay too much attention to it. It happened to be sulphuric acid and it took care of my car. As a matter of fact, we had rather an extensive job to do on it.

The dump itself has been an area that my kids have had enjoyment in because naturally, they had a little motorbike and let's go riding up and down on the hills over there, so they did.

Also, when I was just starting to hunt ducks and so forth many years ago and fish, I more or less shot rabbits around that area and we also fished in Grindstone Creek which runs down into Hidden Valley. That is another concern now, because after 28 years of

dumping fill in that area, some of this leachate has to go some place.

The fish in the Grindstone Creek area naturally is no longer there. The swimming pool in Hidden Valley is no longer there. They actually have added a new pool there now.

What is there here today? Last night when I was thinking what to say about this area, we now have a flyway. We happen to have a flyway of seagulls. Last night when I was standing on my driveway just thinking on talking to people today, I thought, what could we actually say that hasn't already been said?

The leachate is there, yes, but also there is something, another concern of mine. I fish and I hunt and so forth and I also am one of these people that believe that if you fill up with every chemical conceivable up to and until we have actually taken the bull by the horns and said no more barrels of the type of material to dump in there that will concern the populace. If we look at it that way and say 28 years now that I have lived there, I have had all this leachate.

When I moved there and still today, I am on a well. Well water. The well that we have has

been tested many times and it is still drinkable. Yet, what have I been drinking? Well, I am sure that if I brought in a jug of water and set it on your table today, you would think 28 years now that has been going under the ground.

My concern right now is not just today but tomorrow. I think that what we will be looking at in tomorrow's terms will be in something that is magnified by the fact of, let us dump all our garbage here.

I can't personally see that happening, but nonetheless, I look at it now and said for 28 years they kept promising, yes, we are going to do something with that dump. We are going to close it. We are going to find another way. Still, today it goes on.

The other concern that I have, it is called Aldershot. Not too many people know actually where Aldershot is, but if I talk to people right now and said to you that I live in Aldershot, the first thing that comes to your mind is a dump.

Now, I don't think that should be the way that Aldershot is known, because the west end of Aldershot happens to be the most perfect and beautiful area of all. The Royal Botanical Gardens.

What else is Aldershot known for? A

twelve inch hot-dog stand. What else? They keep referring to us as the dump. If you don't live on Northshore Boulevard you are like a second-rate person, you live in the dump. Where do you live? In Aldershot? No, the dump. That is what you are known as.

So, for 28 years now, I have lived there and for 28 years we have been dumping there. Sure, there are times now when we are taking the bull by the horns and saying, no more contaminants, but we also have the produce that is still there today.

I am looking now and saying, what else is over there? Hamilton Bay which is actually the low point of our area, the leachate that has come from that refuse area and all our drainage and water from Waterdown on down more or less makes its way into Hamilton Bay. Between the Guelph Line and Walkers Line, happens to be our intake pipes for the Town of Burlington.

So, we put it in, the dump. If it does leach out anywhere, it goes into Hamilton Harbour which runs roughly with a six-mile-an-hour current out into Lake Ontario. It doesn't take too long to figure that after 28 years that I have lived there, somebody down here in Burlington has got to have something coming

through their pipes.

What are we actually doing now about this? Millions of dollars have been spent. I think, right now, instead of turning around and saying, throwing stones at Milton and throwing stones at Aldershot and saying, Aldershot can keep their dump, Milton can have it, that is not the approach. That isn't the approach. I think that the town councils of our great area here should look at it and say, okay, let us put up a facility that will handle all of the refuse whether you are in sort of the Mississauga or Scarborough area, wherever. Let us not fool around with what we are doing now. The western end of our peninsula known as Aldershot, you can't find it on a map and yet whenever you read in the newspaper, Aldershot has now been extended two years on their dump. Aldershot does not exist. Aldershot is Burlington with a little more clout than just Aldershot.

I think that we are looking now at the wrong end of this cat by throwing stones at each other. We should be looking at something that is second to none as far as handling our refuse.

I work for a large industry. We have been told many, many times just to cut back on

pollutants, 32 or whatever. Yet, that is just in the environment. Imagine what it is like living around this area where we are.

I learned to hunt and fish in Hamilton Bay, that area that we are talking about as the dump. I fished in the creeks around in that area and there were trout in there at one time. That is no longer possible.

Also, I drink the water still that comes through the ground. So, all I can say, Mr. Chairman, that I believe that instead of looking at Aldershot and extending something that is actually out of control, 28 years, where they said, yes, we will do something about it. We will close it. We will find an area. They haven't found an area, because if they had, we wouldn't be here today.

I think what we should do is build a facility that will handle this, all the refuse, let the towns all get together on it, forget the idea of spending money on a committee over and over again. I have been in four of these now for the same thing. This happens to be roughly the third or fourth time that I have spoken and yet it is on deaf ears. The politicians look at it and say, just like a newspaper,Aldershot can have their dump extended for

two years.

Yet, if you said to anybody: " Who actually made the decision on that?" Mr. Chairman, I would like to know, but I will never find out.

So, instead of throwing stones at Burlington and saying, West Burlington, there is your dump, or Milton, there is your dump, let us put up a facility that will handle all the refuse and certainly Aldershot can't.

In closing, I would like to say this. Whenever anybody goes by the North Service Road going towards Highway 403 to exist west, just remember this, that you have taken part of our landfill site with you because every truck that goes in there, throws it out on the highway, move it back towards Hamilton or whatever. If you don't think so, go through there on a rainy day, go through there in your car and it will get nicely coated with a sort of red oxide. By all means, I say, let us close the dump. But again, like many times before, we will sit and leave it to somebody else to make a decision. I think the decision has to be made by us. Let us take some initiative and put in a facility. That is where I think we have to go, not by leaving it in Aldershot.

Thank you.

MR. LANCASTER: Thank you. Are there any questions of the witness?

CROSS-EXAMINATION BY MR. LEITCH:

Q. I would like to know something more about the well, if I could. Was that well there when you moved into the house, or did you drill the well?

A. No, it is a surface well. It is 28 feet deep and it is roughly three-and-a-half feet tile.

Q. It is a dug well?

A. It is a dug well.

Q. Was it there when you went to the house?

A. Yes, it was.

Q. That was?

A. That was 1960.

Q. 1960. Did you have any recollection of when did you start to have the water tested?

A. 1964, '67, '71 and just recently when the Aldershot ratepayers -- 1987.

Q. What was the result of the testing?

A. The water was very -- it is still

extremely hard, because actually, living right next door to concrete blocks and lime ...

Q. There were no pollutants found in the water?

A. Small minute particles of, I am trying to think of the name of the chemical, I am not familiar with it.

Q. Have you seen the well log? What layers does it go through?

A. Yes, when they were pouring over at J. Cook Concrete Blocks and also when -- when they went through, they went through sand to sort of bedrock and then we landed on a shale similar to what is over there. I am having my water drawn off the top end of the shale.

MR. LANCASTER: Any other questions?

You mentioned that you thought there should be a site to take all of the garbage. Were you referring to a provincial site or another site in the region?

THE WITNESS: I am referring to a site in our region that is for the region we are dealing with right now, Halton/Peel. What we should be looking at is Halton/Peel. I am not just saying that the Town of Milton should be -- or Aldershot or whatever, I am saying a site that is in approximately the same radius

figures for this town that could handle it so naturally the trucking and so forth costs. I think it should be shared by all. I am not saying for one little borough like we are, we are a non-existent town. It is called Aldershot. I can't see -- here we are right down in the west sector over here and that is where all your garbage is coming from now.

If it comes from Milton, I imagine the trucking cost will be absorbed there.

DR. KINGHAM: Why did you decide not to hook up to city water? Was that your choice?

THE WITNESS: When I first moved there years ago, the people that lived right next door to me used to work for J. Cook Concrete Blocks and their water pressure at the end of our street was terrible. I did much better with the water pressure I could generate out of my pump system.

DR. KINGHAM: So, it was your preference to continue?

THE WITNESS: It was our preference at that time. Also, the taste of the water was real good at that stage.

As I said, right now it is a little hard. I am using water softeners right now.

MR. LANCASTER: Thank you.

MS VIGOD: Mr. John Connell.

JOHN CONNELL, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Connell, could you identify your residence on the map, please?

A. Yes, my name is Jack Connell, and I live at 389 Dorchester Crescent, which is an area that is located ...

Q. If you could put a star on approximately where your residence is.

A. Yes. As you can see, I am directly behind the dump, just south.

Q. How long have you lived in that location?

A. I have lived in that house for 28 years.

Q. You have a presentation for the Board today?

A. I have a short presentation. I am not going to be long-winded about it, but I think I can say what I have to say probably within five minutes or thereabouts.

To start off with, I don't pretend to be an expert in environmental issues, but I don't think you need to have a university degree, nor do you need

to be an expert to know that that is not the proper spot to put a dump.

Number 1, it is on the side of a hill which drains into a lake and a bay. The soil conditions are very porous, shale. So, it is going to be very difficult to contain any leachate and there is bound to be leachate. I think that is a valid point that a lot of people have overlooked, that had to do with deciding this issue, a very important point. I can't emphasize it enough.

Now, we know from what other people have said and I have heard one say it already about the pollution that is going to go into the bay and thence into the lake and thence into our drinking water as a result of the leachate.

I have been told that they are going to be able to contain most of the leachate, but they will not guarantee that they can contain all of it. This is in reference to the proposed site. It doesn't mention the leachate that is already coming down from the old sites.

We all know that it is practically impossible to guarantee that you can contain any pollutants. We have heard about the St. Clair River and the chemicals that got in there. We know about

various other instances where authorities have assured us that they were safe, that the contaminants could not get into our drinking water or into our swimming water or whatever.

The Niagara River is a prime example of where these chemical companies, primarily on the U.S. side are creating wastes that are getting into the Niagara River down into Lake Ontario and thence into our drinking water and I suppose most of you are aware that Niagara-on-the-Lake which is a very prosperous community, does not take water out of Lake Ontario any more. They pump it from Lake Erie. That costs a lot of money but they have got the money to do it so that gives you some indication of what people say about containing contaminants, they just aren't contained in most cases.

Now, so it is more than just an Aldershot problem. It is a regional problem because the contaminants already coming from those sites are bound to get into our drinking water and now you people are considering adding some more.

To get down to Aldershot itself, and there is just one more point I should make. I feel that we have already got more of our share of garbage in Aldershot, more than our share of the regional

garbage and it is unfair to ask us to take any more.

To get down to Aldershot, what it is going to do to us. First off, we have already got a lot of noise and dust from the existing trucks that are going in and out of there. With the Region increasing in size as we now know it is, it is a very fast growing region, there are going to be more trucks, more dust and more noise. The danger of leachate coming from that dump, not only from the new dump but from the old dump, is a very real danger.

A lot of people think that because there is a highway and a railway track between us that that is going to stop it, but it's not, because it can work its way underground particularly in that porous shale-like soil. It could -- the possibility exists very strongly that that could come up in the back of our yard someday. Maybe not tomorrow, but someday.

I know of no area that I am familiar with that has a dump that close to a major residential area. I know of none that are that close. You could practically throw a stone from where I live. So, it is a very real danger, not only for myself, but for anybody that I might sell my house to, and that is another point.

Is it going to reduce our property

values? I am sure it is, if this other dump goes in. We are already in danger of that as things are, but if we get another load of garbage it is going to make it worse. So, our property values are going to go down.

That in essence is my presentation. I would just like to ask one question of the gentlemen who are going to be deciding on this issue, to ask them, would they like a dump so close to their house? I would like them to be honest, to consider that. I am sure if they were honest, they would say no, sir, we don't want a dump, particularly when we have already got a lot of garbage already in there.

I think it is grossly unfair to try and give us any more garbage. We have got more than our share.

That is my presentation, gentlemen.

MR. LANCASTER: Thank you.

Are there any questions of this witness?

CROSS-EXAMINATION BY MS CRONK:

Q. Mr. Connell, from your point of view, sir, does it come down to the fact that you have really had from your perspective, a fair amount of garbage in Aldershot over the years and it is not fair in your view that there should be any more?

A. That's right.

Q. I forget the number of years you have been there.

A. Twenty-eight, going on twenty-nine.

Q. Could you point out for me again, just where it is that you live?

A. Right there.

Q. Thank you very much.

Do you remember, sir, over the years that the waste disposal issue has been discussed in Aldershot, receiving newsletters from a company called National Sewer Pipe Limited?

A. Yes.

Q. Do you remember receiving those over the years?

A. Yes, I received a lot of correspondence but I can't remember details of all of them. I have received not only from that particular aspect.

Q. Fair enough, neither can I, so that gives us something in common. I am going to show you a NSP Newsletter No. 4.

A. Who are you representing?

Q. National Sewer Pipe. My name is Eleanor Cronk.

A. What kite are you trying to fly today?

Q. Would you look at that newsletter for me, Newsletter No. 4, and can you tell me, have you seen that before?

A. I wouldn't want to swear on that that I have. I probably have, but I wouldn't want to swear on the Bible I had.

Q. Just to help you, Mr. Connell, can I show you the response section to that questionnaire, and it looks to me, sir, that it is under your name and signature. Would I be right in that?

A. Yes.

Q. That is the response section to the questionnaire dated April 1984.

MS CRONK: I wonder, sir, if that could be the next exhibit?

MR. LANCASTER: I will mark that N-944.

--- EXHIBIT NO. N-944: NSP Newsletter No. 4

THE WITNESS: While I am waiting, I might just mention one other thing that came to mind.

Just north of where I live, there is a pond. It has been there for years. I think a farmer probably created it to water his livestock. It has

been a place where waterfowl nest and where kids skate in the wintertime.

Now, the Environmental people who went over that area some time ago, never bothered to test this pond so naturally, it is water that comes down from the hills in the area of the dump. As a result of citizens' requests, or I think in one case, the chap actually took a sample of the water and sent it away and it was found to contain some serious contaminants and the Environmental people had not ever bothered to test it. That is within a stone's throw of the Burlington City Park and the place where kids play.

There is one instance where we know that the leachate is down close, very close to the residents.

MS CRONK: Q. Mr. Connell, I wonder if we could take a minute more or your time and I am showing you another newsletter, this one is dated December, 1982, No. 3, again from National Sewer Pipe Limited. Do you remember seeing that one, sir?

A. No, I don't remember that, but I might have seen it. I mean, I've got a file downstairs this thick.

Q. I understand, thank you. It is difficult to recall, I understand that.

I am showing you another one that is similar from National Sewer Pipe and this one is undated but it just says No. 2 on it. I wonder if you could tell me if you remember seeing that?

A. What is the purpose of all this, Mr. Chairman?

MR. LANCASTER: Just answer the questions. It is all helpful for the Board.

THE WITNESS: I can't remember whether I have seen it or not, to be honest, but I get reams of literature like this.

MS CRONK: Thank you, Mr. Connell. Thank you, Mr. Chairman, those are all my questions.

MR. LANCASTER: Any other questions? Thank you, sir.

MS VIGOD: I am going to call Jan James.

JAN JAMES, Sworn

EXAMINATION BY MS VIGOD:

Q. Ms James, could you indicate for the Board where your residence is, with a star? What is the address there?

A. 100 Queen Mary Drive.

Q. How long have you lived in that location?

A. Twenty-four-and-a-half years.

Q. You have a brief presentation today?

A. Just in point form.

Q. Go ahead.

A. I live approximately half-a-mile from the dump. I have lived there 24-and-a-half years and I have four people in my home. We will be retiring in that area within the next five years. I use the North Service Road twice a day and put up with the mess on the sides of the roads and the dirt and the traffic that goes back and forth there in the mornings and at night at five o'clock when I am coming back.

Q. I am concerned about the drainage ditch behind the property on the other side, the little pond that the gentleman earlier talked about. The water from there drains down St. Mathews and goes behind the old Longo's place. We don't know where it ends up from there but every winter it overflows and kids skate on it just 100 yards from my home.

My home was renovated in 1979. Had I known the dump was going to be expanded, I would certainly not have put another $100,000.00 into my home and I have put $100,000.00 into my home.

Comments were made that we could go elsewhere. If I could have bought my lot elsewhere, I

would never have put in the $100,000.00 where I am now. I could not replace my lot at a reasonable cost. I believe it is time for someplace else to have the dump. We have had it long enough. I can't see another 20 years of dump from everywhere else. Personally, I would like to see us do something else with our garbage besides burying it too.

Thank you, that is my presentation.

MR. LANCASTER: Any questions?

MS CRONK: Yes, Mr. Chairman.

CROSS-EXAMINATION BY MS CRONK:

Q. Ms James, do you have children?

A. Yes, I have two.

Q. Would you agree with me that the biggest issue from the point of view of residents talking about this issue has to be where the safest location is for a new dump? Would you agree that has to be the biggest concern?

A. It is a concern for adults too, because I plan to live there for another 20 years too.

Q. Exactly. And you would agree with me that that is number 1?

A. Yes, someplace where we are not going to have drainage coming down at us.

Q. Thank you very much.

MR. LANCASTER: Thank you.

MS VIGOD: Mr. Penman Smith.

PENMAN SMITH, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Smith, could you indicate where your residence is, for the Board?

A. Yes.

Q. What is your address, sir?

A. 1552, Unit 2, Kerns Road.

Q. How long have you lived there?

A. Fifteen years.

Q. You were interviewed by Mr. Lang last year?

A. Yes.

Q. You have a brief presentation for the Board?

A. Yes.

Our contention is that mainly with traffic because I am not that close to the dump. However, if it were to expand over our way then it would have a greater effect. At Kerns Road and above us, there is now a big development coming along, more homes and the traffic along Kerns Road becoming increasingly great. When you come down to Kerns Road and the North Service Road and you have problems, you

do not have a stop light and there is a constant stream of large garbage trucks all day and this has created quite a problem. This has continued long enough. We have had our fair share of this for some years.

Another concern, of course, is as the lady before mentioned, the constant litter along the side of the road. This must cost the municipality considerably in wages in having to clear this up. I appreciate the fact that everybody feels NIMBY, not in my backyard, but something has to be done, there has to be a solution.

In the short term, I am not sure what it is, but I know the garbage is not going to go away. I think something has to be strongly supported on the question of recycling. Halton is slow to have done very much about this. I notice that Hamilton is using the blue boxes. We haven't yet got it and this is one way in which the volume of garbage could be reduced. The question is, it could be trucked away from this particular area. We are getting trucks from Milton, all over the Region coming down to Brant Street, along the North Service Road and it is a traffic problem and a health hazard.

Eventually perhaps you are going to have to make facilities for burning the garbage much like

they do in Hamilton. For years we have faced a growing fleet of trucks along that road and the dump is becoming a regular Mount Garbage. It is said that eventually we are going to possibly be able to ski down the slopes.

Our concern is mainly with that.

MS VIGOD: Thank you.

MR. LANCASTER: Are there any questions of this witness?

Thank you, sir.

MS VIGOD: Mr. Chairman, in contrast to the last time, we have finished the afternoon witness list.

MR. LANCASTER: You will have a like number tonight?

MS VIGOD: Yes.

MR. LANCASTER: Is there anyone else here that would like to speak at this time?

Thank you. I guess we adjourn until 7:00 p.m. this evening at this location. Thank you.

--- Adjournment at 2:30 p.m.

--- Upon resuming at 7:00 p.m.

MR. LANCASTER: Thank you, please be seated.

MR. HODGSON: Mr. Chairman, I am

instructed that on Wednesday, August 24th, my colleague, Mr. Lederer, promised the Board some kind of a matrix chart that is entitled "Halton Landfill EA Presubmission Consultation and EA Review Written Submissions". He had copies here and he promised he would make copies available.

I now have copies for the Board and for my friends.

MR. LANCASTER: Thank you, Mr. Hodgson.

MR. HODGSON: One other matter, Mr. Chairman, you will recall that six, eight, ten months ago, in the course of our many discussions about scheduling for this hearing, we brought up the subject of conditions on the Certificate of Approval.

Under the Consolidated Hearings Act and under the Terms of Reference for this hearing, you have the powers of the Director of Approvals and therefore you have the power to issue a Certificate of Approval.

Normal procedure in issuing Certificates of Approval at hearings like this, has been in the past, that the Ministry of the Environment draft up what the Ministry would like to see as the Conditions of Approval, circulate them to all parties, get comments, perhaps have discussions, perhaps even a negotiated set of conditions and then they are

presented to the Board for whatever use the Board decides, in its wisdom, to make of them.

I began pressing Mr. Tidball last March to provide us with Conditions of Approval, draft Conditions of Approval that we could all consider. They were not forthcoming. After the hearing broke, or after the hydrogeology and design and operations evidence was completed in May, I then again started requesting that these Conditions be drafted up and submitted. Nothing happened.

I came back from my vacation in mid-July and I pressed Mr. Tidball again. At that point I was promised that we would have the Conditions by the middle of August. As it happens, the only Conditions that we have been provided to this date, are Conditions having to do with monitoring. They were made available to Mr. Feenstra and myself, as I recall, a week ago Friday.

The reason that I am particularly concerned to receive the Conditions of Approval is that I would like other parties, the Board and certainly the Region, to have the Conditions or draft Conditions of Approval before the last witness, the last hydrogeology witness leaves the witness box so that if anybody has any concerns about what it is the Ministry is asking

for that we have a witness who has the expertise to speak to the matter and from whom the Board and everyone else in the room can receive some advice.

Mr. Tidball has advised me today that draft Conditions of Approval are finally going to be submitted to the various directors who have to give approval to them in the Ministry this Friday. By Monday we should have those Conditions of Approval.

I don't intend to get up on Monday morning and hold my breath because if I had done that in the past, I would have long since expired. However, on the assumption that Mr. Tidball, in fact, does produce the Conditions, the draft Conditions of Approval on Monday, it puts me in the difficult problem in that my witness is already going to be in cross-examination and I am going to need to talk to him, I think.

So, I anticipate that as a problem and when it arises, I perhaps should address the Board again.

MR. LANCASTER: Yes.

MR. HODGSON: Also, I think we are all going to have to turn our attention to how we are going to deal with those Conditions of Approval. I really do want the Board to have the Conditions before Mr.

Feenstra leaves the witness box so that you have an opportunity to question Mr. Feenstra about them.

I can also have, on a stand-by basis, Mr. Hiraishi on design and operations. We already know that many of the Conditions of Approval will go to design and go to operations. You may well have some questions or some suggestions that require some clarification.

So, I am going to hope that Mr. Tidball finally does produce them on Monday and I am going to suggest to the Board that when they are produced that we put in place a procedure for dealing with them so that we are all satisfied that they have been dealt with in a proper manner and you have what you need when it is time to write your decision.

MR. LANCASTER: Thank you, Mr. Tidball.

MR. TIDBALL: Yes, Mr. Chairman, if I could speak to that.

I am trying to deal with the points in sequence. I am not sure that there is any particular practice before the Environmental Assessment Board or Joint Board, as to how Conditions come in. I have certainly put Conditions in through a witness before and certainly done it through final argument.

I advised, I guess everybody, some time

ago that our preference here was clearly to draft something up and get a discussion going with the parties. That has taken far longer than we could have ever anticipated. It turns out to be a fairly mammoth task and I don't think it is unrelated to the fact that we have to do it twice and we have two completely distinct sets of conditions. We have lots of duplication, but there are different things with each site.

Anyway, it has taken this long. They aren't ready to date, and I hope they will be ready early next week, as I advised Mr. Hodgson.

I am not sure in my own mind why it is that Mr. Hodgson thinks he should call evidence in reply to the Conditions. It has been my intention for some time now, and I think I have advised my friends of this, to only propose conditions that we think are supported by the evidence. If we didn't think they were supported by the evidence, we would either not support them or call a witness to speak to them.

At this point, I think everything that is in is supported by the evidence in our opinion and we will be making these submissions in final argument and it will be open to Mr. Hodgson as it will be to any of my friends to argue that no, the evidence doesn't

support that condition or, no, the evidence doesn't support it or some other condition. I am not sure why Mr. Hodgson wants to do that.

Notwithstanding that, I am prepared to try to accommodate him as much as possible. I think in the area of hydrogeology, I don't think there is going to be very much that Mr. Feenstra is going to disagree with. That occurs to me off the top of my head, but that would be subject to what the final version says. We are working as hard as we can on them. We have a meeting with the Directors that I take instructions from on Friday afternoon, and hopefully, we will get instructions at that point to distribute them and at that point I hope to do that.

I did, two weeks ago, at the request of Mr. Hodgson, make available a draft. There have been some changes to the groundwater monitoring condition to allow Mr. Feenstra to see them. I gather Mr. Feenstra didn't have any comments on them, or rather we had the impression he was fairly satisfied.

I am not sure how the process should go from here. I think that what we should do is let us get them out early next week and then I think counsel will have to talk about it. It may very well be that lots of parties have things to say about them. I

regret to say this, but it may very well be at some point we will have to come back for a day or two and have a discussion particularly about Conditions and maybe it might be appropriate -- we can address this later -- to do that with respect to the site that the Board might pick in this case on the assumption they pick one site, one of the two sites.

It may be that we can think of some mechanism whereby the Board could make, in the nature of an interim decision, make a decision on the site subject to Conditions and then we will come back and have an argument about Conditions. That might make more sense than having great long arguments about two sets of Conditions, one of which is not going to mean anything in another month or two. I think we can discuss that, but I think the first thing that has to happen is, we have to distribute them next week and start to get a discussion going on them.

MR. LEITCH: I would like to address that just briefly. It seems to me that in light of the evidence of Mr. Feenstra, it seems to me that in light of the evidence Mr. Feenstra has brought to the Board in his most recent appearance and the fact that he hasn't been cross-examined yet, that the conditions should be available to us and known to Mr. Feenstra at

the point when my friend, Mr.Tidball, cross-examines.

Now, he is presently scheduled to be the first cross-examiner, but it occurs to me that the change, what I perceive to be the change in position with respect to the conditions at Site D would involve some changes in the conditions to be attached to a Certificate of Approval.

If Mr. Tidball is going to deal with those through Mr. Feenstra, who has brought this evidence to us, it would be, I think, most productive, if the suggested conditions were before Mr. Feenstra so that he could address his responses to what he sees the suggested conditions to be.

MR. TIDBALL: There was one point there. Yes, with respect to Site D we have a certain number of questions of Mr. Feenstra that we think we have to have answered and we would also like to hear the rest of the cross-examination. I think at the point I had them out on Monday or Tuesday, I think our position will be that there may be some additions or changes to the Site D conditions following Mr. Feenstra's evidence. I don't know what we can do about that. Mr. Feenstra, I agree with Mr. Leitch, has not changed his position, has added some new elements to the discussion of Site D particularly in regards to the need for a liner, pre-

installation of piped water, pre-installation of purge wells. All of those things, we are thinking about them right now, we haven't had a whole lot of time to digest them and we would frankly like to hear Mr. Feenstra's evidence before we decide on what we are prepared to put in there. I don't know how to deal with that.

DR. KINGHAM: We are just making the observation here that indeed the points raised by all of you are relevant. The evidence in reply seems to suggest changes in approach at both sites. We have yet to see how that will be handled. Perhaps the conditions you bring forward at the beginning of the week of cross-examination of Mr. Feenstra might not be cross-examined on by you until the conclusion of the rest of the cross-examination so you could cross-examine on his evidence first, as is scheduled, and then the matter of conditions could be discussed again towards the end.

Whether or not we would convene separately for conditions, I think we would have to wait until we had heard the cross-examination and we also have had a chance to look at what you drafted up. We would consider it to be a draft of course.

MR. TIDBALL: Do I take it from that,

Dr. Kingham, that you would like to be provided with a copy prior to next week?

DR. KINGHAM: Yes, I think we would.

MR. HODGSON: I had assumed that the conditions would go to the Board. It is the Board I am most concerned about.

MR. TIDBALL: I am prepared to do that.

DR. KINGHAM: We just have to find a mechanism to make sure we get there early in the week.

MR. HODGSON: I want to respond to one thing my friend Mr. Tidball said, and this is the suggestion that somehow after you have made a decision between Sites F and D, we hope to convene to discuss the conditions. From the point of view of the Region, it is very important that once you reach a decision that the Region get on with the business of final design, construction and operation of the landfill.

It is costing this Region something like an extra million dollars a month in transportation fees. I, on behalf of the Region, do not want to see us now put into place anything that suggests a mechanism whereby there will be further delay after you have made a decision. It seems to me that Conditions of Approval are something that we can deal with now, that we should be dealing with now and more properly

deal with now rather than later.

DR. KINGHAM: I think that is the reason for the suggestion that we might split the approach on conditions so that by the time we have finished Mr. Feenstra's cross-examination we will have a very good sense of whether we need any more time.

MR. LEITCH: My position, in as much as there is a draft set of conditions, or two sets of conditions being circulated at the Ministry, is that if it is possible that a draft be given to counsel, not for the purposes of tabling it in a way, but for the purpose of using it as some basis for preparing cross-examination, we could get through all of cross-examination of counsel and then suddenly see a set of proposed conditions be requesting further cross-examination to deal with what are perceived to be unnecessary conditions or conditions which are necessary and not included.

If I knew, for instance, what conditions were being proposed for Site D without in any way releasing that, it would assist me greatly in being able to ask Mr. Feenstra about his evidence on the site. Because if there is no suggestion that there is a need for any of the additional engineering or other protections which are proposed, that is a matter of

vital concern to me. I want to examine him about that and get specifics from him as to exactly what kind of liner, for instance, or what he would propose as being the number of purge wells, that kind of thing.

It seems to me that counsel is hampered by not having in hand, the draft. It may be that after the evidence is concluded, that there will be additions to the draft or deletions to the draft for that matter.

I don't think it assists the Board as much not having those conditions in hand for cross-examination as having them in hand.

MS CRONK: Can I just make a related point to Mr. Tidball the way you are discussing this. As I understand what was said, I already provided Mr. Hodgson with a draft of the monitoring conditions.

MR. HODGSON: Which I will have this year.

MS CRONK: That being the case, there doesn't seem to be any safety in distributing the drafts on the basis they will be used and like Mr. Leitch, I will find convenient if I saw it. It may be of assistance before Monday.

Mr. Leitch, I assume, will cross-examine on Monday?

MR. LANCASTER: Mr. Tidball?

MR. TIDBALL: I am in an awkward position, Mr. Chairman. I need to get instructions on this. On the assumption that whatever I take to the people who give me instructions on Friday afternoon, is unchanged or changed only marginally, I can make it available late Friday afternoon, but that really does depend on what happens at that time.

I am not prepared to say at this point, "Well, I will give my friends something", and without instructions I am not going to do that.

I said to Ms Cronk, I would happily provide what I have provided Mr. Hodgson, which was essentially two pages of conditions related to the establishment of a groundwater monitoring program. As it stands right now, that would be two pages of, perhaps, 18 or 20 pages of conditions. It is a small piece, but I am prepared to do it. It is not a problem.

MR. LANCASTER: We will just have to wait and see how it develops.

DR. KINGHAM: Mr. Tidball, is there any chance that your clients might be able to give you some help on this tomorrow? Friday, night, I am not sure whether that is much help to your colleagues here, your

friends here.

MR. TIDBALL: I don't think so. I mean it is full of all sorts of additions, deletions and lots of red ink. You know, I am assuming that my secretary won't have the changes made until tomorrow afternoon. I don't think -- no, I don't think so.

DR. KINGHAM: I think the word we are getting is that the sooner a draft can be available, the more helpful it will be.

MR. TIDBALL: I certainly appreciate the sentiment and I will do my best.

MR. LANCASTER: Thank you. That is about the best you can do.

Ms Vigod, have you got your witnesses?

MS VIGOD: I would like to call Mr. Lloyd Vivian, please.

DR. KINGHAM: I will remind everyone here in case they haven't heard it before, there is a throat microphone, which is necessary for the Court Reporter, since it feeds automatically into his machines.

LLOYD VIVIAN, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Vivian, could you identify your residence with a red star, please?

A. I had better get my glasses out. I live on 1887 Heather Hills, which is in the Forestvale area.

Q. How long have you lived in that location?

A. Ten years. Twenty-five years, formerly, I lived down on Dorchester Crescent, which is right here and spent the last of my life ...

Q. Mr. Vivian, you have a brief presentation you would like to make?

A. If I may.

I guess, as a lifelong resident, I would like to point out,maybe it is not important, but my parents were born and raised in Burlington. My whole family was born and raised in Burlington and they still live there. Seven children, we are property-owners and taxpayers in Burlington.

I guess my concerns stem from this. I did not really get concerned with this issue until about May, I guess, when I had occasion to be visiting my nephew who has his Master's Degree in geology, and a friend of his also, who is a geologist, and during the course of a social evening, we got into a discussion of dumps, leachates and problems.

Our concern in talking and from our

longevity, was not only the Bayview site and this one, but the old site even on Kerns Road. As a businessman in the 50's we have operated a business on Plains Road, we were in the chemical and farm supply business.

I know personally that anything and everything was put in that dump. Personally, we put used spray materials, DDT, 2-4-D, 2-4-5-T, to name three. These were waste materials from broken containers or leaking containers, into the dump and you could go there, we used to spend Saturday afternoon shooting rats at the dump. It was quite permissible then. The police would come and watch us because the rats were so plentiful, they wanted them cut down. I think our record was 37 rats for one box of shells.

I think at that time you could see anything come to that dump. It could be batteries, it could be old oil, it could be refrigerators. There was no limit on what went there. Today, right on our street we have any number of homes built right on top of that dump.

To my knowledge, having lived here and lived here all my life, there was nothing specific really done to protect the homes or anything in the area. I may be wrong on that, but to my knowledge, there is nothing but a bit of fill put on top.

Now, my concern stems from the fact that I said we are an old Burlington family. I have a daughter, grandsons, living in Burlington now. If I look at the situation, we have got exactly 2.2 kilometres from there over to where the old dump was, by about 2 kilometres this way.

The last night I was here, we talked about the two dumps and possibly a third. We really have four dumps. We have three now and possibly a fourth. To me, it does not make any common sense for any area to have to put up, or have to have four dumps in such a concentrated and confined area. According to my geologist nephew, there are problems with that very old dump which might not be over. It operated through the 40's and 50's and I believe right up to 1960. He feels our problems with that may not be over, not to take into consideration the others. To me, it does not make sense to have another dump in that area. Maybe sense doesn't always prevail in this type of situation, but I think from a social standpoint, anybody looking at it and taking that area in could not conceive of having another dump, where we could have all the problems running down to the heavily populated area below. That is it.

MR. LANCASTER: Are there any questions.

Mr. Tidball?

CROSS-EXAMINATION BY MR. TIDBALL:

Q. Could you point out on the map, or could you ascertain on that map where that dump was located?

A. Certainly.

It would be right about, I would say, 1674 or 1666. If you go by the main intersection of Kerns Road where the plaza is, if you go down about 100 yards, maybe, there is a bit of a dip. The dump was right around in that area. It operated, from what I remember, from the 40's right through the 50's. I am not sure if it wasn't just in the 60's.

Q. That is what I was trying to get clear. Was it a sort of forerunner to the Bayview?

A. I believe it was, yes.

MR. TIDBALL: Thank you.

MR. LANCASTER: Are the houses built on top?

THE WITNESS: Right on top, $200,000.00 $300,000.00 homes. I don't think the people know it. I have told them now, I guess.

MR. LANCASTER: We took a run through there tonight, and they are beautiful homes, if that is the case.

THE WITNESS: That is the case, and talking with my geologist nephew, he thinks someday it could still be a problem. I don't know, I am not that knowledgeable in geology.

MS VIGOD: Thank you.

MR. LANCASTER: Are there any other questions of Mr. Vivian while he is still in the room?

MS VIGOD: We are going fast tonight.

Mr. Michael Brecht.

MICHAEL BRECHT, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Brecht, can you identify your residence on that map?

A. I live at 411 Dorchester Crescent.

Q. How long have you lived in that location?

A. About six years.

Q. Mr. Brecht, you have, I understand, a creek through your backyard?

A. Yes, Falcon Creek runs through my backyard.

Q. You have brought some pictures and want to raise some concerns.

A. The main concern that I have is,

again, on my property with Falcon Creek. It runs under the city for a while anyway. The City of Burlington has put up a steel grate in front of the sewer pipe, or the drainage pipe that goes underneath the city and thereby blocks all the debris that gets carried downstream.

What happens is that after a bad rainstorm, that pipe blocks.

Q. Did you take these pictures?

A. Yes.

As you can see, there is a minor amount of garbage at the bottom of that pile there. That is after a mild rainstorm.

About eight years ago, about two years before I moved into this house, I have another photograph.

DR. KINGHAM: Can you tell us exactly where this grate is located?

THE WITNESS: It doesn't show it on here. It shows it better on your contour map over there. Right there.

DR. KINGHAM: At what crossroad?

THE WITNESS: Near Willowbrook Drive and Dorset Avenue.

The next photograph I have shows my dog

sitting on top of the hill at the back of my property. That, about eight years ago, is where the edge of the stream was and why I took the photograph to where the stream is, is about 110 feet. That is about how wide it was after the sewer pipe there clogged up.

MR. LANCASTER: I don't quite follow that.

THE WITNESS: After an ice-jam in the spring.

MR. LANCASTER: You are talking of this width here?

THE WITNESS: One hundred and ten feet across from where the dog is to where I took the picture.

MR. LANCASTER: What occurred there before?

THE WITNESS: The ice-jam blocked up the steel grid there even before the barrier was there. It blocked up that hole and all the stream backed up into my property.

DR. KINGHAM: Are we to understand then the second photograph is looking across the gully shown in this first photograph

THE WITNESS: Yes, the gully would be on the left-hand side.

DR. KINGHAM: Being about 100 to 110 feet bank to bank?

THE WITNESS: Correct.

Again, that raises a concern to me, what happens if there is any kind of effluent or leachate coming down from this area up here that ends up in my backyard and gets blocked off, what am I to do?

The next photograph is of a fence I had to build across the creek so that my dog can't get into it anymore because, as I mentioned to Toby, I can't be sure. A number of times my dog has come up from the stream and actually has gotten sick.

The last two photographs are of the creek itself. The first photograph is in the middle of summer when it runs very slowly.

MR. HODGSON: I just wonder, Mr. Chairman, if these are being marked as exhibits when they go along. I don't think any separate numbers so as Mr. Feenstra gets 1000.

MR. LANCASTER: What we have got now is a series of photographs.

THE WITNESS: That one shows the stream after a rainstorm when it gets plugged up.

MR. LANCASTER: We will mark it as WB-945, a series of five photographs.

--- EXHIBIT NO. WB-945: Five photographs

THE WITNESS: I would like to reiterate, my concern is what happens to my property if effluent is running across there and that happens again? It is not uncommon for that to block up regularly, to back up over the banks of the stream but not necessarily in my backyard, but it regularly backs up.

MS VIGOD: Q. When was the photograph with the rainstorm taken?

A. This spring.

DR. KINGHAM: That was the fifth photograph, taken in the spring?

THE WITNESS: Yes.

MS VIGOD: Thank you very much.

MR. LANCASTER: Are there any questions of this witness?

MS CRONK: I wonder, Mr. Chairman, if I could just look at the photographs?

DR. KINGHAM: Perhaps, Mr. Brecht, you could wait.

THE WITNESS: Also, that does not just run 110 feet across, it runs about 30 feet deep.

DR. KINGHAM: That is the depth of the gully.

THE WITNESS: The second photograph

shows where my dog is on top of the hill. It is about 110 feet and it goes about 30 feet deep to the bottom of the gully.

DR. KINGHAM: While they are looking at the photographs you are telling us it goes under the city?

THE WITNESS: Under the city is probably inaccurate. It goes, a sewer pipe was put in underneath Willowbrook Drive and one of the residents built houses directly on top of the sewer pipe as well, along here, and then it comes up across the street and surfaces ...

DR. KINGHAM: If we understand that correctly, Falcon Creek goes below ground between Willowbrook and Plains Road and you have shown us the upstream end.

THE WITNESS: That is correct.

MR. LANCASTER: Can you point out your location again?

THE WITNESS: Half-a-mile south of the dump.

MR. LANCASTER: Mr. Tzekas?

MS VIGOD: I have no questions, Mr. Chairman.

MR. LEITCH: No questions.

CROSS-EXAMINATION BY MR. TZEKAS:

Q. There is something on the photograph marked 2, looking across Falcon Creek, and there seems to be some pavement in front of the picture.

A. That is Willowbrook Drive.

MR. TZEKAS: Thank you very much.

MR. LANCASTER: Thank you.

MS VIGOD: Marnie Gerrie.

MARNIE GERRIE, Sworn

MS GERRIE: My name is Marnie Gerrie, and I live at 15 Ireson Road, which is the corner of Waterdown Road and Ireson Road.

EXAMINATION BY MS VIGOD:

Q. Could you just identify the location of your residence again?

A. I live at 15 Ireson Road, the northwest corner of Waterdown and Ireson Road.

Q. How long have you lived at that location?

A. We have been 20 years at that location and five years at Park Avenue, which is down in this area here.

Q. You have a presentation for the Board tonight?

A. Yes.

Q. Please go ahead.

A. I have lived in Aldershot for 25 years. First on Park Avenue, and for the first four years that I lived there, as a teacher I supply-taught all over the Halton County and we looked for a perfect place to build a home and start a family.

We settled on an Aldershot location on Waterdown Road and Ireson Road and we were even then, in 1967, aware of the landfill site since we, at that time, relied on a dug well, which relies on surface water to supply our water.

On Ireson Road the dust or noise or odour or traffic generated by the landfill site didn't bother us as it did our neighbours on Old Waterdown Road, and we didn't even have to worry about groundwater pollution since we were above it all.

My neighbours couldn't understand why I would worry about Aldershot becoming a perpetual dumpsite. However, I realized that because I taught in Aldershot at Woodview School and Fairfield School, that almost all of the children in Aldershot go to school somewhere between the landfill site and the bay. These are school sites marked in yellow and in orange.

All of the commercial activity and most

of the recreational facilities and churches are also located south of the landfill site. Having lived in Aldershot only 25 years, I am still a newcomer to the community. It is not a community of transients. People tend to settle here and to stay. It has taken over 130 years to build a feeling of community. People put down roots. Therefore the matter of a clean, safe environment and a good water supply is of primary importance to residents of Aldershot. The sense of community has become very clear to me recently because I am serving on a committee at Fairfield School to research and then celebrate our 75th Anniversary on October 1st. Maplehurst School had its 75th Anniversary last year.

Some of the parents on our community council have researched school records and attendance books and registers as far back as 1913. The same names such as Townsend and Howard and Lemon and Hill occur again and again. Jacob Filman settled the area around the year 1850. Our school trustee bears his name. Gord Lumsden bought property in 1848 and the family still lives on that property. The Easterbrooks arrived in 1859 and family members still attend our school. We have second, third, and fourth generation Aldershot residents, students at our school today.

Aldershot is not just a bedroom community although it has never been incorporated as a village. Aldershot has always had a strong sense of identity. We are a stable and long established community,not just a collection of neighbourhoods.

Any effects of an expanded landfill site will be cumulative and long-lasting. If Aldershot is to remain a desirable neighbourhood in which to establish young families and in which to grow old, we should not have an expanded landfill site and have to live with it for another 20 years.

Thank you.

MR. LANCASTER: Any questions of this witness? Thank you.

MS VIGOD: I would like to call Mr. Gary Marinacci.

GARY MARINACCI, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Marinacci, you are the President of the White Oaks Riding Club, I understand.

A. Yes, I am.

Q. That is the club that uses the Bayview Park site?

A. Yes, it is.

Q. I would ask you if you could

outline some of the history of the riding club and your use of Bayview park.

A. Fifteen years ago, a group of people formed the Burlington Horse Association. It was six saddle clubs. The City of Burlington, Aldershot, Lion's Club. Within our organization, money was put together. It came out of a lot of people's pockets to build the rings, grade the rings and put up buildings and start the number 1, at one point in time, show facility in all of Ontario.

Over the course of the years we lost some of the saddle clubs. When the park closed, White Oaks went to other farms, went to the farmers and said "Excuse me, can we use your property?" and they said "Sure". The other saddle club folded because they couldn't find a place to show.

At the same time, there was the Ontario Quarter Horse Association which was putting on close to 10 shows a year, using the facilities. We get horses all the way from Texas, all over the northern states as far west as Alberta. We pulled them in for one weekend. When the park closed, we lost 10 shows, five of which were a one-week show that went to Markham.

With this proposal coming back up, we don't know where we are going to be standing. We lost

a bunch of members two years ago when the park closed. This year we started the first year back in the park. Our membership is now at 160.

This year we used the park 10 times and right now we are in the process of looking at starting up an English sanction which will also use the park 10 times. Everybody forgets that the horse still is the number one means of transportation in Canada. These are not racehorses, these are horses that people spend a lot of money and a lot of time on. They are not play things, they are animals that we take care of.

Q. When you were talking about the 10 shows a year, so this was -- when you were talking about the park closing ...

A. The park was used 25 days the last year it was open. Prior to that, the year before when there was talk of the park being closed, a lot of associations pulled away back to where they had to find areas to go because we didn't know if we were going to be closed in the spring. When the rumour first came out, we didn't know if we were going to be closed that spring or the following spring. We didn't know if we were going to be closing anywhere in between. As a club we just continued on going and if we showed up one day and they had torn the park apart on us, we would

have held it on somebody's property. Our membership was prepared, but the Ontario associations, they couldn't afford that. They have to be sanctioned through the States and their grounds have to be put like, it is complicated, but what they do is, they submit their show schedule and say we are going to have a show in Burlington six months prior to the show coming on. That could be at the Milton Fair, that could be anywhere. Come that day, there is a show going on and it is $2,000.00 that has to come out of the pocket of the people who are putting the show on. Everything is done six months in advance, so right now, the rumour around is that if the decision comes down, obviously the rumour was wrong, because we were told September 1st and September 1st has come and gone.

Q. How many people attended the shows, for example, this year, or in the years previous to the closing of the park?

A. Last year, we did a grand reopening. We brought back the Lions International. We call it the White Oaks International. The Aldershot Lions have pulled out. We had a thousand exhibitors over the course of the weekend and 2,000 horses. I don't have the figures to back it up, but that generates a lot of money to Burlington.

I can give you an example where I read in the American Barrel Racing Association -- we are looking at putting on a Futurity next year to raise money for the new buildings. Ten years ago, this association started in Fort Worth, Texas. It started off, they were running with $50,000.00, not very much. This year it brought into Fort Worth, Texas, $2.5 million.

Q. Do you have next season planned out?

A. Right now we are in the process of planning next year including this Barrel Futurity which we are hoping to have next year which should generate about $6,000.00 for the club which will be immediately turned over to go into the park.

Q. What are your concerns if the site goes in?

A. Where are we going to show, how are we going to be reimbursed for the money that was put in 15 years ago?

Right now as it stands, if they put the dump right here where they are talking, right beside our parking lot, I don't know of too many people that are going to bring up a $40,000.00 quarter horse to Bayview Park again.

Q. Is there anything else you would like to add, Mr. Marinacci?

A. Not really.

MR. LANCASTER: Any question?

CROSS-EXAMINATION BY MS CRONK:

Q. Mr. Marinacci, precisely where are the club's facilities? Could you point it out to me?

A. As you come up the road right here, there is a parking lot right here. We have a ring, one ring, our buildings, another ring, a water tank and approximately 10 acres of land to park horse trailers on.

DR. KINGHAM: Just for the record, the witness is indicating the fairly northern portion of what is shown as Bayview Park on Exhibit WB-909.

MS CRONK: Q. Mr. Marinacci, why were your facilities closed severally years ago as you have referred to?

A. It was closed because of methane gas coming out of the ground, the dump coming back up. We were told that three feet of clay had to be put down and then a foot of topsoil.

Q. That was by the City of Burlington?

A. Yes, it was.

Q. As I understand, it was put down with the topsoil on top. It is the old landfill site that was there.

A. That is right.

Q. Someone suggested to you, sir, that if Site F is approved that your club is going to have to be closed again, someone told you that?

A. Yes.

Q. Who?

A. It is going to be a process of one or two things. It is going to come from either the environment pertaining to livestock next door to a landfill, the noise of a landfill going on, the stench and people not wanting to bring their horse. If you show dogs, would you take your dog to a dump or a swamp to show him?

Q. I just want to understand you, sir, it's all right. I understood you to say that you were concerned about the possible closure of your facility.

A. Yes.

Q. My question to you was, has someone suggested to you that your facility would have to close if Site F was approved?

A. When I went to the meeting at the Royal Botanical Gardens, I made a question pertaining to the site, and I was told at that point in time, $300,000.00 was allocated to move Bayview Park.

Q. To move Bayview Park?

A. To move our facilities out of there.

Q. So, if your facilities were allowed to remain open, or were relocated to an area that you found equally attractive, I take it you wouldn't have any concerns.

A. I really can't see any place in Burlington that is attractive with the background that we have to show horses in.

Q. If, for example, Mr. Marinacci, if your club's facilities were moved to a different location on Bayview Park itself or weren't moved at all and were allowed to remain open, that would go a long way to meeting the concerns you have right now?

A. Not really, because the dump next door with the noise, rats, skunks, rodent-like animals coming after a horse and all it takes is one rodent animal to be within 100 yards of a horse, and the horse freaks and then you have got mayhem. The horse will be sitting on the 403.

Q. Please understand my question is in respect to the problem. I understand how it would be a problem. What I am trying to get at is, what has been done to meet your concerns? Let us deal with the possibility of closure for the moment. If you weren't made to close and the facilities were relocated to somewhere else on Bayview Park, were that to happen that part of your concern would disappear.

A. Yes, it would.

Q. Is that fair?

A. Right.

Q. Then with respect to what you call the environment of having a landfill near a horse racing facility and the vermin, the rats and you describe that sort of thing, I suppose really would it be fair to say that that kind of problem would depend on what kind of controls were put in place to make sure that didn't happen.

A. Well, as it stands right now, we still get the smell from the dump that is still there when we have a horse show because it is a westerly wind. The only way to change that would be to put us on the easterly side. There is no way they are going to let you go over there.

Q. I suppose that there are a

certain number of odours that naturally take place around your own facility with horses; would you agree with me?

A. No, it dissipates rather quickly.

Q. Let's not get into a debate about that. I was more concerned with trying to respond to what you were suggesting about rats and all I am really putting to you, Mr. Marinacci, is if controls were put in place to try to control the vermin that might be produced from a landfill, that is something that you would see as a positive measure?

A. Yes, I would.

MS CRONK: Thank you very much. Those are my questions.

MR. LANCASTER: Any other questions? Fine, thank you.

MS VIGOD: Mr. Morgan Perigo.

MORGAN PERIGO, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Perigo, could you identify your present residence on the map, please?

A. My present residence at which my family has lived for the last 13 years is right adjacent on the west side of Kiwanis Park at 879 Nora Drive.

Q. I understand you have a short presentation for the Board?

A. Yes, I am very interested to hear the two presentations by Mr. Vivian who is a long time friend of myself through sports and with our children in the Burlington/Aldershot area. He and I coached baseball and hockey teams together and Mrs. Gerrie who I have known through the educational system.

My wife and I first came to Burlington in the summer of 1964 as newlyweds. I was employed, I was going to MacMaster and she was employed by the then Burlington Board of Education as an elementary school teacher.

We looked through Burlington to try to find some housing in an area that we would enjoy living and we were fortunate to come to an upstairs apartment on 799 King Road, which as you know, is just adjacent, very close to where I live now. We raised our first son there, Grant was born and we were living in that house. We used to enjoy very much taking him for a walk through the lovely Aldershot area surrounding the Burlington Golf and Country Club here where we had mature trees, lovely creeks and ravines. It was a gorgeous area.

We set our goals then as a young married

couple, we said if we could ever find any place to live in Burlington, there is no doubt in our mind that we would want to live in the Aldershot area.

Well, it took us until July of 1975 to raise enough money to buy our present house on Nora Drive. In the meantime, we left the King Road area. We went over and we were into an apartment building on the corner of Brant and Ghent Avenue. We didn't like that area because of the business of it. We took an opportunity the first chance that people who live in Aldershot will remember when the Georgian Court townhouses were first constructed back in the middle 60's at the corner of King Road and Townsend on the southeast side there. We moved in, we were initial residents in one of those units in Georgian Court townhouses. We were excited to get back into this lovely Aldershot area here. We saved our money and we couldn't afford a house in here because the prices were going up, so we moved back into a semi-detached house over behind the post office on Hagar Avenue. We lived in those townhouses from 1967 through until 1972.

It didn't take us very long to realize what we had given up in leaving Aldershot even though we had gone from a townhouse to a semi-detached, which was a step up financially for us, but moving back over

to the central core, it didn't compare to Aldershot. We wanted to get back here so we scraped and saved and we moved back here, as I said, to buy our house here in July of 1975.

Aldershot, as Mrs. Gerrie said, there is something about the community, there is something about the pastoral natural of this area, the maturity of it, the people who want to put their roots down there and want to stay there.

Mr. Vivian told you about our concerns. Yes, I have dumped a lot of garbage up in this dump. I don't go back as far as Lloyd does. I know the people who have bought houses in there have concerns about what is going to happen to those people up on Kerns Road, with the original dump. This is the dump where I put all of my garbage, over here, and I cannot realize or didn't realize at that point in time that that dump which I thought was a local dump, out of ignorance, was going to end up to be the landfill site for all the hundreds of thousands of people who now live in Halton County.

I thought this was not the regional dump, but this was a local dump. In the intervening years, I have now taken an interest in finding out and I have attended meetings and now I know what this area

up here represents. I am really concerned along with the gentleman who has the concern with Falcon Creek, Falcon Creek runs right through here as he said, which is very close to where I live and it goes through the golf course where I pay big dollars to be a member here. I enjoy that golf course very much.

I am concerned about the refuse that I see coming down in these creeks. I am not a geologist, I don't know what is in those creeks but I know sometimes it is not a pleasant stream the way it used to be. I am really concerned about what is going to happen, as Mr. Vivian says, if we expand this further and further.

Janet and I have two sons. They are out -- one of them is 23, Grant is 23, Craig is 18 now. They enjoyed being brought up in Aldershot. Their friends are in Aldershot and I am sure that I would be very pleased, as their father, to have them come back once they have made their niche in life and look forward to possibly putting their roots down in the community where they were raised in Aldershot.

I am worried about what effect the expansion of this dump is going to have on the quality of life that we residents have in this area here through which all of the potential drift is down

through these creeks down this way. As I say, I am not a geologist, but I think that any further expansion of what we already have here can do nothing to improve the quality that the people have down here. Only increase the risks of what may happen.

So, in conclusion, gentlemen, please don't put my children into a situation where they will feel unsafe staying in Aldershot to raise their children. Make the correct decision in my mind and turn down Site F. I don't want this site.

Thank you.

MR. LANCASTER: Any questions?

Fine, thank you.

MS VIGOD: Judy Spence.

JUDY SPENCE, Sworn

EXAMINATION BY MS VIGOD:

Q. Ms Spence, can you identify your residence on the map?

A. I live at 968 Shadeland in Aldershot.

Q. How many years have you lived at that location?

A. We have lived in Aldershot nine years.

Q. I understand you have attended

some of the early public meetings and have been involved for a while.

A. Yes, I have been involved since 1983, but June approached me and asked if I would help with the fund-raising to make money to support ...

Q. I understand you have a brief statement for the Board?

A. Yes, very brief.

We chose Aldershot to raise our family. Both my husband and I come from Toronto and started moving westward and looked from Oakville and then looked at Burlington and found Aldershot and the first time fell in love with Aldershot.

We have, over the last nine years in raising three children, enjoyed the quality of life in Aldershot. Our concern is that this quality of life is being threatened. We are also concerned about the leachate from the site.

We feel that Aldershot has had the dump long enough. Please find an alternative.

MR. LANCASTER: Any questions?

Fine, thank you.

MS VIGOD: Mr. Ben Korney.

BEN KORNEY, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Korney, could you identify your residence for the Board?

A. Right about there.

Q. What is your address, Mr. Korney?

A. 372 Enfield Road.

Q. How long have you lived at that residence?

A. I have lived there for the last 10 years, almost 11 years.

Q. I understand you have a presentation for the Board.

A. Yes.

For this presentation, I want to express my feelings because it seemed that the 10 years that I have lived here, I have had to fight city hall so to speak, to guarantee my family, let us say, good living standards and to raise them in the proper fashion.

Now, our problem first of all started, the fact that at that time the City of Burlington and the Environment people were all involved in safeguarding Aldershot as one of the better places to live. We found out that permission was given by various agencies to build 22 houses in an area where they aren't supposed to be. There is supposed to be a berm there. There are supposed to be trees and

flowers and so forth. So, we have lost that battle because of the fact there was an oversight and there was all kinds of excuses. Now, we find ourselves in another situation that right in the heart of the most populated area, we are having a proposed site for the dump, for the Region.

This site is possibly the most populated, the nicest area of all bounded by Waterdown Road, Plains Road, the railroad and also Kerns Road.

Now, I had attended many of the meetings and listened to some of the presentations and these meetings were supposed to be to hear the people and yet I heard some of the most unrealistic presentations. There wasn't going to be any sound, there isn't going to be any smell. There isn't going to be any congestion. Everything is going to be fine. I find myself less than a mile away from the site itself and I was told at one of the meetings that smack by the railroad tracks there is no more sound, no more dirt and so forth.

Now, please tell me, we have two steel companies over in Hamilton. Have they managed to curtail the dust and the dirt that blows across the bay towards the beach strip? At this time we have two large industries on Harvester Road and Appleby Line.

They let off what are called barnyard smells. The area which I speak of is covered with that because of the wind direction and there is no way that it could be limited to any half-a-mile or a mile anyway, so the people in that area are certainly experiencing that which one time was possibly, there was a deterrent, these companies were trying to place, but you can't stop it.

So therefore, this idea about only a limited area where we are going to be affected.

Now, during the garbage days which happen to be Mondays, we are experiencing the presence of birds, scavenging birds. In further expansion, I would imagine there would be more of that going on.

What about the traffic congestion? If you travel along King Road, and go up to the South Service Road, you will encounter many, many a truck, many, many a vehicle going that way. Now, let us consider the magnitude of congestion that will be there after this proposal goes through. You have cars, trucks, children, buses and people.

Now, I also heard where everything was calculated, everything was calculated how much it was going to cost. Now, what about the people element? Has anybody considered how many people will be

displaced or will be put in jeopardy of this move? There was a question of displacement of people in the Milton area which I understand is somewhere around 100, maybe more. Now, my question is, how about the thousands of people living around there now? In some way or other that area is going to be affecting their lives. So, it is a simple question of theories versus people, that is my contention.

Once again, I had gone through the process of reassessing my property because of the facts, the people element not being able to enjoy my life and my home raising my family in a proper environment.

Now, what will happen to this area when all this comes to a point?

Once again, gentlemen, my suggestion is to reconsider the human element, the people rather than the statistics. I can relate you a little story that came about when I had a business up here, Mountainside Variety. There were some engineers, they were going to cover a creek, they came along and made up all the measurements and in a week's time or so there were huge culverts brought in and a gentleman who happened to be Mr. Price who was one of the school guards said "Gentlemen, what are you going to do with that?" and

they said "Oh, we are going to cover this creek." He said "Gentlemen, I have lived here all my life and if you think that those culverts are going to take in all the water that comes down that creek, I will eat them one at a time". Lo and behold, they did cover that creek and the first storm they had, the man who lives not too far away, his furniture was floating in his cellar. So, once again theory is one thing but practicality is another.

Thank you.

MR. LANCASTER: Any questions?

Thank you, sir.

MS VIGOD: Mr. Steve Lovegrove.

STEVE LOVEGROVE, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Lovegrove, could you identify your residence for us?

A. I live at 1060 Waterdown Road, which is the last house beside the small firehall before you get to the 403.

Q. How long have you lived in that location?

A. Since 1983.

Q. You have some concerns you would like to raise with the Board today?

A. Sure.

I have been in Burlington since 1967. I lived with my parents for a short time and they moved just out of Burlington to Millgrove and then when I was able to save enough money, I was able to buy this house as my first house. It was a starter home. I have been doing extensive renovations to it right now.

Like I said, I grew up in Burlington and I can remember the Bayview Dump, my father taking me there. I really gave no thought to a dump. Young people then were not really too concerned about environmental affairs. Once I moved into my house, they have been doing some rezoning and different classifications around this area here for restaurants and things so I have been down to City Hall and council and participating in some meetings there just to find out what kind of zoning they would be doing.

Along this line I have been more or less paying attention to what they have been talking about with the new dumpsite. I went to the Botanical Gardens meeting and I joined the action group in Aldershot and more or less followed the newspapers and tried to keep as well informed as I could.

When I was young I used to travel up King Road here to this dump and I always knew I was

going to a dump because there was always garbage at the side. Something to be not very proud of is something not to be embarrassed about, but as soon as we came down and turned the corner at the Service Road, there was nobody living up there and there was nobody in the foreground so it was easily forgotten.

I know when they started this dump down here, I started to see an increase of garbage along this Service Road. I used the Service Road quite a bit to get along the top part of Aldershot instead of going along Plains Road, I find it quicker to get over to the Brant Street corridor and out onto the QEW. I noticed going along there I would see mattresses and sometimes garbage bags that had fallen off the vehicles and splattered and broken.

Again, it looked messy and I could see that there had been attempts by some authorities to go by and pick it up. I see they hired students or someone, you know, with the bright orange vests on, but it doesn't really seem to be keeping ahead of it. There is always garbage there. There is always somebody's mattress that has fallen off.

My concern is just that that increase has always been there and it is not going to go away after they put this dump in if it goes ahead.

Like I say, I use that corridor and switching to my next point, there is an increase in traffic flow there. I am a service technician and I work at Cumis Life Insurance Company here.

Over the years, since '76 since I have worked at that very same company fixing their printing machines, I have noticed the traffic is so heavy coming along there to turn in that often I have to wait quite a long time just to get around this intersection here and coming out at five o'clock there are a lot of heavy trucks, there are a lot of other people using that access way to go down onto the 403 into Hamilton. It seems to be an easier way for a lot of this traffic to get out. They have made this corridor here. They have made a cloverleaf here now so that people can get from Hamilton to go through this way and down.

So, with increased truck traffic, residential traffic and just the other day I noticed the buses are using that as a route busing kids to and from schools. So, I have a very big concern just in that area with extra dump trucks coming down from the whole Region away up as far as Milton. They are going to have to use that service road somehow and I can't possibly see how a narrow two-lane road where they use residential industrial, there is even 10-speed bikes

running along there. They have a little sign right by my house, "bike traffic". It seems to me ludicrous they don't even have a proper shoulder at the side for that sort of thing.

Becoming interested in this area, I walked extensively through here. I hunt. I have a hunting dog and I like to take him for a walk, for a run. I have come up through the Hydro right-of-way and I have been back through in this area and I can remember it well when it used to be used for dirt bikes. It was an area where a lot of motorcycles and things were.

I now am particularly interested in it because it is a possible site and I have been checking it out. I notice they have been doing some work at the bottom of the Bayview site, this big road in here, and I have noticed heavy trucks and things going in. Just from asking around and inquiring, I find they have been having a problem with that site. Leachate or some engineering problem, that is about what I understand.

My last real concern, I had three, was the increased garbage, the traffic, and my last concern is, if this dump goes ahead and the engineers properly design it, how they think with the retainer and everything in there should be a leachate problem coming

down into Aldershot, because we do have a higher elevation here. If there was any flow out, it would come this way. How would they be able to assess whether there was a problem for this dump, or a problem from the latest one, or even from the one that they have in there, who is going to be responsible for a clean-up or for correcting that situation seeing as all these different dumps have been put in by different municipalities, like different regions or local, it just seems like who is going to take the blame if there is a problem? Those are the three points that I basically had.

MR. LANCASTER: Any questions of this witness?

Thank you, Mr. Lovegrove.

MS VIGOD: Mr. Schmalz.

W. SCHMALZ, Sworn

EXAMINATION BY MS VIGOD:

Q. Mr. Schmalz, can you identify your residence?

A. Okay, we live on Plains Road very close to the cloverleaf where the Queen E swings over, Fairview and Plains Road.

Q. What is the street address there?

A. 1047 Plains Road East.

Q. How long have you lived at that location?

A. Twenty-five years.

Q. You have a brief presentation for the Board?

A. Yes. We lived for 25 years on Plains Road and we raised our three children. The house is 81 years old and we are on a well, which we use for everything, and on a septic tank. I have a small woodworking business and there is a small shop in the back.

I basically have three concerns. The first thing -- well, not the most important one -- I like to start off with the least important one -- is the traffic.

My daughter is working in Hamilton. She is using the North Service Road. She is travelling over King Road and she probably would be even better able to tell you a lot better of what the traffic is like on the North Service Road. She has come several times too late to work even though she went on time because there were problems on the North Service Road.

As well, at the present time, all the garbage that is being trucked to Niagara is basically passing by my kitchen window off the cloverleaf going

towards Niagara Falls. There are huge trucks. These trucks, they all have to go up along the North Service Road to Brant Street. They come down Brant Street, Plains Road, swing over onto Maple and then Plains Road and off the cloverleaf into Niagara Falls onto the Queen E.

I would think that traffic-wise we have found that probably in the last 10 years, traffic in Burlington has drastically increased on some of the main routes, especially Brant Street, with all the development at the top of Brant Street, the Guelph Line and Walkers Line to a degree, but especially the Brant Street, Fairview and Guelph Line, seem to be the main roads.

Most of the traffic, I would think, would come down probably Brant Street when they come from Milton, Georgetown, Oakville, would probably come down the Queen E. Eventually, everything on that little Mickey Mouse service road, which is not designed at all to take this type of traffic. I would think if we would follow what happened to the traffic in the last 10 years to Burlington, and if we project this into the future, I think within 10 or 15 years, we have a big, big traffic problem on our hands. That is combined all the truck traffic and of course the

increased Burlington traffic unless something really drastically would happen to that service road. So, that is the traffic picture.

We are not too concerned about garbage trucks maybe having to use Plains Road for the time being. I do not know if the larger trucks which now would truck all this garbage away, if they would keep running or if this would come to an end, but at the moment, these trucks are very much in the picture and I don't think anybody can say Burlington is not affected by that traffic. That is one thing.

I have been able to sit in on two meetings. One was the Milton residents giving testimony and one here. I was surprised and really hurt to hear the first time that somebody was talking about dust and dirt pollution.

We live in a situation where there is a lot of free land towards the Escarpment, so we can actually, especially from our upstairs window, we can see the whole Escarpment. Not likely but in the later years now in the summer when it is dry, we could observe over the dump a big plume of dust. I am not talking about two storeys high, I am talking about a big plume of dust seen against the Escarpment. The Escarpment has quite an elevation.

Now, after 25 years, we know how the wind is going. The bad weather comes from the lake, comes from the southeast and usually the weather turns and then pretty well all the wind comes from the northeast which means the wind really, the City of Burlington is nearly downwind from the dump. That is really the bottom line and it goes right towards us and it goes over Maple Avenue and it goes over the centre of Burlington.

If we consider that, I have heard, and I must say in one of the first meetings, that the consideration was the dust wouldn't be a problem, it flies 400 yards, something like that. We all had a good laugh about that one. Regardless of expertise, it was decided. I feel, and we have sometimes very strong winds, whatever is airborne at that stage is probably more or less brought over Burlington. I wouldn't say it is brought to the City of Burlington or 10 miles past. I think it depends on the wind patterns but I do believe that whatever comes up quite high is being carried away for some miles.

With the dust I would think what we probably haven't considered too much is that people suffer allergies and I think as well that buildings deteriorate, but I don't think a study is on something

like that being conducted, or a consideration is being given to that kind of a situation.

So, I feel that probably people have health problems and they wouldn't even know that this could be the cause. As well, probably the buildings downwind are affected to a certain degree. This is hard to measure, but I do believe it needs to be considered.

If we have the machinery going up there like for a long time it has been more or less, I think, a local dump unless, until the different municipalities run out of the garbage space and then of course everything had to come down here and now it is a huge operation.

If it is an operation like it has been considered, I do believe this truly has to be considered, that there is quite a bit of stuff being drifted right over the city. It is not, and it is the northeast wind that is prevailing then, the northwest wind, I am sorry.

Thirdly, we have an 81 year-old house and we are on a well for everything. We have sandy ground and I have heard that the leachate can be contained. I have listened to some people having conversation about liners and what the liner can do and

that it is wonderful but then the one gentleman says yes but you know what happens to the overflow.

I said "Okay now, if you have a big plastic liner, it is like a big bathtub." I said "If it rains a lot where is the water going to go?" It is not going anywhere. Well, eventually the big bathtub will overflow. I said "Where is it going to go then?" Well, it goes to the sewage treatment plant but the one gentleman said that when it ends up in the sewage treatment, nobody really know what is in that dump.

Now, they treat, probably, for human waste and certain things but he said whatever comes out of the dump, eventually it gets treated and probably a lot of things are not even being detected and it goes in Lake Ontario.

Then it comes to the intake and we drink it. So, considering that, I would say at the moment, and I don't know if extensive drillings have to be taken or how people determine which way the water flows, but at the moment I think I wouldn't take a guarantee from anyone for containing the leachate and eventually not seeing -- look, after 40 years, who knows?

I have another concern as well. We know that this government is spending money like

drunken sailors. Now, we don't know what is going to happen, whoever is paying the debts we have as a country. I can very well imagine that today this will be all well planned and I can imagine that the people say "Oh yes, we take all the precautions. The money is there." If we have a real economical downturn that everybody is hurting, I wonder by the time that money is short everywhere and so on, if really the precautions will be taken that are all promised today. I wonder if the politicians will say "Hey, listen, we haven't got it, forget it." Or the people will say "Don't talk about it, just put it there."

Then, we have a whole other meaning. I realize it is a hard decision. I realize everybody is fighting over garbage today, but there was something else and I was really bothered by that. It became the question of, and the question was well, if the city produces 85 per cent of the garbage, do you think it is fair, you know, that you truck it out in the country? If you really think about it for a moment, you would think, hey, this is not fair. But this is not the whole question. The whole question is really that the city is producing garbage and more than anything else, like any small community or any village, but the cities have industry, the cities have something else. The

cities have opportunities, the cities offer employment to a lot of people. The cities create wealth. After the wealth had been created everyone sat down and we realized that the Region wants to share in the wealth, the province wants to share in the wealth and the Government of Canada wants to share in the wealth. We know what is happening to that, all the people in the Region get paid and the roads get looked after. The provincial government, they look after our health insurance, they look after the traffic and whatever. The Government of Canada, they put the satellites in the sky, so now all of a sudden it isn't so unfair anymore because the people who live out there someplace, as nice as a lot of people would like to live, they can't afford it. Some people can, they are very lucky, but all of a sudden, we say "Hey, you know, you keep your garbage and take ours to boot."

Underneath there is, I don't know exactly how many people are in Aldershot, underneath all is this time bomb in a way. We don't know if it goes off or if it doesn't go off, but I am quite sure that when that time bomb goes off, all the people who approved it are not around any more, or they are very far away from the explosion.

What do we do now? This is the way it

is always happening. The Love Canal or whatever it is. So, I think that it not just people, it is not just people that we say "Hey the people matter because if we don't worry about the environment, pretty sure we can all pack it in anyway."

Now, since we have to make some hard decisions, it will be very, very direct if this garbage dump is placed practically over Aldershot.

Q. Mr. Schmalz, can I just ask you a question about your well?

A. Yes.

Q. Is it a dug well or a drilled well?

A. It is a dug well. I assume it is a dug well, because it is, it is almost, we can go down probably about a metre or a good yard diameter.

Q. How deep is it?

A. I would say it is probably 25 feet.

Q. You use that as your drinking water supply?

A. We have all our water there and the tests, we had it tested when we bought the property and it was A1 then and we had it tested about every five years or so.

We had it tested by the Department of Inland Waters through the city and they said it is very good water.

MS VIGOD: Thank you.

MR. LANCASTER: Any other questions of this witness?

DR. KINGHAM: I have a question for you, sir, before you take the microphone off. You said that somebody told you the dust would only travel 400 feet or 400 yards?

THE WITNESS: I think at the time at Aldershot High School there was a meeting and there was a whole table full of experts. They kind of said "Well, Aldershot is practically not affected by it" and I think there was mentioned something about the dust too, but I cannot really say about the distance because I didn't bring this up.

At the time when the first hearings were at Aldershot High School when we were aware there were some decisions being made, I think there was a lot of public interest in Aldershot. I think the decision process went through the stages and people didn't get all the information and people, in a way, I think, got tired too. There were so many meetings and eventually there was not really that much information coming

forth. There were lists laid out and if you wanted some more information, we could sign our name and we would be kept updated. We picked up some of these booklets that were for information and I have probably three or four of them. I cannot say I read the whole thing, but I read what I thought was important and was concerning us.

Last year, I threw all these books away because it was indicated, you know, this whole thing moves to another level and after what we have seen in Aldershot, we all laughed. You know, it was just ridiculous.

DR. KINGHAM: The point is I think you said somebody told you that dust would travel only a certain distance. I wanted to know what your recollection was as to who it was that told you that and your recollection was at an Aldershot High School meeting.

THE WITNESS: At Aldershot High School they said we were not affected and dust was not a big problem. It was a limited thing. It wouldn't affect anybody, noise wouldn't affect anybody. I don't know how they justify the traffic really, I don't know.

As well, I really have problems understanding that we truck the garbage from one weigh

site from Georgetown all the way down. I am not sure if nobody is considering the wear and tear on the roads, the pollution from the vehicles and of course the cost.

DR. KINGHAM: Thank you.

MR. LANCASTER: That's fine, thank you, Mr. Schmalz.

MS VIGOD: Mr. Art Zimmerman.

ART ZIMMERMAN, Sworn

EXAMINATION BY MS VIGOD:

Q. Could you identify your residence, please?

A. My residence is at 1040 Unsworth Avenue.

Q. How long have you lived there?

A. I have lived at the present residence since 1984, but I lived across the street, I grew up across the street, so I have been in Burlington roughly for 30 years.

Q. I understand you have a brief presentation?

A. I have a presentation I would like to make. I am going to be referring to the two reports, the Pollutech Report on leachate treatability and also the leachate monitoring report by Gartner, Lee

Associates.

If you have copies, you might want to...

DR. KINGHAM: We usually refer to them by exhibit numbers, but I am not sure we can recall the numbers off the top of our head. The first one you mentioned was the Pollutech?

THE WITNESS: I will be referring to the Gartner, Lee, the March, '87.

MR. HODGSON: Exhibit H-625. The 1987 Halton Regional Landfill Monitoring Report.

THE WITNESS: I have been in Burlington or an Aldershot resident off and on for 30 years now. I have also been a member of the executive of the West Burlington Citizens Group for two years now. I have been actively involved in this debate since its inception at the first meeting at Aldershot High School some years back.

My concern is that as an environmentalist first and foremost and as a result, it does not really allow me to trade off one site for another since both are considered unsafe due to leachate contamination of groundwater. Instead, we should be uniting in our concern for the environment.

The mentality of dumping our garbage in someone else's backyard is dividing us and keeping us

at one another's throat. The solution to this problem is not only a short-term one of dumping it, but also a long-term one. We continue to produce garbage that is not biodegradable to non-toxic elements and we also continue to produce multiple variations of a single product where we might produce one or two good quality products.

I realize this is a need that has been created by the media, but it is having a toll on our environment in terms of the waste products that we are producing.

Little research and money has been spent on alternative recycling technologies to reduce the non-degradable substances that we use. As a long-term effort or solution, I say we have to turn more to the production process which produces this garbage and we must deal with this, so we do not end up with the problems that we have presently, not only in the Burlington area but we have all witnessed the barge that was travelling around the world from New York City last year, with this garbage. It couldn't find a place to dock it and presently there is another Italian vessel that is sailing the seas. It was rejected entry into Nigeria, where they have been dumping toxic waste in Third World countries.

So, there has to be a long-term solution to this problem, not only this short-term thing that I do not consider a solution anyway.

Having said this, I would just like to add a few observations concerning these two reports I just mentioned. Both works are quite complex scientifically speaking, and represent an incredible amount of time and effort. One might add that they are rather impressive in their form and format. The first report has been prepared by Gartner, Lee, and I would like to refer to the general language that is used in these conclusions that they derive on page 1.

They mention in their first point that trace concentrations of leachate may also be present in waters 100 metres south of the landfill and 10 metres to the southeast. It should be noted that the degree of leachate impact on groundwaters appears to be minimal. They may also be present and it appears to be minimal.

Point two, based on the availability of surface water quality data, there does not appear to be any leachate impact on Falcon Creek, so it doesn't appear. Minor leachate impacts may slightly affect it, so it may slightly affect our water quality.

Point three, concerning the total volume

of leachate collected by the underdrain, toe drain system, they mention that this constitutes about 31 per cent of the precipitation which fell on the landfill in 1987.

Again, they say this volume is believed to represent most of the leachate. So, it is believed to represent and suggests that only a very small amount of leachate is entering the shale bedrock below the southern portion.

What I am trying to make here in this report in scientific terms, when the scientist or an engineer uses this sort of language, it means that their results are not conclusive. They cannot say for certain scientifically that there is leachate down there.

I would like to refer more specifically to the third point concerning only a small amount of leachate may be entering the shale. In reference to that, I would like to turn to the Figure 3 on the water budget information on page 11. This budget is based upon the precipitation of 805 millimetres which represents the 100 per cent value of all the rain that fell on this landfill area. Of this amount they have calculated, the evapotranspiration level of 480 millimetres or 60 per cent of the measured

precipitation goes off as evaporation or transpired water or chemicals, volatile chemicals.

Now, this represents 60 per cent. This figure is a calculated value. It is not a measured value. This is calculated using long-term stream-flow data from nearby Grindstone Creek at Aldershot. So, this is an extrapolated value or calculated value. It is not measured, therefore there is a large degree of room for discrepancy here. This amounts to a large amount of 60 per cent.

The measured value of the leachate volume coming through represents 31 per cent of the measured precipitate and the surface runoff represents the 72 millimetres or approximately eight per cent. This in total adds up to 100 per cent which quite conveniently leaves little leachate that is going through and here they have "volume unknown".

So, there is a great degree of inconclusiveness here. Are we to assume that there is actually no water going through as leachate. They are leading us to believe in this study that there is no water going through as leachate. Therefore, if there is no leachate then there is no problem. Being that the site, the southern part of the site is composed of a fractured shale which means the permeability would be

quite high for leachate and move quite quickly through the rock formations and would present some problem to the contamination of the groundwater in that area.

So, this is just one point I wanted to draw reference to but there are several other points of questionable conclusions that I questioned from a scientific point of view.

Another point in this study I would like to mention is concerning the composition of the leachates. This is found on Table 2 on page 14.

I want to refer specifically to one chemical, benzene, which is a carcinogenic compound. As you note from the study, there are quite a few other compounds that are of toxic nature, diochloromethane, trichlorethanes, trichloroethylene, toluene, and quite a multitude of others.

Now, concerning the benzene, the 1984 average was less than 10 micrograms per litre or 10 parts per billion. It is not precise to say it scientifically, but we will use the term 10 parts per billion. It is easier to understand.

In 1987, it has increased to 69 parts per billion. This is a 1987 average. So, on the average measurement you would find that many parts per billion of benzene in one litre of water or yes, in one

litre of water you would find that, 69 micrograms per litre. If you calculate that out using the flow rates that are found on page 68, or 67, if we calculate the daily volume as given here, say for the date July 13th as 212,456 litres, now everyday and on that particular day, that was how many litres of leachate was coming off, 212,456 litres. If we calculate the average concentration of benzene to be 69 parts per billion, that works out to 14.7 grams of benzene a day, are coming off that. That is just one day.

If you take into consideration all the days during the year with the various flow rates and various daily volume measurements upwards of some 618,000, you can imagine the amount of toxic leachate that is coming off that site. That is just one compound. There are several others, there are inorganics such as copper, nickel, chromium, cadmium, which is quite toxic, and there is a whole host of other things coming off there. So, you can imagine the amount of leachate that is entering the actual sewer system or the toe line and other drainage systems. You can imagine then the amount that is going to the pollution treatment plant. It is quite a substantial amount based on these figures here.

That brings me to the next study which

is the Pollutech Study. This study deals with the actual treatment or potential treatment of leachates that come off this dumpsite.

On page 3 of the study just a brief mention, this study is quite an involved enterprise since it includes four different concentrations. One is a detailed literature review undertaken to deal with in regards to quantity and quality of municipal landfill leachates from all over the world and there is also another study dealing with the characterization of the landfill leachate produced in Halton Region through collection and analysis of the leachates.

Then, there is a detailed laboratory scaled treatability study that is to determine the impact of a sanitary landfill leachate on the three municipal water pollution control plants.

The fourth considers the detailed health risk assessment carried out for the major components of inorganic nature that were identified in the leachate.

Now, this is where my area of concern lies in the actual health risks. They state the majority of contaminants levels that are acceptable to the sewage plant. The effluents that are going into the sewage plant are at acceptable levels. This is mentioned on page 11.

On page 14, it is also mentioned that the effluent quality at the Skyway Water Pollution Control Plant can be kept within the MOE guidelines provided that the loading of leachate does not exceed 2.5 per cent of the volumetric flow. Now, it so happens that during flood periods, the flow to the plant has to be by-passed. It does not go through the treatment process. So, in these periods you can assume that a large amount of leachate would be going out into the lake untreated.

Now, on page 39 again concerning the health risk, it is mentioned here that classifying a chemical component as toxic does not automatically mean that the compound is a hazard. Toxic chemicals are not hazardous if they are applied in safe concentration.

Now, the contention I have here is that it is very difficult to consider or to try to arrive at what is a safe concentration of a chemical. From a report here, from the Chemical Marketing Report 1984, it mentions that the concept of safety thresholds has been a pivotal part of cancer policies for a number of years.

During the 1980's in the United States, it was widely held that a threshold might exist particularly for epigenetic compounds. These are

supposedly compounds that do not have direct genetic eutogen capabilities although that is questionable now too. There was also a tendency to de-emphasize the importance of animal testing. The net result of these opinions would have been a relaxation of policy and potentially greater exposure risk. More recent revisions to policy do not discuss the possibility of three safety thresholds for carcinogens. So, trying to arrive at whether a problem, a chemical or contaminant is safe or not is very questionable because it does not necessarily take into account bioaccumulation or long-term effects of that chemical.

Nor, does it take into consideration the synergistic effect which means, when you add all these chemicals together, you can have chemical reactions that go on to produce an even more toxic chemical.

So, this is another problem with these types of statements concerning the safe concentration or what is a safe level of a contaminant.

That was my main concern with that study was the mention of the study of the health effects, the substance actually being at a safe concentration. More and more there is a tendency to go for the zero tolerance or no concentration as low as possible and they are talking less and less about threshold levels

because for years the PCB was not even considered a toxic compound. Now they can changed their opinion on that and there has been quite a fear put in the people of Quebec and all across Canada due to the recent explosion of PCB's there. No one knows what is going to happen because most people distrust the scientific evaluation, since they have changed. They have changed considerably over the years. Just like in relation to the problem with AIDS. Scientific opinion has changed considerably and now there is a great deal of mistrust. Our environment is becoming more polluted. Cancer rates are on the increase and there have been a lot of reports that have been done recently. A report mentioned in the Hamilton Spectator of September 2nd, 1988, Ontario is the dirtiest of the Great Lakes, citizen group says and traces of PCB's have been found in mother's milk.

"Lake Ontario is considered by the International Joint Commission to be the most polluted of all the Great Lakes, this is the report."

Cites the Bilateral Canadian/US Water Monitoring Agency, the IJC, the International Joint Commission.

The report notes it would take 20 years

to flush most of the pollutants out of the lake if no other contaminants were added. Among the continuous stream of pollution directly into the lake are pollutants from 46 industries, 15 large municipal waste treatment plants in New York and Ontario and also 505 kilograms of toxic pollutants flowing daily into the Niagara River from leaking dumpsites.

They also state here that we don't know what the health risk is. Very little money is going into research and we want to know, says Paul Muldoon, of the Great Lakes United Conference.

Because it is the dirtiest, the people living nearest it are probably the most imperilled of all of the Great Lakes Basin.

I would like to refer to another study that was recently put out by the Canadian Centre for Inland Waters, called the "Toxic Chemicals in the Great Lakes Basin Ecosystems, Some Observations".

This study came out in November of 1987 and I find it to be a very alarming and very important study, yet we have seen very little of it in the press or elsewhere and it is very well researched. They have 323 resources including all sorts of scientific journals indicated here. It says:

"Numerous persistent toxic chemicals,

metals, have been related to other human health problems such as, allergies, health disease, chronic degenerative conditions and exposure to lead has been found in lower intelligence levels in children."

MR. LANCASTER: Mr. Zimmeran, I wonder if I might stop you there. I don't think we really want to get into that.

THE WITNESS: The point I was just adding, if we continue with this site at Site F we are going to be increasing the load of leachates to the whole system. As a result, there will be more going into the lake and the whole general philosophy or feeling now, is that we should be decreasing the loadings to the lake instead of increasing them. That is the reason I mentioned these studies because the lakes are already in bad shape now and I wanted to emphasize that point.

MS VIGOD: Thank you.

MR. LANCASTER: Any questions?

Fine, thank you, Mr. Zimmeran.

MS VIGOD: Mr. Chairman, at this point we have finished the presenters. There were two people who were unable, in fact they have been unable

to attend the last session and this session. They have two written submissions that they would like to leave with the Board.

I could either present them or just file them with the Board.

MR. LANCASTER: Just file them.

MR. LEITCH: Before we perhaps do that, can we perform that chore when we reconvene and can we have copies of those to consider in the meantime? I haven't seen them and none of my friends, I understand, have seen them.

MR. LANCASTER: They will be available to you.

MR. LEITCH: My only concern is if there is something there I want to cross-examine in them, I will take exception to them.

MR. LANCASTER: They are not filed as an exhibit, they are just filed.

MS VIGOD: I believe there have been some other presenters on behalf of other people.

MR. LANCASTER: You will certainly have an opportunity to look at them if you wish to bring them forward.

MR. LEITCH: I wonder if my friend could wait until next week when we reconvene to file them

with the Board and if we could look at them before that happens?

MR. LANCASTER: They really should be here to present them themselves.

MS VIGOD: There is a difficulty. Two people were unable to come to either of the sessions, and we are not going to have any more. They have prepared some brief, written remarks.

DR. KINGHAM: Does that mean we will not be hearing from Mr. Griffiths tonight?

MS VIGOD: No, he won't be here.

The other matter was, I believe last week the issue arose of the earlier goals of the Solid Waste Management Committee and Mrs. Pocock has given me copies of a meeting dated February 2nd, 1983, that I can distribute to my friends.

MR. LEITCH: I asked about this in cross-examination of a witness and I am not sure I remember now the name of the witness. These were referred to in my cross-examination.

I requested they be produced and I think they should be filed with the Board.

MR. LANCASTER: That will be WB-946.

--- EXHIBIT NO. WB-946: Minutes - Feb. 2/83

MS VIGOD: I guess the only final

remaining matter was the question of the exhibiting of the video and I think at this point in time after hearing over 60 residents and their concerns and also the video, places a number of the residents in areas that we have heard about that it is appropriate that it be made an exhibit.

MR. LANCASTER: All right, we will accept that. It will be WB-947.

--- EXHIBIT NO. WB-947: Video

MR. TIDBALL: Mr. Chairman, one of the witnesses tonight, and I don't know about the other night, raised the issues, and I don't know how relevant it is, but I leave it to you to raise the issue of an old landfill site on Kerns Road.

Through the diligent effort of Mr. Parsons, we have been able to locate something. It is a closed landfill site in Halton Region and that is in fact one of the sites surveyed and there is a map and a small description. I could file it if the Board thinks it is helpful. I have copies.

MS CRONK: Excuse me. Evidence went in through Mr. Bacon, and as you may recall, other planning witnesses, dealing with the previous landfill and waste disposal sites of a variety of descriptions and I don't think it appropriate at this stage that we

file material of this kind that is already before you in another way.

MR. TIDBALL: I had forgotten about Mr. Bacon's evidence and Mr. Parsons found this. I leave that to you.

MR. LANCASTER: Thank you.

Is there anyone else here present who would like to speak at this time on this matter?

Fine thank you. Thank you for attending.

MR. PERIGO: I would like to refer to the question of where we got the distance of noise and pollution travel. That was during a session, a hearing we had at Aldershot High School, and therefore, we did have that information given by the various engineers or presenters that were definitely limited to, I believe, it was 0.7 of a mile from the local site, all the noise and the different, even at different wind velocity, would not affect, in my case they are right there by the railroad tracks, so that information was presented and should be recorded in that particular meeting.

MR. LANCASTER: Thank you.

We will stand adjourned until Monday, September 12th at 9:30 in the morning. Thank you.

--- Adjournment at 9:05 p.m.

CERTIFIED CORRECT:

P.D. McQueen

(PAGE 42750 FOLLOWS)